

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 15, 2107.

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

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

-against-

M-2672  
Ind. No. 1402/13

Anthony Blue,  
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 12, 2015, having moved for summary reversal, or in the alternative, for a new trial under the above captioned indictment,

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 15, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

**M-6455**

Ind. No. 4734/13

Stewart Richardson,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 29, 2014, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is 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) 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.

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007, Telephone No. (212) 402-4142, 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 15, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,  
Angela M. Mazzarelli  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X

Lindy Joseph, et al.,  
Plaintiffs-Respondents,

-against-

M-6037  
Index No. 153735/12

The City of New York, et al.,  
Defendants-Appellants.

-----X

Plaintiffs-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on October 11, 2016 (Appeal No. 1689),

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 15, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Paul G. Feinman  
Marcy L. Kahn, Justices.

-----X  
Bovis Lend Lease (LMB) Inc.,  
Plaintiff,

-against-

Lower Manhattan Development Corporation  
Defendant.

- - - - - M-6040  
Bovis Lend Lease (LMB) Inc., Index No. 603243/09  
Third-Party Plaintiff-Appellant-  
Respondent,

-against-

Arch Insurance Co.,  
Third-Party Defendant-Respondent-  
Appellant.

- - - - -  
Associated General Contractors of NYS, LLC,  
Amicus Curiae.

-----X

Third-party defendant-respondent-appellant 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 October 25, 2016 (Appeal No. 1942),

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 15, 2017.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels  
Troy K. Webber  
Ellen Gesmer, Justices.

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

-against-

**M-6060A**

Ind. Nos. 2237/09  
1369/10

Michael Bonano, also known as Michael  
Banano,  
Defendant-Appellant.

-----X

An order of this Court having been entered on July 7, 2011 (M-2224), granting defendant poor person relief and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about March 31, 2011,

And, an order of this Court having been entered on July 23, 2013 (M-2585A), relieving assigned counsel Robert S. Dean, Esq., Center for Appellate Litigation, and allowing defendant to proceed pro se on the appeal and continuing the previously granted poor person relief,

And, an order of this Court having been entered on October 11, 2016 (M-3100), granting defendant leave to file a pro se brief in connection with his aforesaid appeal,

And, defendant having moved for an extension of time in which to file his pro se brief, or for the Court to assign new 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 to the extent of enlarging defendant's time to perfect his pro se appeal and file his pro se brief to on or before July 10, 2017 for the September 2017 Term of this Court. Defendant is advised that his appeal will not be heard until all minutes and documents previously forwarded to defendant at his place of incarceration are returned to the Clerk's Office of this Court, and the motion is otherwise denied. (The order of this Court entered on February 28, 2017 (M-6060) is hereby recalled and vacated.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2017.

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

-----X

Jasper Samuels and Daisy Samuels,  
Plaintiffs-Appellants,

-against-

White Plains Galleria Limited  
Partnership and New York Elevator  
Company,

Defendants-Respondents.

-----  
(And a third-party action)

-----X

M-6258

M-28

M-84

Index No. 308142/08

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 4, 2015,

And defendant New York Elevator Company having moved to dismiss the aforesaid appeal (M-6258) and subsequent amended motion (M-84),

And defendant third-party plaintiff White Plains Galleria Limited Partnership having cross-moved to dismiss the appeal (M-28),

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

It is ordered that the motions and cross motion are granted and the appeal is dismissed.

ENTER:



CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2017.

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

-----X

The People of the State of New York,

-against-

Darryl T.,

Defendant.

-----X

**SEALED**

M-6110

M-6208

Ind. No. 1311/13

An order of a Justice of this Court having been entered on November 3, 2016 (M-3505), granting defendant leave to appeal to this Court from an order of the Supreme Court, Bronx County, entered on or about May 31, 2016, and denying any related relief,

And, appellate counsel, Mental Hygiene Legal Services, having moved on defendant's behalf for permission to file a late notice of appeal with respect to the aforesaid order of a Justice of this Court entered on November 3, 2016 [M-6110],

And, appellate counsel, Mental Hygiene Legal Services, having moved on defendant's behalf for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about May 31, 2016 [M-6208],

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

Ordered that the motions are granted to the extent of directing defendant to file a notice of appeal pursuant to the Certificate granting leave within 30 days of the date of this order, and to perfect the appeal therefrom and the consolidated direct appeal for the September 2017 Term of this Court. The Clerk is directed to calendar the two appeals to be heard on the same day of said 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 15, 2017.

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

-----X

In the Matter of the Petition of,  
State Farm Automobile Insurance Company,

Petitioner-Respondent,

-against-

M-6527  
Index No. 261039/14

Ronald Conway,

Respondent-Appellant.

-----X

Petitioner-respondent having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about January 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 and the appeal is dismissed.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2017.

Present - Hon. David Friedman,  
Richard T. Andrias  
Karla Moskowitz  
Barbara R. Kapnick  
Marcy L. Kahn,

Justice Presiding,  
  
  
  
Justices.

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

-against-

M-25  
Ind. No. 5801/13

Eugene Heath,  
Defendant-Appellant.

-----X

An order of this Court having been entered on April 23, 2015 (M-1206), inter alia, assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from a judgment of the Supreme Court, New York County, rendered on or about November 5, 2014,

And counsel having moved for an order abating the appeal by reason of appellant's death, remanding the matter to the trial court to vacate the judgment of conviction, and dismissing the indictment,

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 dismissing the appeal due to appellant's death on July 9, 2016, and remanding the matter to the Supreme Court, New York County, for further proceedings.

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 15, 2017.

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

-----X  
The People of the State of New York  
ex rel. Eddie Salgado  
Petitioner,

-against- M-47  
Ind. No. 6120766J  
Warden, V.C.B.C., NYC Dept. of B&C No. 241-16-07748  
Corrections,  
Respondent(s).

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court,

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 be and the same hereby is granted only to the extent of transferring the proceeding to and be heard before a Justice of the Supreme Court of the State of New York, Bronx County, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at Vernon C. Bain Center, 1 Halleck St., Bronx, NY 10474; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of Bronx County, be deemed due and sufficient notice.

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 15, 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-891  
Ind. No. 286/15

Emilio Maldonado,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about December 1, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated February 6, 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 15, 2017.

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

-----X  
Jacqueline Lilly,  
Plaintiff-Respondent,

-against-

M-693  
Index No. 154754/13

New York City Housing Authority,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 6, 2016, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties filed February 3, 2017, and due deliberation having been had thereon,

It is ordered that the appeal 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 15, 2017.

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

-----X

The People of the State of New York,  
Respondent,

**M-73**

-against-

Ind. No. 1794/14

Jason Edwards,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about March 7, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Frank Rothman, Esq., the amount and sources of funds for trial counsel's fee and to post bail in the amount of \$100,000, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on March 15, 2017.

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

-----X

The People of the State of New York,  
Respondent,

**M-93**

-against-

Ind. No. 4082N/15

Vadesh Maharaj, also known as  
Vedesh Maharaj,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 1, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2017.

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

-----X

The Exeter Law Group LLP,

Plaintiff-Counterclaim Defendant-  
Appellant,

-and-

**SEALED**  
**M-844**

Index No. 161667/14

Mitchell Wong, Zhejun "Susan" Tan,  
and Law Office of Z.Tan PLLC,

Counterclaim Defendants-Respondents,

-against-

Immortalana Inc., Robin Farias-Eisner,  
Salvaregen, Inc. and Kelly Day,

Defendants-Counterclaim Plaintiffs-  
Appellants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about July 1, 2015 and August 29, 2016, respectively,

And, appellants having moved for a stay of the order, same Court, entered on or about January 30, 2017 which, inter alia, declassified certain documents,

Now, upon reading and filing the correspondence submitted by counsel for defendants-counterclaim plaintiffs-appellants, dated February 17, 2017, and due deliberation having been had thereon,

It is ordered that appellants' motion is withdrawn in accordance with the aforesaid correspondence.

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 15, 2017.

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

-----X  
Donald Beldock,  
Plaintiff-Appellant,

-against-

Basin Gas Corporation, et al.,  
Defendants-Respondent.

M-706X  
Index No. 604316/05

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 6, 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 15, 2017.

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

-----X  
Joseph Myers,  
Plaintiff-Respondent,

-against-

M-673X  
Index No. 304319/12

Happy Time Truck, et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 8, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 7, 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 15, 2017.

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

-----X  
Maxi Cohen,  
Plaintiff-Respondent,

-against-

M-705X  
Index No. 105460/11

Cassm Realty Corp., Thanos Vassilakis  
and Thomas O'Neill,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 15, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 7, 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 15, 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-606  
Ind. No. 1623/14

Darrious Pettiford,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about September 16, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated February 2, 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 15, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-861  
Ind. No. 1305/13

Eric Williams,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, rendered on or about January 20, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated February 15, 2017, and due deliberation having been had thereon,

It is ordered that the appeal from the January 20, 2016 order is withdrawn in accordance with the aforesaid stipulation, defendant's appeal from the judgment of conviction, under the same indictment number, remains extant.

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 15, 2017.

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

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

-against-

M-828  
Ind. No. 1995/15

Angelo Amaral,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, rendered on or about October 29, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated February 1, 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 15, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-829  
Ind. No. 71/16

Alexander Marshall,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, rendered on or about February 25, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated February 7, 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 15, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Paul G. Feinman  
Marcy L. Kahn, Justices.

-----X  
In re LAWS Construction Corp.,  
Petitioner-Appellant,

-against-

The Contract Dispute Resolution M-308  
Board of the City of New York, et al., Index No. 154730/15  
Respondents-Respondents.

- - - - -  
General Contractors Association  
of New York, Inc.,  
Amicus Curiae.

- - - - -  
In re LAWS Construction Corp.,  
Petitioner-Appellant,

-against-

Index No. 159473/14

The Contract Dispute Resolution  
Board of the City of New York, et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on December 13, 2016 (Appeal Nos. 2447-2448),

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 15, 2017.

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

-----X  
Federal National Mortgage Association,  
Plaintiff-Appellant,

-against-

**M-6619**  
Index No. 103199/09

The Board of Managers of the  
725 Riverside Condominium,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 26, 2016,

And, plaintiff-appellant having moved, inter alia, to stay the aforesaid order,

Now, upon reading and filing the stipulation of the parties hereto, dated February 13, 2017, and filed with this Court on February 21, 2017, and due deliberation having been had thereon,

It is ordered that plaintiff-appellant's motion 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 15, 2017.

Present: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Marcy L. Kahn, Justices.

-----X

Anonymous,

Plaintiff-Appellant,

-against-

Gerald R., and Michael Z.,  
Defendants-Respondents.

-----X

**SEALED**

**M-607**

**M-702**

Index No. 650152/11

Plaintiff-appellant having moved to enlarge the record on appeal to include a certain letter, dated October 2, 2013, that respondents sent to Judge Singh, to enlarge the time to perfect the appeal, and placing the appeal on the same day calendar as the consolidated appeals in the action *Romanoff, et al., v. Romanoff, et al.*, Index No. 151160/14, Cal. No. 1876, currently scheduled to be heard in on March 8, 2017, by adjourning those appeals to the May 2017 Term, and enlarging plaintiff's time to perfect the instant appeal to the same Term, (M-607),

And, defendant, Michael Z., having cross-moved to dismiss plaintiff's appeal (M-702),

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 plaintiff's motion is granted to the extent of enlarging the record on appeal to include Exhibit 4

to the Haddad Affirmation and to enlarge the time to perfect the appeal to the September 2017 Term, and is otherwise denied (M-607). Defendant's cross motion to dismiss is denied without prejudice to addressing the arguments raised directly on appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Glen Landi, et al.,  
Plaintiffs-Respondents,

-against-

M-311  
Index No. 302337/08

SDS William Street, LLC, et al.,  
Defendants-Appellants.  
-----X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on December 13, 2016 (Appeal Nos. 2284-85),

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 15, 2017.

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

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

-against- M-282  
Ind. No. 5073/96

Manuel Martinez,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme  
Court, New York County, rendered on or about May 9, 2008, and  
said appeal having been perfected,

And defendant-appellant, pro se, having moved for immediate  
repatriation to Mexico, or, in the alternative, to be provided  
with funds to pay a private investigator pursuant to New York  
County Law 722-c,

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 15, 2017.

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

-----X  
Timothy Clyne and Amy Hart Clyne,  
Plaintiffs-Appellants,

-against-

M-203  
Index No. 111313/10

W7879 LLC, et al.,  
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeals taken from the orders of the Supreme Court, New York County, entered on or about March 7, 2016 and from an amended order 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 15, 2017.

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

-----X  
Marc DiBuono,  
Plaintiff-Appellant,

-against-

M-312  
Index No. 305616/11

Port Authority of New York & New Jersey,  
Snowlift LLC and Cristi Cleaning Service  
Corp.,  
Defendants-Respondents.

-----  
(And a third-party action)

-----X

Defendant-respondent Snowlift LLC having moved for dismissal of the appeal taken from two orders of the Supreme Court, Bronx County, entered on or about October 3, 2016 and October 6, 2016, respectively,

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

It is ordered that the motion is granted and the appeal is dismissed unless perfected 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 15, 2017.

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

-----X  
New Cingular Wireless PCS, LLC,  
Plaintiff-Respondent,

-against-

M-561  
Index No. 652926/15

West Investors LLC,  
Defendant-Appellant.

-----X

Defendant-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 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 15, 2017.

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

-----X  
Henry Dawson,  
Petitioner-Appellant,

-against-

M-141  
Index No. 150651/15

Motor Vehicle Accident Indemnification Corporation,  
Respondent-Respondent.

-----X

Respondent-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about September 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 and the appeal is dismissed.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-446  
Ind. No. 4246/11

Anthony White,  
Defendant-Appellant.

-----X

An order of this Court having been entered on March 10, 2015 (M-598), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 3, 2014, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, pursuant to Section 722 of the County Law, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2017.

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

-----X  
Rasheed Al Rushaid, Al Rushaid Petroleum  
Investment Corp., and Al Rushaid Parker  
Drilling, Ltd.,  
Plaintiffs-Appellants,

-against-

M-478  
Index No. 652375/11

Pictet & Cie, et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about March 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 October 2017 Term, with leave to seek additional enlargements, if necessary.

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 15, 2017.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Judith J. Gische, Justices.

-----X

Arbor Realty Funding, LLC,  
Plaintiff,

-against-

Herrick, Feinstein LLP,  
Defendant-Respondent.

-----

Arbor Realty Funding, LLC,  
Plaintiff,

-against-

Garret Gourlay, et al.,  
Defendants.

-----

East 51<sup>st</sup> Street Development, LLC,  
et al.,  
Plaintiffs-Appellants,

-against-

Blank Rome, LLP, et al.,  
Defendants-Respondents.

-----X

Defendants-respondents Blank Rome, LLP 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 29, 2016 (Appeal No. 2543),

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 15, 2017.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X

Warren Redlich,  
Plaintiff-Respondent,

-against-

**M-850**

**M-880**

Index No. 109005/11

Rodger Stone,  
Defendant-Appellant,

Michael Caputo,  
Defendant-Appellant,

Carl Paladino,  
Defendant-Appellant,

Andrew Miller and Kristin Davis,  
Defendants.

-----X

Separate appeals having been taken from the order of the Supreme Court, New York County, entered on or about April 22, 2016, and said appeals having been perfected,

And, defendants-appellants, Rodger Stone and Michael Caputo, having jointly moved to stay the trial pending determination of their appeals (M-850),

And, defendant-appellant, Carl Paladino, having moved to stay the trial pending determination of his appeal (M-880),

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

It is ordered that the motions are denied.

ENTER:

  
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 15, 2017.

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

-----X

The Board of Managers of the Modern  
23 Condominium,  
Plaintiff-Respondent-Appellant,

-against-

M-280

M-374

Index No. 651463/15

350-52 West 23, LLC, Martin  
Hollander, Arthur Israel and  
Erez Itzhaki,  
Defendants-Appellants-Respondents.

-----X

Defendants-appellants-respondents having moved for an enlargement of time to perfect their appeal from an order of the Supreme Court, New York County, entered on or about April 14, 2016 [M-280],

And plaintiff-respondent-appellant having cross moved for an enlargement to time to perfect its cross-appeal from the aforesaid order [M-374],

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

It is ordered that the motion and cross motion are granted to the extent of enlarging the time to perfect the appeal and cross-appeal to the October 2017 Term [M-280/M-374].

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 15, 2017.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X  
Bristol Management Company, BLDG  
Management Company, Inc., and  
New 56-79 IG Associates, LLP,  
Plaintiffs-Appellants,

**M-700**  
Index No. 109191/10

-against-

The Travelers Indemnity Company of  
America, et al.,  
Defendants-Respondents.  
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect their appeal taken from the order of the Supreme Court, New York County, entered on or about April 13, 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 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 15, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Judith J. Gische, Justices.

-----X

Argon Electrical Corp.,  
Plaintiff-Appellant,

-against-

M-496

Index No. 651871/14

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

-----X

Plaintiff-appellant 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 29, 2016 (Appeal No. 2561),

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 15, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Angela M. Mazzarelli  
Karla Moskowitz  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X  
Intrepid Investments, LLC,  
Plaintiff-Appellant,

NA Technology Support, LLC,  
Plaintiff,

-against-

M-482  
Index No. 654309/13

Selling Source, LLC,  
Defendant-Respondent,

Clickgen, LLC, et al.,  
Defendants.

-----X  
Intrepid Investments, LLC,  
Petitioner-Appellant,

-against-

Index No. 650705/14

Selling Source, LLC,  
Respondent-Respondent.

-----X

Consolidated appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about February 19, 2015, April 13, 2015 and September 10, 2015 (Index No. 654309/13), and from the order and judgment of said Court, entered on or about April 13, 2015 (Index No. 650705/14), respectively,

And, plaintiff-appellant having moved for an enlargement of time to perfect said consolidated 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 enlarging the time to perfect the consolidated appeals 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 15, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

**M-218**

Ind. No. 3511/16

Carlos Gonzalez Mesa,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which  
to file a notice of appeal taken from the judgment of the Supreme  
Court, Bronx County, rendered on or about November 29, 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 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., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Tel. No. (212) 577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against- **M-101**  
Ind. No. 312N/16

Elliot Rivera,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 20, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, setting forth his indigency in compliance with CPLR 1101(a), including an explanation why the income and assets set forth in his affidavit are not available for the costs of the appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2017.

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

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

**M-351**  
-against- Ind. No. 2696/14

Andre Johnson,  
Defendant-Appellant.  
-----X

An order of this Court having been entered on November 1, 2016 (M-4093) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 7, 2015, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York NY 10007, Telephone No. (212) 402-4142, as such counsel. The poor person relief

previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme  
Court held in and for the First Judicial Department  
in the County of New York on March 15, 2017.

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

-----X  
Christopher Bent,  
Plaintiff-Respondent,

-against-

M-562  
Index No. 114565/09

Sears Roebuck and Co. and  
Electrolux Home Products, Inc.,  
Defendants-Appellants.

-----X

Defendants-appellants 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 April 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 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 15, 2017.

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

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

-against-

**M-1031**  
Ind. No. 309/12

Charles Little,  
Defendant-Appellant.

-----X

An order of a Justice of this Court, entered December 13, 2016 (M-4908), having granted defendant leave to appeal to this Court from the order of the Supreme Court, Bronx County, entered on or about February 26, 2016,

And, defendant having moved to withdraw his appeal from the denial of his motion brought pursuant to CPL 440.10,

Now, upon reading and filing the stipulation of the parties hereto, dated February 24, 2017, and due deliberation having been had thereon,

It is ordered that defendant's 440.10 appeal is withdrawn in accordance with the aforesaid stipulation. Defendant's direct appeal of his conviction remains extant on this Court's calendar for the May 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 15, 2017.

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

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

-against-

Vincent Chambers,  
Defendant-Appellant.

M-4675  
M-407  
Ind. No. 2481/00

-----X

A decision and order of this Court having been entered on May 13, 2003 (Appeal No. 1128 & 2123), unanimously affirming a judgment of the Supreme Court, Bronx County (David Statdtmauer, J.), rendered on September 17, 2001,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief (M-4675),

And respondent People having cross-moved for an order dismissing defendant-appellant's application (M-407),

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 denied (M-4675). It is further ordered that the cross motion by respondent People is denied as academic (M-407).

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 15, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-5808  
Ind. No. 2801/03

Delroy Pitterson,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on November 8, 2007 (Appeal No. 1912), unanimously affirming a judgment of the Supreme Court, Bronx County (Judith Lieb, J.), rendered on May 25, 2005,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application 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 15, 2017.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Barbara R. Kapnick, Justices.

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

-against-

M-6611  
Ind. No. 1597/12

Antonio Flores,  
Defendant-Appellant.

-----X

An order of this Court having been entered on April 30, 2015 (M-1107), inter alia, substituting Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 22, 2014,

And counsel having moved for an order abating the appeal by reason of appellant's death, remanding the matter to the trial court to vacate the judgment of conviction, and dismissing the indictment,

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 dismissing the appeal due to appellant's death on June 19, 2016, and remanding the matter to the Supreme Court, Bronx County, for further proceedings.

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 15, 2017.

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

-----X

Angel Rosario,  
Plaintiff-Respondent,

-against-

M-6670  
Index No. 303782/13

Pedro Marrero-Quiles, et al.,  
Defendants-Appellants.

-----X

Defendant-appellant Pedro Marrero-Quiles 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 10, 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

✓

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

BEFORE: Hon. Paul G. Feinman  
Justice of the Appellate Division

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

M - 5202  
Ind. Nos. 4934/96

-against-

CERTIFICATE  
DENYING LEAVE

Maxwell Bogle,

Defendant.  
-----X

I, Paul G. Feinman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application 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 (Ethan Greenberg, J.), entered on or about September 9, 2016 is hereby denied.

Dated: February 8, 2017  
New York, New York



Hon. Paul G. Feinman  
Associate Justice

ENTERED: MAR 15 2017

✓

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

BEFORE: Hon. Judith J. Gische  
Justice of the Appellate Division

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

M-303  
Ind. No. 4268C/05

-against-

CERTIFICATE  
DENYING LEAVE

Samuel Encarnacion

Defendant.  
-----X

I, Hon. Judith J. Gische, 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 (Richard Lee Price, J.), Bronx County, entered on or about November 28, 2016, is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: February 10, 2010  
New York, New York

ENTERED: MAR 15 2017

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

Respondent,

M-335  
Ind. No. 4772/11


-against-

Amadou Barrie,

CERTIFICATE  
DENYING LEAVE

Defendant.  
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about December 15, 2016 is hereby denied.

  
\_\_\_\_\_  
Hon. Peter Tom  
Acting Presiding Justice

Dated: February 27, 2017  
New York, New York