

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 16, 2017.

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

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

-against-

M-872  
Ind. No. 199/11

Renato Seabra,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 21, 2012,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Scott B. Tulman, Esq., of counsel to defendant-appellant, dated February 22, 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It is ordered that the motion is deemed withdrawn.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 16, 2017.

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

-----X  
In the Matter of the Application of  
Dock Properties, LLC, and Avner Kanfi,  
Petitioners-Respondents,

-against-

M-377  
Index No. 260736/15

Department of Housing Preservation  
and Development of the City of New  
York and Vicki Been, as Commissioner  
of the Department of Housing  
Preservation and Development of  
the City of New York,  
Respondents-Appellants,

Against the building located at  
2015 Camp Street, Bronx, New York,  
Block 5095, Lot 111.

-----X  
Respondents-appellants having moved for an enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about May 6, 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 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 16, 2017.

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

-----X  
Jahmai Samuel and Alessa Velez,  
Plaintiffs-Respondents,

-against-

M-327  
Index No. 21967/14

Danny Chau,  
Defendant-Appellant,

Nguyen's Realty Corporation,  
Defendant.

-----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 May 5, 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 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 16, 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 Calvin Brooks,  
Plaintiff-Appellant,

**M-212**  
Index No. 100780/16

-against-

The City of New York, et al.,  
Respondents-Respondents.  
-----X

Plaintiff having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, entered on or about November 4, 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 submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), in support of the motion for poor person relief, including a statement as to the nature of the action and sufficient facts so that the merit of the contentions can be ascertained.

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 16, 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-6507**  
Ind. No. 2270/10

Vincent Dominguez,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file  
a notice of appeal from a judgment of **resentence** of the Supreme  
Court, New York County, rendered on or about November 18, 2015,  
and for leave to have the appeal heard upon the original record  
and a reproduced appellant's brief, and for assignment of  
counsel,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of **resentence**. 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 16, 2017.

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

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

-against-

M-379  
Ind. No. 1113/15

Maynor Alvizurez,  
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 September 20, 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.

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

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 2017.

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

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

-against-

M-393  
Ind. No. 5536/14

Winson Y. Martinez-Severi,  
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, New York County, rendered on or about April 13, 2016,

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 2017.

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

-----X  
In the Matter of the Application of  
Mac Truong, Ph.D., J.S.D., as Creditor  
of the Estate of Truong Dinh Tran,

Deceased,

To Determine the Validity and  
Enforceability of Claims against  
The Estate of said Deceased.

**M-219**

**M-365**

Surrogate's Court  
File No. 1785/12

-----X

An appeal having been taken from an order of the Surrogate's Court, New York County, entered on or about December 2, 2016,

And respondent having moved to dismiss the aforesaid appeal (M-219),

And, petitioner having cross-moved for an order granting leave to appeal to this Court from the aforesaid order of the Surrogate's Court (M-365),

(M-219/M-365)

-2-

March 16, 2017

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 to dismiss the appeal is granted (M-219). The cross motion is denied, as academic (M-365).

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 16, 2017.

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

-----X  
Bernardine Harding,  
Plaintiff-Respondent,

-against-

M-726X  
Index No. 300646/09

G&T Consulting Company, LLC, et al.,  
Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 4, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 30, 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 16, 2017.

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

-----X  
Nicos D. Kirzis,  
Plaintiff-Respondent,

-against-

M-741X  
Index No. 652086/16

Paul Kemsley,  
Defendant-Appellant.  
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about September 19, 2016, and from an order of the Supreme Court, New York County, entered on or about August 26, 2016, respectively,

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 16, 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-733  
Ind. No. 3853/15

Damel Atchenson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about August 17, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-756  
Ind. No. 4315/15

Samuel Barreto,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 22, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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



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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-757  
Ind. No. 1184/14

Calvin Brooks,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 24, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-758  
Ind. No. 4167/15

Dwight Brown,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 28, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-759  
Ind. No. 262N/16

Darnell Coleman,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 29, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-759  
Ind. No. 262N/16

Darnell Coleman,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 29, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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



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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-760  
Ind. No. 4534/15

Xavier Chalas,  
Defendant-Appellant.

-----X

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

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-762  
Ind. No. 2144/15

Christopher Collins,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 29, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-763  
Ind. No. 2570N/16

Ian Contreras,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 22, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-764  
Ind. No. 3425N/15

Ivett Cruz,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 5, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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



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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-765  
Ind. No. 2325/15

Luis Diaz,  
Defendant-Appellant.

-----X

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

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-766  
Ind. Nos. 4686/13  
4900/13

Kim Dollar,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 9, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-767  
Ind. No. 4577/15

Mark Dwaileebe,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about August 4, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-768  
Ind. No. 2740/15

Kenneth Ferguson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 5, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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



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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-769  
Ind. No. 3880/14

Anthony Ferrer,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about August 16, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-770  
Ind. No. 5044/14

Ames Figueroa,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 23, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-771  
Ind. No. 1584/16

Michael Gonzalez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 14, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-772  
Ind. No. 2246/14

Matthew Gutierrez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 15, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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



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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-773  
Ind. No. 4781/13

Gary Harris,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 21, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 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-493**  
Ind. No. 30/14

Kenneth Campbell,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Marc Whiten, J.), entered on or about December 16, 2016, 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 file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Whiten 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 16, 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,

**M-621**

-against- Ind. No. 2178/13

Michael Boone,  
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 November 10, 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 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.

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 16, 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-548**  
Ind. No. 2511/15

Mark McClennon,  
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 October 14, 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 16, 2017.

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

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

-against-

**M-422**  
Ind. No. 821/15

Hugo Rodriguez,  
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, New York County, rendered on or about August 5, 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:

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 16, 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,

**CONFIDENTIAL**

**M-332**

-against-

Ind. No. 1983/00

Devrol P.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Raymond Bruce, J.), entered on or about January 27, 2016, 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 8 files 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 file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's

counsel, Rosemary Herbert, 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 16, 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,

**CONFIDENTIAL**

**M-360**

-against-

Ind. Nos. 2273/73  
2146/79

Carlos Ayala,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Eugene Oliver, Jr., J.), entered on or about December 12, 2016, 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 file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Oliver 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 16, 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-

**CONFIDENTIAL**  
**M-546**  
Ind. No. 4335/09

Raphael D.,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Efrain Alvarado, J.), entered on or about December 22, 2016, 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 file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Alvarado 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 16, 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,

**CONFIDENTIAL**

**M-492**

-against-

Ind. No. 2717/14

Roger A.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Konviser, J.), entered on or about January 4, 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 file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Konviser 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 16, 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-

**CONFIDENTIAL**  
**M-547**  
Ind. No. 299/14

Ramon A.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Marc J. Whiten, J.), entered on or about January 6, 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 file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other

proceedings before Justice Whiten 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 16, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

**M-413**

Ind. No. 3681/14

Wilson Maldonado,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about May 20, 2016,

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

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-454  
Ind. No. 5689/14

Amirou Sow,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 10, 2016, for leave to prosecute the appeal as a poor person, 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 only to the extent of deeming the notice of appeal as timely filed,

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, in compliance with CPLR 1101, setting forth the terms of defendant's retainer agreement with trial counsel, Lisa Pilosi, Esq., as well as the amount and sources of funds for trial counsel's fee, and an explanation as to why similar funds are not available to prosecute this appeal.

ENTER:

  
CLERK

ORDER CORRECTED - JULY 12, 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 16, 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

Bilet M.,  
also known as Belet M.,  
and Brandon M.-O.,  
also known as Brandon M.,

Dependent Children Under 18 Years  
of Age Pursuant to §384-b of the  
Social Services Law of the State  
of New York.

- - - - -  
The New York Foundling Hospital  
and the Administration for  
Children's Services,  
Petitioners-Respondents,

Luciano M.-R., also known as  
Luciano M.,  
Respondent-Appellant.

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

-----X

CONFIDENTIAL

M-903

Docket Nos. B-7180/14  
B-7181/14  
B-7182/14  
B-7183/14



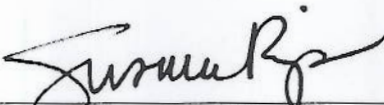
March 16, 2017

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeals taken from orders of the Family Court, Bronx County, both entered on or about January 24, 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue Suite #176, Larchmont, New York 10538, Telephone No. (914) 419-8407, 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;<sup>1</sup> **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.**

ENTERED:

  
CLERK

---

<sup>1</sup>Service 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 16, 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 Proceeding for  
Custody and/or Visitation Under  
Article 6 of the Family Court Act.

- - - - -  
Pamela N.,  
Petitioner-Respondent,

**CONFIDENTIAL**  
**M-429**

Docket Nos. V-06334-15/15B  
O-06026/15

-against-

Aaron A.,  
Respondent-Appellant.

- - - - -  
Kenneth M. Tuccillo, Esq.,  
Attorney for the Child.

-----X  
  
Rina Mais, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County (**Docket Nos. V-06334-15/15B and O-06026/15**), entered on or about November 28, 2016, 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, Kenneth M. Tuccillo, Esq.,

591 Warburton Avenue, #576, Hastings on Hudson, New York, NY 10706, Telephone No. (914) 439-4843, as counsel for purposes of responding to the appeal on the child's behalf; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-434, decided simultaneously herewith.)

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 16, 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 Proceeding for  
Custody and/or Visitation Under  
Article 6 of the Family Court Act.

- - - - -  
Pamela N.,  
Petitioner-Respondent,  
-against-  
Docket No. V-06334-15/15B

**CONFIDENTIAL**  
**M-434**

Aaron A.,  
Respondent-Appellant.  
- - - - -  
Kenneth M. Tuccillo, Esq.,  
Attorney for the Child.

-----X

Rina Mais, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County (**Docket No. V-06334-15/15B**), entered on or about November 28, 2016, 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, Kenneth M. Tuccillo, Esq.,

591 Warburton Avenue, #576, Hastings on Hudson, New York, NY 10706, Telephone No. (914) 439-4843, as counsel for purposes of responding to the appeal on the child's behalf; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-429, decided simultaneously herewith.)

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 16, 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

Tiera G.,  
Markeith G.,  
and Daveon W.,

**CONFIDENTIAL**  
**M-423**

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

Docket Nos. NA-24971/14  
NA-24972/14  
NA-24973/14

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

Daveon W. (The Child),  
Respondent-Respondent,

Deon W.,  
Respondent-Appellant.

- - - - -  
Thomas R. Villecco, Esq.,  
Attorney for the Child,  
Daveon W.,

Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Children  
Tiera G. and Markeith G.

-----X

Joseph Santo, Esq., Family Court attorney for subject child Daveon W., having moved on said child's behalf for leave to respond, as a poor person, to the appeal taken from (3) orders of the Family Court, Bronx County, all entered on

or about March 15, 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, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11753, Telephone No. (516) 942-4221, as counsel for purposes of responding to the appeal on said child's behalf; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

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 16, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Barbara R. Kapnick  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----X  
Suzanne Mangold Zacharius,  
Plaintiff-Appellant,

-against-

M-701  
Index No. 652460/12

Kensington Publishing Corp., et al.,  
Defendants-Respondents.  
-----X

Plaintiff-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 September 3, 2015, 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 16, 2017.

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

-----X  
Cynthia Rosa,  
Plaintiff-Respondent,

-against-

M-345  
Index No. 306073/14

The City of New York,  
Defendant-Appellant,

-and-

Emerald 115 Mosholu, LLC and  
Mosholu Parkway Holdings, LLC,  
Defendants-Respondents.

-----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 4, 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 16, 2017.

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

-----X  
In the Matter of the Application of  
Michael Chorney,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-477  
of the Civil Practice Law and Rules, Index No. 101123/15

-against-

New York State Office of Children and  
Family Services, et al.,  
Respondents-Respondents.

-----X

An Article 78 proceeding having been transferred to this  
Court, pursuant to CPLR 7804(g), by order of the Supreme Court,  
New York County, entered on or about January 12, 2016, to review  
a determination of respondent,

And petitioner having moved for an enlargement of time to  
perfect the aforesaid proceeding,

Now, upon reading and filing the papers with respect to said  
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 proceeding 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 16, 2017.

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

-----X  
Armani W., an infant by his Mother  
and Natural Guardian, Tamiko Gordon,  
and Tamiko Gordon, individually,  
Plaintiffs-Appellants,

-against-

M-557  
Index No. 23244/12E

Karen Robinson, et al.,  
Defendants-Respondents.  
-----X

Plaintiffs-appellants 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 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 16, 2017.

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

-----X  
James R. Sullivan and Vicky Sullivan,  
Plaintiffs-Respondents,

-against-

M-657  
Index No. 118013/06

Dr. Joshua B. Hyman and Cabrini  
Medical Center,  
Defendants-Appellants.

-----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 April 6, 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 16, 2017.

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

-----X

Ian Frank,  
Plaintiff-Appellant,

-against-

**M-499**

Index No. 26099/02

The City of New York,  
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 January 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 to the extent of enlarging the time to perfect the appeal to the 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 16, 2017.

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

-----X  
Bertrand Tchouke and Angele Tchouke,  
Plaintiffs-Appellants,

-against-

M-631  
Index No. 305891/11

The City of New York and Montefiore  
Medical Center,  
Defendants-Respondents.

-----X

Plaintiffs-appellants 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 May 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 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 16, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Barbara R. Kapnick  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----X

Avraham Gold and Brian Chenensky,  
individually, and on behalf of  
all others similarly situated,  
Plaintiffs-Appellants,

M-806  
Index No. 653923/12

-against-

New York Life Insurance Company,  
et al.,  
Defendants-Respondents.

-----  
(And another action)

-----X

Plaintiffs having moved for an enlargement of time to  
perfect their appeal taken from the order of the Supreme Court,  
Bronx County, entered on or about September 22, 2014 until after  
this Court decides plaintiffs' perfected appeal taken from the  
order of the Supreme Court, New York County, entered on or about  
September 4, 2015 (Cal. No. 1333),

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.

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 16, 2017.

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

-----X  
Lisa Tomic and Goran Tomic,  
Plaintiffs-Appellants-Respondents,

-against-

M-656  
Index No. 151152/15

92 East LLC,  
Defendant-Respondent-Appellant.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 18, 2016,

And, plaintiffs-appellants-respondents having moved for an enlargement of time to perfect their 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 enlarging the time to perfect the appeal and cross appeal to the 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 16, 2017.

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

Justice Presiding,  
Justices.

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

The Home of Sages of Israel, Inc.,  
(Beth Tomche Torah Vezikneh Yisroel)  
also known as Beth Tomche Torah  
Vezikneh Yisroel, Inc., and also  
known as Home of the Sages of Israel,  
Petitioner-Appellant,

**M-6677**  
Index No. 153111/15

For Leave to Sell Real Property.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 8, 2016,  
And, an interim stay having been granted to petitioner by order of a Justice of this Court, dated February 10, 2017,

And, Goldberg, Rimberg & Weg PLLC, former attorneys for petitioner, having moved to stay the aforesaid order 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 denied, and the interim relief granted by order of a Justice of this Court, dated February 10, 2017, is vacated.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 16, 2017.

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

-----X  
Maple Street Holdings, LLC,  
Plaintiff-Respondent,

-against-

M-620  
Index No. 650578/12

Gotham Insurance Company,  
Defendant-Appellant,

Capital One Bank,  
Defendant.

-----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 19, 2016,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated March 1, 2017, and due deliberation having been had thereon,

It is ordered that the motion and the appeal are deemed 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 16, 2017.

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

-----X  
Law Offices of Paul A. Chin, P.C.,  
Plaintiff-Respondent,

-against-

M-394  
Index No. 652109/16

Seth A. Harris, PLLC, doing business  
as Burns & Harris,  
Defendant-Appellant.  
-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from orders of the Supreme Court, New York County, entered on or about December 12, 2016 and December 16, 2016, respectively, and for sanctions, or in the alternative, for an order expediting 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 denied in its entirety.

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 16, 2017.

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

-----X  
Demetrius A. Briggs,  
Plaintiff-Respondent,

-against-

M-326  
Index No. 308493/12

Rockall Construction Inc., Reidman  
Associates Inc., and Malachy J.  
Maguire,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 16, 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 16, 2017.

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

-----X  
Maria and Rafael Lugo,  
Plaintiffs-Appellants,

-against-

M-619  
Index No. 301389/14

Kingdom Associates, LLC, et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants 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 23, 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 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 16, 2017.

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

-----X  
Jin Ming Chen,  
Plaintiff-Respondent,

-against-

M-445  
Index No. 650142/14

Insurance Company of the State of  
Pennsylvania,  
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 May 3, 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 16, 2017.

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

-----X

In the Matter of the Application of

Andrew Sinzheimer and Marsha  
Sinzheimer,  
Petitioners-Appellants,

For the enforcement of the removal of U.S. Trust, formerly operating as Merrill Lynch Trust Company, from the Sinzheimer Credit Shelter Trust, pursuant to the Ronald and Marsha Sinzheimer Family Trust Agreement, dated January 27, 1997, between Ronald Sinzheimer, as settlor, Marsha Sinzheimer, as settlor, and Frederick M. Altman, as Trustee, and for other relief.

M-541  
**Surrogate's Court**  
File No. 1418/15

-----X

Petitioners-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Surrogate's Court, New York County, entered on or about April 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 enlarging the time to perfect the appeal to the 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 16, 2016.

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

-----X  
In the Matter of the Application of  
Rivka Jacobowitz,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-481  
of the Civil Practice Law and Rules Index No. 100092/14

-against-

New York City Department of  
Housing Preservation and Development,  
Respondent-Respondent.

-----X  
Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about February 4, 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 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 16, 2017.

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

-----X

U.S. Bank National Association, as  
Trustee for the Structured Asset  
Investment Loan trust, 2006-BNC2,  
Plaintiff-Respondent,

**M-24**

Index No. 20428/06

-against-

Nancy Thompson,  
Defendant-Appellant,

Lagoon Estates, et al.,  
Defendants.

-----X

An appeal having been taken from "an order" of the Supreme Court, Bronx County, entered on or about February 4, 2016,

And, defendant having moved to amend, nunc pro tunc, the notice of appeal to reflect that the appeal is from a judgment of foreclosure and sale, for an enlargement of time to perfect her appeal, and to extend the stay of enforcement which this Court originally granted by order of this Court entered on July 7, 2016 (M-2041), as extended by the order of this Court entered on September 27, 2016 (M-3942), on condition the appeal was perfected for the December 2016 Term,

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 defendant to amend her notice of appeal, nunc pro tunc, to reflect that she appeals from an order and judgment of foreclosure of the Supreme Court, Bronx County, (Kenneth L. Thompson, Jr., J.), entered February 4, 2016, and direct defendant to file the amended notice of appeal with the Bronx County Clerk within 7 days of this order. Defendant's time to perfect her appeal is enlarged to the September 2017 Term, and the stay granted by order of this Court entered on July 7, 2016 (M-2041) is extended on condition that defendant perfects her appeal 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 16, 2017.

PRESENT: Hon. John W. Sweeny, Jr.,  
Angela M. Mazzairelli  
Karla Moskowitz  
Marcy L. Kahn,

Justice Presiding,  
Justices.

-----X  
Helena Wong,  
Plaintiff-Respondent,

-against-

Hsia Chao Yu,  
Defendant-Appellant,

-and-

McAllister Associates,  
Defendant.

-----X  
Hsia Chao Yu,  
Third-Party Plaintiff,

-against-

Anna Wong and Teraya Donaldson,  
Third-Party Defendants.  
-----X

M-369  
Index No. 104404/09

Third-Party  
Index No. 570758/09

Defendant-appellant having moved for a stay of summary eviction proceedings pending hearing and determination of the appeal, taken from the an order and judgment of the Supreme Court, New York County, entered on or about October 12, 2016,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,  
It is ordered that the motion is denied.

ENTER:

  
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 16, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Karla Moskowitz  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
Board of Managers of the 120 East 86<sup>th</sup>  
Street Condominium,  
Plaintiff-Appellant,

-against-

Park Avenue Physicians Realty, LLC,  
Defendant-Respondent,

-and-

M-943  
Index No. 162584/14

Gateway I Group, Inc., et al.,  
Defendants,

-and-

120/86 Owners Corp.,  
Additional Defendant-Appellant,

-and-

"John Doe" No. 16 through No. 35,  
etc., et al.,  
Additional Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 3, 2016, and said appeal having been perfected.

And defendant-respondent having moved for an order compelling appellants to prepare and file a supplemental record to consist of certain motion documents filed in December 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 granting defendant-respondent permission to file a supplemental record, with costs to abide by the appeal. Sua sponte, the appeal is adjourned to the September 2017 Term.

ENTER:

  
CLERK

✓

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

BEFORE: Hon. Ellen Gesmer  
Justice of the Appellate Division

-----x

The People of the State of New York,

M-6521

Ind. No. 603/96

-against-

ORDER DENYING LEAVE  
UPON REARGUMENT

Theodore Simpson

Defendant.

-----X

I, Ellen Gesmer, a Justice of the Appellate Division, First Judicial Department, certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-2597), entered on September 27, 2016, which denied defendant's motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended or overlooked, defendant's application for reargument is denied and the order denying leave to appeal to this Court from the order of the Supreme Court, Bronx County, entered on or about March 23, 2016 is adhered to.

  
\_\_\_\_\_  
Justice of the Appellate Division

Dated: March 6, 2017  
New York, New York

ENTERED: **MAR 16 2017**

✓

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

BEFORE: Hon. Richard T. Andrias,  
Associate Justice

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

M-289  
Ind. No. 179/2009

-against-

CERTIFICATE  
DENYING LEAVE

Michael Smith,

Defendant.

-----X

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County, (Gregory Carro, J.), entered on or about November 2, 2016, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York  
March 1, 2017

**ENTERED**

MAR 16 2017

  
Justice of the Appellate Division

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 16, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Church of Covenant Presbyterian,  
et al.,  
Plaintiffs-Respondents,

-against-

Axis Design Group International, M-1036  
LLC; Joseph V. Lieber, P.E., Index No. 161087/15  
personally as Managing Member  
of Axis Design Group International  
LLC,  
Defendants,

ULM II Holding Corp.,  
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 May 20, 2016, and related appeals having been heard and argued,

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