

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 March 9, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Marcy L. Kahn, Justices.

-----X
Bank of America, N.A.,
Plaintiff-Respondent,

-against-

M-286
Index No. 381022/09

Romulo Diaz,
Defendant-Appellant,

New York City Environmental Control
Board, et al.,
Defendants.

-----X

Defendant-appellant having moved for a stay of foreclosure pending hearing and determination of the appeal taken from the judgment of the Supreme Court, Bronx County, entered on or about July 19, 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 and the interim relief granted by an order of a Justice of this Court, dated January 6, 2017, is extended, on condition the appeal is perfected on or before July 10, 2017 for the September 2017 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 March 9, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber, Justices.

-----X
Obdulia Noble,
Plaintiff-Appellant,

-against-

M-437
Index No. 300809/10

St. Luke's Roosevelt Hospital Center,
Defendant-Respondent.
-----X

Plaintiff-appellant 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 February 26, 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 enlarging the time to perfect the appeal to the September 2017 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 March 9, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Ellen Gesmer, Justices.

-----X
Jacqueline Ambersley,
Plaintiff-Appellant,

-against-

M-476
Index No. 303933/12

Athleta LLC, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant 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 18, 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 enlarging the time to perfect the appeal to the September 2017 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 March 9, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Ellen Gesmer, Justices.

-----X

200 East 62nd Street Owner LLC,
Plaintiff-Respondent,

-against-

M-443

Index No. 158233/14

Kathryn Grace Jordan,
Defendant-Appellant.

-----X

A purported appeal having been taken from a "final judgment" of the Supreme Court, New York County, entered on or about October 5, 2016,

And, defendant having moved for an enlargement of time to perfect said appeal and to stay the aforesaid "final judgment",

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

Ordered that so much of the motion seeking an enlargement of time to perfect the appeal is denied as premature, with leave to seek future enlargements, if necessary, and otherwise 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 March 9, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Lourdes Guilbe,
Plaintiff-Respondent,

-against-

M-207
Index No. 301980/13

Port Authority of New York and
New Jersey.
Defendant-Appellant.

-----X

Defendant-appellant 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 29, 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 enlarging the time to perfect the appeal to the September 2017 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 March 9, 2017.

Present: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber
Marcy L. Kahn, Justices.

-----X

Ames Ray,
Plaintiff-Appellant,

-against-

M-221

Index No. 153945/14

Christina Ray and Guarnerius Management,
LLC,
Defendants-Respondents.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about March 14, 2016, and from a judgment of said Court, entered on or about June 28, 2016,

And, plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order entered on March 14, 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 deeming the appeal taken from the order entered on or about March 14, 2016, to be subsumed into the appeal taken from the judgment entered on or about June 28, 2016.

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 March 9, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
New York University, et al.,
Plaintiffs-Respondents,

-against-

M-424
Index No. 652954/13

International Brain Research
Foundation, Inc.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time
to perfect the appeal from the order of the Supreme Court,
New York County, entered on or about March 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 granted to the extent of
enlarging the time to perfect the appeal to the September 2017
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 March 9, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Stella Onyenaobiya,
Plaintiff-Respondent,

-against-

M-6582
Index No. 310674/10

Connie Abraham, doing business as,
Eden's Christian Academy, et al.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, Bronx County, entered on or about August 26, 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 September 2017 Term, with no further enlargements to be granted.

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 March 9, 2017.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Troy K. Webber
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-33
Ind. Nos. 1911/15
932/15

Ralph Ben Cotto,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 2, 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 enlarging the time to perfect the appeal to the September 2017 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 March 9, 2017.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Troy K. Webber
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6352
Ind. No. 7376/94

Javier Santos,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about October 25, 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 enlarging the time to perfect the appeal to the September 2017 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 March 9, 2017.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Troy K. Webber
Ellen Gesmer, Justices.

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

-against-

M-6506
Ind. No. 607/13

Alexander Adams,
Defendant-Appellant.

-----X

An order of this Court having been entered on July 28, 2015 (M-2279), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about January 8, 2015, under Indictment No. 607/13, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order of assignment to include the judgment of **resentence** of said Court, rendered on or about December 7, 2016, under the same indictment number,

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 granted to the extent of amending the aforementioned order of July 28, 2015 to include the judgment of **resentence**, rendered on or about December 7, 2016, under the same indictment number, and extending the poor person relief previously granted to cover same.

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 March 9, 2017.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Troy K. Webber
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6556
Ind. No. 1996/12

Patrick Sharper,
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 January 25, 2016, 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(b)(2) 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.

March 9, 2017

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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

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 March 9, 2017.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Troy K. Webber
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6644

Ind. Nos. 2318/13
2470/14

Alvaro Iglesias-Ortega,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 1, 2016 (M-3653), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 18, 2015, under Indictment No. 2318/13, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include the judgment of said Court, also rendered on November 18, 2015, under the indictment number 2470/14,

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 granted to the extent of amending the aforementioned order of September 1, 2016 to include the judgment, rendered on or about November 18, 2015, under indictment number 2470/14, and extending the poor person relief previously granted to cover same.

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 March 9, 2017.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
Paul G. Feinman
Judith J. Gische
Ellen Gesmer, Justices.

-----X

Eladio Silverio,
Plaintiff-Respondent,

-against-

U.S. Bank National Association, as M-497
Trustee on behalf of the Holders of the Index No. 25517/15
CSMC Mortgage-Backed Pass-Through
Certificates, Series 2007-1, et al.,
Defendant-Appellant,

Mortgage Electronic Registration
Systems, Inc., et al.,
Defendants.

-----X

Plaintiff-respondent having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about November 14, 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 sua sponte, deeming defendant's appeal to include the order of said Court entered on or about December 9, 2016. The appeals are dismissed unless perfected for the October 2017 Term. The motion is otherwise 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 March 9, 2017.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick, Justices.

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

Kevin B.,
Petitioner-Appellant,

CONFIDENTIAL
M-265

Docket No. V-10101/15

-against-

Zovania B. and Ronald B.,
Respondents-Respondents.

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

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about January 4, 2017, and 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, Bruce A. Young, Esq., 100 Church Street, Suite #800, New York, NY 10007, Telephone No. (212) 965-0050 as counsel for purposes of prosecuting the appeal;
(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:


CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

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 March 9, 2017.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick, Justices.

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

- - - - -
Grace E.-J.,
Petitioner-Respondent,

CONFIDENTIAL

M-272

Docket No. V-32359/15

-against-

Robert J.-R.,
Respondent-Appellant.
- - - - -

Kristen Kimmel, Esq.,
Lawyers for Children
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about December 20, 2016, and 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, Bruce A. Young, Esq., 100 Church Street, Suite #800, New York, NY 10007, Telephone No. (212) 965-0050, as counsel for purposes of prosecuting the appeal;
(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:


CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

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 March 9, 2017.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
In the Matter of

Malachi B.,

CONFIDENTIAL
M-402

A Dependent Child Under 18 Years of Age Alleged to be Neglected Under Article 10 of the Family Court Act. Docket No. NN-21493/15

- - - - -
Administration for Children's Services, et al.,
Petitioners-Respondents,

Wendell B.,
Respondent-Appellant.
- - - - -

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about December 12, 2016, and 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, Bruce A. Young, Esq., 100 Church Street, Suite #800, New York, NY 10007, Telephone No. (212) 965-0050 as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:


CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

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 March 9, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Starr Indemnity & Liability Company,
Plaintiff-Respondent,

-against-

M-455X
Index No. 654240/13

Aquifer Drilling & Testing, Inc.,
et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 5, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 20, 2017, and due deliberation having been had thereon,

It is ordered that the appeal 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 March 9, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Michelle Foxman,
Plaintiff-Respondent,

-against-

M-457X
Index No. 301017/15

Daniel Small,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 23, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 18, 2017, and due deliberation having been had thereon,

It is ordered that the appeal 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 March 9, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Jessica H.,
Plaintiff-Appellant,

-against-

M-458X
Index No. 311945/15

Dennis H.,
Defendant-Respondent.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 27, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 18, 2017, and due deliberation having been had thereon,

It is ordered that the appeal 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 March 9, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X

Scott Litner,
Petitioner-Respondent,

-against-

M-459
Docket No. F-51647-15/15A

Kathryn Melchior Litner,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about September 19, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated January 19, 2017, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 March 9, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-849
Ind. No. 30196/16

Josefina Rivera-Matias,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Kevin McGrath, J.) entered on or about January 18, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, 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 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 Clerk of the Supreme Court shall expeditiously have made and filed with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice McGrath as yet not transcribed.

The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. 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 March 9, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6568
Ind. No. 2249/11

Eugene Kindell,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a post abeyance pro se supplemental brief in connection with an appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 19, 2011, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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 March 9, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Karla Moskowitz
Barbara R. Kapnick, Justices.

-----X

Meghan Dziuwa,
Plaintiff-Appellant,

-against-

M-34

Index No. 20765/13E

Jet Taxi, Inc., and Karim Ahmad,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about December 7, 2015,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Morton Alpert, Esq., of counsel to plaintiff-appellant, dated January 10, 2017, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 March 9, 2017.

PRESENT: Hon. David Friedman,
Rosalyn H. Richter
Barbara R. Kapnick
Marcy L. Kahn,

Justice Presiding,

Justices.

-----X
In the Matter of the Application of
Sharon Mahn,
Petitioner-Appellant,

-against-

Major Lindsey and Africa, LLC,
Defendants-Respondents,

M-50
Index Nos. 653048/14
155645/14

For an Order Vacating the Final
Arbitration Award in Arbitration
Proceedings in Case No. 13 20 1000
2267 of the American Arbitration
Association, New York County,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 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 the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2017 Term, with no further enlargements to be granted.

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 March 9, 2017.

PRESENT: Hon. David Friedman,
Rosalyn H. Richter
Barbara R. Kapnick
Marcy L. Kahn,

Justice Presiding,

Justices.

-----X

34 W 128 Funding, Inc.,
Plaintiff-Appellant,

-against-

M-366
Index No. 850089/11

Adrian George, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 7, 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 enlarging the time to perfect the appeal to the September 2017 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 March 9, 2017.

PRESENT: Hon. David Friedman,	Justice Presiding,
Rosalyn H. Richter	
Barbara R. Kapnick	
Marcy L. Kahn,	Justices.

-----X

Universe Antiques Inc., et al.,
Plaintiffs-Appellants,

-against-

M-480
Index No. 601008/10

Joan M. Gralla,
Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an enlargement of
time to perfect the appeal taken from an order of the Supreme
Court, New York County, entered on or about February 11, 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
enlarging the time to perfect the appeal to the September 2017
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 March 9, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Paul G. Feinman
Ellen Gesmer, Justices.

-----X
Yu Yun Dong, as mother and natural
guardian of Danny C., an infant,
Plaintiff-Appellant,

-against-

M-204
Index No. 109135/09

Reginald Ruiz, M.D., et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 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 granted to the extent of enlarging the time to perfect the appeal to the September 2017 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 March 9, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

Crystal Biton,
Plaintiff-Appellant,

-against-

M-26
Index No. 103927/98

Baxter Healthcare Corporation, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant, pro se, having moved for leave to prosecute the appeal taken from an order of the Supreme Court, New York County, entered on or about December 20, 2016, as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and 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 dismissed as unauthorized as per, inter alia, the decision of this Court, entered on October 2, 2012 (Appeal Nos. 8166, 8166A), the order of this Court, entered on January 24, 2013 (M-4744), and the order of this Cour entered on November 13, 2008 (M-3498).

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 March 9, 2017.

Present: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

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

M-41
-against- Bronx Co. SCI No. 2912/16

Mark Chimelis,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 24, 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 deeming the moving papers a timely filed notice of appeal.

ENTER:


CLERK

Court held in and for the First Judicial Department in
the County of New York on March 9, 2017.

Present: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,
Respondent,

M-6604

-against-

Ind. No. 4344/07

Joseph Meldish,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 10,
2012 (M-1412), granting defendant leave to prosecute, as a
poor person, the appeal taken from the judgment of the Supreme
Court, Bronx County, rendered on or about October 18, 2011,

And, assigned counsel, Rosemary Herbert, 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 assigned counsel Rosemary
Herbert, Esq., as counsel to prosecute defendant's appeal,
and substituting, pursuant to Section 722 of the County Law,
Robert S. Dean, Esq., Center For Appellate Litigation, 120 Wall
Street, 28th Floor, New York, NY 10005, Telephone No. (212) 577-
2523, as such counsel. The poor person relief previously granted
is continued, and appellant's time 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 March 9, 2017.

PRESENT - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Paul G. Feinman
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X

John Regan,
Petitioner-Respondent,

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

-against-

M-552
Index No. 104117/10

New York City Department of Buildings,
et al.,
Respondents-Appellants.

-----X

Respondents-appellants having moved for an enlargement of
time to perfect the appeal taken from the order of the Supreme
Court, New York County, entered on or about December 24, 2014,
and to extend the stay granted by order of this Court on May 29,
2015 (M-1435),

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 2017
Term, with leave to seek further enlargements if necessary. The
stay is continued on condition the appeal is perfected for said
October 2017 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 March 9, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

-----X
James Pettus and Charlene Thompson,
Petitioners-Appellants,

-against-

M-166
Index No. 261117/14

Board of Directors, Owners 800 Grand
Concourse, Charles H. Greenthal,
Agent/Mgmt.,
Respondents-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 17, 2015,

And petitioner-appellant Charlene Thompson, pro se, having moved for an enlargement of time to perfect the aforesaid appeal and 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 enlarging the time to perfect the appeal to the September 2017 Term, and otherwise 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 March 9, 2017.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

-----X
James W. Stone and Lisa J. Kiell,
Plaintiffs-Appellants,

-against-

M-202
Index No. 109621/10

W7879 LLC, et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeals from the order of the Supreme Court, New York County, entered on or about March 10, 2016, and from the amended order and judgment (one paper) of said Court, entered on or about March 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 granted and the appeals are 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 March 9, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

-----X

Plaza Collectibles Corp.,
Plaintiff-Appellant,

Lee Rosenbloom,
Plaintiff,

M-6282
Index No. 156627/14

-against-

Directors Guild of America, Inc.,
Defendant-Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 1, 2016,

And, plaintiff-appellant having moved to stay said order and judgment pending 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 plaintiff-appellant perfects its appeal on or before July 10, 2017 for the September 2017 Term, and on further condition that plaintiffs (including Lee Rosenbloom, as guarantor) continue to timely pay use and occupancy and that there are no further lease violations during the pendency of the appeal, with leave granted to defendant to seek vacatur of the stay should plaintiffs violate this condition.

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 March 9, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6536

Ind. No. 1504/16

Jason Mangum,
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 June 15, 2016, 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 notice of appeal timely filed, 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) 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.

Rosemary Herbert, 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 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 March 9, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

Pradera Realty Corp.,
Plaintiff-Respondent,

-against-

M-6618

M-139

Index No. 151113/15

Maestro West Chelsea SPE LLC and
Kadima Tenth Avenue SPE LLC,
Defendants-Appellants.

-----X

(And a third-party action)

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 28, 2016 (M-6618),

And plaintiff-respondent having cross moved to dismiss the aforesaid appeal (M-139),

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 September 2017 Term (M-6618). The cross motion is granted to the extent of dismissing the appeal unless perfected for said September 2017 Term (M-139).

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 March 9, 2017.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

Enrico Mezzone,
Plaintiff-Respondent,

-against-

M-270
Index No. 302667/11

Emilio Goetz, D.P.M.,
Defendant,

Debbie Bautista, D.P.M.,
Defendants-Appellants.

-----X

Defendant-appellant Debbie Bautista, D.P.M. 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 December 15, 2016 (Appeal No. 2511),

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 March 9, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Marcy L. Kahn
Ellen Gesmer, Justices.

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

-against-

M-6298
Ind. No. 2283/14

Bradley Sampson,
Defendant-Appellant.

-----X

Attorney for defendant-appellant having moved for dismissal of the appeal taken from the judgments of the Supreme Court, New York County, rendered on or about November 24, 2014, without prejudice,

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 March 9, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
Kyle Jiggetts,
Petitioner-Appellant,

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

M-6397
Index No. 101206/15

-against-

New York City Human Resources
Administration,
Respondents-Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 1, 2016, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 March 9, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Marcy L. Kahn
Ellen Gesmer, Justices.

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

-against- M-6562
Ind. Nos. 140/13
Larry Emeanua, 2095/13
Defendant-Appellant.

-----X

Attorney for defendant-appellant having moved to be relieved as counsel or, in the alternative, for dismissal of the appeal taken from judgments of the Supreme Court, New York County, rendered on or about January 7, 2014, without prejudice,

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 March 9, 2017.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzairelli
Richard T. Andrias
Troy K. Webber
Ellen Gesmer, Justices.

-----X

Sebastian Pane,
Plaintiff-Appellant,

-against-

M-6676
Index No. 162093/14

Pablo Cisilino and Silvina Leone,
Defendants-Respondents.

-----X

Defendants-respondents 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 November 22, 2016 (Appeal No. 2263),

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

✓

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-133
Ind. No. 11101/1992

-against-

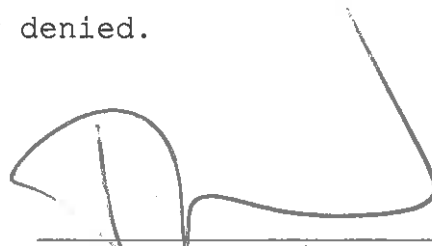
CERTIFICATE
DENYING LEAVE

Timothy Dixon,
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 (Edward J. McLaughlin, J.), entered on or about
September 28, 2016 is hereby denied.

Dated: February 7, 2017
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED: March 9, 2017

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 March 9, 2017.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Angela M. Mazzairelli
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
TCR Sports Broadcasting Holding, LLP,
Petitioner-Appellant-Respondent-
Respondent,

-against-

M-922
Index No. 652044/14

WN Partner, LLC; Nine Sports Holding,
LLC; Washington Nationals Baseball Club,
LLC,
Respondents-Respondents-Appellants-
Appellants,

The Office of the Commissioner of
Baseball; and The Commissioner of
Major League Baseball,
Respondents-Respondents-Appellants,

-and-

The Baltimore Orioles Baseball Club
and Baltimore Orioles Limited
Partnership, in its capacity as managing
partner of TCR Sports Broadcasting
Holding, LLP,
Nominal Respondents-Appellants-
Respondents-Respondents.

- - - - -
Robert S. Smith,
Amicus Curiae.

-----X
Appeals and cross appeals having been taken to this Court by the above-named appellants from the order of the Supreme Court, New York County, entered on or about November 4, 2015, and said appeals and cross appeals having been perfected,

And, Robert S. Smith having moved for leave to file a brief amicus curiae in connection with the aforesaid appeals and cross 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 deeming the 8 copies of the proposed amicus brief submitted with the moving papers as filed.

ENTER:


CLERK