

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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2325
DC #57
-against- Ind. No. 5365/10

Raymundo Sepulveda,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about February 25, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2329
DC #61
-against- Ind. No. 4171/10

Nakae Thompson,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about September 4, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2331
DC #63
-against- Ind. No. 3858/08

Jeromi Vasquez,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about July 7, 2011,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2332
DC #64
-against- Ind. No. 1539/12

Raheim S. Watts,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 20, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

-against-

Fermin Flores,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-2409
Ind. No. 243/14

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about April 14, 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:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----x

Bank of America,
Plaintiff-Appellant,

-against-

M-2578
Index No. 380976/07

Sarah Brannon,
Defendant-Respondent.

-----x

(And other actions)

-----x


Appeals having been taken from orders of the Supreme Court Bronx County, entered on or about September 18, 2014, December 24, 2014, and March 17, 2015, respectively,

And, plaintiff-appellant having moved for consolidation of the aforesaid appeals, and for an enlargement of time to perfect same,

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 8 copies of one record and one set of appellant's points covering the appeals, motion otherwise denied as unnecessary (CPLR 5513[a]).

ENTER:


DEPUTY 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 June 28, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

Charles Gibbs,
Plaintiff-Appellant,

-against-

M-2585
Index No. 159345/14

Holland & Knight, LLP,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 10, 2015, and said appeal having been perfected,

And an order of this Court having been entered on February 9, 2016 (M-6282) having denied plaintiff-appellant's motion to stay arbitration, pending hearing and determination of the aforesaid appeal,

And plaintiff-appellant having moved for renewal of the aforesaid order of this Court entered February 9, 2016 (M-6282),

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:


DEPUTY 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 June 28, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Lawrence A. Omansky,
Plaintiff-Appellant,

-against-

M-2386
Index No. 603738/08

160 Chambers Street Owners, Inc.,
et al.,
Defendants-Respondents..

-----X

Plaintiff-appellant having moved for a stay of a certain hearing before a referee, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 20, 2016,

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, dated May 4, 2016, is hereby vacated.

ENTER:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

-----X
Regina Nelson,
Plaintiff-Respondent,

-against-

M-2157
Index No. 300675/14

One Hundred Forty Associates, L.P.,
and Euclid Hall Associates,
Defendants-Appellants.

-----X

Defendants-appellants having moved to stay discovery, pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 22, 2016,

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:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----x

In the Matter of the Application of
Barry Fried,
Petitioner-Respondent,

M-1988
Index No. 500073/10

For the Appointment of a Guardian
of the Person and Property of

Dorothy Fried,

An Alleged Incapacitated Person.

-----x

Appeals having been taken by an interested party-appellant, Karen Young, from orders of the Supreme Court, New York County, entered on or about June 1, 2015 and January 5, 2016, respectively,

And, interested party-appellant Karen Young having moved for consolidation of the aforesaid appeals, and for an enlargement of time to perfect same,

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 consolidating the aforesaid appeals and permitting appellant to prosecute said appeals upon 8 copies of one record and one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the October 2016 Term.

ENTER:



DEPUTY 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 June 28, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2514
Ind. No. 3350/13

Walter Walker,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 21, 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 enlarging the time to perfect the appeal to the November 2016 Term.

ENTER:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

-----X
Myrtle W. Andrews and Sandra
Andrews,
Plaintiffs-Appellants,

-against-

M-2517
Index No. 305645/09

Estate of Francis K. Andrews, et
al.,
Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about July 21, 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 enlarging the time to perfect the appeal to the October 2016 Term.

ENTER:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Judith J. Gische
Marcy L. Kahn, Justices.

-----X

In the Matter of Diana Margot G.,

An Incapacitated Person

CONFIDENTIAL
M-2818
Index No. 92502/08

-----X

Appellant/co-property guardian having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 16, 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 enlarging the time to perfect the appeal to the October 2016 Term.

ENTER:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Troy K. Webber
Ellen Gesmer, Justices.

-----X
In the Matter of

Angela M.
and Thiami B.,

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

- - - - - M-2418
Administration for Children's Docket Nos. NA-42490/11
Services, et al., NA-42491/11
Petitioners-Respondents,

Ruth B.,
Respondent-Appellant.

- - - - -
Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Children.

-----X

An order of this Court entered on April 7, 2016, having granted respondent-appellant mother' motion for leave to prosecute, as a poor person, the appeal from an Order of Fact-Finding of the Family Court, New York County, entered on or about December 16, 2013 and Orders of Disposition of said Family Court, entered on or about March 7, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief (M-1954A),

And respondent-appellant mother having moved to withdraw the appeal from the aforesaid Orders of Disposition, entered on or about March 7, 2014, and to relieve appellate 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.

ENTER:


DEPUTY CLERK

CORRECTED ORDER - January 13, 2017

CORRECTED ORDER - October 7, 2016

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 June 28, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Troy K. Webber
Ellen Gesmer, Justices.

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

-against-

M-2232
Ind. No. 1744/13

Jesse Williams,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, and via the Office of the Appellate Defender, having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 29, 2015, 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 8 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.

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4112, 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:


DEPUTY 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 June 28, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Troy K. Webber
Ellen Gesmer, Justices.

-----X

Karen Rubin,
Plaintiff-Appellant,

-against-

M-1922

M-1983

Index No. 110219/10

Mohammad Zishan, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 12, 2015 (M-1922),

And defendants-respondents having cross-moved to dismiss the appeal for failure to timely serve a notice of appeal (M-1983),

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 is granted to the extent of enlarging the time to perfect the appeal to the October 2016 Term (M-1922). The cross motion to dismiss the appeal is denied (M-1983).

ENTER:


DEPUTY 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 June 28, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Leon Smith, et al.,
Plaintiffs-Appellants,

-against-

M-2411
Index No. 116457/09

George Paraki, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about June 17, 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 enlarging the time to perfect the appeal to the October 2016 Term.

ENTER:



DEPUTY 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 June 28, 2016.

PRESENT - Hon: David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Troy K. Webber
Ellen Gesmer, Justices.

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

- - - - -
Yosef A.,
Petitioner-Respondent,

-against-

Rachel Marie T.,
Respondent-Appellant.

M-2078
File No. 166036
Docket No. V-42354/11

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

- - - - -
Rachel Marie T.,
Petitioner-Appellant,

-against-

Yosef A.,
Respondent-Respondent.

Docket No. V-14254/12

-----X

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

And respondent-appellant mother having moved for an interim stay of certain provisions in the order appealed which were denied by a Justice of this Court on April 20, 2016, pending a full bench motion,

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 deemed one for a stay pending hearing and determination of the appeal, and as such denied.

ENTER:

A handwritten signature in black ink, appearing to read "Eric Schuck", written over a horizontal line.

DEPUTY 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 June 28, 2016.

Present - Hon. David Friedman,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Marcy L. Kahn,

Justice Presiding,

Justices.

-----x

In the Matter of a Custody and
Visitation Proceeding Under Article 6
of the Family Court Act.

Tony R.,
Petitioner-Appellant,

M-2856
Docket Nos. V-16094-06/130
V-16095-06/130

-against-

Stephanie D.,
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about June 11, 2015, and said appeal having been perfected,

And, petitioner-appellant having moved for leave to supplement the appellant's brief to add a paragraph to the preliminary statement as set forth in the Bachner Affirmation dated May 26, 2016, and for adjournment 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 to the extent of deeming the Brief for Appellant filed on March 28, 2016, withdrawn, and directing petitioner-appellant to file new briefs, including the amendment as set forth in the Bachner Affirmation dated June 11, 2016, on or before September 6, 2016 for the November 2016 Term, to which Term the appeal is adjourned.

ENTER:


DEPUTY 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 June 28, 2016.

| | |
|-------------------------------------|--------------------|
| Present - Hon. John W. Sweeny, Jr., | Justice Presiding, |
| Rolando T. Acosta | |
| Paul G. Feinman | |
| Barbara R. Kapnick | |
| Troy K. Webber, | Justices. |

-----x
Violeta M. Gamino,
Plaintiff-Respondent,

-against-

M-2899
Index No. 302232/11

DDSR Properties, Inc.,
Defendant-Appellant.
-----x

Appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about September 28, 2015 and April 13, 2016, respectively, and the appeal from the order entered September 28, 2015 having been perfected,

And defendant-appellant having moved for consolidation of the aforesaid appeals, for an enlargement of time to perfect the consolidated appeals, and for leave to file a supplemental record on appeal with the record on the appeal from the order entered on or about April 13, 2016,

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 adjourning the perfected appeal from the order entered on or about September 28, 2015 to the December 2016 Term, and consolidating said appeal with the appeal from the order entered on or about April 13, 2016. The appellant's brief filed in connection with the appeal from the order entered on or about September 28, 2015 is deemed withdrawn. Defendant-appellant is directed to perfect the consolidated appeals upon a single brief covering both appeals and a supplemental record containing the record related to the appeal from the order entered on or about April 13, 2016 on or before October 3, 2016 for said December 2016 Term.

ENTER:


DEPUTY 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 June 28, 3016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rolando T. Acosta
 Paul G. Feinman
 Barbara R. Kapnick
 Troy K. Webber, Justices.

-----x

Jennifer Cangro,
Plaintiff-Appellant,

-against-

M-2734

Index No. 104192/12

Phyllis C. Solomon, et al.,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 28, 2010, and said appeal having been perfected,

And, defendants-respondents having moved to dismiss the aforesaid appeal upon the ground that the order is not appealable as of right or, in the alternative, striking the Appendix filed by plaintiff and dismissing 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 striking the appeal from this Court's September 2016 Term calendar, with leave to re-perfect, without further fee, the appeal for this Court's December 2016 Term upon an Appendix which complies with CPLR 5528 and 22 NYCRR 600.10(c). The motion is otherwise denied.

ENTER:



DEPUTY 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 June 28, 2016.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rolando T. Acosta
 Paul G. Feinman
 Barbara R. Kapnick
 Troy K. Webber, Justices.

-----x
Matthew Johnson,

Plaintiff-Respondent,

-against-

M-1889
Index No. 21095/13

Law Office of Kenneth B. Schwartz,
et al.,

Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about May 28, 2015,

And, plaintiff-respondent having moved to "stay the appeals" until at least the September 2016 Term, or for other 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 continuing the interim adjournment granted by order of a Justice of this Court dated April 8, 2016 to the September 2016 Term, and the motion is otherwise denied.

ENTER:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Jacqueline Rodriguez, Individually
and as Administratrix of the goods,
chattels, and credits which were of
Ann Marie Pauletta, deceased,
Plaintiff-Appellant,

-against-

M-2228
Index No. 800047/12

Washington Heights Dental Practice,
P.C., Marina Kipnis and Rosette
Imani,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about July 1, 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 enlarging the time to perfect the appeal to the October 2016 Term.

ENTER:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Arelie Flores, et al.,
Plaintiffs-Respondents,

-against-

M-2511
Index No. 350662/09

Cathedral Properties LLC, et al.,
Defendants-Appellants,

-and-

East 102 Realty LLC, et al.,
Defendants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about July 2, 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 enlarging the time to perfect the appeal to the October 2016 Term.

ENTER:


DEPUTY 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 June 28, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

Juana Frias,
Plaintiff-Appellant,

-against-

M-2687
Index No. 303841/13

Victor Cesar Gonzalez-Vargas,
et al.,
Defendants-Respondents.

-----X

Appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about September 14, 2016 and March 2, 2016, respectively,

And plaintiff-appellant having moved for consolidation of the aforesaid appeals, and for an enlargement of time to perfect same,

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 10 copies of one record and one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the December 2016 Term.

ENTER:


DEPUTY 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 June 28, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

Nanz Custom Hardware, Inc.,

Plaintiff-Appellant,

-against-

M-2680

Index No. 150537/14

Soho AOA Owner LLC,

Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about July 16, 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 enlarging the time to perfect the appeal to the December 2016 Term.

ENTER:



DEPUTY 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 June 28, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

Isaiah Spearing,

Plaintiff-Respondent,

-against-

M-2076

Index No. 5487/91

Sandra Spearing,

Defendant-Appellant.

-----X

Plaintiff-respondent 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 21, 2015 (Appeal No. 14865),

Now, upon reading and filing the papers with respect to the motion, and the stipulation dated May 5, 2016 from Martin S. Dorfman, Esq., counsel for plaintiff-respondent, and due deliberation having been had thereon,

It is ordered that the motion for reargument or leave to appeal to the Court of Appeals is deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY 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 June 28, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

-against-

M-2574
Ind. No. 1442/13

Angel Rosado,
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 November 14, 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 8 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) two transcripts 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:


DEPUTY 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 June 28, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
In the Matter of the Application of
Sequoia W. King,
Petitioner,

Pursuant to Article 81 of the Mental Hygiene Law For Appointment of a Guardian of the Person and Property of Elton King

M-2742
Index No. 500167/16

An Allegedly Incapacitated Person,
Respondent.
-----X

Purported trustee having moved pursuant to CPLR 5704(a) for vacatur of a portion of certain relief granted by a Justice of the Supreme Court, New York County, on or about May 17, 2016,

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:


DEPUTY 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 June 28, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Salvatore Lauria,
Plaintiff-Appellant,

-against-

M-2197
Index No. 152324/14

Jody Kriss,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the an order of the Supreme Court, New York County, entered on or about February 25, 2016,

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:



DEPUTY 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 June 28, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

Virgil Williams, as Administrator of
the Estate of Patricia N. Lee, deceased,
Plaintiff-Respondent,

M-2381

M-2603

-against-

Index No.108474/10

Victoria J. Teodorescu, Erin E. Rule,
Blanca M. Sckell, The Mount Sinai
Medical Center, Inc. and Mount Sinai
Physicians Practice Association, Inc.,
Defendants-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about July 24, 2015,

And defendant-appellant Blanca M. Sckell having moved for an order enlarging the time to perfect her appeal taken from the aforesaid order (M-2381),

And defendants-appellants Victoria J. Teodorescu, Erin E. Rule and the Mount Sinai Hospital having moved for an order enlarging the time to perfect their appeal taken from the aforesaid order (M-2603),

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 enlarging the time to perfect the appeals, which are, sua sponte, consolidated, to the October 2016 Term. Appellants are permitted to prosecute the appeals upon 9 copies of one record and one copy of appellants' points covering the aforesaid appeals (M-2381/M-2603).

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Ellen Gesmer, Justices.

-----X

Delight Bvunzawabaya,
Plaintiff-Appellant,

-against-

M-1993

M-2063

Index No. 400434/14

JPMorgan Chase & Co., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 22, 2015,

And, an order of this Court having been entered on February 11, 2016 (M-6398), granting plaintiff an enlargement of time to perfect the appeal, and denying so much of plaintiff's motion seeking poor person relief,

And, plaintiff having moved for a further enlargement of time to perfect her appeal [M-1993],

And, plaintiff having renewed her motion for leave to prosecute the aforesaid appeal as a poor person [M-2063],

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

It is ordered that motion [M-1993] is granted to the extent of enlarging the time to perfect the appeal to the September 2016 Term. Plaintiff's renewal motion for poor person relief [M-2063] is denied.

ENTER:


DEPUTY 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 June 28, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
In the Matter of the Application of
Anthony Bove and Above Construction
Corp.,
Petitioners,

For a Determination Pursuant to M-2220
Article 78 of the CPLR, DC #4
Index No. 102444/12
-against-

The Commissioner of Labor, et al.,
Respondents.
-----X

An Article 78 proceeding to review a determination of respondents 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 16, 2013,

And, said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the aforesaid proceeding is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
In the Matter of the Application of
Eugene Cascio,
Petitioner,

For a Judgment Pursuant to Article 78 M-2221
of the CPLR, DC #5
Index No. 100327/15
-against-

New York State Department of Motor
Vehicles, et al.,
Respondents.

-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about April 16, 2015,

And, said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the aforesaid proceeding is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
In the Matter of the Application of
April Grantham,
Petitioner,

For a Judgment, etc., M-2235
DC #10
-against- Index No. 103228/12

New York City Department of Education,
Respondent.
-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about September 14, 2012,

And, said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the aforesaid proceeding is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

In the Matter of the Application of
Imam Hasan,
Petitioner,

For a Judgment, etc.,

-against-

M-2240
DC #13
Index No. 100891/13

Taxi & Limousine Commission,

Respondent.

-----X

An Article 78 proceeding to review a determination of respondent 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 30, 2014,

And, said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the aforesaid proceeding is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Linus C. Iwuanyanwu,
Petitioner,

For a Judgment, etc., M-2241
DC #14
-against- Index No. 101311/14

N.Y.C. Taxi and Limousine Commission,
Respondent.
-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 6, 2015,


And, said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the aforesaid proceeding is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

Arash Nikbin,
Petitioner,

-against-

M-2258
DC #20
Index No. 400220/13

New York City Department of Finance,
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about September 13, 2013,

And, said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the aforesaid proceeding is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
In the Matter of the Application of
Jerry A. Ramos, doing business as
Jerome Muffler Corp., et al.,
Petitioners,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-2264
DC #21
Index No. 260970/12

New York State Department of Motor
Vehicles, et al.,
Respondents.

-----X

An Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, Bronx County, entered on or about June 18, 2013,

And, said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the aforesaid proceeding is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

| | |
|---------------------------------------|--------------------|
| Present - Hon. Angela M. Mazzairelli, | Justice Presiding, |
| Rolando T. Acosta | |
| David B. Saxe | |
| Barbara R. Kapnick | |
| Marcy L. Kahn, | Justices. |

-----X
In the Matter of the Application of
344 Restaurant Group LLC.,
Petitioner,

| | |
|-------------------------------------|---------------------|
| For a Review Pursuant to Article 78 | M-2421 |
| of the CPLR, | DC #1 |
| | Index No. 100927/14 |
| -against- | |

New York State Liquor Authority,
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 6, 2014,

And, said proceeding not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or petitioner,

Now, upon the Court's own motion, it is

Ordered that the aforesaid proceeding is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

RDLF Financial Services, LLC,
Plaintiff-Respondent,

-against-

M-2139
DC #22
Index No. 110169/09

Capital One, N.A.,
Defendant-Appellant.

- - - - -

Capital One, N.A.,
Third-Party Plaintiff-Appellant,

-against-

Index No. 590423/13

Marc A. Bernstein,
Third-Party Defendant.

-----X

An appeal having been taken by defendant/third-party plaintiff from the order of the Supreme Court, New York County, entered on or about September 13, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
The People of the State of New York
ex rel. Falon B. Davis,
Petitioner-Appellant,

-against-

James Perino, Warden, Eric M. Taylor
Center; Department of Correctional
and Community Services,
Respondents-Respondent.

M-2223
DC #6
Index No. 340225/13

-----X
An appeal having been taken by the judgment from the order of the Supreme Court, Bronx County, entered on or about July 11, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Daniel Dial,

Defendant-Appellant,

-against-

730 W. 183rd Street, LLC,

M-2224
DC #7
Index No. 102992/12

Plaintiff-Respondent.
-----X

An appeal having been taken by defendant from the order of the Supreme Court, New York County, entered on or about April 23, 2014,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
In the Matter of the Prunella C.
Dickerson,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-2225
of the CPLR, DC #8
Index No. 400410/14
-against-

NY State Division of Human Rights,
Respondent-Respondent.
-----X

An appeal having been taken by petitioner from the order of the Supreme Court, New York County, entered on or about July 29, 2014,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
The People of the State of New York
ex rel. Patrick Fleming,
Petitioner-Appellant,

-against-

Warden, Rikers Island and NYC
Department of Corrections,
Respondents-Respondents.

M-2226
DC #9
Index No. 101383/14

-----X

An appeal having been taken by petitioner from the judgment of the Supreme Court, New York County, entered on or about December 2, 2014,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Constantine Korelis,

Plaintiff-Appellant,

-against-

Conriv Realty Corp.,

M-2242
DC #15
Index No. 12254/92

Defendants-Respondents.

-----X

An appeal having been taken by plaintiff from the order of the Supreme Court, New York County, entered on or about December 14, 2001,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
In the Matter of Criminal Contempt

-against- M-2244
DC #16
Henry Kriete, SCID No. 26023/96

Respondent-Appellant.
-----X

An appeal having been taken by respondent from the judgment of the Supreme Court, New York County, entered on or about October 24, 1997,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Curtis Robinson,

Plaintiff-Respondent,

-against-

New York City Transit Authority,

M-2270
DC #23
Index No. 115590/08

Defendant-Appellant.
-----X

An appeal having been taken by defendant from the judgment of the Supreme Court, New York County, entered on or about June 13, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Nan Terrie,

Plaintiff-Appellant,

-against-

Tenant Associations 120-122 West,

M-2288
DC #29
Index No. 100142/13

Defendants-Respondents.

-----X

An appeal having been taken by plaintiff from the order of the Supreme Court, New York County, entered on or about November 27, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Cynthia Thompkins,

Plaintiff-Appellant,

-against-

AlliedBarton Security Services,

M-2295
DC #30
Index No. 400756/13

Defendant-Respondent.
-----X

An appeal having been taken by plaintiff from the order of the Supreme Court, New York County, entered on or about July 23, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Nicole P. White,

Plaintiff-Appellant,

-against-

City of New York, et al.,

M-2296
DC #32
Index No. 400312/14

Defendants-Respondents.
-----X

An appeal having been taken by plaintiff from the order of the Supreme Court, New York County, entered on or about January 16, 2015,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

Joyce White,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-2297

DC #33

Index No. 400593/13

Phipps Affordable Housing Development
Fund Corporation,
Respondent-Respondent.

-----X

An appeal having been taken by petitioner from the order of the Supreme Court, New York County, entered on or about June 9, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Mark L. Zeff,

Plaintiff-Respondent,

-against-

Julie Benlevi-Zeff,

M-2302
DC #36
Index No. 301345/11

Defendant-Appellant.
-----X

An appeal having been taken by defendant from the order of the Supreme Court, New York County, entered on or about July 2, 2015,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Gregory Scott,

Petitioner-Appellant,

-against-

Mohr Partners, Inc.,

M-2355
DC #25
Index No. 156193/12

Respondent-Respondent.

-----X

An appeal having been taken by petitioner from the order of the Supreme Court, New York County, entered on or about August 28, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response by counsel and/or appellant,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal is dismissed.

ENTER:


DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

Yazmin Walker, an infant by her
mother and natural guardian Sharon
Walker, and Sharon Walker,
Individually,

Plaintiff-Respondent-Appellant,

-against-

M-2294

DC #31

Index No. 350206/09

Parkchester Preservation Company, L.P.,
et al.,

Defendants-Appellants-Respondents.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 22, 2012,

And, the appeal and cross appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for the parties having submitted correspondence to this Court dated May 9, 2016 and May 12, 2016, stating the case has been settled,

Now, upon the Court's own motion, it is

Ordered that the motion is granted and the appeal and cross appeal are deemed withdrawn.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent,

M-2260

DC #8

-against-

Ind. Nos. 5829/11
4655/11

Thaddeus Brunson,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 21, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2268
DC #13
-against- Ind. No. 513/12

Alejandro Delacruz,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 20, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2269
DC #14
-against- Ind. No. 3929/11

Jose Delorbe,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 23, 2012,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2273
DC #17
-against- Ind. No. 3661/12

Adam Doctor,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 8, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2278
DC #21
-against- Docket No. 30120/13

Bryon Estrada,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about July 29, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2279
DC #22
-against- Ind. No. 11722/95

Ramon Fabian Lopez,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about May 21, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2282
DC #25
-against- Ind. No. 3318/12

Trumaine Francis, also known as Francis Trumaine,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 8, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2284
DC #26
-against- Ind. No. 447/09

Geraldo Garay,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 31, 2011,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2301
DC #34
-against- Ind. No. 2749/10

Alexis Laboy,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about May 14, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent,

M-2303

DC #35

-against-

Ind. Nos. 4155/11
1081/12

Raymond Marquez, also known as Booga,

Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 2, 2012,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2310
DC #41
-against- Ind. No. 4577/12

Hugo Melgurrero,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 18, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2315
DC #46
-against- Ind. No. 5477/12

Robert Pastore,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 17, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2320
DC #51
-against- Ind. No. 924/06

Isaac Resto,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about May 17, 2013,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY 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 June 28, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

Respondent, M-2324
DC #56
-against- Ind. No. 688/00

Jose Salgado,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about May 3, 2012,

And, said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And, a calendar call having been held by the Clerk of the Court on May 19, 2016, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the November 2016 Term of this Court and counsel is directed to so perfect.

ENTER:



DEPUTY CLERK

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,

M-1892
Ind. No. 2099/14

-against-

CERTIFICATE
DENYING LEAVE

Arthur Blake,

Defendant.

-----X

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, (Neil Ross, J.), entered on or about December 14, 2015, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
June 14, 2016

ENTERED

JUN 28 2016

Justice of the Appellate Division

✓

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

BEFORE: Hon. Barbara R. Kapnick
Justice of the Appellate Division

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

M-2475
Ind. No. 4842/91

-against-

CERTIFICATE
DENYING LEAVE

Everton Brown,

Defendant.
-----X

I, Barbara R. Kapnick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application 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 March 14, 2016, is hereby denied.

Dated: June 8, 2016
New York, New York

ENTERED

JUN 28 2016



Hon. Barbara R. Kapnick
Associate Justice

✓

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

BEFORE: Hon. Barbara R. Kapnick
Justice of the Appellate Division

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

M-2049
Ind. No. 4779/08

-against-

CERTIFICATE
DENYING LEAVE

Luis Galeano,

Defendant.


-----X

I, Barbara R. Kapnick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application 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, dated March 9, 2016, is hereby denied.

Dated: June 8, 2016
New York, New York

ENTERED

JUN 28 2016



Hon. Barbara R. Kapnick
Associate Justice

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

BEFORE: Hon. Barbara R. Kapnick
Justice of the Appellate Division

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

M-2706
Ind. No. 1632/2007

-against-

CERTIFICATE
GRANTING LEAVE

Anthony Joyner,
Defendant-Appellant.

-----X

I, Barbara R. Kapnick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, dated April 14, 2016.¹

Dated: June 8, 2016
New York, New York

ENTERED

JUN 28 2016



Hon. Barbara R. Kapnick
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹ In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

BEFORE: Hon. Troy K. Webber
Justice of the Appellate Division

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

M-1862
Ind. No. 2209/04

-against-

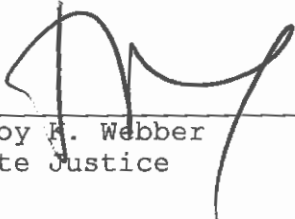
CERTIFICATE
DENYING LEAVE

Lamaar Pleasant,
Defendant.

-----X

I, Troy K. Webber, 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 (Robert Mandelbaum, J.) entered on or about
February 23, 2016 is hereby denied.

Dated: June 7, 2016
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED: JUN 28 2016

APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Marcy L. Kahn
Justice of the Appellate Division

-----X

The People of the State of New York,

Respondent,

-against-

Boris Brown,

Defendant-Appellant.

-----X

M-2132

Ind. No. 4977/10

CERTIFICATE


GRANTING LEAVE

I, Marcy L. Kahn, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the decision and order of the Supreme Court, New York County (Bonnie G. Wittner, J.), entered on or about April 14, 2016.¹

Dated: New York, New York
May 26, 2016

ENTERED

JUN 28 2016


Hon. Marcy L. Kahn
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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 June 27, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
David B. Saxe, Justices.

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CityFront Hotel Associates Limited
Partnership and Dream Team Hotel
Associates, LLC,
Plaintiffs-Appellants,
-against-

M-3047
M-3098
Index No. 652521/16

Starwood Hotels & Resorts Worldwide,
Inc., Marriott International, Inc.,
Sheraton Operating Corporation, The
Sheraton LLC and Westin Hotel
Management, L.P.,
Defendants-Respondents.
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An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 1, 2016, and said appeal having been perfected for the September 2016 Term of this Court,

And plaintiffs-appellants having moved for an order staying and enjoining a proposed merger, pending hearing and determination of the aforesaid appeal (M-3098),

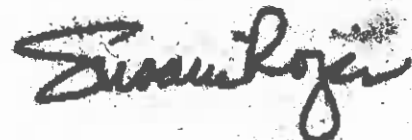
And plaintiffs-appellants having moved by separate motion for a calendar preference for the September 2016 Term (M-3047),

And an interim order having been issued by a Justice of this Court on June 15, 2016, granting a temporary injunction and stay, pending the referral of the motions to a full bench, expediting a decision on the motions and setting forth submission dates for the moving, opposition and reply papers,

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

Ordered that the motion for a stay and an injunction and stay enjoining the proposed Starwood-Marriott merger is denied (M-3098). The motion for a preference is granted to the extent of directing the Clerk of the Court to maintain the appeal on the September 2016 Term, with no adjournments (M-3047). All relief granted in the interim order is vacated.

ENTER:



CLERK