

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present - Hon. Peter Tom, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----X  
Paul J. Napoli,

Plaintiff-Respondent,

-against-

M-600  
Index No. 159576/14

Marc J. Bern,

Defendant-Appellant.  
-----X

Defendant-Appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 4, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present - Hon. Peter Tom, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

M-725  
Ind. No. 1367/16

Milton Tillery,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 24, 2017, 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 notice of appeal as 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:

A handwritten signature in black ink, appearing to read "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 April 12, 2018.

Present - Hon. Peter Tom, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**

M-751

-against-

Ind. No. 5904/12

Mohd Norazam Muhammad,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Gregory Carro, J.), entered on or about October 26, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Carro as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant

(M-751)

-2-

April 12, 2018

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

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a large initial "S" and "R".

---

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 April 12, 2018.

Present - Hon. Peter Tom, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----X  
Jubae Mujahid,  
Plaintiff-Appellant,

-against-

M-864  
Index No. 101485/15

HSBC Bank, USA, et al.,  
Defendants-Respondents,

Sanyaku Amare, et al.,  
Defendants.

-----x

Appeals having been taken to this Court by plaintiff-appellant from orders of the Supreme Court, New York County, entered on or about October 26, 2016 and April 13, 2017,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the September 2018 Term. Insofar as appellant seeks consolidation, the motion is denied as academic, the relief having previously been granted (M-4005, September 5, 2017).

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 April 12, 2018.

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

-----X  
Commerce and Industry Insurance  
Company,  
Plaintiff-Appellant,

-against-

M-867  
Index No. 150620/15

Delta Environmental, Inc., et al.,  
Defendants-Respondents.  
-----X

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2018 Term, with leave to seek further enlargements, if necessary.

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 April 12, 2018.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Troy K. Webber  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----X

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

**CONFIDENTIAL**

M-947

Angel P.,  
Petitioner-Appellant,

Docket Nos. V-13620-14/17D  
V-13620-14/17C  
V-21422-14/17C  
V-21422-14/17D  
V-21422-14/17E  
V-13620-14/17E

-against-

Isaura M.,  
Respondent-Respondent.

-----X


An order of this Court having been entered January 16, 2018 (M-6404), granting petitioner-appellant leave to prosecute as a poor person, the appeal taken from an order of Family Court, Bronx County, entered on or about October 5, 2017, and assigning Andrew J. Baer, Esq., as counsel to prosecute the appeal;

And appellant counsel Andrew J. Baer, Esq., having moved to withdraw as counsel, and to withdraw petitioner-appellant's appeal taken from said Family Court order.

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

It is ordered that the appeal is withdrawn, and counsel is granted leave to withdraw as counsel.

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 April 12, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Jayvon Larry,  
Defendant-Appellant.

-----X

**CONFIDENTIAL**

**M-1364**

Ind. No. 166/15

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

And the People having moved for dismissal of the aforesaid, perfected appeal as abandoned,

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 April 12, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of

Olivia J. R.,

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

**CONFIDENTIAL**

M-196

Docket No. NN-41439/16

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

Marianette R.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, entered on or about September 25, 2017 and December 4, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Anne Reiniger, Esq., 801 Second Avenue, 10<sup>th</sup> Floor, New York, New York 10017, Telephone No. 646-627-8875, 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<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

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<sup>1</sup>Service 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 April 12, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

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

Miguel L.,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-208  
Docket No. V-30805/15

-against-

Ashley J. L.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about December 6, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Anne Reiniger, Esq., 801 Second Avenue, 10<sup>th</sup> Floor, New York, New York 10017, Telephone No. 646-627-8875, 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<sup>1</sup> **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

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

the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of

David W.,

**CONFIDENTIAL**

M-519

A Person Alleged to Be a Juvenile  
Delinquent,

Docket No. D-15536/16

Appellant.  
-----X

Appellant having moved for leave to prosecute the appeal from orders of the Family Court, Bronx County, entered on or about November 19, 2017 and January 23, 2018 as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, New York 11753, Telephone No. 516-942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;<sup>1</sup> **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

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

transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of

Jasmine H., and  
Sebastian H.,

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

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

Patricia W.,  
Respondent-Appellant.

-----X

**CONFIDENTIAL**

M-523  
Docket Nos.  
NN-21136/16  
NN-21135/16

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the Order of Fact-Finding of the Family Court, Bronx County, entered on or about December 13, 2017, and from the two Orders of Disposition of said Court, entered on or about January 23, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, New York 11753, Telephone No. 516-942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



CLERK

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<sup>1</sup>Service 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 April 12, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-536

Ind. No. 1292/17

Warren 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 December 14, 2017, 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, 28<sup>th</sup> 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 April 12, 2018.

Present: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Marcy L. Kahn  
Ellen Gesmer  
Anil C. Singh, Justices.

-----X

Bayview Loan Servicing, LLC,  
Plaintiff-Respondent,

-against-

**M-458**

Index No. 810056/11

Alleyne Sylvester and Celeste  
Wenegieme,  
Defendants-Appellants,

-and-

New York City Environmental Control  
Board, et al.,  
Defendants.

-----X

An appeal having been taken from a judgment of Foreclosure and Sale of the Supreme Court, New York County, entered on or about August 2, 2016, and said appeal having been perfected,

And plaintiff having moved for an order striking the appeal from this Court's calendar without prejudice to perfect within an interval to be set by this Court, or in the alternative, extending plaintiff's time to file a respondent's brief to 28 days after this Court decides the within motion,

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

Ordered that the motion is denied.

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 April 12, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Barbara R. Kapnick, Justices.

-----X  
Henry 85 LLC,  
Plaintiff-Respondent,

-against-

Joel Roodman and Jill Tafrate,  
Defendants-Appellants.

M-817  
Index No. 154499/15

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 15, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
John Stevens and Martha Stevens,  
Plaintiffs-Respondents,

-against-

680 St. Nicholas, LLC, and Arkar, Inc.,  
Defendants-Respondents,

M-413  
M-384  
Index No. 154103/12

136 Street Donuts LLC and Lenox Avenue  
Donuts, incorrectly sued herein as  
Dunkin Donuts,  
Defendants-Appellants.

-----X  
680 St. Nicholas, LLC, and Arkar, Inc.,  
Third-Party Plaintiffs-Respondents,

Third-Party  
Index No. 590914/13

-against-

145<sup>th</sup> Street Donuts, LLC,  
Third-Party Defendant-Appellant.

-----X  
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 12, 2016,

And plaintiffs-respondents having moved to dismiss the aforesaid appeal for failure to timely perfect (M-413)

And defendants-appellants/third-party defendant-appellant having cross-moved for a further enlargement of time to perfect their appeal taken from the aforesaid order (M-384),

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

It is ordered that the motion to dismiss the appeal is denied (M-413). The cross motion is granted to the extent of enlarging the time to perfect the appeal to the September 2018 Term, with no further enlargements to be granted (M-384).

ENTERED:



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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 April 12, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzairelli  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Panagiota Melis,  
Plaintiff-Respondent,

-against-

M-599  
Index No. 156637/16

Hellenic Orthodox Community of St.  
Eleutherios, Inc. and Hellenic  
Orthodox Community of St.  
Eleftherios Church, Inc.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect their appeal taken from an order of the Supreme Court, New York County, entered on or about March 24, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----x

Liberty on Warren LLC, et al.,  
Plaintiffs-Appellants,

-against-

M-704  
Index No. 650530/15

Dragon Estates Condo, et al.,  
Defendants-Respondents.

-----x

Appeals having been taken from an order of the Supreme Court New York County, entered on or about June 21, 2016 and from an order, same Court and Justice, entered on or about August 18, 2017,

And an order of this Court, entered on November 28, 2017 (M-5150), having consolidated the aforesaid appeals and enlarged the time to perfect same to the March 2018 Term,

And plaintiffs-appellants having moved for an enlargement of time to perfect the consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the September 2018 Term, with no further enlargements to be granted.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----x  
Seth Leist and Bon Mar Consultants Inc.,

Plaintiffs-Appellants,

-against-

JMC Pharmacy Inc., Julian Campon and  
Jose Manuel Campon,

Defendants-Respondents.  
-----x

**CONFIDENTIAL**

M-718

Index No. 653768/16

An appeal having been taken to this Court by plaintiffs-appellants from an order of the Supreme Court, New York County, entered on or about January 26, 2017,

And plaintiffs-appellants having moved to seal specified portions of the record and direct that they be marked confidential,

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 designating the appeal confidential.

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 April 12, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Solar Electric Systems, Inc.,  
Plaintiff-Respondent,

-against-

Skanska USA Building Inc.,  
Defendant-Appellant,

Fidelity and Deposit Company of  
Maryland, et al.,  
Defendants.

M-845  
Index No. 653705/16

-----X  
Skanska USA Building Inc.,  
Counterclaim Plaintiff-Appellant,

-against-

Peter Borducci,  
Additional Counterclaim Defendant-  
Respondent.

-----X

Defendant/counterclaim plaintiff-appellant having moved for an enlargement of time to perfect its appeal taken from an order of the Supreme Court, New York County, entered on or about May 5, 2017,

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

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

ENTERED:

  
\_\_\_\_\_

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
In the Matter of a Support Proceeding

Juliya V.,

Petitioner-Appellant,

**CONFIDENTIAL**

M-848

-against-

Docket No. F-02830-10

Aleksandr V.,

Respondent-Respondent.

-----X

Petitioner-appellant having renewed her motion for leave to prosecute, as a poor person, the appeal taken from the order of the Family Court, New York County, entered on or about February 7, 2017, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

And this Court, by ordered entered November 28, 2017, having granted petitioner-appellant poor person relief and assigned appellate counsel (Lewis S. Calderon, Esq.) (M-5188), in a related pending appeal taken from an order of the Family Court, New York County, entered on or about August 1, 2017,

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

It is ordered that the instant motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, New York 11432, Telephone No. 718-883-1560, 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<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



CLERK

---

<sup>1</sup>Service 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 April 12, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Peter Tom  
Troy K. Webber  
Cynthia S. Kern, Justices.

-----x  
William Pendergast,  
Plaintiff-Appellant-Respondent,

-against-

Mutual Redevelopment Houses, Inc. and  
RC Dolner LLC,  
Defendants-Respondents/Appellants.

- - - - -  
Mutual Redevelopment Houses, Inc.,  
Third-Party Plaintiff/Respondent,

M-220  
M-351  
M-660

-against-

Index No. 157554/12

Zurich American Insurance Company,  
Third-Party Defendant.

- - - - -  
RC Dolner LLC,  
Second Third-Party Plaintiff-  
Appellant-Respondent,

-against-

Miller Mechanical Systems LLC,  
Second Third-Party Defendant-  
Respondent-Appellant.

-----x  
An appeal and cross appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 13, 2017,

And defendant/second third-party plaintiff-appellant-respondent RC Dolner LLC having cross-moved for an enlargement of time to perfect its appeal (M-220),

And plaintiff William Pendergast having cross-moved for an enlargement of time to perfect his appeal (M-351),

And second third-party defendant Miller Mechanical Systems LLC having cross-moved for an enlargement of time to perfect its appeal (M-660),

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 and cross motions are granted, and the time to perfect the appeal and cross appeals is enlarged to the September 2018 Term.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Peter Tom  
Troy K. Webber  
Cynthia S. Kern, Justices.

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

Respondent,

-against-

M-532  
Ind. No. 1951/13

Alphonso Cagan,

Defendant-Appellant.  
-----X

An order of this Court having been entered on July 7, 2015 (M-2839) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about March 13, 2015, and assigning Richard M. Greenberg, Esq., predecessor counsel to Christina Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is denied, without prejudice to defendant, upon receipt of counsel's brief, to seek permission to file a pro se supplemental brief on the appeal.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X

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

**CONFIDENTIAL**

**M-228**

**M-753**

Kahlisha J.,  
Petitioner-Respondent,

Docket Nos. V-18120-12/16B  
V-18120-12/16C

-against-

Eddie R., Jr.,  
Respondent-Appellant.

-----X

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

**CONFIDENTIAL**

Docket Nos. V-18120-12/16B  
V-18120-12/16C

Kahlisha J.,  
Petitioner-Appellant,

-against-

Eddie R., Jr.,  
Respondent-Respondent.

-----X

An appeal having been taken by respondent-appellant father, Eddie R., Jr., from an order of the Family Court, Bronx County, entered on or about March 2, 2017,

And an appeal having been taken by petitioner-appellant mother, Kahlisha J., from an order of the Family Court, Bronx County, entered on or about September 6, 2017,

And petitioner-respondent mother having moved to vacate the order, entered on or about September 6, 2017, and to stay the order, entered on or about March 2, 2017, pending determination of her appeal (M-228),

And respondent-appellant father having cross-moved to enlarge the time to perfect his appeal taken from the order entered on or about March 2, 2017, and to deny the subject mother's motion to vacate the Family Court stay (M-753),

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

Ordered that the petitioner-respondent mother's motion is denied (M-228); respondent-appellant father's cross motion is granted to the extent of enlarging the time to perfect the appeal to the September 2018 Term, and otherwise denied.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Suzanne Mangold Zacharius,  
Plaintiff-Appellant,

-against-

Kensington Publishing Corp., et al.,  
Defendants-Respondents.  
-----X

M-391  
Index No. 652460/12

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about March 27, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Calico Electrical Supply Corp.,  
Plaintiff-Respondent-Appellant,

-against-

M-416  
Index No. 159649/14

Ancor Electrical Contracting Corp.  
and Anthony Mormando,  
Defendants-Respondents,

-and-

Oliveira Contracting Corp. and  
Liberty Mutual Insurance Company,  
Defendants-Appellants-Respondents.  
-----X

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

And defendants-appellants-respondents having moved for an enlargement of time to perfect their appeal taken from the aforesaid order,

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

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

ENTERED:



CLERK





At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Strata Realty Corp.,  
Petitioner-Landlord-Respondent, M-634  
New York County Clerk  
Index No. 570821/16  
-against-  
Rosa Pena, Civil N.Y. County  
Respondent-Tenant-Appellant, Index No. 79638/09  
"John Doe" and "Jane Doe,"  
Respondents-Undertenants.  
-----X

An order of the Appellate Term, First Department, entered January 18, 2018, having granted respondent-tenant-appellant leave to appeal to this Court from the order of the Appellate Term, First Department, entered December 7, 2017,

And petitioner-landlord-respondent having moved to modify the Appellate Term order by vacating the stay incorporated therein or, alternatively, to condition the Appellate Term stay by requiring respondent to perfect her appeal for the June 2018 Term,

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, pursuant to CPLR 5519(c), to the extent of modifying the Appellate Term stay to impose as conditions of a stay of the civil court judgment pending determination of the appeal to this Court, that: respondent perfects for the September 2018 Term with no further enlargements or adjournments to be granted; and further,

conditioning the stay on respondent immediately becoming current with any arrears in rent or use and occupancy and remaining current until determination of the appeal, with leave granted to petitioner to seek vacatur of the Appellate Term stay should either condition not be satisfied.

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 April 12, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Sanjeev Bahlani,  
Plaintiff-Appellant,

-against-

The Museum of Modern Art,  
Defendant-Respondent.

M-654  
Index No. 154888/12

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about May 2, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Camilo Figueroa,  
Plaintiff-Appellant,

-against-

**M-761**

Index No. 302942/13

Harlorn, LLC and Western Beef  
Retail, Inc.,  
Defendants-Respondents.

-----X  
(Third Party Action Discontinued)  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about July 27, 2017,

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

It is ordered that the motion is denied, with leave to renew, if necessary, if the appeal cannot be perfected on or before June 13, 2018 (22 NYCRR 600.11[a][3]).

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 April 12, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X  
Yannick Benjamin and Angela Benjamin,  
  
Plaintiffs-Appellants,

-against-

M-705  
Index No. 106847/04

The City of New York, The New York City Department of Transportation, New York City Department of Environmental Protection, New York City Department of Parks, and Trocom Construction Corp.,

Defendants-Respondents.  
-----X

Plaintiffs-Appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about May 1, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Troy K. Webber  
Peter H. Moulton, Justices.

-----X

In the Matter of the Application of

Nayci Contracting Associates, LLC,  
et al.,  
Petitioners,

**M-1205**  
Index No. 106851/10

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

-against-

New York City Department of Consumer  
Affairs, et al.,  
Respondents.

-----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 May 12, 2011, to review a determination of respondents, and said proceeding having been perfected,

And respondents having moved for an order directing petitioners to file a corrected record and adjourning the proceeding,

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

It is ordered that the motion is granted to the extent of directing the parties to consult and reach an agreement on the documents missing from the record filed by petitioners. Upon

such agreement or stipulation, petitioners are directed to file a supplemental record consisting of the documents so identified, within 20 days of this order. The proceeding is adjourned to the October 2018 Term, with no further adjournments to be granted.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

Respondent,

-against-

Craig Newsome, also known as  
Craig Newsom,  
Defendant-Appellant.

-----X

**CONFIDENTIAL**

M-127

M-342

Ind. No. 4582/02

Appeals having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about December 1, 2003, and from the order of said Court, rendered on or about July 12, 2004,

And an order of this Court having been entered on November 14, 2017 (M-4600), inter alia, granting defendant-appellant leave to prosecute the appeal, as a poor person, from the judgment rendered on or about December 1, 2003, and assigning Office of the Appellate Defender, as counsel to prosecute the appeal,

And an order of this Court having been entered on December 12, 2017 (M-4601), inter alia, directing defendant-appellant to file a notice of appeal from the order entered on or about July 12, 2004, and granting defendant leave to renew that portion of the motion with respect to poor person relief and assignment of counsel upon the filing of said notice of appeal,

And defendant-appellant having moved for leave to prosecute the appeal from the order entered on or about July 12, 2004 as a poor person, upon the original record and a reproduced appellant's brief, for the assignment of counsel, and for an enlargement of time to perfect the appeal (M-127),

And the People having cross-moved for dismissal of the aforesaid appeals for failure to timely prosecute (M-342),



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 defendant's motion (-127) is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

The cross motion (M-342) for dismissal of the appeals is denied.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-505  
Ind. No. 925/16

Anthony Richard,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 28, 2017, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth his indigency, the amount and sources of funds utilized for the retention of trial counsel, Ali Najmi, Esq., the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 April 12, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

M-653  
Ind. No. 5024N/14

Benjamin Ramirez,  
Defendant-Appellant.

-----X

An order of this Court having been entered on April 6, 2017 (M-913), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 17, 2015, and assigning the Center for Appellate Litigation as counsel therefor,

And defendant-appellant having moved for an order amending the order of assignment to include the judgment of **resentence** of said Court, rendered on or about January 30, 2018, and for an enlargement of time to perfect 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 said motion is granted to the extent of amending defendant's order of assignment to include the judgment of **resentence** of said Court rendered on or about January 30, 2018, and extending the poor person relief granted to cover same. The time to perfect the appeal is enlarged to the September 2018 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----x  
Mohammed Chawdhury,

Plaintiff-Respondent,

-against-

3511 Systems Inc., et al.,

Defendants-Appellants.  
-----x

M-6773  
Index No. 251506/14

Plaintiff-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about August 29, 2017,

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

It is ordered that the motion is denied.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Marcy L. Kahn  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X  
Eileen Leschins,  
Plaintiff-Respondent,

-against-

Preston A. Leschins,  
Defendant-Appellant.  
-----X

**CONFIDENTIAL**

M-799

Index No. 304677/13

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about May 5, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Richard T. Andrias  
Marcy L. Kahn,  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X  
Accounting of

Nathan Davidovich,  
Charles H. Hoppenstein  
and Ava Hoppenstein Shore,

**M-1145**  
Surrogate's Court  
File No. 2015-2918/A

As Trustees of the

Rueben Hoppenstein 2004 Trust,  
u/a/d (under agreement dated)  
December 20, 2004

- - - - -  
Nathan Davidovich, Charles H.  
Hoppenstein and Ava Hoppenstein  
Shore,  
Petitioners-Respondents,

-against-

Cheryl Hoppenstein, Yitzchak  
Hoppenstein, Yonatan Hoppenstein,  
Aryeh Hoppenstein, Yara Hoppenstein,  
and Adina Hoppenstein,  
Respondents-Appellants.

-----X

Appeals having been taken from orders of the Surrogate's Court, New York County, entered on or about March 31, 2017 and on or about October 10, 2017, and said appeals having been perfected; and an appeal having been taken from the final accounting decree, same Court and Surrogate, entered on or about January 9, 2018,

And respondents-appellants having moved for consolidation of the aforesaid perfected appeals along with the appeal taken from the final accounting decree, and to supplement the record

in the pending appeal with the notice of appeal from the decree and the decree,

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 respondents' appeals taken from orders entered on March 31, 2017 and October 10, 2017 to include the appeal taken from the final accounting decree entered on or about January 9, 2018, and directing respondents-appellants to file, within seven days of this order, a supplemental appendix containing said final accounting decree and the notice of appeal, dated February 16, 2018. Sua sponte, the perfected appeals are adjourned to the June 2018 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present: Hon. Sallie Manzanet-Daniels, Justice Presiding,  
Angela M. Mazzarelli  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X  
Joseph Johnson,  
Petitioner-Appellant,

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

-against-

Westin New York at Times Square,  
et al.,  
Respondents-Respondents.

**M-857**  
**M-858**  
Index No. 100342/15

-----X

An order of this Court having been entered on December 28, 2017 (M-5756), deeming petitioner's appeal, taken from the judgment of the Supreme Court, New York County, entered on or about September 28, 2015, as withdrawn,

And petitioner having moved for the reinstatement of his appeal (M-857),

And petitioner having also moved to have certain witnesses give testimony at oral argument (M-858),

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

It is ordered that the motions are denied.

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-695  
Ind. No. 1822/1992

-against-


CERTIFICATE  
DENYING LEAVE

Jemal Albritton,

Defendant.

-----X

I, John W. Sweeny, Jr., 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, dated on or about January 12, 2018 {Roger S. Hayes, J.) is hereby denied.

  
Associate Justice/ÿ

Dated: March 26, 2018  
New York, New York

ENTERED: **APR 12 2018**

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

M-623  
Ind. No. 6883/95


Respondent,  
-against-

Stanley Jackson,

CERTIFICATE  
DENYING LEAVE

Appellate-Defendant.  
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about November 18, 2014 is hereby denied.

  
\_\_\_\_\_  
Hon. Peter Tom  
Associate Justice

Dated: March 16, 2018  
New York, New York

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

-----X  
Jericho Group Ltd.,  
Plaintiff-Respondent,

M-6583

Index No.

113274/04

-against-

Midtown Development, L.P.,  
Defendant-Appellant.  
-----X

CERTIFICATE  
GRANTING LEAVE

Defendant having moved, pursuant to CPLR 5701, for leave to appeal to the Appellate Division, First Department, from the order of Supreme Court, New York County (Charles E. Ramos, J.), entered on or about December 8, 2017, and for a stay of all proceedings, 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 application for leave to appeal is granted. The application for a stay is referred to a full bench for disposition.

Dated: New York, New York  
April 9, 2018

**ENTERED** APR 12 2018

<sup>5</sup>  
*David Friedman*  
DA/ID FRIEDMAN  
Associate Justice, Appellate Division

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 12, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

Jayvon Larry,  
Defendant-Appellant.

**CONFIDENTIAL**

**M-1364**

Ind. No. 166/15

-----X

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

And the People having moved for dismissal of the aforesaid, perfected appeal as abandoned,

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