

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Jose Luis Vidal,  
Plaintiff-Appellant,

-against-

M-2651  
Index No. 305624/11

Reliable Plumbing Supply of NYC, LLC.,  
et al.,  
Defendants-Respondents.

-----X  
Reliable Plumbing Supply of NYC, LLC.,  
Third-Party Plaintiff,

-against-

Paul Lapierre, et al.,  
Third-Party Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 22, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated May 15, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2015 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
Barbara R. Kapnick, Justices.

-----X

In the Matter of Lauren Dunbar, also  
known as Lauren M. Dunbar,  
Petitioner,

**M-2341**  
**M-2440**

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules,

Index No. 100232/15

-against-

Cardinal McCloskey Community Services,  
et al.,  
Respondents.

-----X

Petitioner having moved for leave to prosecute, as a poor person, the purported appeal taken from an order of the Supreme Court, New York County, entered on or about March 2, 2015, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

And respondent Cardinal McCloskey Community Services having cross-moved for dismissal of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon, it is

Ordered that the cross motion is granted and the appeal is dismissed. The petitioner's motion is denied as academic.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzaelli  
Rolando T. Acosta  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-1759  
Ind. No. 5674/12

Jose Colon,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 16, 2014, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



CLERK



Meghan Dupuis Maurus, Esq., The Neighborhood Defender Service of Harlem, Inc., 317 Lenox Ave., 10<sup>th</sup> Fl., New York, NY 10027, Telephone No. 212-876-5500, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of a Custody/Visitation  
Proceeding Under Article 6 of the  
Family Court Act.

- - - - -  
Evgeny A. F., Docket Nos. V-27137/09  
Petitioner-Appellant-Respondent, V-50162/09

-against-

Inessa B.,  
Respondent-Respondent-Appellant.

- - - - -  
Steven N. Feinman, Esq.,  
Attorney for Subject Child.

-----X

Simon Turkel, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal and cross appeal from the Final Order of the Family Court, New York County, entered on or about January 30, 2015, for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite #412, White Plains, NY 10601, Telephone No. (914)-949-8214, as counsel for purposes of responding to

the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant-respondent and 8 copies thereof are filed with this Court.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2240  
Ind. No. 2295/14

Aziz Rasheem Coleman,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 16, 2014,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Luis A. Gonzalez, Justice Presiding,  
Peter Tom  
David Friedman  
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-2283  
Ind. No. 2560/13

Domingo Cepeda,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 7, 2015,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed.

ENTER:

  
\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
Rolando T. Acosta  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----x  
JPMorgan Chase Funding, Inc.,

Plaintiff-Appellant,

-against-

William D. Cohan,

Defendant-Respondent.  
-----x

M-1710  
Index No. 151693/13

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 25, 2015 (mot. seq. no. 003),

And plaintiff-appellant having moved for a stay of so much of the order that directs the production of certain documents, pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted on condition the appeal is perfected for the October 2015 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
David B. Saxe  
Paul G. Feinman, Justices.

-----x  
Richman Plaza Garage Corp.,  
Plaintiff-Appellant,

-against-

M-2443  
Index No. 305076/13

River Park Residences, L.P.,  
Defendant-Respondent.  
-----x

Appeals having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about January 14, 2014 and from an order of the same Court and Justice entered on or about May 28, 2014, respectively,

And plaintiff-appellant having moved for consolidation of the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the appeals upon 9 copies of one record and one set of points covering the appeals and enlarging the time in which to perfect the consolidated appeals to on or before August 10, 2015 for the October 2015 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Richard T. Andrias, Justices.

-----X  
The People of the State of New York,

Respondent,

-against-

Diane Word,

**M-1475**

**M-1558**

**M-1702**

Ind. No. 12241/92

Defendant-Appellant.  
-----X

A decision and order of this Court having been entered on September 27, 2007, unanimously affirming the judgment of the Supreme Court, New York County (Harold Beeler, J.), rendered on or about November 9, 1999,

And an order of this Court having been entered on April 24, 2014 (M-135), denying defendant's application for a writ of error coram nobis,

And defendant-appellant pro se having renewed her motion, in the nature of a writ of error coram nobis, for a review of her claim of ineffective assistance of appellate counsel, and for related relief (M-1475),

And defendant-appellant pro se having moved by separate motion to relieve assigned counsel Richard M. Weinstein, Esq., and substitute Kerry Jamison, Esq., as counsel on defendant's appeal (M-1558),

And defendant-appellant pro se having moved by separate motion for leave to reopen the aforesaid appeal (M-1702),

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motions are denied.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
Leland G. DeGrasse  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of a Proceeding for  
Custody Under Article 6 of the Family  
Court Act.

-----  
Kevin J.,  
Petitioner,

**M-1446**  
Docket No. V-32408/14

-against-

Omobolanie O.,  
Respondent.

-----X

An order of the Family Court, Bronx County, having been entered on or about March 9, 2015, directing petitioner father to send written consent to respondent mother with respect to an application for a passport for the subject child by a date certain or custody of said child would be awarded to respondent mother,

And an order of a Justice of this Court, dated March 3, 2015, having granted petitioner father a temporary stay of the aforesaid order pending a custody hearing scheduled for May 26, 2015 in Family Court, Bronx County,

And petitioner father having moved for leave to appeal to this Court from the order of the Family Court, Bronx County, entered on or about March 9, 2015, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied as moot.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Luis A. Gonzalez, Justice Presiding,  
Angela M. Mazzarelli  
Rolando T. Acosta  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----x

The People of the State of New York,  
Respondent,

-against-

M-1882  
Ind. No. 4258/10

Arnold Dermer, also known as Arnold J.  
Dermer,  
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about June 12, 2012,

And defendant-appellant having moved to enlarge the record on appeal to include certain post-sentence prison medical records certificates of achievement,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Diane T. Renwick  
Judith J. Gische, Justices,

-----X  
Switzerland Green,  
Plaintiff-Respondent,

-against-

**M-2215**

**M-2254**

Metropolitan Transportation  
Authority Bus Company, et al.,  
Defendants-Appellants,

Index No. 400725/12

Tyese Laws, et al.,  
Defendants-Respondents.

-----X

Defendant-respondent Tyese Laws having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 7, 2015 (Appeal Nos. 13443 and 13444) [M-2215],

And plaintiff-respondent Switzerland Green having cross-moved for the same relief from the same decision and order of this Court [M-2254],

Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon,

It is ordered that the motion and cross motion, to the extent each seeks reargument, is denied. So much of the motion and cross motion which seeks leave to appeal to the Court of Appeals is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the

correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of the Supreme Court, as dismissed by this Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Diane T. Renwick  
Richard T. Andrias  
Sallie Manzanet-Daniels, Justices.

-----X

DSW Lenox, LLC, on behalf of the  
Board of Managers of the Lenox Grand  
Condominium, et al.,

Plaintiffs-Appellants,

-against-

Rosetree on Lenox Avenue, LLC, et al.,  
Defendants,

Warburg-Realty Partnership, Ltd.,  
et al.,

Defendants-Respondents.

-----X

**M-1664**

**M-1834**

**M-1953**

**M-2439**

Index No. 652786/11

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 19, 2014,

And certain defendants denominated "defendants-respondents", having moved by separate motions to dismiss plaintiffs' appeal,

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon, it is

Ordered that the motions are granted and the appeal is dismissed.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York,

Respondent,

-against-

Isam Henry,

Defendant-Appellant.  
-----X

**M-1615**

Ind. Nos. 442/13  
1304/13  
Case No. 3450C/13

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 14, 2014, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcript to appellant's counsel, without charge, the transcript to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, NY 10007, Telephone No. (212) 402-4100, is assigned as counsel for defendant-appellant for purposes

of the appeal. The order of assignment dated January 15, 2015 (M-4482) is amended to include assignment for this appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
John W. Sweeny, Jr.  
David B. Saxe  
Darcel D. Clark, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-1899  
Dkt/Ind/Sci 312/15

Dennis McDonald,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 11, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files ten reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Diane T. Renwick  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices

-----X  
In the Matter of the Application of

Rachel Hernandez,  
Petitioner,

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules,

**M-1785**  
**M-1904**  
Index No. 101016/14

-against-

New York City Housing Authority,  
Penn-Wortman Houses,  
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about January 12, 2015, to review a determination of respondent,

And petitioner having moved for a stay of a certain holdover proceeding pending hearing and determination of the aforesaid transferred proceeding (M-1785),

And petitioner having moved by separate motion for leave to prosecute the aforesaid proceeding as a poor person, upon the original record and reproduced petitioner's brief (M-1904),

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motions are granted to the extent of staying the aforesaid holdover proceeding pending hearing and determination of the transferred proceeding; and permitting said transferred proceeding to be heard on the original record

and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Rosalyn H. Richter  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York,

Respondent,

-against-

M-1739  
Ind. No. 5092/13

Alexis Cordero,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 15, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel, Don Vogelmann, Esq., and to post the \$35,000 bond in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Peter Tom, Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2221  
Ind. No. 3680/10

Henry Gaston,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 6, 2011, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied as premature, said appeal not having been perfected.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on July 2, 2015.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of

People Care Incorporated, doing  
business as Assisted Care,  
Petitioner-Appellant,

**M-2493**  
Index No. 100501/15

For a Judgment Pursuant to Article 78  
of the New York Civil Practice Law and  
Rules,

-against-

City of New York Human Resources  
Administration Department of Social  
Services,  
Respondent-Respondent.

-----X

An appeal having been taken from the order and judgment  
(one paper) of the Supreme Court, New York County, entered on or  
about May 20, 2015,

And petitioner having moved to enjoin respondent Agency from  
investigating petitioner with respect to violations of certain federal  
regulations, pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the  
motion, and due deliberation having been had thereon,

It is ordered that the motion is denied and the interim relief  
granted by an order of a Justice of this Court on May 26, 2015 is  
vacated.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Karla Moskowitz  
Darcel D. Clark, Justices.

-----X  
Facebook, Inc., et al.,  
Plaintiffs-Respondents,

-against-

M-2397  
Index No. 653183/14

DLA Piper LLP (US), Christopher P.  
Hall, John Allcock, Robert Brownlie,  
Gerard A. Trippitelli,  
Defendants-Appellants,

Paul Argentieri, et al.,  
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 11, 2015,

And defendants-appellants having moved for a stay of the aforesaid order pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted on condition that the appeal is perfected for the October 2015 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
The People of the State of New York,

Respondent,

-against-

M-1788  
Ind. No. 1297/12

Rayan Neil,

Defendant-Appellant.

-----X

Defendant having moved, both pro se and through The Bronx Defenders, for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 27, 2014, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Sylvie Levine, Esq., The Bronx Defenders, 360 East 161<sup>st</sup> Street, Bronx, NY 10451, Telephone No. 718-838-7878, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
David B. Saxe  
Rosalyn H. Richter, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

Caleb Duberry,  
Defendant-Appellant.

M-2216  
Ind. Nos. 1212/13  
748/14

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from judgments of the Supreme Court, Bronx County, rendered on or about April 24, 2014 and February 5, 2015, respectively,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

CRS Realty Associates Inc.,  
Petitioner-Landlord-Respondent,

-against-

235 Tenth Avenue Car Wash Inc.,  
Respondent-Tenant,

**M-2228**

New York County  
Clerk's No. 570559/14  
L&T Index No, 54129/14

-and-

Manhattan Car Wash Inc.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal to this Court from of the order of Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about March 19, 2015,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that respondent's motion for leave to appeal from the Appellate Term is denied. The interim stay granted by an order of a Justice of this Court dated May 14, 2015 is vacated.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
David B. Saxe  
Rosalyn H. Richter, Justices.

-----x  
The People of the State of New York,

Respondent,

-against-

M-2275  
Ind. No. 504/07

Javier Pantojas, also known as Tiffany Pantojas,

Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about February 8, 2010,

And defendant-appellant pro se having moved to be provided with a copy of "any and all legal papers concerning the brief that were submitted on his behalf" on appeal to assisting in filing an application for a writ of error coram nobis,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, as premature, the appeal having not yet been perfected.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----x

Allen Bodner, etc.,  
Plaintiff-Appellant,

-against-

Harry Grunstein,  
Defendant-Respondent,

M-1029A  
Index No. 653442/11

Leonard Grunstein, et al.,  
Defendants-Respondents,

John Does, #1-10, et al.,  
Defendants,

DMV Funding LLC, et al.,  
Nominal Defendants.

-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 25, 2013, and said appeal having been decided by decision and order of this Court entered April 2, 2015 (Appeal Nos. 14700, 14700A, 14701 and (M-131),

And defendants-respondents having moved for leave to supplement the record on appeal to include a copy of a certain pre-suit demand letter,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied. (The order of this Court entered on April 30, 2015 [M-1029] is hereby recalled and vacated.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Rolando T. Acosta  
Diane T. Renwick  
Richard T. Andrias, Justices.

-----X  
Elissa Abreu,  
Petitioner-Respondent,

-against-

**M-2408**

Index No. 155206/14

Barkin and Associates Real Estate,  
LLC and Susan Barkin, Individually,  
Respondents-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 11, 2015,

And respondents-appellants having moved for an order staying all proceedings pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted only to the extent of staying entry of a final judgment on condition that respondents-appellants perfect their appeal on or before July 13, 2015 for the September 2015 Term, and that funds respondents-appellants' counsel affirms are now held in escrow remain in the escrow account until the appeal and the disposition of the escrow funds are determined.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Rolando T. Acosta  
Dianne T. Renwick  
Richard T. Andrias, Justices.

-----X  
In the Matter of

Tyrell C., Jr.,  
Trea'Jure C.,  
and Tari'Ji, C.,

Children Under 18 Years of Age  
Alleged to be Neglected Under  
Article 10 of the Family Court  
Act.

M-2901  
Docket Nos. NN-4731-33/15  
V-7541/12  
V-25819/10/13A  
V-33180/10/13A

- - - - -  
Administration for Children's  
Services,  
Petitioner-Respondent,

Abigail M.,  
Respondent-Appellant.

- - - - -  
Seymour W. James, Jr., Esq.,  
Attorney for Children.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about April 24, 2015,

And respondent-appellant mother having moved to stay the aforesaid order, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Rosalyn H. Richter  
Judith J. Gische, Justices.

-----X  
In the Matter of the Application of

Doron Zabari,  
Petitioner-Appellant,

-against-

M-2296  
Index No. 103725/12

New York City Loft Board, et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved to withdraw the appeal taken from the order of the Supreme Court, New York County, entered on or about October 9, 2013,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X  
The People of the State of New York,

Respondent,

-against-

M-1780  
Ind. No. 1221/12

Melvin Vidro,

Defendant-Appellant.

-----X

Defendant, pro se and by the Office of the Appellate Defender, having moved for an extension of time to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 17, 2014, and for leave to prosecute the appeal as a poor person, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1901  
Ind. Nos. 3651/09  
36/14

Kenneth Minor,  
Defendant-Appellant.

-----X

An order of this Court having been entered on April 28, 2015 (M-5504) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 20, 2014, and assigning Richard M. Greenberg, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Lawrence Fleischer, Esq., 100 Lafayette Street, New York, NY 10013, Telephone No. 212-966-5897, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

Lamont Brown,  
Defendant-Appellant.

M-1947  
Ind. Nos. 982/12  
5130/12

-----X

An order of this Court having been entered on September 24, 2013 (M-3644) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 28, 2013, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2129  
Ind. No. 2717/13

Taft Hamer,  
Defendant-Appellant.

-----X

An order of this Court having been entered on April 24, 2014 (M-1022) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 28, 2014, and assigning Scott A. Rosenberg, Esq., as counsel to prosecute the appeal,

And successor assigned counsel, Seymour W. James, Jr., Esq., having moved for an order to be relieved as counsel for defendant and to substitute other counsel to prosecute defendant's appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of striking the designation of successor assigned counsel Seymour W. James, Jr., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Rosalyn H. Richter  
Judith J. Gische, Justices.

-----X  
Board of Directors of 35 East 68th  
Street Realty Corp.,  
Plaintiff-Appellant,

-against-

M-2241  
Index No. 162657/14

The New York City Landmark  
Preservation Commission, et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 4, 2015,

And plaintiff-appellant having moved to stay the effect of the aforesaid order, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of continuing the terms of the stipulation between the parties with respect to access to the court yard for maintenance and repair and on condition the appeal is perfected for the October 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. David Friedman, Justice Presiding,  
Diane T. Renwick  
Karla Moskowitz  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
Candela Entertainment, Inc.,  
Plaintiff-Respondent,

**M-1889**

Cynthi Newport,  
Plaintiff-Respondent-Appellant,

Index No. 150553/11

-against-

Davis & Gilbert, LLP,  
Defendant-Appellant-Respondent

-----X

Plaintiffs-respondents having moved for vacatur/reargument/  
renewal of or, in the alternative, for leave to appeal to the  
Court of Appeals from the decision and order of this Court  
entered on March 31, 2015 (Appeal No. 14687),

Now, upon reading and filing the papers with respect to the  
motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Richard T. Andrias  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
George Eremeyev,  
Plaintiff-Appellant,

**M-2374**

Olga Eremeyev,  
Plaintiff,

Index No. 13107/03

-against-

Sergei Dolgoplov, M.D., et al.,  
Defendants-Respondents.

-----X

An order of this Court having been entered on May 5, 2015 (M-1219/M-1413), having denied plaintiff's motion for a stay (M-1219) and granted defendants' cross motion and dismissed plaintiff's appeal (M-1413) taken from an order of Supreme Court, Bronx County, entered on or about May 13, 2015,

And plaintiff-appellant having moved for reconsideration of the aforesaid order of this Court entered on May 5, 2015 dismissing his appeal (M-1219/1413),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2280  
Ind. No. 1775/14

Felicita Figueroa,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 8, 2015,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2281  
Ind. No. 2112N/13

Jose Ulloa,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 8, 2014,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2345  
Ind. No. 1278/14

Alfredo Lopez-Suozzo,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about August 5, 2014, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.



Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-2348  
Ind. Nos. 3382/09  
3321/12

Elvin Carbonel,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from judgments of the Supreme Court, Bronx County, rendered on or about October 8, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, NY 10005, Telephone No. (212) 577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
The People of the State of New York  
ex rel. Sean Fincher,  
Petitioner,

-against-

**M-2314**  
Index No. 340763/14  
NYSID# 0605218

New York State Division of Parole,  
Respondent.

-----X

Petitioner having moved for leave to appeal to this Court from a judgment of the Supreme Court, Bronx County, entered on or about March 23, 2015, which dismissed a habeas corpus proceeding, to prosecute, as a poor person, the aforesaid appeal, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for assignment of counsel,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said motion is denied, without prejudice to petitioner's filing of a timely notice of appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present - Hon. Richard T. Andrias, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
The People of the State of New York,

Respondent,

-against-

M-1587  
Ind. No. 3957/12

Mamoun Ghachi,

Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 8, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$5,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Luis A. Gonzalez  
Presiding Justice of the Appellate Division

-----X  
The People of the State of New York,

M- 1896  
Ind. No. 4293/04

-against-

CERTIFICATE  
DENYING LEAVE

Dwayne Barnes  
Defendant.

-----X

I, Luis A. Gonzalez, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 6, 2015 is hereby denied.

  
\_\_\_\_\_  
Presiding Justice

Dated: *JUNE 29,* , 2015  
New York, New York

ENTERED: **JUL 02 2015**

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. John W. Sweeny, Jr.  
Justice of the Appellate Division

-----X  
The People of the State of New York,

M-2311  
Ind. No. 4842/91

-against-

CERTIFICATE  
DENYING LEAVE

Everton Brown

Defendant.  
-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, dated on or about February 17, 2015 (Martin Marcus, J.) is hereby denied.

Dated: June 17, 2015  
New York, New York

  
Associate Justice

ENTERED: JUL 02 2015

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Rolando T. Acosta  
Justice of the Appellate Division

-----X  
The People of the State of New York,

M - 1793  
Ind. No. 2205/14

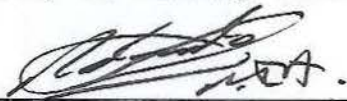
-against-

CERTIFICATE  
DENYING LEAVE

Raymond Rodriguez-Medina,

Defendant.  
-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from order of the Supreme Court, Bronx County, entered on or about March 26, 2015, is hereby denied.

  
\_\_\_\_\_  
Hon. Rolando T. Acosta  
Associate Justice

Dated: June 15, 2015  
New York, New York

ENTERED: **JUL 02 2015**



SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. Richard T. Andrias,  
Associate Justice

-----X  
The People of the State of New York,

Respondent,

M-1510  
Ind. No. 867/2009

-against-

CERTIFICATE  
DENYING LEAVE

Jonathan Salva,

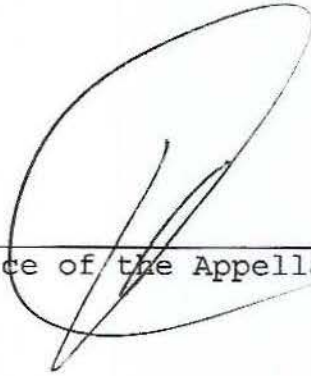
Defendant.

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I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County, (Marcy L. Kahn, J.), entered on or about December 24, 2014 which denied defendant's motion pursuant to CPL 440.10 and 440.20, is hereby denied, without prejudice to renew to seek a certificate

with respect to the order of the same court and Justice, entered on or about April 13, 2015, if so advised.

Dated: New York, New York  
June 12, 2015



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Justice of the Appellate Division

**ENTERED**

JUL 02 2015

P.M ORDERS  
FOR JULY 2,  
2015

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Diane T. Renwick  
David B. Saxe  
Paul G. Feinman, Justices.

-----X  
Dennis Lee, also known as Lee Man  
for Dennis, as Director and Officer  
of Lee-Tai Enterprises (USA) Ltd.,  
238-240 7<sup>th</sup> Avenue Corp. and Broadway  
Chinatown Realty Inc.,  
Plaintiff-Respondent,

**M-2452**  
Index No. 603111/05

-against-

Chun Ka Luk, as Administrator of the  
Estate of Nancy Luk, Deceased,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 15, 2015,

And defendant-appellant having moved to stay enforcement of the aforesaid order pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted on condition that defendant perfects the appeal on or before July 13, 2015 for the September 2015 Term pursuant to the stipulation of the parties dated June 3, 2015.

ENTER:

  
CLERK