

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on October 5, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Peter H. Moulton, Justices.

-----X
William T. Obeid, directly and
derivatively on behalf of Gemini
Real Estate Advisors LLC, Gemini
Equity Partners, LLC, et al.,
Plaintiffs-Appellants,

-against-

Bridgeton Holdings, LLC,
Atit Jariwala, The Congress Group,
and John Doe Defendants Nos. 1-10,
Defendants,

-and-

Gemini Real Estate Advisors LLC,
Gemini Equity Partners, LLC, et al.,
Nominal Defendants-Respondents.

-----X

CONFIDENTIAL

M-3347

Index No. 152596/15

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

And plaintiff having moved for a stay of the aforesaid order, pending hearing and determination of the appeal taken therefrom, and for other relief,

Now, upon reading and filing the papers with respect to the motion including the stipulation of the parties February 18, 2016, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTERED:


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 October 5, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber, Justices.

-----x

The People of the State of New York
ex rel. Allen Farbman, Esq., on behalf
of Efrain Anacleto,
Petitioner-Appellant,

-against-

M-3038
Index No. 451497/17

Dina Simon, etc.,
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 25, 2017, which dismissed petitioner's application for a writ of habeas corpus,

And petitioner-appellant having moved for leave to prosecute the appeal as a poor person, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, for the assignment of counsel, and for an order restoring his bail status to \$3,000 insurance company bond, reinstating the original bond that petitioner posted pending hearing and determination of the appeal, and for expedited hearing of the appeal,

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

It is ordered that the motion is granted to the extent of continuing the relief granted by the order of a Justice of this Court, dated June 7, 2017, which fixed bail in the amount of \$10,000 insurance company bond, or 10% partially secured surety bond or \$5,000 cash, and ordered waiver of surety inspection; with the additional condition that petitioner perfects the appeal on or before December 4, 2017 for the February 2018 Term of this Court, and except to that extent, vacating the order of this Court dated June 7, 2017, and it is further,

Ordered that poor person relief is granted and it is directed that the appeal 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 Attorney General of the State of New York and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

Pursuant to Section 35 of the Judiciary Law, 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 appellant for purposes of the appeal. Counsel is directed to perfect the appeal in accordance with Rule 600.18 of this Court.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Angela M. Mazzarelli
Troy K. Webber
Jeffrey K. Oing, Justices.

-----X

REEC West 11th Street LLC,
Plaintiff-Appellant,

-against-

M-4583

Index No. 651014/17

246 West 11th St. Realty Corp., et al.,
Defendants-Respondents.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about April 11, 2017 and from an order of the Supreme Court, New York County, entered on or about June 14, 2017, and said appeal from the order entered June 14, 2017 having been perfected,

And defendant-respondent having moved to adjourn the perfected appeal to the December 2017 Term; to compel plaintiff to perfect the appeal taken from the order entered April 11, 2017 for said Term and to consolidated the appeals such that defendant shall be required to file one responsive brief for both 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 adjourning the perfected appeal to the January 2018 Term; directing plaintiff to perfect the appeal taken from the April 11, 2017 order for said Term and consolidating said

appeals. Plaintiff is directed to file a supplemental record as to the appeal taken from the April 11, 2017 order. Plaintiff may either file 9 copies of an additional brief covering the appeal from the April 11, 2017 order, or a revised appellate brief addressing both appeals. Responsive briefing should be on a single brief.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

Grant B. H.,
Plaintiff-Respondent,

-against-

Katrina V. H.,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-4056

Index No. 312438/03

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 22, 2017,

And plaintiff-respondent having moved to dismiss the aforesaid appeal, or in the alternative for an appellate preference, 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 granting plaintiff an appellate preference for the February 2018 Term. Defendant-appellant is directed to perfect her appeal on or before December 4, 2017 for the February 2018 Term. The appeal is dismissed unless perfected for said Term.

ENTERED:


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 October 5, 2017.

Present - Hon. Richard T. Andrias, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x

Helen Torres,
Plaintiff-Respondent,

-against-

M-4250
Index No. 310684/10

Icola Diaz,
Defendant-Respondent,

-and-

Moustapha Diaby and Abdoulaye Diaby,
Defendants-Appellants.

-----x

A appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 10, 2017, and said appeal having been perfected,

Ad defendants-appellants having moved for a stay of trial, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

NYCTL, 2012-A Trust, et al.,
Plaintiffs-Respondents,

-against-

M-4425
Index No. 301861/13

Frederick H. Siemon,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, Bronx County, entered on or about June 21, 2017, 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 and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for plaintiffs-respondents and files 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

Patricia Atkins,
Petitioner-Appellant,

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

M-4423
Index No. 100006/16

-against-

New York State Office of Temporary and
Disability Assistance,
Respondent-Respondent.

-----X

Petitioner-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 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 aforesaid appeal to the February 2018 Term.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Michael McCue,
Plaintiff-Appellant,

-against-

M-4105
Index No. 156805/12

Cablevision Systems Corporation,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about October 31, 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 February 2018 Term.

ENTERED:



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 October 5, 2017.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Orly Genger, in her individual capacity and on behalf of the Orly Genger 1993 Trust (both in its individual capacity and on behalf of D & K Limited Partnership),
Plaintiffs-Respondents,

-against-

Dalia Genger, Sagi Genger, Leah Fang, D & K GP LLC and TPR Investment Associates, Inc.,
Defendants-Appellants.

CONFIDENTIAL

M-4367

Index No. 109749/09

-----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 September 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 March 2018 Term.

ENTERED:



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 October 5, 2017.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Jorge Naupari,
Plaintiff-Appellant-Respondent,

-against-

Shearman Cabinets, Inc.,
Defendant-Respondent-Appellant,

-against-

M-4091
M-4234
Index No. 111215/11

NY Custom Home and Remodeling, Inc.,
Defendant-Respondent-Appellant,

-against-

Jennifer Murray, et al.,
Defendants-Respondents.

-----X

Defendant-respondent-appellant Shearman Cabinets, Inc. and defendant-respondent-appellant NY Custom Home and Remodeling, Inc., having moved by separate motions for an enlargement of time to perfect their respective appeals taken from an order of the Supreme Court, New York County, entered on or about October 5, 2016 (M-4091/M-4234),

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the appeals to the March 2018 Term, with leave to seek further enlargements, if necessary (M-4091/M-4234).

ENTERED:



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 October 5, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3484
Ind. Nos. 3914/08
2918/08

Robert Camarano,
Defendant-Appellant.

-----X

An order of this Court having been entered on February 16, 2017 (M-5870), inter alia, relieving the Office of the Appellate Defender as assigned counsel and substituting Steven A. Feldman, Esq., as counsel to prosecute the appeal from two judgments of the Supreme Court, New York County, rendered on or about June 21, 2010,

And defendant-appellant having moved to relieve assigned counsel in connection with the aforesaid appeal, and to withdraw the appellate brief filed on his behalf,

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. Sua sponte, defendant-appellant is granted leave to file a pro se supplemental brief articulating his arguments, on or before January 2, 2018, for the March 2018 Term, to which Term the appeal is adjourned.

ENTERED:


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 October 5, 2017.

Present - Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

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

Respondent,

SEALED

-against-

M-3358

Jose S.,

Ind. No. 1274/12

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about July 29, 2016, as amended on August 16, 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 by defendant of a notarized affidavit setting forth his indigency in compliance with CPLR 1101, including the amount and source of funds used to retain counsel Jon M. Silveri, Esq., as trial counsel, and an explanation of why similar funds are not available for the costs of the appeal.

ENTERED:


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 October 5, 2017.

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

-----X
Wibbert Investment Co., a Republic
of Liberia Corporation,
Plaintiff-Respondent,

-against-

New Silk Route PE Asia Fund, L.P.,
et al.,
Defendants-Appellants,

CONFIDENTIAL
M-4899
Index No. 650437/13

-and-

Parag Saxena, an individual,
Defendant-Appellant,

-and-

Rajat K. Gupta, an individual,
Defendant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about August 7, 2013, and said appeals having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated September 8, 2017, and due deliberation having been had thereon,

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

ENTERED:


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 October 5, 2017.

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

-----X
Wibbert Investment Co., a Republic
of Liberia Corporation,
Plaintiff-Respondent,

-against-

New Silk Route PE Asia Fund, L.P.,
et al.,
Defendants-Appellants,

CONFIDENTIAL

M-4900
Index No. 650437/13

-and-

Parag Saxena, an individual,
Defendant-Appellant,

-and-

Rajat K. Gupta, an individual,
Defendant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about June 16, 2014, and from an order, same Court, entered on or about April 10, 2015, and said appeals having been perfected,

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

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

ENTERED:


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 October 5, 2017.

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

-----X

Louisa Murdoch,
Plaintiff-Respondent,

-against-

M-4898
Index No. 104309/10

New York Life Insurance Company,
New York Life International, LLC,
Russell Bundschuh and Susan
Cartledge Ormiston,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 30, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated September 8, 2017 and September 14, 2017, and due deliberation having been had thereon,

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

ENTERED:


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 October 5, 2017.

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

-----X

Brenda Arocho, etc.,

Plaintiff-Respondent,

-against-

M-4806X

Index No. 307655/11

Montefiore Medical Center,

Defendant-Appellant.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 31, 2017, and due deliberation having been had thereon,

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

ENTERED:


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 October 5, 2017.

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

-----X

Trevor Caraballo, et al.,
Plaintiffs-Respondents,

-against-

M-4397X
Index No. 18414/07

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

The Geddis Partnership,
Defendants.

- - - - -
[And a third-party action]

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about November 24, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 6, 2017, and due deliberation having been had thereon,

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

ENTERED:


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 October 5, 2017.

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

-----X

88 Greenwich Owner, LLC,

Claimant-Appellant,

-against-

M-4833

Claim No. 120815

The State of New York,

Defendant-Respondent.

-----X

An appeal having been taken from the order of the Court of
Claims of the State of New York, entered on or about April 16,
2015, and the appeal having been perfected,

Now, upon reading and filing the stipulation of the parties
hereto, dated September 7, 2017, and due deliberation having been
had thereon,

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

ENTERED:


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 October 5, 2017.

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

-----X
In the Matter of

Elias Angel T.,

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

CONFIDENTIAL

M-4594

Docket No. B-25981/14

Good Shepherd Services and the Commissioner of Social Services of the City of New York,
Petitioners-Respondents,

Beatrice O.,
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 the order of the Family Court, Bronx County, entered on or about November 16, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated July 10, 2017, and due deliberation having been had thereon,

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

ENTERED:


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 October 5, 2017.

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

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

-against-

M-4906
Ind. No. 1832/08

Michael Wells,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 11, 2011,

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

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

ENTERED:


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 October 5, 2017.

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

-----X
In the Matter of

Evan Jkwon J., also known as
Evan J. J., also known as
Evan J.,

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

- - - - -
Saint Dominic's Home, et al.,
Petitioners-Respondents,

M-4349
Docket No. B-872/14

Donovan Jkwon Urain J., also known as
Donavan J. Urain J., also known as
Donavan Jkwon U. J., also known as
Donavan J. U. J., also known as
Donavan Jkwon J., also known as
Donavan Urain J., also known as
Donavan J., also known as
Donavan J. J.
Respondent-Appellant.

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

-----X

Wendy J. Claffee, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from an order of the Family Court, Bronx County, entered on or about March 21, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, #576, Hastings on Hudson, NY 10706, Telephone No. 914-439-4843, 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.

ENTERED:


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 October 5, 2017.

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

-----X
In the Matter of

Dominique R.,

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

CONFIDENTIAL

M-4375

Docket No. N-44748/16

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

Denise S.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about May 19, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite #1510, New York, NY 10007, Telephone No. 212-227-0206, 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 therefor¹ **within 30 days (FCA 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

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

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 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Rosa N.,
Petitioner-Respondent,

CONFIDENTIAL

M-4361
Docket No. 0-32936/16

-against-

Luis A. F.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about July 12, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 100 Church Street, Suite #800, New York, NY 10007, Telephone No. 212-965-0050, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 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

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

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 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

-----X

In the Matter of

Toumani D.,

CONFIDENTIAL

M-3884

A Person Alleged to Be a Juvenile
Delinquent,

Docket No. D-4936/16

Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute the appeal from an order of the Family Court, Bronx County, entered on or about June 5, 2017, as a poor person, 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 Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Larry S. Bachner, Esq., C/O Bachner & Associates, P.C., 39 Broadway, Suite #1610, New York, NY 10006, Telephone No. 917-674-9516, 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 State of New York from funds available therefor;¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting

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

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) directing appellant to perfect this appeal in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

-----X

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

- - - - -

Jarvis L.,
Petitioner-Respondent,

CONFIDENTIAL

M-4409

Docket No. V-11666/16

-against-

Jasmine L. L.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about June 27, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-374-1962, 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 therefor¹ **within 30 days (FCA 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 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

-----X

In the Matter of

Armani R.,

CONFIDENTIAL

M-4372

A Person Alleged to Be a Juvenile
Delinquent,

Docket No. D-50021/16

Respondent-Appellant.

-----X

Appellant having moved for relief I the nature of leave to prosecute the appeal from orders of the Family Court, New York County, entered on or about June 22, 2017 and June 6, 2017, respectively, as a poor person, 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 and pursuant to Section 35 of the Judiciary Law, Article 18b of the County Law and Section 1120 of the Family Court Act (1) Bruce A. Young, Esq., 100 Church Street, Suite #800, New York, NY 10007, Telephone No. 212-965-0050 is assigned 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 State of New York of New York from funds available therefor¹; **within 30 days (FCA 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) directing appellant to perfect this appeal, in compliance with Rule 600.11 of the Rules

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

of this Court, **within 60 days** of 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

-----X
In the Matter of

Evan Jkwon J., also known as
Evan J. J., also known as
Evan J.,

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

- - - - -
Saint Dominic's Home, et al.,
Petitioners-Respondents,

M-4437
Docket No. B-872/14

Donovan Jkwon Urain J., also known as
Donavan J. Urain J., also known as
Donavan Jkwon U. J., also known as
Donavan J. U. J., also known as
Donavan Jkwon J., also known as
Donavan Urain J., also known as
Donavan J., also known as
Donavan J. J.
Respondent-Appellant,

Emily R.,
Respondent.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about March 21, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, John R. Eyerman, Esq., 225 Broadway, Suite #1800, New York, NY 10007, Telephone No. 212-921-0069, 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 therefor¹ **within 30 days (FCA 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 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

-----X
In the Matter of

Za'ni Samuel S.,

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

CONFIDENTIAL

M-4377

Docket No. NN-45406/16

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

Saphia S.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 5, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite #1510, New York, NY 10007, Telephone No. 212-227-0206, 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 therefor¹ **within 30 days (FCA 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

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

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 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

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

- - - - -
Joane H.,
Petitioner-Respondent,

-against-

Docket Nos. V-14053/15
V-14054/15

CONFIDENTIAL
M-4429

Felix P., Jr.,
Respondent-Appellant.
- - - - -

Rhonda Albright, Esq.,
Children's Law Center,
Attorney for the Children,
Jordynn P. and Janiya H.-P.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about July 10, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11753, Telephone No. (516) 942-4221, 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 therefor¹ **within 30 days (FCA 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 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

-----X

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

- - - - -

Don B.,
Petitioner-Appellant,

-against-

Camilla E.,
Respondent-Respondent.

-----X

CONFIDENTIAL

M-4438

Docket Nos.

V-30141-14/14A

V-30142-14/14A

V-30141-12-14/14A

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 12, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11753, Telephone No. 516-942-4221, 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 therefor¹ **within 30 days (FCA 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

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

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 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

-----X

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

- - - - -

Rolando Antonio G.,
Petitioner-Appellant,

CONFIDENTIAL

M-4178

Docket No. V-29076/16

-against-

Marisol Rose Medina,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about August 2, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., C/O Bachner & Associates, P.C., 39 Broadway, Suite #1610, New York, NY 10006, Telephone No. 917-674-9516, 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 therefor¹ **within 30 days (FCA 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 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

-----X

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

CONFIDENTIAL

M-4442

Docket Nos. V-11492-3/17

V-11486/17

- - - - -
Karina F.,
Petitioner-Appellant,

-against-

Mike G.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 10, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall S. Carmel, Esq., 410 Jericho Turnpike, Suite #302, Jericho, NY 11753, Telephone No. 516-921-8800, 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 therefor¹ **within 30 days (FCA 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 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 5, 2017.

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

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

CONFIDENTIAL

M-4527

- - - - -
Annalyn D. C. C.,

Docket Nos.
V-35999-15/17C/D/E
V-38024-15/17D/E/F

Petitioner-Respondent,

-against-

Robert Vivian R., also known as
Timothy Robert Vivian R.,

Respondent-Appellant.
-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about July 19, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite #1415, New York, NY 10007, Telephone No. (212) 233-0318, 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.

ENTERED:


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 October 5, 2017.

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

-----X
In the Matter of a Guardianship
Proceeding Pursuant to §661 of the
Family Court Act.

CONFIDENTIAL

M-4427

- - - - -
Cornell S. J.,
Petitioner-Respondent,

Docket Nos. G-2790/16
G-2791/16

-against-

Altemese R. J.,
Respondent-Appellant.

- - - - -
John R. Eyerman, Esq.,
Attorney for the Children,
Quadir J. and Mi-Angel J.

-----X

Rina Mais, Esq., court attorney for the subject children, having moved on said children's behalf for leave to respond, as poor persons, to the appeal taken from three orders of the Family Court, Bronx County, all entered on or about June 9, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, John R. Eyerman, Esq., 225 Broadway, Suite #1800, New York, NY 10007, Telephone No. (212) 921-0069, as counsel for purposes

of responding to the appeal on said children'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.

ENTERED:


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 October 5, 2017.

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

-----X

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

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

CONFIDENTIAL

M-4415

Docket Nos. V-32359/15
V-36125/16

-against-

Robert J.-R.,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about December 20, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Larry S. Bachner, Esq., C/O Bachner & Associates, P.C., 39 Broadway, Suite #1610, New York, NY 10006, Telephone No. 917-674-9516, 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.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Troy K. Webber
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X
Yesenia Salinas, individually and
as Mother and Natural Guardian of
Kira, an infant under the Age of 18,
Plaintiffs-Respondents-Appellants,

-against-

M-4592
Index No. 350059/10

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

-----X

An appeal having been taken by defendant-appellant from an order of the Supreme Court, Bronx County, entered on or about November 5, 2015, and said appeal having been perfected,

And a related appeal having been taken by plaintiff-respondent from an order of the same Court and Justice entered on or about October 27, 2016,

And plaintiff-respondent-appellant having moved for relief in the nature of an adjournment of the appeal taken from the order entered on October 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 adjourning the appeal from the order entered November 5, 2015, to the March 2018 Term; sua sponte the time to perfect the appeal taken from the order entered October 27, 2016, is enlarged to said March 2018 Term. The Clerk is directed to calendar the appeals to be heard together on the same date.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-4617

-against-

Ind. No. 5488/00

Ishmael Holmes,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Anthony Ferrara, J.), entered on or about July 13, 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 Ferrara 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.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-4405

-against-

Ind. No. 5480/05

Victor Cardona,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Gregory Carro, J.), entered on or about January 30, 2015, 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 Carro 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.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-4229

-against-

Ind. No. 1204/13

Eric Manley,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Michael J. Obus, J.), entered on or about May 11, 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 Obus 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.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4531
Ind. Nos. 4883/15
2965/15

Frederick Carter,
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 23, 2017, 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, with 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.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4487
Ind. No. 5587/13

Jesse Smith,
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 May 25, 2017, 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, with 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.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4491
Ind. No. 456/16

Keith Haywood,
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 May 9, 2017, 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, with 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour James Jr.", written in a cursive style.

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 October 5, 2017.

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

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

-against-

M-4574
Ind. No. 999/12

Sulin Brown,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, BronxCounty, rendered on or about January 11, 2017, 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, with 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.

ENTERED:


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 October 5, 2017.

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

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

-against-

M-4574
Ind. No. 999/12

Sulin Brown,
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 January 11, 2017, 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, with 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.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-4204

-against-

Ind. No. 51/77

Jonathan Battiste,
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 July 13, 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 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.

ENTERED:


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 October 5, 2017

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4348
Ind. No. 3201/16

Melik Bullock,
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 2, 2017, 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, with 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour James Jr.", written in a cursive style.

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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4521
Ind. No. 2699/14

Rafael Gonzalez,
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 August 2, 2017, 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, with 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour James Jr.", written in a cursive style.

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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-4206

-against-

Ind. No. 99034/15

William Parker,
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 June 30, 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 Bruce 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.

(M-4206)

-2-

October 5, 2017

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-4203

-against-

Ind. No. 6337/08

Louis Leiva,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Anthony Ferrara, J.), entered on or about June 9, 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 Ferrara 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.

(M-4203)

-2-

October 5, 2017

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-4565

-against-

Ind. No. 2644/04

David Garray,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Richard Carruthers, J.), entered on or about October 16, 2014, 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 Carruthers 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.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-4183

-against-

Ind. No. 3281/07

David Vinasco,
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 June 2, 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 Bruce 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.

ENTERED:


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 October 5, 2017.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-4265

-against-

Ind. No. 99082/16

Rasheed Davis,
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 July 14, 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 Bruce 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.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Troy K. Webber
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X

Michael F. Rakosi, et al.,
Plaintiffs-Respondents,

-against-

M-4734
Index No. 654473/16

Sidney Rubell Company, LLC and
Elaine Gorlechen,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 9, 2017, and said appeal having been perfected,

And plaintiffs-respondents having moved to strike portions of defendants' reply brief,

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

Ordered that the motion is denied.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Troy K. Webber
Jeffrey K. Oing
Peter H. Moulton, Justices.

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

-against-

M-3485
Ind. No. 1879/10

Darrell Joe,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 22, 2014, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before January 2, 2018 for the March 2018 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.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

Eugene Tenenbaum,
Petitioner-Appellant,

For a Judgment Pursuant to § 87(b)
of the Private Housing Finance Law,

M-4542
Record No. 73226

-against-

State Commissioner of Housing
and Community Renewal,
Respondent.

-----X

Appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Commissioner of Housing and Community Renewal, dated July 10, 2017, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is 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 serve one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Karla Moskowitz
Ellen Gesmer, Justices.

-----X
Anthony Ferguson,
Petitioner-Appellant,

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

-against-

M-4662
Index No. 100957/16

New York State Division of Human
Rights and G4 Secure Solution USA,
Inc.,
Respondents-Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, entered on or about November 15, 2016, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is 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 serve one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The time in which to perfect the appeal is enlarged to the March 2018 Term.
Index No. 160264/13

ENTERED:


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 October 5, 2017.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Barbara R. Kapnick, Justices.

-----x
Verlene Gause,
Plaintiff-Respondent,

-against-

2405 Marion Corp., M-4942
Defendant-Appellant, Index No. 303876/12

Rosario Marino,
Defendant.

-----x

A decision and order of this Court having been entered on March 22, 2016 (Appeal No. 550), withdrawing the appeal taken from an order of the Supreme Court, Bronx County, entered on or about April 10, 2015,

And counsel for defendant-appellant having moved, on its behalf, for reinstatement of the aforesaid appeal or, in the alternative, for an order enforcing a settlement between plaintiff and defendant,

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, to the extent it seeks enforcement of the settlement, is denied. The motion, to the extent it seeks reinstatement of the aforesaid appeal, is granted, and the decision and order of this Court entered on March 22, 2016 (Appeal No. 550), is recalled and vacated and a new decision an order of this substituted therefor. (See Appeal No. 550, decided simultaneously herewith.)

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on October 5, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X
Zohar CDO 2003-1 Limited and
Zohar II 2005-1 Limited,
Plaintiffs-Appellants,

-against-

M-4733
Index No. 651473/11

Xinhua Sports & Entertainment
Limited, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 18, 2017,

And plaintiffs-appellants having moved for a stay of all proceedings, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted on condition the appeal is perfected on or before November 6, 2017 for the January 2018 Term.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

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

OTR Media Group, Inc.,
Petitioner-Appellant,

M-4552

For a Judgment Pursuant to Article 78 Index No. 100510/14
of the Civil Practice Law and Rules,

-against-

Board of Standards and Appeals
of the City of New York,
Respondent-Respondent.

-----X
Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 17, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2018 Term.

ENTERED:


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 October 5, 2017.

Present - Hon. John W. Sweeny, Jr.,	Justice Presiding,
Karla Moskowitz	
Marcy L. Kahn	
Ellen Gesmer,	Justices.

-----X

In the Matter of the Petition of
Thomas R. Walegur and Patricia A.
Baltrus for the Performance of a
Genetic Marker Test Pursuant to
EPTL § 4-1.2(a)(2)(c) to Suspend
and Revoke the Letters of
Administration,

M-4523

Surrogate's Court
File No. 2013-998/B/C

in the Estate of
Edward J. Walegur,
Deceased,

heretofore issued to Lyndsey E.
Walegur, Administrator, Pursuant
to N.Y.S.C.P.A. § 711 and to
Appoint Matthew Baltrus as
Administrator of the Estate,

Thomas R. Walegur and Patricia A.
Baltrus,
Petitioners-Respondents,

Lyndsey E. Walegur,
Respondent-Appellant.

-----X

Appeals having been taken from orders of the Surrogate's Court, New York County, entered on or about July 31, 2017 and on or about August 8, 2017,

And respondent-appellant, Lyndsey E. Walegur, having moved to stay the aforesaid order insofar as it compelled movant to submit to genetic marker testing, initially scheduled for August 8, 2017, pending hearing and 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.

ENTERED:


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 October 5, 2017.

Present: Hon. John W. Sweeny, Jr.,	Justice Presiding,
Karla Moskowitz	
Marcy L. Kahn	
Ellen Gesmer,	Justices.

-----X

D.B., an Infant, by his Mother
and Natural Guardian, Arlene Brown,

Plaintiff-Respondent,

-against-

M-4619

Index No. 350479/10

Montefiore Medical Center and
The Jack D. Weiler Hospital of the
Albert Einstein College of Medicine,

Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 10, 2017,

And defendants-appellants having moved to stay trial pending determination of the appeal taken from the aforesaid order, and pending final disposition, including possible appeals by defendants of the pending motion in Supreme Court for preclusion under the *Frye* doctrine; and defendants having also moved for an enlargement of time to perfect the appeal taken from the January 10, 2017 order to no less than 60 days after the preclusion order is served with notice of entry,

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, to the extent it seeks a stay of trial, is denied; that branch of the motion which seeks an enlargement of time to perfect the appeal is granted only to the extent of enlarging the time to perfect the appeal to December 4, 2017, for the February 2018 Term, and is otherwise denied, with leave to renew should defendants be so advised, after disposition of the motion for preclusion presently sub judice before Supreme Court.

ENTERED:


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 October 5, 2017.

Present - Hon. John W. Sweeny, Jr.,	Justice Presiding,
Karla Moskowitz	
Marcy L. Kahn	
Ellen Gesmer,	Justices.

-----X

Stanislaw Tkaczyk,
Plaintiff-Appellant-Respondent,

-against-

M-4406

M-4500

Index No. 160264/13

337 East 62nd LLC,
Defendant-Respondent-Appellant.

-----X

337 East 62nd LLC,
Third-Party Plaintiff-Respondent-Appellant,

-against-

Gateway Demolition Corp.,
Third-Party Defendant-Appellant-Respondent.

-----X

An appeal and two cross appeals having been taken from the order of the Supreme Court, New York County, entered on or about July 27, 2016, and said appeal and cross appeals having been perfected,

And plaintiff-appellant-respondent Stanislaw Tkaczyk, having moved to strike the reply brief filed by third-party defendant-appellant-respondent Gateway Demolition Corp. or, in the alternative, striking Point I of said brief (4406),

And defendant/third-party plaintiff-respondent-appellant, 337 East 62nd LLC, having cross-moved for an extension of time to file a reply brief (M-4500),

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

It is ordered that plaintiff's motion is granted to the extent of striking Point I of third-party defendant Gateway's reply brief and directing said party to physically excise those pages from all copies of the brief within 15 days of entry of this order, and deeming struck the reference to Point I in that reply brief's Table of Contents and any applicable corresponding references in the Table of Authorities (M-4406). The cross motion is granted to the extent of adjourning the perfected appeal and cross appeals to the January 2018 Term.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

In the Matter of the Application of
Chiffon Fitzpatrick,
Petitioner-Appellant,

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

M-4684
Index No. 100273/17

-against-

East River Landing 1199 Housing
Corp.,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 15, 2017,

And petitioner-appellant, pro se, having purported to move for relief in the nature of a stay of enforcement of the aforesaid order, pending hearing and determination of the appeal taken therefrom,

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.

ENTERED:


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 October 5, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Karla Moskowitz
Judith J. Gische, Justices.

-----x
The People of the State of New York

Respondent,

-against-

M-1691
Ind. No. 4007/10

Francisco Rodriguez,

Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about March 21, 2012, which judgment was unanimously affirmed by this Court on September 30, 2014 (Appeal No. 3057),

And an order of this Court having been entered on July 3, 2014 (M-2720), denying defendant-appellant's pro se motion for an order releasing the minutes of the Grand Jury proceedings in connection with the aforesaid judgment,

And defendant-appellant having renewed the motion for an order releasing the Grand Jury minutes (M-2720),

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.

ENTERED:


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 October 5, 2017.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X
Stone Cast, Inc.,
Plaintiff-Respondent,

-against-

Federal Insurance Company,
Defendant-Appellant.

M-4884

-----X
Federal Insurance Company,
Defendant-Appellant,

Index No. 102748/07

-against-

Jeffrey M. Brown, et al.,
Third-Party Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 25, 2016, and said appeal having been perfected,

And, defendant-appellant having moved for leave to supplement the record on appeal to include Exhibits B & C to the Affirmation in Support of the Motion (portions of briefs on the cross-motions for summary judgment filed with Supreme Court),

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

Ordered that the motion is granted to the extent of directing defendant-appellant to file an original and 9 copies of a supplemental appendix consisting of the aforesaid exhibits forthwith.

ENTER:


CLERK

CORRECTED ORDER -- November 1, 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 October 5, 2017.

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

-----X

Moon 170 Mercer, Inc.,
Plaintiff-Appellant-Respondent,

-against-

M-3391
Index No. 155605/12

Zachary Vella,
Defendant-Appellant-Respondent.

-----X

Defendant-respondent-appellant having moved for leave to renew his appeal and to vacate the decision and order of this Court, entered on January 12, 2017 (Appeal No. 2752),

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, without prejudice to seeking the relief sought i.e. vacating the judgment in the Supreme Court.

ENTERED:


CLERK