

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Karla Moskowitz
Ellen Gesmer, Justices.

-----X

The People of the State of New York,
Appellant,

-against-

M-4514

Ind. No. 815/10

Timothy Newman,
Defendant-Respondent.

-----X

Defendant-respondent having moved for leave to respond, as a poor person, to the People's appeal taken from an order and judgment of the Supreme Court, Bronx County, entered on or about July 26, 2016 and August 5, 2016, and for the assignment of counsel,

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

It is ordered that the motion is granted to the extent of (1) permitting defendant 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 the People and 8 copies thereof are filed with this Court, and (2) assigning, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, 10005, Telephone No. 212-577-2523, as counsel for purposes of responding to the appeal. (See M-4515, decided simultaneously herewith.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on December 8, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Karla Moskowitz
Judith J. Gische, Justices.

-----X
Keyspan Gas East Corporation,
Plaintiff-Respondent,

-against-

M-5548
Index No. 604715/97

Munich Reinsurance America, Inc.,
et al.,
Defendants,

Century Indemnity Company,
Defendant-Appellant.
-----X

A decision and order of this Court having been entered
on or about September 1, 2016 (Appeal No. 166226),

And, plaintiff-respondent having previously moved for
reargument, or in the alternative, leave to appeal to the Court
of Appeals, from that decision and order,

And, United Policyholders having moved for leave to file
a brief as amicus curiae in support of plaintiffs-appellants's
motion,

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. (See M-5086,
decided simultaneously herewith).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

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

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

-against-

M-4714
Ind. No. 4575/13

Latik Nelson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 11, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record. (See M-4716, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on December 8, 2016.

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

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

-against-

M-4716
Ind. No. 957/15

Latik Nelson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 11, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record. (See M-4714, decided simultaneously herewith.)

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

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

-----X

Jimmy Macias,
Plaintiff-Respondent,

-against-

M-4656
Index No. 306584/10

ASAL Realty, LLC,
Defendant-Appellant.

-----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 November 9, 2015,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

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

-----X

The Bank of New York Mellon Trust
Company, N.A., formerly known as
The Bank of New York Trust Company,
etc.,

Plaintiff-Respondent-Appellant,

-against-

M-4324

Index No. 157861/14

John D. Claypoole,
Defendant-Appellant-Respondent,

New York City Parking Violations
Bureau, et al.,
Defendants.

-----X

An appeal having been taken by defendant from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 12, 2016,

And, an appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 31, 2016,

And, an order of a Justice of this Court, dated August 25, 2016, having granted an interim stay of that part of the aforesaid orders which expunged the December 3, 2004 mortgage,

And, defendant having moved to stay enforcement of the May 31, 2016 order and August 12, 2016 judgment, pending determination of the appeal,

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

Ordered that the motion is granted to the extent of continuing the interim relief granted by order of a Justice of this Court on August 25, 2016 on condition defendant perfects his appeal on or before January 30, 2017 for the April 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4838
Ind. No. 2393/13

Joseph Pagan,
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 30, 2014, having moved for an extension of time to file a pro se supplemental brief, and for related relief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before January 30, 2017 for the April 2017 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

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

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

-against-

M-4754
Ind. No. 1947/15

Jesus DeJesus, also known as
Jesus DeJesus Rosario,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 30, 2015,

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Diane T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
570 Smith Street Realty Corp., et al.,
Plaintiffs-Respondents,

-against-

M-5382
Index No. 653296/14

Seneca Insurance Company, Inc.,
Defendant-Appellant,

Coverage Concepts, Inc.,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 23, 2016,

And, defendant-appellant having moved to stay production of the specified documents enumerated in the order pending its 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 that defendant perfects its appeal on or before January 3, 2017 for the March 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

Ace Securities Corp., Home Equity
Loan Trust, Series 2006-HE4, by
HSBC Bank USA, National Association,
in its capacity as Trustee,
Plaintiff,

SEALED

M-5667
Index No. 653394/12

-against-

DB Structures Products, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 14, 2016 and modified by an order entered on or about October 27, 2016,

And defendant-appellant having moved for a stay of enforcement of a certain part of said October 14, 2016 order granting in part plaintiff's motion to compel production of certain documents, 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 stay articulated in the interim application form dated October 28, 2016 the motion is granted on condition the appeal is perfected on or about January 3, 2017 for the March 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Paul G. Feinman
Marcy L. Kahn, Justices.

-----X

New York Life Insurance Company,
Plaintiff-Respondent,

M-5153

-against-

Index No. 651061/13

Carmen McCoy, et al.,
Defendants-Respondents

Steven Garfield, Esq.,
Non-Party Appellant.

-----X

Appeals having been taken by non-party appellant, Steven Garfield, Esq., from orders of the Supreme Court, New York County, entered on or about May 31, 2016 and June 2, 2016, respectively,

And, defendants-respondents having moved for dismissal of the appeals, and to impose sanctions,

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

It is ordered that the motion is granted to the extent of dismissing the appeals, pursuant to CPLR 5511, without prejudice to further proceedings in the Supreme Court and otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

Present: Hon. Rolando T. Acosta, Justice Presiding,
Diane T. Renwick
Karla Moskowitz
Paul G. Feinman
Marcy L. Kahn, Justices.

-----X

Lawrence P. Labrew,
Plaintiff-Appellant,

M-5192

-against-

Index No. 301942/14

Sheridan One Company, LLC,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 25, 2015,

And, an order of this Court having been entered on July 7, 2016 (M-2754), enlarging plaintiff's time to perfect his appeal to the October 2016 Term of this Court,

And, defendant having moved to dismiss plaintiff's appeal for failure to timely perfect,

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

Ordered that defendant's motion is granted and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

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

-----X

Wagner Davis P.C.,
Plaintiff-Respondent,

-against-

M-5540

Index Nos. 300135/10
570702/14

James Brady, Jr., Jane Brady, James
Catering Inc., Loft Eleven, West Side
Loft at 37th Street Inc.,
Defendants-Appellants.

-----X

An order of this Court having been entered September 15, 2016 (M-3641), unanimously denying defendants' motion for leave to appeal from the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about March 30, 2016,

And, defendant-appellant, James Brady, Jr., pro se, having moved on behalf of defendants-appellants, for reargument of, or in the alternative, for leave to appeal to the Court of Appeals from this Court's September 15, 2016 order,

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 in its entirety.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon: Karla Moskowitz, Justice Presiding,
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
Rui Qin Chen Juan and AA Ichiban,
Inc.,
Plaintiffs-Appellants,

-against- M-4898
Index No. 152958/16
213 West 28 LLC,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 19, 2016,

And, defendant-respondent having moved for a modification of the order of this Court entered September 15, 2016 (M-3722) to require plaintiffs to post an undertaking in the amount of \$3 million, and 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 imposing, as a condition of the stay, the requirement that plaintiffs perfect the appeal for the April 2017 Term, and that they maintain adequate insurance coverage in satisfaction of the lease.

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 December 8, 2016.

Present: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
Carmela Resto,
Plaintiff-Respondent,

-against-

M-5280
Index No. 160798/15

Global Liberty Insurance Company
of New York,
Defendant-Appellant.
-----X

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

And, plaintiff-respondent having moved for dismissal of the aforesaid appeal, for sanctions and costs,

Now, upon reading and filing the stipulation of the parties hereto, dated November 8, 2016, and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

Present: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Ellen Gesmer, Justices.

-----X

PDL Biopharma, Inc.,
Plaintiff-Respondent,

M-5521

-against-

Index No. 653028/15

Samuel J. Wohlstadter, et al.,
Defendants-Appellants.

-----X

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

And defendants having moved to stay the July 27, 2016 order, as well as staying the evidentiary hearing ordered therein that was scheduled for October 27, 2016, and to stay plaintiff's CPRL 5229 motion until after decision on the interlocutory 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. The Clerk is directed to maintain the appeal on the calendar for the January 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

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

-----X
In the Matter of

Armoni Malik Kariem I.,
also known as Armoni M. Kariem I.,
also known as Armoni Malik K. I.,
also known as Armoni Malik I.,
also known as Armoni Kariem I.,
also known as Armoni I.,
also known as Armani Malik Kariem I.,
also known as Armani M. Kariem I.,

CONFIDENTIAL

M-4314

Docket Nos. B-34978/14
B-34979/14
B-34980/14
NN-26918/11
NN-26919/11
NN-26920/11

Jayden Tyshawn W.,
also known as Jayden T. W.,
also known as Jayden W.,

and "No Given Name" W.,
also known as Shawn W.,

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

- - - - -
The Commissioner of the Administration
For Children's Services of the City
of New York, et al.,
Petitioners-Respondents,

Jasmine Mari W., also known as
Jasmine W.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, New York County, all entered on or about July 5, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Patricia Jellen, Esq., 245 Park Drive, Eastchester, NY 10709, Telephone No. (914) 793-7534, 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(s) on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record(s) from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record(s) upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:


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 December 8, 2016.

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

-----X
In the Matter of

Carmaj Chantal Caitlyn Crysten D.,
and Cohen Royce Prince Sir D.,

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

CONFIDENTIAL

M-4567

- - - - -
The Administration for Children's
Services, et al.,
Petitioners-Respondents,

Docket Nos. NN-35462/14
NN-35463/14

Chantal Nicole D.,
Respondent-Appellant,

Rakeem Kenneth King D., Sr.,
Respondent-Appellant.

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

-----X

Respondent-appellant father 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 August 22, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite #1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-4750, decided simultaneously herewith.)

ENTER:


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 December 8, 2016.

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

-----X
In the Matter of

Carmaj Chantal Caitlyn Crysten D.,
and Cohen Royce Prince Sir D.,

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

CONFIDENTIAL

M-4750

- - - - -
The Administration for Children's
Services, et al.,
Petitioners-Respondents,

Docket Nos. NN-35462/14
NN-35463/14

Chantal Nicole D.,
Respondent-Appellant,

Rakeem Kenneth King D., Sr.,
Respondent-Appellant.

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

-----X

Respondent-appellant mother 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 August 22, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, New York 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 therefor;¹ **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-4567, decided simultaneously herewith.)

ENTER:


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 December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5338
Ind. No. 1212N/14

Shawn Campbell,
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 22, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5330
Ind. No. 5071/15

Joanna Bonesteel,
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 21, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Rosemary Herbert, Esq, Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5311
Ind. No. 5170/14

Russel Alam,
Defendant-Appellant.

-----X

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

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5312
Ind. No. 3597/15

Marcelino Allende,
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 13, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5313
Ind. No. 4635/14

Tavil Archer,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 8, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5314
Ind. No. 2641/15

Frederic Badji,
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 April 1, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5315
Ind. Nos. 3891/96
2329/96

Lawrence Benjamin, also known as
Bernell Gould,
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, entered on or about January 15, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5332
Ind. No. 486/16

Barry Boone,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 2, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5333
Ind. No. 1849/14

Troy Britt,
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 April 8, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5335
Ind. No. 3113/15

Donnell Bruns,
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 February 1, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5336
Ind. No. 2903/13

Isabel Burgos,
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 May 9, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5339
Ind. No. 439/14

James 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 May 11, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5341
Ind. No. 3486/15

Japhus Cherry,
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 17, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5343
Ind. No. 2740/14

Christopher Chisolm,
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 May 20, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5345
Ind. No. 17/16

Fama Conde,
Defendant-Appellant.

-----X

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

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5347
Ind. No. 248/16

Andre Cruz,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 19, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5348
Ind. No. 726/14

Timothus Dallas,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person,
the appeal from a judgment of the Supreme Court, New York County,
rendered on or about July 15, 2015, for leave to have the appeal heard
upon the original record and a reproduced appellant's brief, and for
related relief,


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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5349
Ind. No. 3451/15

Locksley Davis,
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 26, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5350

Ind. No. 1841/12

Anthony DeJesus, also known as
Anthony DeJesus,
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 26, 2015, for leave to have the appeal heard
upon the original record and a reproduced appellant's brief, and for
related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5351
Ind. No. 693/15

Markis Drummond,
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 May 5, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

-----X

The People of the State of New York,
Respondent,

-against-

SEALED

M-5352

Ind. No. 4472/15

Xavier F.,
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 17, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5353
Ind. No. 1997/16

William Fletcher,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 1, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5354
Ind. No. 3745/15

Anthony Flynn,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 1, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5355
Ind. No. 3294/15

Paul Judge Fox,
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 April 29, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5356
Ind. No. 5398/14

Gary Gibbons,
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 19, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-5357
Ind. No. 1536/15

Sherman Gibbs,
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 15, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta,

Justice Presiding,

Justices.

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

-against-

M-5358
Ind. No. 4133/15

Pedro Gill,
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 24, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5359
Ind. No. 3361/15

Rodney Goode,
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 17, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5360
Ind. No. 3062/15

Vadim Gorelik,
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 26, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5361
Ind. No. 6882/90

Bernell Gould, also known as
Lawrence Benjamin,
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 April 22, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

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

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

Diane K., **M-5103**
Petitioner-Respondent, Docket No. V-13660/13

-against-

Yasmin Q.,
Respondent-Appellant,
Administration for Children's Services,
Respondent.

Andrew J. Baer, Esq.,
Attorney for the Child.
-----X

Rosemarie M. Rodman, Esq., Family Court attorney for the subject child, Nathaniel B., having moved on said child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about May 31, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, 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/child to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

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

-against-

M-5073
Ind. No. 201/14

Glenn Lieberman,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 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 deeming the moving papers a timely filed notice of appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

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

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

-against-

M-5170
Ind. No. 417N/13

Darnel Jackson, also known as
Darnell Jackson,
Defendant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 25, 2014,

And, an order of this Court having been entered on February 11, 2016 (M-350), deeming defendant's appeal withdrawn,

And defendant having moved, pro se, for reinstatement of his appeal,

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

Ordered that defendant's motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Troy K. Webber
Ellen Gesmer, Justices.

-----X

Suhas Setru,
Plaintiff-Appellant,

-against-

M-5252

Index No. 800386/11

Fabian D. Bitan, MD and Manhattan
Opthorpaedics,
Defendants,

The Lenox Hill Hospital,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 27, 2015,

And, defendant-respondent The Lenox Hill Hospital having moved to dismiss plaintiff's 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 and the appeal is dismissed.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Karla Moskowitz
Ellen Gesmer, Justices.

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

-against-

M-4515
Ind. No. 815/10

Timothy Newman,
Defendant-Appellant.

-----X

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

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record. (See M-4514, decided simultaneously herewith.)

ENTER:



CLERK

ORDER CORRECTED - DECEMBER 14, 2016

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 8, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Karla Moskowitz
Judith J. Gische, Justices.

-----X
Keyspan Gas East Corporation,
Plaintiff-Respondent,

-against-

M-5086
Index No. 604715/97

Munich Reinsurance America, Inc.,
et al.,
Defendants,

Century Indemnity Company,
Defendant-Appellant.
-----X

Plaintiff-respondent having moved for reargument, or in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on September 1, 2016 (Appeal No. 16626),

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 reargument, is denied. So much of the motion which seeks leave to appeal to the Court of Appeals is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of the Supreme Court, as **reversed** by this Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion. (See M-5548, decided simultaneously herewith).

ENTER:


CLERK