

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

-----X

U.S. Bank National Association, et al.,
Plaintiffs-Respondents,

M-4600

-against-

Index No. 451985/14

Amy Fabor,
Defendant-Appellant,

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

-----X

Plaintiffs-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about September 16, 2015, for failure to timely prosecute,

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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on November 1, 2016.

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

-----X
In the Matter of the Application of
Jeffrey Callendar,
Petitioner,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules, Index No. 400637/14

M-4352

M-4519

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this
Court, pursuant to CPLR 7804(g), by order of the Supreme Court,
New York County, entered on or about April 13, 2015, to review
a determination of respondent,

And, respondent having moved for the dismissal of the
aforesaid proceeding (M-4352),

And, petitioner having cross-moved for an enlargement of
time to perfect the aforesaid proceeding (M-4519),

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

It is ordered that respondent's motion is granted and the
proceeding is dismissed (M-4352). Petitioner's cross motion is
denied as academic (M-4519).

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

Present - Hon. John W. Sweeny, Jr.,	Justice Presiding,
David B. Saxe	
Karla Moskowitz	
Judith J. Gische	
Troy K. Webber,	Justices.

-----X

In re Brookford LLC,
Petitioner-Appellant,

-against-

New York State Division of Housing
and Community Renewal, et al.,
Respondents-Respondents.

M-4458
Index No. 100065/15

- - - - -
Community Housing Improvement Program
("Chip") and the Rent Stabilization
Association of N.Y.C., Inc.,
Amici Curiae.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on August 4, 2016 (Appeal No. 939),

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 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 Supreme Court, as affirmed 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.

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 November 1, 2016.

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

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

Respondent,

-against-

M-4168
Ind. No. 2422/16

Jeffrey Foster,

Defendant-Appellant.

-----X

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

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 November 1, 2016.

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

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

Respondent,

-against-

M-3935
Ind. No. 1551/15

Christopher Cori,

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 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.

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-4093
Ind. No. 2696/14

Andre Johnson,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about December 7, 2015, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 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 November 1, 2016.

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

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

Respondent,

-against-

M-4086
Ind. No. 2414/14

Jhai McLean,

Defendant-Appellant.

-----X

Defendant having moved for an extension of time within which
to file an untimely notice of appeal from the judgment of the Supreme
Court, New York County, rendered on or about November 24, 2015, and
for leave to prosecute the appeal as a poor person on the original
record and upon a reproduced appellant's brief, and for assignment
of counsel,

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

It is ordered that the motion is granted to the extent of
deeming the moving papers a timely filed notice of appeal, and
permitting the appeal to be heard on the original record, except that
a certified copy of the indictment(s) shall be substituted in place of
the original indictment(s), and upon a reproduced appellant's brief,
on condition that appellant serves one copy of such brief upon the
District Attorney of said county and files 8 reproduced 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) two transcripts of the stenographic minutes of any
proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the
plea or trial and sentence. The Clerk shall furnish a copy of such
transcripts to appellant's counsel, without charge, the transcripts
to be returned to this Court when appellant's brief is filed.

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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on November 1, 2016.

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

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

Respondent,
-against-

Frank Miller,
Defendant-Appellant.

M-4067
Ind. Nos. 2342/12
38876C/12
1043/15
359/15

-----X

Defendant having moved for an enlargement of time in which to
file notices of appeal taken from judgments of the Supreme Court,
Bronx County, all rendered on or about November 19, 2015, and for
leave to prosecute the appeals as a poor person on the original record
and upon a reproduced appellant's brief, and for assignment of
counsel,

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

It is ordered that the motion is granted to the extent of
deeming the notice of appeal timely filed, deeming the motion papers a
timely filed notice of appeal from the judgment of resentence, same
Court and Justice, rendered on or about March 31, 2016 and permitting
the appeal to be heard on the original record, except that a certified
copy of the indictment(s) shall be substituted in place of the
original indictment(s), and upon a reproduced appellant's brief, on
condition that appellant serves one copy of such brief upon the
District Attorney of said county and files 8 reproduced 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) two transcripts of the stenographic minutes of any
proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the
plea or trial and sentence. The Clerk shall furnish a copy of such
transcripts to appellant's counsel, without charge, the transcripts to
be returned to this Court when appellant's brief is filed.

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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on November 1, 2016.

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

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

-against-

M-4097

Ind. No. 1981/14

Carlos Navedo,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which
to file a notice of appeal from the judgment of the Supreme Court,
New York County, rendered on or about October 9, 2015, and for leave
to prosecute the appeal as a poor person on the original record and
upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of
deeming the notice of appeal timely filed, and permitting the appeal
to be heard on the original record, except that a certified copy
of the indictment(s) shall be substituted in place of the original
indictment(s), and upon a reproduced appellant's brief, on condition
that appellant serves one copy of such brief upon the District
Attorney of said county and files 8 reproduced 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) two transcripts of the stenographic minutes of any
proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the
plea or trial and sentence. The Clerk shall furnish a copy of such
transcripts to appellant's counsel, without charge, the transcripts to
be returned to this Court when appellant's brief is filed.

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 November 1, 2016.

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

-----X
Joanne Torchia, et al.,

Plaintiffs-Respondents,

-against-

M-4709X
Index No. 306233/10

Richard G. Garvey, M.D., et al.,

Defendants-Appellants.

-----X

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

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" September 16, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

Justice Presiding,

Justices.

-----X
Jack King, as Administrator of the
Estate of Jacqueline Jones, Deceased,

Plaintiff-Respondent,

-against-

Daughters of the Jacob Nursing Home
Company, Inc.,

Defendant-Appellant.
-----X

M-4710X
Index No. 302422/11

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 30, 2016,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" September 16, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

-----X

Estee Lauder, Inc.,

Plaintiff-Appellant,

-against-

M-4715

Index No. 602379/05

OneBeacon Insurance Group, LLC (successor
in interest to CGU Insurance, formerly
known as Employers Group of Insurance
Companies, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 13, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated September 16, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

-----X
Club One Acquisition Corp.,
Plaintiff-Appellant,

-against-

George Sarantos, et al.,	M-4682
Defendants-Respondents.	Index No. 650049/12

- - - - -
KMG I, Inc.,
Plaintiff-Intervenor-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 21, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated September 12, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

-----X

Jacqueline Diaz,
Plaintiff-Appellant,

-against-

MTA Bus Company,
Defendant-Respondent,

M-4856
Index No. 158203/14

-and-

Metropolitan Transportation Authority,
et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 19, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated September 14, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

-----X
OTR Media Group, Inc.,
Petitioner-Appellant,

-against-

M-4803
Index No. 151531/14

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

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about June 30, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated August 18, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

-----X

Tamar Noam, et al.,
Plaintiffs-Respondents,

-against-

Infiniti of Manhattan, Inc., et al.,	M-4684
Defendants-Respondents,	Index No. 158365/13

Jon-Paul Rorech,
Defendant-Appellant,

Infiniti Financial Services, et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 19, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated August 30, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

-----X

Duvar Ayers, et al.,
Plaintiffs-Respondents,

-against-

Avinash Mohan, M.D., et al.,
Defendants,

M-4858
Index No. 23311/13E

-and-

Raul Ulloa, M.D., et al.,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 16, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated July 29, 2016, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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 Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Martin A., M-4103
Petitioner-Appellant, Docket No. O-37230/16

-against-

George Miguel A.,
Respondent-Respondent.
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 12, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. 347-645-6660, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of

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

the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-4104, 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 November 1, 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 Family Offense
Proceeding Under Article 8 of the
Family Court Act.

Martin A., M-4104
Petitioner-Appellant, Docket No. O-37230/16

-against-

George Miguel A.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about July 12, 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, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, #576, Hastings on Hudson, NY 10706, Telephone No. 914-439-4843, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-4103, 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 November 1, 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

Sydney Amire B.,

A Dependent Child Under 18 Years of Age Pursuant to §384-b of the Social Services Law and/or Article 6 of the Family Court Act.

M-4391

Docket No. B-44471/14

- - - - -
Catholic Guardian Services,
The Commissioner of the Administration
for Social Services,
Petitioners-Respondents,

Tyshawn K.,
Respondent-Appellant,

Felicia M., also known as
Felicia Nija M.,
Respondent-Appellant.

- - - - -
Mark Leider, Esq.,
Lawyers for Children, Inc.,
Attorney for the Child.

-----X

Respondent-appellant father, Tyshawn K., having moved for leave to prosecute, a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about June 7, 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-4213, decided simultaneously herewith.)

ENTERED:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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

Sydney Amire B.,

A Dependent Child Under 18 Years of age Pursuant to §384-b of the Social Services Law and/or Article 6 of the Family Court Act.

M-4213

Docket No. B-44471/14

- - - - -
Catholic Guardian Services,
The Commissioner of the Administration
for Social Services,
Petitioners-Respondents,

Tyshawn K.,
Respondent-Appellant,

Felicia M., also known as
Felicia Nija M.,
Respondent-Appellant.

- - - - -
Mark Leider, Esq.,
Lawyers for Children, Inc.,
Attorney for the Child.

-----X

Respondent-appellant mother, Felecia M., also known as Feleicia Nija M., having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about June 7, 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, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8th Floor, New York, NY 10016, Telephone No. (212) 818-9019, 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-4391, decided simultaneously herewith.)

ENTERED:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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-4769
Ind. No. 1619/12

Edwin Faulkner,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from judgments of the Supreme Court, New York County, rendered on or about January 20, 2016 and March 11, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

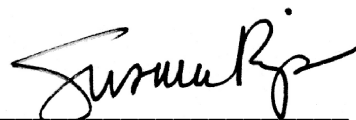
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on November 1, 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-4770
Ind. No. 3470/15

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

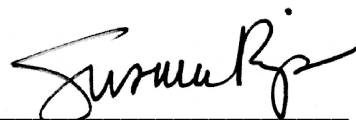
Now, upon reading and filing the papers with respect to the
motion, and due deliberation having been had thereon,

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 November 1, 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-4772
Ind. No. 5435/03

Joseph Giardala,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person,
the appeal from a judgment of the Supreme Court, New York County,
rendered on or about August 3, 2016, for leave to have the appeal
heard upon the original record and a reproduced appellant's brief, and
for related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on November 1, 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-4773
Ind. No. 834N/16

Antonio Gonzales,
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 14, 2016, for leave to have the appeal
heard upon the original record and a reproduced appellant's brief, and
for related relief,


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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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-

Jose Gonzalez,
Defendant-Appellant.

M-4774
Ind. No. 400/12
Case No. 69169C/11

-----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 September 9, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

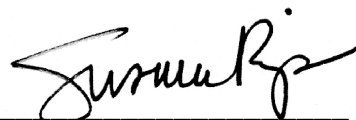
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, 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.

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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-4775
Ind. No. 1584/12
Case No. 20588C/12

Luis Gonzalez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 20, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

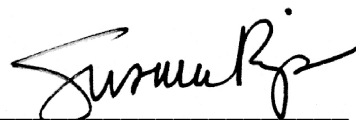
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, 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.

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on November 1, 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-4776
Ind. No. 4183/14

Ernest Gray,
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, 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.

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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-4777
Ind. No. 3948/15

Jamar Halsey,
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 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 November 1, 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-4778
Ind. No. 4498/15

Armando Hernandez,
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.

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 November 1, 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-4779
Ind. No. 518/16

Loquan Holder, also known as
Louan Holder,
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 March 31, 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 November 1, 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-4780
Ind. No. 2830/14

Quashawn Holt,
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 December 1, 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, 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 November 1, 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-4781
Ind. No. 3770/12

Quashawn Holt,
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 November 19, 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, 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 November 1, 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-4782
Ind. Nos. 2213/15
2056/15

Kim James,
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.

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 November 1, 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-4783
Ind. No. 2547/14

Russell Jenkins,
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 February 18, 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 November 1, 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-4784
Ind. No. 2206/13

Malaquias Jimenez,
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 31, 2016, for leave to have the appeal
heard upon the original record and a reproduced appellant's brief, and
for related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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-4785
Ind. No. 2884/13

Malik Layne,
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 31, 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 November 1, 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-4786
Ind. No. 629/13

Hector Lebron,
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 December 16, 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 November 1, 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-4787
Ind. No. 385N/16

Benjamin Ledezma,
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 18, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

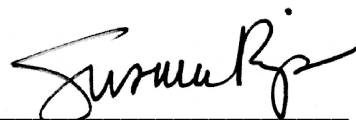
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 November 1, 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-4788
Ind. No. 3489/15

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

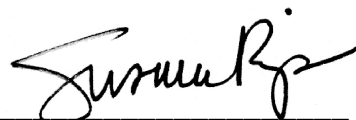
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 November 1, 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-4789
Ind. Nos. 1372/14
5817/12

Emanuel Marks,
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 December 3, 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 November 1, 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-4790
Ind. No. 1351/14

David Matos,
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 March 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 November 1, 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-4791
Ind. No. 109/16

Richard McCantis,
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 6, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

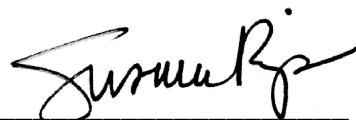
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 November 1, 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-4793
Ind. No. 4101/15

Oscar Mejia,
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 28, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

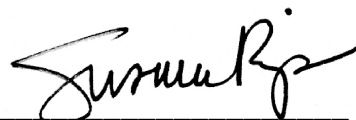
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department in
the County of New York on November 1, 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-4794
Ind. No. 677/16

George Miller,
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 7, 2016, for leave to have the appeal heard
upon the original record and a reproduced appellant's brief, and for
related relief,

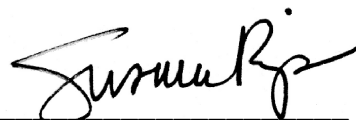
Now, upon reading and filing the papers with respect to the
motion, and due deliberation having been had thereon,

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, 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 November 1, 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-4795
Ind. No. 4154/15

Daniel Morel,
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 14, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,


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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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-4796

Ind. No. 2990N/15

Kelvin N.,
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 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 November 1, 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-4797

Ind. No. 4918/14

Mor Ndiaye,
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 January 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, 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 November 1, 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-4798
Ind. No. 2776N/15

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

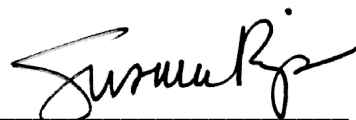
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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-4799
Ind. No. 782/16

Steven Nunez,
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 23, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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

Tyshawn M.

M-4366

M-4368

M-4369

A Person Alleged to Be a Juvenile Delinquent, Docket Nos. D-5021/16
D-10972/15
D-162/16

Respondent-Appellant.

-----X

Respondent-appellant having moved by separate motions for leave to prosecute the appeals taken from orders of the Family Court, Bronx County, all entered on or about July 25, 2016 (M-4366/D-5021/16); (M-4368/Docket No. D-10972/15); and (M-4369/Docket No. D-162/16), as a poor person, for assignment of counsel, a free copy of the transcript(s), and for related relief,

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

Ordered that the appeals are consolidated, and the motions are granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8th Floor, New York, NY 10016, Telephone No. (212) 818-9019, as counsel for purposes of prosecuting the consolidated appeals; (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 State of New York from funds available therefor;¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the

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

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) directing appellant to perfect the consolidated appeals **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** Respondent-appellant is permitted to prosecute the consolidated appeals upon 8 copies of one record and of one set of appellant's points covering the appeals.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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/Visitation Under Article 6
of the Family Court Act.

- - - - -
Denise N., Docket Nos. V-31553/12
V-31899/12

Petitioner-Appellant,

-against-

Sandy D.,
Respondent-Respondent,

Luis N.,
Respondent-Respondent,

Administration for Children's Services,
Respondent-Respondent.

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

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about July 29, 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-4404, decided simultaneously herewith.)

ENTERED:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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 a Proceeding for
Custody/Visitation Under Article 6
of the Family Court Act.

- - - - -
Denise N., Docket Nos. V-31553/12
V-31899/12

Petitioner-Appellant,

-against-

Sandy D.,
Respondent-Respondent,

Luis N.,
Respondent-Respondent,

Administration for Children's Services,
Respondent.

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

Respondent-respondent, Sandy D., having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about July 29, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 374-1962, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-4403, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 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.
- - - - -

Manuel P. A., M-4240
Petitioner-Appellant, Docket No. V-43839-13/13A

-against-

Emilie B.,
Respondent-Respondent.

-----X

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about June 3, 2016, and said appeal having been perfected,

And Carmen Restivo, Esq., court attorney for the subject child Eva A., having moved on the child's behalf for leave to respond to the aforesaid appeal as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, #576, Hastings on Hudson, NY 10706, Telephone No. 914-439-4843, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-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 November 1, 2016.

Present - Hon. Peter Tom,	Justice Presiding,
John W. Sweeny, Jr.	
Richard T. Andrias	
Troy K. Webber	
Ellen Gesmer,	Justices.

-----x
Nathalie Galbert,

Plaintiff-Appellant,

-against-

M-4341
Index No. 307603/13

Mahaman Tarotamli, Moshood O. Olgunju
and Abdul A. Elfiky,

Defendants-Respondents.

-----x

Defendant-respondent Moshood O. Olgunju having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about June 30, 2016,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from plaintiff-appellant's counsel, dated September 26, 2016, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

-----X
Arthur at The Westchester, Inc.,
doing business as Arthur and Evgeny
Friedman,
Plaintiffs-Appellants,

M-3963
Index No. 600293/10

-against-

Westchester Mall, LLC,
Defendant-Respondent.
-----X

Tenenbaum Berger & Shivers LLP (by David M. Berger, Esq.)
having moved to be relieved as appellate counsel, and for an
enlargement of time for plaintiffs to perfect their appeal from
an order of the Supreme Court, New York County, entered on or
about May 4, 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, to the extent appellate
counsel seeks to be relieved on the appeal, is granted. The
time to perfect the appeal is enlarged to the March 2017
Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Troy K. Webber
Ellen Gesmer, Justices.

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

Respondent,
-against- M-4421
Ind. No. 1503/15

Cashemm Gibson,

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 March 10, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

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

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

Respondent,

-against-

M-4272
Ind. No. 1924N/10

Anonymous,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an order granting movant anonymity in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about February 21, 2013, designating the case as *People v Anonymous*, and sealing the record on appeal, including the minutes of the proceedings, appellate briefs and motions, including the minutes of the proceedings, and granting anonymity of the records in the above-entitled 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 that the record on appeal, the present motion, all briefs and orders, and all future filings in the appeal, are sealed. The Clerk is directed to calendar the appeal under *People v Anonymous*.

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 November 1, 2016.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Troy K. Webber
Ellen Gesmer, Justices.

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

Respondent,

-against-

M-4436
Ind. Nos. 5502/11
1453/13

Sean Hill, also known as Mike Anthony
Floyd,

Defendant-Appellant.
-----x

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, rendered on or about February 19, 2013; and appeals having been taken by defendant from orders of said Court rendered on or about September 27, 2013, respectively,

And defendant-appellant having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the February 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 November 1, 2016.

Present - Hon. Peter Tom,	Justice Presiding,
John W. Sweeny, Jr.	
Richard T. Andrias	
Troy K. Webber	
Ellen Gesmer,	Justices.

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

Respondent,

-against-

M-4177
Ind. No. 2098/14

Anthony Morris,

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, 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 November 1, 2016.

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

-----X

In the Matter of the Application of
Catherine Park and Kyun Sang Park,
Petitioners-Appellants,

For a Judgment Pursuant to Article 78 **M-4952**
of the Civil Practice Law and Rules, Index No. 101163/14

-against-

New York State Division of Housing
and Community Renewal and 27 Washington
Square North Owner LLC,
Respondents-Respondents.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 27, 2015, and said appeal having been perfected,

And, respondent-respondent (former owner, 27 LLC) and proposed respondent-respondent (new owner 27 Washington Square North Owner LLC) having moved for an order pursuant to CPLR 1018 substituting the new owner name as respondent-respondent in place of former owner name and amending the caption in this appeal to reflect this substitution,

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 caption is amended to the extent reflected above. Movant respondent-respondent, 27 Washington Square North Owner LLC, is directed to physically correct the covers of all records and briefs previously filed with this Court, as expeditiously as possible.

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 November 1, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Diane T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber, Justices.

-----X
SACO I Trust 2006-5, etc., et al.,
Plaintiffs-Respondents,

-against-

M-4622
Index No. 651820/12

EMC Mortgage LLC, etc., et al.,
Defendants-Appellants.

-----X

The above-named parties having jointly moved for an enlargement of time for defendants to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about December 2, 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 November 1, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Karla Moskowitz
Ellen Gesmer, Justices.

-----X

Rudolf Kats,

Plaintiff-Respondent,

-against-

M-4258

Index No. 810027/10

Blanca N. Agosto,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 26, 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 May 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 November 1, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Karla Moskowitz
Ellen Gesmer, Justices.

-----x
Donovan Property Service, Inc.,

Plaintiff-Respondent,

-against-

815-839 Westchester LLC,

Defendant-Appellant.
-----x

M-4135
Index No. 24057/16E

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about July 6, 2016,

And defendant-appellant having moved for a stay of all proceedings, including preliminary appellate injunctions, pending hearing and determination of the aforesaid appeal, and for related relief,

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

It is ordered that the motion is 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 November 1, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
E.W. Howell Co., LLC and Howard L.
Rowland,
Plaintiffs-Appellants,

-against-

M-4448
Index No. 653551/15

The City University Construction
Fund, et al.,
Defendants-Respondents.
-----X

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

And, plaintiffs-appellants having moved for a preliminary appellate injunction enjoining defendants-respondents from arbitrating disputes between defendant-respondent Hill International and E.W. Howell Co., LLC as to a subcontract entered by them, pending hearing and determination of the appeal,

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

Ordered that the motion is denied.

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 November 1, 2016.

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

-----X
In the Matter of the Application of
Gerard Javis,
Petitioner,

M-4353

For a Judgment Pursuant to Article 78 Index No. 100869/15
of the Civil Practice Law and Rules,

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this
Court, pursuant to CPLR 7804(g), by order of the Supreme Court,
New York County, entered on or about November 10, 2015, to review
a determination of respondent,

And, respondent having moved to dismiss the aforesaid
proceeding for failure to timely prosecute,

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 proceeding
is dismissed.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 1, 2016.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Diane T. Renwick
Richard T. Andrias,
David B. Saxe, Justices.

-----X
Visions Federal Credit Union as
Successor by merger to Paragon
Federal Credit Union,
Plaintiff-Respondent,

-against-

M-4323
Index No. 381197/11

Michael Perez, Jr., and Navia Perez,
Defendants-Appellants,

-and-

Clerk of the Criminal Court of the
City of New York, et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 20, 2015, and said appeal having been perfected,

And, defendants-appellants having moved to reargue the prior order of this Court entered on August 4, 2016 (M-2901), for a preliminary appellate injunction and upon reargument, to vacate the order staying the foreclosure action and foreclosure sale of the property during the pendency of the appeal,

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

Ordered that the motion is denied. The Clerk is directed to maintain the appeal on the November 2016 Term of this Court, if it has not been previously adjourned.

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 November 1, 2016.

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

-----X
Oppenheimer & Co., Inc.,
Plaintiff-Respondent,

-against-

M-4412

Index No. 651002/14

Access.1 Communications Corp.,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about August 12, 2016,

And, defendant-appellant having moved for an order staying enforcement of the aforesaid judgment pending hearing and determination of the appeal,

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

Ordered that the motion is denied.

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 November 1, 2016.

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

-----x

Board of Managers of St. James's
Tower Condominium,
Plaintiff-Respondent,

-against-

M-5117
Index No. 106826/11

Dorothea Kutler, New York City
Environmental Control Board, New York
City Transit Adjudication Bureau, and
"John Doe #1" through "John Doe #10",
etc.,
Defendants-Appellants.

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 10, 2015, and said appeal having been perfected,

And counsel for defendant-appellant having moved to withdraw as counsel and to adjourn the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of granting counsel leave to withdraw and adjourning 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 November 1, 2016.

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

-----X
Harvey Rubin,
Plaintiff-Respondent,

-against-

M-4748
Index No. 653707/15

James S. Bauman, et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of certain orders in the above-entitled action pending hearing and determination of the appeals taken from orders of the Supreme Court, New York County, entered on or about July 19, 2016 and August 29, 2016, respectively,

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

It is ordered that the motion is granted on condition that the appeal is perfected 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 November 1, 2016.

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

-----X
Zaida Landeo,
Plaintiff-Appellant,

-against-

M-4414
Index No. 23258/14

Ronald G. Gordon,
Defendant-Respondent.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about September 9, 2015,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Arnold I. Bernstein, Esq., of counsel to plaintiff-appellant, dated September 30, 2016, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn.

ENTERED:


CLERK

✓

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

BEFORE: Hon. John W. Sweeny, Jr.
Justice of the Appellate Division

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

M-5139
Ind. No. 1265/2014

-against-

Kevin Kareem,

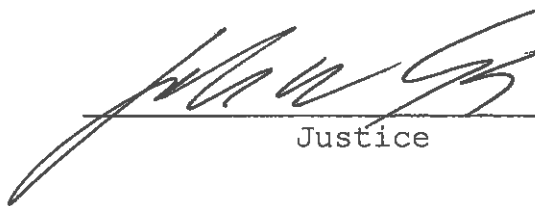
Defendant.

-----X

The above-named defendant having moved for an order holding his perfected appeal in abeyance while he pursues an application for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, styled as a motion for leave to file a pro se brief,

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

It is ordered that the motion is denied.


Justice

Dated: October 20, 2016
New York, New York

ENTERED: **NOV 01 2016**

✓

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division
-----X

The People of the State of New York,

M-2948
Ind. No. 2099/14

-against-

CERTIFICATE
DENYING LEAVE

Arthur Blake,

Defendant.

-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about May 2, 2016, is hereby denied. In light of the above, defendant's request for poor person relief is denied as moot.


Associate Justice

Dated: September 6, 2016
New York, New York

ENTERED: NOV 01 2016

✓

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-1560
Ind. No. 6117/02

-against-

CERTIFICATE
DENYING LEAVE

James Pettus,

Defendant.

-----X

I, Richard T. Andrias, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application timely made by the above-named defendant for a
certificate pursuant to Criminal Procedure Law Section 460.15,
and upon the record and proceedings herein, there is no question
of law or fact presented which ought to be reviewed by the
Appellate Division, First Judicial Department, and permission to
appeal from the Order of the Supreme Court, New York County,
(Ruth Pickholz, J.), entered February 5, 2015, which denied
defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
October 4, 2016

ENTERED

NOV 01 2016


Justice of the Appellate Division

✓

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

BEFORE: Hon. Troy K. Webber
Justice of the Appellate Division

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

M-4426
Ind. No. 5908/97

-against-

CERTIFICATE
DENYING LEAVE

Al-Fatah Stewart,
Defendant.

-----X
I, Troy K. Webber, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application timely made by the above-named defendant for a
certificate pursuant to Criminal Procedure Law, sections 450.15
and 460.15, and upon the record and proceedings herein, there is
no question of law or fact presented which ought to be reviewed
by the Appellate Division, First Judicial Department, and
permission to appeal from the order of the Supreme Court,
New York County (Daniel Conviser, J.) entered on or about August
9, 2016 is hereby denied.

Dated: October 3, 2016
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED: **NOV 01 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 November 1, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-5222

Ind. No. 639/13

Kevin Sutherland,
Defendant-Appellant.

-----X

An order of a Justice of this Court, dated May 22, 2015 (M-2731), having granted bail for defendant in the sum of \$150,000 bond or \$100,000 cash, and imposing certain other conditions,

And, an order of this Court having been entered on July 14, 2016 (M-472), continuing bail on the same terms and conditions previously set forth in the order of a Justice of this Court, dated May 22, 2015 (M-2731), on condition that defendant-appellant perfect his appeal for the November 2016 Term,

And, defendant-appellant having moved for an enlargement of time to perfect the aforesaid appeal and continuation of bail 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 and extending bail granted by the order of a Justice of this Court dated May 22, 2015 (M-2731) and by an order of this Court entered on July 14, 2016 (M-472), pending hearing and determination of the appeal, on the same terms and conditions, and on further condition that the appeal is perfected on or before December 5, 2016 for the February 2017 Term.

ENTER:



CLERK