

At a 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 31, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

Emanuel Marks,
Defendant-Appellant.

M-4288
Ind. Nos. 5817/12
1372/14

-----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, New York County, rendered on or about December 3, 2015, 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 31, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4300
Ind. No. 2975/14

Ricky Alston,
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, New York County, rendered on or about September 84, 2015, 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 31, 2017.

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

-----X
The People of the State of New York
ex rel. William Escalera, Jr.,
Petitioner-Appellant,

-against-

Warden Mingo, A.M.K.C., et al.
Respondents-Respondents.

M-4309
Ind. No. 5111/15
Index No. 100511/17

-----X

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

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

It is ordered that the motion is denied as moot, and the petition is dismissed, without prejudice to raising the substantive arguments sought to be raised here on a direct appeal from a judgment rendered on or about June 23, 2015.

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 31, 2017.

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

-----X
The People of the State of New York
ex rel. Norman Ferguson,
Petitioner,

-against-

M-4745
Ind. No. 322/17

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

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

And an order of this Court entered on September 12, 2017 (M-4335) having transferred said proceeding to the Supreme Court, New York County and serving a copy of said writ, petition and supporting papers upon the Warden at RNDC,

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 as academic, said proceeding having been transferred to the Supreme Court, New York County.

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 31, 2017.

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

-----X

Flutur Bida,
Plaintiff-Appellant,

-against-

M-4813
Index No. 111370/10

Port Authority of New York and New Jersey,
et al.,
Defendants-Respondents.

-----X

Plaintiff having renewed her motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, entered on or about June 22, 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 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 31, 2017.

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

-----X
Bradley C. Aldrich, et al.,
Plaintiffs-Appellants, M-4282
M-4446
-against- Index No. 602803/07

Northern Leasing Systems, Inc.,
et al.,
Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 23, 2016 (M-4282),

And defendants-respondents having cross-moved to dismiss the appeal for failure to timely perfect (M-4446),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2018 Term (M-4282). The cross motion is granted to the extent of dismissing the appeal unless it is perfected for said February 2018 Term (M-4446).

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 31, 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-3820
Ind. No. 1104/17

Hugh Barry,
Defendant-Appellant.

-----X

Defendant having moved for removal, pursuant to CPL § 230-20(2)(a), of the above captioned action from the Supreme Court, Bronx County, to Albany County or in the alternative, to Westchester County,

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 31, 2017.

PRESENT: Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x

Claire Bernard,
Plaintiff-Respondent,

CONFIDENTIAL

M-3869

-against-

M-4146

Index No. 310243/12

Collin De Rham,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 7, 2017, and from the judgment, same Court and Justice, entered on or about June 16, 2017,

And an order of this Court, entered on July 18, 2017 (M-3460), having granted defendant-appellant's motion for a stay of enforcement of the judgment entered on June 16, 2017, vacated the restraining notices dated June 16, 2017, and stayed the portion of the order granting non-parties respondent Cohen Clair priority as to any counsel fees awarded in the matrimonial action pending hearing and determination of the appeal.

And Cohen Clair having moved for reargument of the aforesaid order of this Court entered on July 18, 2017 (M-3460), and upon reargument, seeks an order: denying defendant's application for a stay of enforcement of the money judgment issued in Cohen Clair's favor; vacating the restraining notices against defendant's bank accounts; and staying that portion of the order granting Cohen Clair priority as to any counsel fees, and for other relief (M-4146),

And Cohen Clair having moved separately to dismiss the aforesaid appeal (M-4148),

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

It is ordered that the motion for reargument of this Court's order entered on July 18, 2017 (M-3869) is denied. The motion to dismiss the appeal is granted unless said appeal is perfected by February 20, 2018 for the May 2018 Term (M-4148).

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 31, 2017.

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

-----X
Tishman Construction Company of New York
and Are-East River Science Park, LLC,
Plaintiffs-Respondents,

-against-

M-4543X
Index No. 154366/15

Liberty Mutual Fire Insurance Company
Defendant-Appellant.

-and-

Helmark Steel, Inc.
Defendant.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 23, 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 31, 2017.

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

-----X
Illiana Rodriguez,
Plaintiff-Appellant,

-against-

M-5004
Index No. 309160/11

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

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 31, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated September 6, 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 31, 2017.

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

-----X
Ramine Rouhani and Nahid Nosrat Mozaffari,
Plaintiffs-Respondents-Appellants,

-against-

M-5020
Index No. 451080/14

Janet Ezrapour,
Defendant-Appellant-Respondent.

-----X

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

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

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

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 31, 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
Visitation Under Article 6 of the
Family Court Act.

Pablo P.,
Petitioner-Respondent,

-against-

Marilyn Medina P.,
Respondent-Appellant.

Michael Scherz, Esq.,
Attorney for the Child.
-----X

CONFIDENTIAL

M-5157
Docket No. 20006/12
New York State
Supreme Court
NY County Criminal Term
IDV Part

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 9, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated September 12, 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 31, 2017.

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

-----X

Father Mark Rossetti, et al.,
Plaintiffs-Respondents,

-against-

Ambulatory Surgery Center of
Brooklyn, LLC, et al.,
Defendants,

M-5165X
Index No. 653305/13

-and-

Kimberly Lazar,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 13, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 28, 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 31, 2017.

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

-----X

Madeleine G.,
Petitioner-Appellant,

-against-

CONFIDENTIAL

M-5299

Docket No. F-10226/05

Jordan, M.,
Respondent-Respondent.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto including the correspondence from appellant Madeleine G., dated October 5, 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 31, 2017.

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

-----X

Shweta Modi,
Plaintiff-Appellant-Respondent,

-against-

M-5358X

Index No. 651652/15

Admiral Indemnity Insurance
Company, et al.
Defendant-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 12, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" October 5, 2017 and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal 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 31, 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 an Inquiry by
Eric T. Schneiderman, Attorney
General of the State of New York,
Petitioner,

Pursuant to Article 23-A of the
New York General Business Law in
Regard to the Acts and Practices of

M-5395
Index No. 451536/14

Ian Bruce Eichner, et al.,
Respondents,

In promoting the issuance, distribution,
exchange, advertisement, negotiation,
purchase, investment advice or sale of
securities in or from New York State.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 13, 2016 and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, filed with the Court on August 16, 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 31, 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-1831
Ind. No. 3742/08

James Harrell,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 15, 2015 (Appeal No. 15887), unanimously affirming a judgment of the Supreme Court, New York County (Analisa Torres, J.), rendered on August 15, 2012, as amended September 7, 2012,

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

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

It is ordered that said application is denied.

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 31, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4621
Ind. No. 1019/16

Shelton Bryant,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on April 27, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 27, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

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

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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 "Christina Swarns", written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 31, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4895
Ind. No. 5111/15

William Escalera,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on July 7, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 23, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

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

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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 "Christina Swarns", written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 31, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4896
Ind. No. 171/15

Marcus Nelson,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on July 10, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 6, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

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

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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 "Christina Swarns", written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 31, 2017.

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

-----X
The People of the State of New York
ex rel. Akram Joudeh,
Petitioner,

-against-

M-3753
Ind. No. 3882/16

Warden Saunders, Warden of Rikers
Island North Infirmary Command,
Respondent.
-----X

An order of this court entered on April 6, 2017 (M-746) having transferred petitioner's writ of habeas corpus to the Supreme Court, New York County, and serving by mail a copy of said writ and supporting papers, upon the Warden at Rikers Island Correctional Facility,

And petitioner having moved to reargue the aforesaid order (M-746).

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

It is ordered that the motion denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Angela M. Mazzarelli
Jeffrey K. Oing
Cynthia S. Kern, Justices.

-----X
Hudson Insurance Company,
Plaintiff-Respondent,

-against-

M-5190
Index No. 155869/16

Gkaleil Isaza Tuzman,
Defendant-Appellant,

-and-

Robyn Smyth,
Defendant.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about September 14, 2017 and September 19, 2017,

And defendant-appellant having moved for a preliminary injunction directing plaintiff to promptly pay for its existing defense costs in connection with an SEC proceeding and to advance certain other defense costs,

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 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Clean Act Inc.,
Plaintiff-Respondent,

-against-

M-5072
Index No. 113457/11

4126 Realty Corp.,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order and judgement (one paper) of the Supreme Court, New York County, entered on or about December 9, 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 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

Ira S.,
Plaintiff-Appellant,

CONFIDENTIAL

M-5280

-against-

Index No. 311503/07

Janice S.,
Defendant-Respondent.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about October 7, 2016 and October 18, 2016, and said appeals having been perfected,

And, respondent having moved for leave to respond to plaintiff-appellant's appeal, as a poor person, for an enlargement of time to perfect same and to stay its time to serve a brief in the 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 adjourning the perfected appeal to the February 2018 Term and otherwise 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 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Aderonke Ayangbesan,
Plaintiff-Respondent,

-against-

M-4792
Index No. 162328/15

Seth Finkelstein, M.D.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about November 9, 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 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Justin Rivera,
Plaintiff-Appellant,

-against-

M-4882
Index No. 300994/14

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

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about December 6, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Hazel Moodie,
Plaintiff-Respondent,

-against-

Bank of America, M-5235
Defendant-Appellant, Index No. 306684/12

-and-

U. Rameshwar, etc., et al.,
Defendants.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 25, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

Bryan Pope, Jr., an infant by his
parent and natural guardian,
Bryan Pope, and Bryan Pope,
individually,
Plaintiffs-Appellants,

-against-

M-4880

Index No. 310509/10

American United Transportation II
Inc., et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of
time to perfect the appeal from the order of the Supreme Court,
Bronx County, entered on or about June 4, 2014,

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

It is ordered that the motion is granted to the extent of
enlarging the time to perfect the appeal to the May 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 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-5063
Ind. No. 2398/12

Willis Febo,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 19, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 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 31, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-5064
Index No. 8378C/10

Francisco Nunez,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 26 2012,

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 May 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 31, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Judith J. Gische
Peter H. Moulton, Justices.

-----X
Marisol Vasquez,
Plaintiff-Appellant,

-against-

M-4703
Index No. 150909/12

Nealco Towers LLC,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect her appeal from an order of the Supreme Court, New York County, entered on or about August 10, 2016,

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

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

ENTERED:


CLERK

CORRECTED ORDER -- February 28, 2018

At a 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 31, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Dina Mangiafridda, et al.,
Plaintiffs-Respondents,

-against-

M-4704
Index No. 21098/15E

Masker Fruit Farms Inc.,
et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about December 2, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 31, 2017.

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

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

-against-

M-3740
Ind. No. 982/10

Lawrence Folks,
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 July 24, 2013, 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 31, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
U.S. Specialty Insurance Company,
Plaintiff-Appellant,

-against-

SMI Construction Management, Inc.,
Defendant-Respondent.

M-5155
Index No. 652305/14

-----X
Plaintiff-appellant having moved for an enlargement of time to perfect its appeal from an order of the Supreme Court, New York County, entered on or about July 19, 2016,

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

It is ordered that the motion is granted 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 31, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

-against-

M-5217
Ind. No. 6460/05

Wilfred Davis,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 13, 2012,

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 April 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 31, 2017.

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

-----X

Galit S.,
Plaintiff-Appellant,

-against-

CONFIDENTIAL

M-3855

Index No. 12519/02

Alexander S.,
Defendant-Respondent.

-----X

Separate appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about October 20, 2016 and from an order of the same Court and Justice entered on or about April 13, 2017.

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

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the May 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 31, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

Kristine Leary, et al.,
Plaintiffs-Respondents,

-against-

M-5305

Index No. 150773/12

Carolyn Bendow and Kenneth H. Ross,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about November 10, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 31, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
In the Matter of the Application of
Theresa Troise,
Petitioner-Appellant,

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

M-5334
Index No. 101430/14

-against-

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

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from the order and judgment of the Supreme Court, New York County, entered on or about November 23, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 31, 2017.

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

-----X
MBF Clearing Corp., and
MBF Asset Management, LLC,
Plaintiffs-Appellants,

-against-

M-4929
Index No. 652820/14

JP Morgan Chase Bank, N.A.,
et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about January 28, 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 April 2018 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 31, 2017.

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

-----X

In the Matter of the Application of
Nouchie/W. Vellon,
Petitioner-Appellant,

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

-against-

M-3291
Index No. 101748/16

Cyrus R. Vance, New York County
District Attorney,
Respondent.

-----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 March 24, 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 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 31, 2017.

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

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

-against-

Jonathan Suero,
Defendant-Appellant.

M-4106
Ind. Nos. 3331/14
1437/15

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 12, 2016,

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

It is ordered that the motion is 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 31, 2017.

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

-----x

Minxuan H.,
Plaintiff-Appellant,

-against-

Xiaofeng H.,
Defendant-Respondent.

-----x

CONFIDENTIAL

M-4131

Index No. 305554/16

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 7, 2017,

And defendant-respondent, by counsel, having moved pursuant to CPLR 321, for permission to appear pro se in place of Teitler & Teitler, LLP, his former counsel on 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

✓

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-4724
Ind. No. 3926/1980

-against-

Kevin Washington a/k/a Antwan Thompson,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about July 18, 2017 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: October 16, 2017
New York, New York

ENTERED

OCT 31 2017

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

BEFORE: Hon. Ellen Gesmer
Justice of the Appellate Division

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

M-596
Ind. No. 6947/87

-against-

CERTIFICATE
GRANTING LEAVE

Ronald Dorsey,
Defendant-Appellant.

-----X

I, Ellen Gesmer, a Justice of the Appellate Division, First Judicial Department, certify that defendant's application for a certificate pursuant to Criminal Procedure Law sections 450.15 and 460.15 presents questions of law or fact which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is granted to defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, dated January 4, 2017. That portion of defendant's motion seeking poor person relief is decided today by full bench order (see M-596A).

Dated: April 7, 2017
New York, New York



Hon. Ellen Gesmer
Associate Justice

ENTERED

OCT 31 2017

NOTICE: Within 15 days from the date of this certificate, an appeal must be taken and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or one of its justices.