

At a 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 23, 2017.

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

-----x
George Martinez as Administrator of the
Estate of Alexander G. Martinez
(Deceased),
Claimant-Appellant,

-against-

M-297
Claim No. 124138

The State of New York, et al.,
Defendants-Respondents.
-----x

An appeal having been taken to this Court from the order of the Court of Claims of the State of New York entered on or about November 22, 2016,

And defendants-respondents having moved, pursuant to CPLR 5520, for an order transferring the within matter to the Appellate Division, Second Department, for disposition,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated February 7, 2017, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 23, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber, Justices.

-----X
Mariel H. Simmonds-Little,
Plaintiff-Appellant,

-against-

M-358
Index No. 153644/14

Daniel Tram and Cab East LLC,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 15, 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 23, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber, Justices.

-----X
Argenis H., an infant by his
Mother and Natural Guardian,
Roxana Hernandez,
Plaintiff-Respondent,

-against-

M-479
Index No. 805110/12

New York City Health and Hospitals
Corporation,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 7, 2015,

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

It is ordered that the motion is granted to the extent of 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 23, 2017.

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

-----X
Lasalle Bank National Association,
as Trustee for First Franklin
Mortgage Loan Trust 2007-FF2,
Mortgage Loan Asset-Backed
Certificates, Series 2007-FF2
Plaintiff-Appellant,

M-6675
Index No. 380553/08

-against-

Grace T. Omisore, etc., et al.,
Defendants-Respondents.

-----X
Plaintiff-appellant having moved for an enlargement of time
to perfect the appeal from the order and judgment of the Supreme
Court, Bronx County, entered on or about January 17, 2013,

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

It is ordered that the motion is denied and, sua sponte, the
appeal is dismissed.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on March 23, 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-337
Ind. No. 48590/13

Rafael Rodriguez,
Defendant-Appellant.

-----X

Defendant-appellant having moved, through assigned counsel,
for an order transferring his appeal from a judgment of the
Supreme Court, Bronx County, rendered on or about October 17,
2013, from the Appellate Term of the Supreme Court, First
Department, to the Appellate Division, First Department,

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
transferring the appeal to the Appellate Division, First
Department, for disposition.

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 23, 2017.

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

-----X
Joern Meissner, individually and
derivatively on behalf of Manhattan
Review LLC,
Plaintiff-Appellant,

-against-

M-556
Index No. 650913/12

Tracy Yun; and Manhattan Enterprise
Group, LLC,
Defendants-Respondents.
-----X

Appeals and a cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 21, 2016, and from orders of the same Court and Justice entered on or about June 9, 2016,

And plaintiff-appellant having moved for an enlargement of time perfect his cross appeal taken from the aforesaid order entered on or about March 21, 2016,

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

It is ordered that the motion is granted to the extent of, sua sponte, deeming the cross-appeal to be a direct appeal from the March 21, 2016 order and enlarging the time to perfect same 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 23, 2017.

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

-----X
RCG Lipman 225 Owners LLC,
Plaintiff-Respondent-Appellant,

-against-

M-636
Index No. 651094/15

Robert Bernstein, etc.,
Defendant-Appellant-Respondent.
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 8, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated February 1, 2017, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal, previously perfected, are 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 23, 2017.

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

-----X

James E. Sallard, Jr.,

Plaintiff-Appellant,

-against-

M-736

Index No. 22109/12E

Ricardo O. Panton, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 20, 2015,

Now, upon reading and filing the stipulation of discontinuance of the parties hereto, dated November 3, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 23, 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 the Application of

Carole Stoll, Director of Revenue
Management, Isabella Geriatric Center,
Inc.,
Petitioner-Appellant,

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

M-794
Index No. 500165/13

Ana S.,

An Alleged Incapacitated Person, Pursuant
to Article 81 of the Mental Hygiene Law,

-against-

Human Resources Administration of the
City of New York,
Non-Party Respondent-Respondent.

-----x
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 17, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated February 6, 2017, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on March 23, 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-983

-against-

Ind. No. 3909/15

Fernando Rodriguez,
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 June 21, 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.

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 23, 2017.

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

-----X

Daniel Lipton,

Plaintiff-Appellant,

-against-

M-1085
Index No. 307265/15

Carrie Lipton,

Defendant-Respondent.

-----X

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

Now, after pre-argument conference and upon reading and
filing the stipulation of the parties hereto, "so ordered"
February 14, 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 23, 2017.

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

-----X
Leida Jimenez,
Plaintiff-Respondent,

-against-

M-375
Index No. 104105/06

The City of New York,
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, 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 23, 2017.

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

-----X

Rosa Gertrudis Diaz Heredia,
as Proposed Guardian Ad Litem for,
Luz Estrella Diaz,
Petitioners-Respondents,

M-559
Index No. 21857/14E

-against-

New York City Health and
Hospitals Corporation,
Respondent-Appellant.

-----X

Respondent-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 April 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 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 23, 2017.

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

-----X

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

-against-

CONFIDENTIAL

M-618

Ind. No. 68001/13

Frank B.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to file an addendum in connection with an appeal taken from an order of the Supreme Court, Bronx County, entered on or about August 30, 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 filed the 8 copies of appellant's Addendum of Cited Material submitted with the motion.

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 23, 2017.

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

-----X
Tony Campbell,
Plaintiff-Respondent,

-against-

M-690
Index No. 153335/13

Christine Figueroa, et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 28, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2017 Term, with leave to seek 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 23, 2017.

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

-----x
Delores Moore-Owens,

Plaintiff-Appellant,

-against-

M-725
Index No. 21792/15E

Evergreen Gardens, Inc., et al.,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved for a stay of the order of the Supreme Court, Bronx County, entered on or about January 18, 2017, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from plaintiff's counsel, Joelson & Rochkind, Esqs. (Geofrey Liu, Esq.), dated February 10, 2017, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on March 23, 2017.

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

-----X
James River Multi-Strategy Fund, L.P.
and James River Multi-Strategy Fund, Ltd.,
Plaintiffs-Appellants,

-against-

M-912
Index No. 601987/09

Motherrock, L.P., et al.,
Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for an enlargement of
time to perfect the appeal from the order of the Supreme Court,
New York County, entered on or about July 10, 2014,

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

It is ordered that the motion is granted to the extent
of enlarging the time to perfect the appeal to the September 2017
Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 23, 2017.

PRESENT: Hon. David Friedman,
Richard T. Andrias
Paul G. Feinman
Ellen Gesmer,

Justice Presiding,

Justices.

-----X
1391 Properties Owner LP,
Plaintiff-Appellant,

-against-

M-503
Index No. 653342/13

Philip M. Abelson, et al.,
Defendants-Respondents.

-----X

Appeals and cross appeals having been taken from orders of the Supreme Court, New York County, entered on or about April 4, 2016,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals and cross appeals, to the October 2017 Term. Sua sponte, plaintiff-appellant's appeals and cross appeals are consolidated and plaintiff-appellant is directed to prosecute same upon 8 copies of one record and one copy of appellants' points covering the aforesaid appeals.

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 23, 2017.

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

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

Vincent Latora and Robert Latora,
Petitioners-Appellants,

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

M-328
Index No. 100466/14

-against-

The Department of Citywide
Administrative Services, et al.,
Respondents-Respondents.

-----X

Petitioners-appellants having moved for an enlargement of
time to perfect the appeal from the judgment of the Supreme
Court, New York County, entered on or about December 17, 2014,

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

It is ordered that the motion is granted to the extent of
enlarging the time to perfect the appeal to the 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 23, 2017.

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

-----x
In the Matter of the Application of
Police Officer Rosandre Burgher,
Petitioner,

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

M-340
Index No. 102024/15

-against-

William J. Bratton, as Police
Commissioner of the City of New York,
et al.,
Respondents.

-----x
An Article 78 proceeding to review a determination of
respondents having been transferred to this Court, pursuant to
CPLR 7804(g), by order of the Supreme Court, New York County,
entered on or about May 17, 2016,

And petitioner having moved for an enlargement of time to
file a brief in connection with the aforesaid proceeding,

Now, upon reading and filing the papers with respect to the
motion, and the correspondence from petitioner's counsel, London
& Worth, LLP (Howard B. Sterinbach, Esq., of counsel), dated
February 14, 2017, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on March 23, 2017.

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

-----X

Trevor Caraballo, et al.,
Plaintiffs-Respondents,

M-367
M-550
M-724

-against-

Index No. 18414/07

Villa Maria Academy, Inc., Calgi
Construction, Inc.,
Defendants-Appellants,

The Geddis Partnership,
Defendant.

Calgi Construction Company, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 83791/08

W&M Sprinkler, Inc., Tri State
Dismantling Corp.,
Third-Party Defendants-Respondents.

-----X

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

And third-party defendant-respondent Tri State Dismantling
Corp. having moved to dismiss the aforesaid appeal for failure to
timely perfect (M-367),

And third-party defendant-respondent W&M Sprinkler, Inc.,
having cross-moved to dismiss the aforesaid appeal for failure to
timely perfect (M-550),

And defendant/third-party plaintiff-appellant Villa Maria
Academy, Inc. having cross-moved for an enlargement of time to
perfect its appeal (M-724),

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

It is ordered that the motion and cross motion to dismiss the appeal are denied (M-367/M-550). The cross motion for an enlargement of time to perfect the appeal is granted to the extent of enlarging the time to perfect same to the October 2017 Term (M-724).

ENTER:

A handwritten signature in black ink, appearing to read "Susan R.", is 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 23, 2017.

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

-----X

Michael Seleman,
Plaintiff-Respondent,

M-409

-against-

Index No. 101072/11

Barnes & Noble, Inc.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for consolidation of the appeals taken from orders of the Supreme Court, New York County, entered on or about March 29, 2016 and on or about August 16, 2016, respectively,

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

It is ordered that the motion is granted to the extent of consolidating the aforesaid appeals and permitting defendant-appellant to prosecute said appeals upon 9 copies of one record and of one set of appellant's points covering the appeals.

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 23, 2017.

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

-----X
Iykeyland Ricketts and Javona
Ricketts,
Claimants-Appellants,

-against-

M-441
Claim No. 124046

State of New York,
Defendant-Respondent.
-----X

Claimants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Court of Claims, entered on or about April 13, 2016,

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

It is ordered that the motion is granted to the extent of 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 23, 2017.

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

-----X
Noriko Yano,
Plaintiff-Appellant,

-against-

M-654
Index No. 652180/12

Old Republic National Title Insurance
Company,
Defendant-Respondent.

-----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 April 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 23, 2017.

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

-----X
In the Matter of a Support Proceeding
Under Article 4 of the Family Court
Act.

- - - - -
Jennifer D.,
Petitioner-Respondent,

CONFIDENTIAL
M-658

Docket No. F-23255-13/14D

-against-

Artis J.,
Respondent-Appellant.

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

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about March 13, 2015, and said appeal having been perfected,

And, petitioner-respondent having moved for leave to respond, as a poor person, to the aforesaid appeal, for the assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 100 Church Street, Suite #800, New York, NY 10007, Telephone No. (212) 965-0050, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. Sua sponte, the perfected appeal is adjourned 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 23, 2017.

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

-----x
Joshua Perla,
Plaintiff-Appellant,

-against-

M-682
Index No. 150351/16

Antoinette Lynn Bates, et al.,
Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 2, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2017 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 23, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Judith J. Gische
Troy K. Webber, Justices.

-----X

In the Matter of the Application of
Marie Addoo,
Petitioner-Appellant,

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

M-642
Index No. 101569/14

-against-

NYC Board of Education,
Respondent-Respondent.

-----X

Petitioner-appellant, pro se, having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about December 22, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2017 Term.

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 23, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Judith J. Gische
Troy K. Webber, Justices.

-----X
In the Matter of the Application of
Patricia McCauley,
Petitioner-Appellant,

For an Order Pursuant to Article 78
of the Civil Practice Law and Rules

M-809
Index No. 100634/14

-against-

William J. Bratton, etc., et al.,
Respondents-Respondents.

-----X
Petitioner-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 January 25, 2016,

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

It is ordered that the motion is granted to the extent of
enlarging the time to perfect the appeal to the 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 23, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Angela M. Mazzarelli
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-681
Ind. No. 759/16

John Rodriguez Gutierrez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 7, 2016,

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

It is ordered that the motion is granted to the extent of 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 23, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Angela M. Mazzarelli
Sallie Manzanet-Daniels, Justices.

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

Jan Jan Realty Corp.,
Petitioner-Respondent,

For an Order Pursuant to Article 78
of the Civil Practice Law and Rules

-against-

M-711
Index No. 100050/15

NYC Environmental Control Board,
Office of Administrative Trials and
Hearings, and NYC Department of
Buildings,
Respondents-Appellants.

-----X

Respondents-appellants having moved for an enlargement of
time to perfect the appeal from the order and judgment (one
paper) 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 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 23, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Angela M. Mazzarelli
Sallie Manzanet-Daniels, Justices.

-----X
Michael Weiss,
Plaintiff-Respondent,

-against-

M-803
Index No. 160202/13

Pamela Buchbinder,
Defendant-Appellant,

-and-

Jacob Nolan,
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 11, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 23, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Angela M. Mazzarelli
Sallie Manzanet-Daniels, Justices.

-----X
Michael J. Devereaux,
Plaintiff-Appellant,

-against-

M-822
Index No. 114428/09

Carolina E. Pascacio,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about May 26, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 23, 2017.

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

-----x
Maria Nunez,

Plaintiff-Respondent,

-against-

M-947
Index No. 303095/11

2175 Ryer Ave. Corp., et al.,

Defendants-Appellants.

-----x

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about October 12, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated February 17, 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 23, 2017.

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

-----X
John Bermingham,
Plaintiff-Appellant,

-against-

M-368
Index No. 102409/11

Atlantic Concrete Cutting Inc.,
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 April 23, 2014,

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

It is ordered that the motion is granted to the extent of
enlarging the time to perfect the appeal to the 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 23, 2017.

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

-----X

In the Matter of

Malik W.,

A Person Alleged to be
A Juvenile Delinquent,

Appellant.

CONFIDENTIAL

M-601

Docket No. D-10939/15

-----X

Appellant having moved for an enlargement of time to perfect the appeal taken from an order of disposition of the Family Court, Bronx County, entered on or about April 27, 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 23, 2017.

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

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

-against-

M-639

Ind. Nos. 2373/14
2068/13

Javann Garnes,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about October 15, 2015, and said appeal having been perfected,

And, defendant-appellant, in connection with the aforesaid appeal, having moved for leave to file a pro se supplemental 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before August 9, 2017 for the September 2017 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 23, 2017.

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

-----X

In the Matter of the Application of
Ingrid Linton,
Petitioner-Appellant,

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

M-660
Index No. 100006/15

-against-

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

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) 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 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 23, 2017.

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

-----x
Board of Managers of 141 Fifth
Avenue Condominium,
Plaintiff-Respondent-Appellant,

-against-

M-699
Index No. 651426/13

J. Construction Company, LLC,
Defendant-Appellant-Respondent,

-and-

141 Acquisition Associates, LLC,
et al.,
Defendants-Respondents.

-----x

Appeals and a cross appeal having been taken to this Court from orders of the Supreme Court, New York County, entered on or about July 16, 2015 and August 12, 2015, respectively,

And plaintiff-respondent-appellant having moved for an enlargement of time to perfect the appeal from the order entered on or about August 12, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect plaintiff-respondent-appellant's appeal from the August 12, 2015 order to the October 2017 Term. Sua sponte, the time to perfect the appeal and cross appeal from the order entered on or about July 16, 2015 is enlarged to said October 2017 Term. The Clerk is directed to calendar both appeals and cross appeal to be heard on the same day for 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 23, 2017.

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

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

-against-

M-708
Ind. No. 2321/16

Johnny Moises,
Defendant-Appellant.

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about October 11, 2016, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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, Tel. No. (212) 577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 23, 2017.

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

-----X
Steven M. Knobel, Mitchell,
Maxwell & Jackson, Inc.,
Plaintiffs-Appellants,

-against-

M-709
Index No. 152752/15

Wei Group, LLP, 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, 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 23, 2017.

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

-----X
In the Matter of the Application of
Mental Hygiene Legal Service,
Petitioner-Respondent,

For a Judgment Pursuant to Article 78 **M-1378**
of the New York Civil Practice Law Index No. 251095/16
and Rules,

-against-

Anita Daniels, in her official capacity
as Acting Director of Bronx Psychiatric
Center,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 16, 2016,

And, respondent-appellant having moved for an enlargement of time to perfect their appeal, and for the continuation of the stay of the aforesaid order,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated March 16, 2017, and due deliberation having been had thereon, it is

Ordered that the motion is granted in accordance with the aforesaid stipulation of the parties, dated March 16, 2017, to the extent of directing that respondent-appellant perfect the appeal on or before March 27, 2017 for the June 2017 Term; directing that petitioner-respondent file its brief on or before April 26, 2017; and directing that respondent-appellant file her reply brief on or before May 5, 2017. It is further directed that, conditioned on respondent-appellant so perfecting, the stay

presently in effect, pursuant to CPLR 5519(a)(1), MHLS continue pending determination of the appeal. Should appellant fail to perfect the appeal in accordance with the deadlines set forth in this order, an order vacating the stay may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof.

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 23, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-1193
Ind. No. 1224/12

Tulsie Singh,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 25, 2015, and said appeal having been perfected and submitted (Appeal No. 3501 [March 2, 2017]),

And retained counsel having moved to be relieved as such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel, Adam Bevelacqua, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523 as such counsel.

ENTER:


CLERK