

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Michael Valentine,  
Plaintiff-Appellant-Respondent,

-against-

M-3073  
Index No. 302488/10

2147 Second Avenue LLC,  
et al.,  
Defendants-Respondents,

Sunshine Quality Construction, Inc.  
and Gary Silver,  
Defendants-Respondents-Appellants.

-----X  
(And other third-party actions)  
-----X

Appeals having been taken from orders of the Supreme Court, Bronx County entered on or about October 2, 2017 and October 26, 2017,

And plaintiff-appellant having moved for an enlargement of time to perfect his appeal taken from the order entered on or about October 2, 2017 and ,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2019 Term, with leave to seek further enlargements, if necessary.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x

The People of the State of New York,  
Respondent,

-against-

M-2999  
M-3155  
Ind. No. 229/04

Joseph Watson,  
Defendant-Appellant.

-----x

An order of this Court having been entered on March 1, 2016 (M-100), inter alia, granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about October 27, 2004, and assigning Robert S. Dean, Esq., the Center for Appellate Litigation, as counsel to prosecute the appeal,

And an order of this Court having been entered on July 6, 2017 (M-2304), inter alia, permitting appellant to proceed pro se on the appeal, striking the designation of Robert S. Dean, Esq., as counsel on the appeal, and continuing the poor person relief previously granted by this Court's order entered on March 1, 2016 (M-100),

And defendant-appellant having moved for an enlargement of time to perfect the appeal, and for poor person relief (M-3155),

And respondent having cross-moved for dismissal of the aforesaid appeal for failure to timely prosecute (M-2999),

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-appellant's motion is granted to the extent of enlarging the time to perfect the appeal to the December 2018 Term, with no further enlargements to be granted, and continuing the poor person relief as granted by this Court's order entered March 1, 2016 (M-100), and continued pursuant to this Court's order entered July 6, 2017 (M-2304). Appellant is advised that the appeal will not be heard unless and until all material furnished to him has been returned to this Court, and it is further,

Ordered that the cross motion is denied, with leave to renew should defendant fail to perfect his pro se appeal for the December 2018 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x  
Skiboky Shavar Stora,

Plaintiff-Appellant,

-against-

M-3124  
Index No. 107715/06

City of New York, et al.,

Defendants-Respondents.  
-----x

An appeal having been taken to this Court by plaintiff-appellant an order of the Supreme Court, New York County, entered on or about September 26, 2017,

And plaintiff-appellant having moved for civil poor person privileges, and to consolidate the within action with a related action,

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

It is ordered that the motion is denied in its entirety.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x

Connie B. Stewart, et al.,  
Plaintiffs-Appellants,

-against-

M-3584  
Index No. 302677/12

163<sup>rd</sup> Street Improvement Council, Inc.,  
et al.,  
Defendants-Respondents.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about August 23, 2017 and December 13, 2017,

And plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order entered on or about August 23, 2017,

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

It is ordered that, sua sponte, the appeals are consolidated, and appellants are permitted to prosecute the consolidated appeals upon 9 copies of one record and one set of appellants' 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 December 2018 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-3152  
Ind. No. 3874/14

Jose Nunez,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court from a judgment of the Supreme Court, New York County, rendered on or about August 17, 2016, and said appeal having been perfected,

And defendant-appellant having again moved for an order continuing the stay of execution of sentence and bail pending determination of the appeal, which stay was granted by orders of a Justice of this Court, dated July 1, 2016 and December 22, 2016, and extended by order of this Court entered May 23, 2017, September 12, 2017 and February 20, 2018,

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

Ordered that the motion is denied as moot, as defendant perfected the appeal on March 14 2018, which met the condition of this Court's order of February 20, 2018, that the appeal be perfected for the September 2018 Term of this Court. The stay of execution of sentence and bail extended in this Court's February 20, 2018 order therefore remains in effect pending determination of the appeal.

ENTERED:

  
DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on August 30, 2018.

Present: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X

Damien R.,  
Plaintiff-Appellant,

**CONFIDENTIAL**  
**M-2805**

-against-

Index No. 300101/13

Melissa R.,  
Defendant-Respondent.

-----X

Plaintiff-appellant husband having moved for a stay of the order of the Supreme Court, New York County, entered on or about May 9, 2018, pending hearing and determination of the appeal taken therefrom, the grant of certain parenting privileges, poor person relief and the assignment of appellate 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 branch of the motion seeking a stay and other interim relief is denied. Plaintiff's application for civil poor person relief is denied, with leave to renew, upon submission of a detailed, notarized affidavit, in compliance with CPLR 1101(a), setting forth his indigency and lack of funds to prosecute the appeal. Lastly, plaintiff's request for the assignment of appellate counsel is denied.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x  
NYCTL 2015-A Trust, The Bank of New  
York Mellon as Collateral Agent and  
Custodian for the NYCTL 2015-A,

Plaintiffs-Respondents,

M-2803

Index No. 25211/16E

-against-

Diffo Properties Corp., et al.,

Defendants-Appellants.  
-----x

Defendant-appellant having moved for a stay of a foreclosure sale pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about May 24, 2018,

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, and the interim relief granted by an order of a Justice of this Court, dated May 31, 2018, is vacated.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Norddeutsche Landesbank  
Girozentrale and Hannover Funding  
Company LLC,  
Plaintiffs-Respondents,

-against-

M-3268  
Index No. 651695/15

Lynn Tilton; Patriarch Partners, LLC;  
Patriarch Partners XIV, LLC; and  
Patriarch Partners XV, LLC,  
Defendants-Appellants.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about January 9, 2018 and May 25, 2018,

And defendants-appellants having moved to file under seal unredacted versions of plaintiffs' amended complaint, and the related motion for leave to amend, pending determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTERED:

  
DEPUTY 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 August 30, 2018

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
The People of the State of New York  
ex rel. Carlos Gaspar Ramirez, Pro Se,  
Petitioner,

**M-2940**  
Index No. 863N/18

-against-

City of New York, State of New York,  
New York City Department of Corrections,  
et al.,  
Respondents.

-----X

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

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

It is ordered that the motion be and the same hereby is granted only to the extent of transferring the proceeding to and be heard before a Justice of the Supreme Court of the State of New York, New York County, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at Riker's Island; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of New York County, be deemed due and sufficient notice.

The motion is otherwise denied.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
In the Matter of Edith Avery Smalls,  
Petitioner-Appellant,

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

-against-

M-3193  
Index No. 101466/16

State of New York Office of Children  
and Family Services (OCFS), et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 16, 2018, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that the motion is denied.

ENTERED:

  
DEPUTY 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 August 30, 2018.

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

-----X  
BCG Partners, Inc., et al.,

Plaintiffs-Appellants-Respondents,

-against-

M-2293

Index No. 652669/12

Avison Young (Canada) Inc., et al.,

Defendants-Respondents-Appellants.

-----X

Plaintiffs-appellants-respondents having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on April 3, 2018 (Appeal No. 5242),

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:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

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

-----X  
Edna Loreen Malcolm,  
Plaintiff-Appellant,

-against-

M-3245X  
Index No. 305334/13

Lanre Sobola and Sikiratu A. Sobola,  
Defendants-Respondents.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 11, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 22, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
DEPUTY 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 August 30, 2018.

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

-----X  
Yudelky Kelly,  
Plaintiff-Respondent,

-against-

M-3247X  
Index No. 300705/15

Nikolin Gjoklaj,  
Defendant-Appellant,

-and-

Johanna Issamal, et al.,  
Defendants.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 20, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 22, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
DEPUTY 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 August 30, 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

Terazay S.,

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

**CONFIDENTIAL**  
**M-2491**

Docket No. NN-4621/16

- - - - -

Administration for Children's Services,  
Petitioner-Respondent,

Yazaret M. T.,  
Respondent-Appellant.

- - - - -

Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about April 6, 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, Rachel Ambats, Esq., 44 Court Street, Suite #1210, Brooklyn, New York 11201, Telephone No. (917) 749-3949, 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:

  
DEPUTY 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 August 30, 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

Zariah Marie E., also known as  
Zariah E.,

**CONFIDENTIAL**  
**M-2533**

Docket No. B-4813/17

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

-----  
Saint Dominic's Family Services,  
formerly known as Saint Dominic's Home, and the Commissioner of the Administration for Children's Services of the City of New York,  
Petitioners-Respondents,

Alexys McCullers T., also known as  
Alexus T., also known as Alexys T.,  
Respondent-Appellant.

-----  
Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about April 16, 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 419-8407, 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:

  
DEPUTY 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 August 30, 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 Proceeding for  
Custody/Visitation Under Article 6 of  
the Family Court Act.

- - - - -  
Crystal G.,  
Petitioner-Respondent,  
  
-against-

**CONFIDENTIAL**

M-3045  
Docket Nos. V-13886-15/18M  
V-13886-15/18O  
V-13886-15/18L  
V-13886-15/18J  
V-13886-15/18N  
V-13886-15/18K

Marquis E.,  
Respondent-Appellant,

Sharon E.,  
Respondent.

- - - - -  
Jacklyn Sherman, Esq., Children's  
Law Center,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about June 4, 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, Larry S. Bachner, Esq., Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, New York 10006, Telephone No. (917) 674-9516, as counsel for purposes of

prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available 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:

  
DEPUTY 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 August 30, 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

Daniel P.,

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

**CONFIDENTIAL**  
**M-3049**  
Docket No. NN-473/17

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

Noheme R. P.,  
Respondent-Appellant.

- - - - -  
Jessica Brown, Esq.,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about December, 20, 2017 (on default) and May 3, 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, Rachel Ambats, Esq., 44 Court Street, Suite #1210, Brooklyn, New York, 11201, Telephone No. (917) 749-3949, 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:

  
DEPUTY 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 August 30, 2018.

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

-----X

In the Matter of the Guardianship of  
the Person and Custody of

Jahaire Anthony M., also known as  
Jahaire M., also known as  
Jair M.,

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

- - - - -  
The New York Foundling Hospital, et al.,  
Petitioners-Respondents,

**CONFIDENTIAL**  
M-3063  
Docket No. B-7/15

-against-

Tabitha Akisse M.,  
Respondent-Appellant.

- - - - -  
Jamien Weddle, Esq.,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about March 1, 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, Rachel Ambats, Esq., 44 Court Street, Suite #1210, Brooklyn, New York, 11201, Telephone No. (914) 749-3949, 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:

  
DEPUTY 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 August 30, 2018.

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

-----X

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

- - - - -  
Jessica Marie M.,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-3067  
Docket No. V-34237-17

-against-

Julio G. R.,  
Respondent-Appellant.

- - - - -

Alexander Roisman, Esq.,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about March 26, 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, Salihah R. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528, Telephone No. (914) 215-7221, 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>

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

**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:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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 Family Offense Proceeding Under Article 8 of the Family Court Act.

**CONFIDENTIAL**  
**M-3084**

- - - - -

Stephanie M.,  
Petitioner-Respondent,

Docket No. O-3523/18

-against-

Edgar C.,  
Respondent-Appellant.

- - - - -

Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-appellant 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 6, 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, Salihah E. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528, Telephone

No. (914) 215-7221, 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:

  
DEPUTY 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 August 30, 2018.

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

-----X  
In the Matter of a Paternity  
Proceeding Under Article 5 of  
the Family Court Act.

- - - - -  
Department of Social Services, on  
behalf of Preshawna J. A.,  
Petitioner-Respondent,

**CONFIDENTIAL**  
M-3088  
Docket No. P-6873/17

-against-

Donald A. C.,  
Respondent-Appellant.

-----X  
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, New York County, both entered on or about May 10, 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, Salihah R. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, NY 10528, Telephone No. (914) 215-7221, 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:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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

Kobe N., and  
Juan Carlos N.,

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

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

**CONFIDENTIAL**

M-3251

Docket Nos. NN-27161-14  
NN-27162-14

-against-

Juan Carlos N.,  
Respondent-Appellant.

- - - - -  
Deborah Gould, Esq., Children's Law  
Center,  
Attorney for the Children.

-----X  
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, Bronx County, both entered on or about May 21, 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, Carol L. Kahn, Esq., 225

Broadway, Suite 1510, New York, New York, 10007, Telephone No. (212) 227-0206, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available 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:

  
DEPUTY 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 August 30, 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

Annabella C.,  
Lorenzo R.,  
Jacob R., and  
Leilany R.,

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

**CONFIDENTIAL**  
M-3252

Docket Nos. NN-5305/17  
NN-5306/17  
NN-5307/17  
NN-5308/17

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

Kicha C.,  
Respondent-Appellant.

- - - - -  
Dawne A. Mitchell, Esq., The Legal  
Aid Society, Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about June 8, 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, Salihah R. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, NY 10528, Telephone No. (914) 215-7221, 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:

  
DEPUTY 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 August 30, 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

Melanie S., and  
Jacqueline S.,

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

**CONFIDENTIAL**  
**M-3254**

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

Docket Nos. NA-19812-17  
NA-19813-17

Albert A.,  
Respondent-Appellant.  
-----

Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about June 12, 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, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. (212) 227-0206 , as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available 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:

  
DEPUTY 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 August 30, 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

Kimora D.,

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

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

**CONFIDENTIAL**

M-3266

Docket No. NN-43608/16

Joseph C.,  
Respondent-Appellant,

Ojetta D.,  
Respondent.

- - - - -  
Dawne A. Mitchell, Esq., The Legal  
Aid Society, Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, New York County, entered on or about January 3, 2018 and May 29, 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, Salihah R. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, NY 10528, Telephone No. (914) 215-7221, 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:

  
DEPUTY 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 August 30, 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 Family Offense  
Proceeding Under Article 8 of  
the Family Court Act.  
-----

Judith L. C.,  
Petitioner-Respondent,  
  
-against-

**CONFIDENTIAL**  
M-3267  
Docket Nos. O-38672/16  
O-38587/16

Lawrence Y.,  
Respondent-Appellant.  
-----X

Respondent-appellant 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 May 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, Salihah R. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, NY 10528, Telephone No. (914) 215-7221, 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:

  
DEPUTY 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 August 30, 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

Aliyah N.,

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

**CONFIDENTIAL**

M-3038

Docket No. NA-12279/17

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

Alvin N.,  
Respondent-Appellant,

Leila S.,  
Respondent-Respondent.

-----  
Rachael Ambats, Esq.,  
Attorney for the Subject Child.

-----X  
Respondent-respondent mother, having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about April 24, 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 §1120 of the Family Court Act, Larry S. Bachner, Esq., Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, New York, 10006, Telephone No. (917) 674-9516, as counsel for purposes of responding to the appeal; (2) permitting

movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-3255, dated August 30, 2018, released simultaneously herewith).

ENTERED:

  
DEPUTY 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 August 30, 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

Aliyah N.,

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

- - - - -

**CONFIDENTIAL**

M-3255

Docket No. NA-12279/17

Administration for Children's  
Services,  
Petitioner-Appellant,

Alvin N.,  
Respondent-Appellant,

Leila S.,  
Respondent-Respondent,

- - - - -

Rachael Ambats, Esq.,  
Attorney for the Subject Child.

-----X

Ellen Winter Mendelson, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about April 24, 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 §1120 of the Family Court Act, Rachel Ambats, Esq., 44 Court Street, Suite 1210, Brooklyn, New York, 11201, Telephone No. (917) 749-3949, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the

appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-3038, dated August 30, 2018, released simultaneously herewith).

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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 the Guardianship of the Person and Custody of

Nazzhear Z. G., and  
Yahmair Y. G.,

Children Under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York and/or Article 6 of the Family Court Act.

**CONFIDENTIAL**

M-3069

Docket Nos. B-10825/17  
B-10826/17

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

Tanisha N.,  
Respondent-Appellant.

-----  
George E. Reed, Esq.,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, Bronx County, both entered on or about January 30, 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, Larry S. Bachner, Esq., Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, New York, 10006, Telephone No. (917) 674-9516, as counsel for purposes of

prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available 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.** (See M-1626, dated August 30, 2018, released simultaneously herewith).

ENTERED:

  
DEPUTY 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 August 30, 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 the Guardianship of the Person and Custody of

Nazzhear Z. G., and  
Yahmair Y. G.,

Children Under 18 Years of Age Pursuant to §384-b of the Social Services Law of the State of New York and/or Article 6 of the Family Court Act.

**CONFIDENTIAL**

M-1626  
Docket Nos. B-10825/17  
B-10826-17

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

Tanisha N.,  
Respondent-Appellant,  
- - - - -

George E. Reed, Esq.,  
Attorney for the Children.

-----X

Melinda Oliver, Esq., court attorney for the subject children, having moved on the childrens' behalf for leave to respond, as a poor person, to the appeal taken from two orders of the Family Court, Bronx County, both entered on or about January 30, 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 §1120 of the Family Court Act, George E. Reed, Jr., Esq., 222 Mamaroneck Avenue, White Plains, New York, 10605, Telephone No. (914) 946-5000, as counsel for purposes of responding to the appeal; (2) permitting movant to

respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-3069, dated August 30, 2018, released simultaneously herewith).

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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

Calil Jordan S., and  
Caleah Chastity Marie S.,

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

**CONFIDENTIAL**  
**M-3256**

Docket Nos. NN-19936/16  
NN-19937/16

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

Calvin S.,  
Respondent-Appellant,

Kimberly A.,  
Respondent,

Jasmin O.,  
Respondent.

-----  
Rachel Ambats, Esq.,  
Attorney for the Children.

-----X

Elizabeth M. Johanns, Esq., court attorney for the subject children, having moved on the childrens' behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about April 27, 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 §1120 of the Family Court Act, Rachel Ambats, Esq., 44 Court Street, Suite #1210, Brooklyn, New York 11201, Telephone No. (917) 749-3949, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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 Proceeding for Custody/Visitation Under Article 6 of the Family Court Act.

- - - - -

Barry H.,  
Petitioner-Appellant,

**CONFIDENTIAL**

M-3066

Docket No. V-16568-14/17B

-against-

Veronica S.,  
Respondent-Respondent.

- - - - -

Marquita Simon, Esq., Children's Law Center, Attorney for the Child.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from an order of the Family Court, Bronx County, entered on or about May 2, 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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Hani M. Moskowitz, Esq., 225 Broadway, Suite 715, New York, New York, 10007, Telephone No. (212) 227-8208, 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-3050, dated August 30, 2018, released simultaneously herewith).

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

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

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

- - - - -  
Barry H.,  
Petitioner-Appellant,

**CONFIDENTIAL**

M-3050  
Docket No. V-16568-14/17B

-against-

Veronica S.,  
Respondent-Respondent.

- - - - -  
Marquita Simon, Esq., Children's Law  
Center, Attorney for the Child.

-----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 May 2, 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, 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**

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

**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.** (See M-3066, dated August 30, 2018, released simultaneously herewith).

ENTERED:

  
DEPUTY 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 August 30, 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

Rachel A.,  
Raqeeb A., and  
David A.,

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

**CONFIDENTIAL**

M-3048

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

Docket Nos. NN-29904/16  
NN-29905/16  
NN-29906/16

Sharon E.,  
Respondent-Appellant,

Olusola A.,  
Non-Respondent.

-----X

Non-respondent father, Olusola A., 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 April 13, 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 §1120 of the Family Court Act, Marion C. Perry, Esq., 8232 18<sup>th</sup> Avenue, Brooklyn, NY 11214, Telephone

No. (347) 674-8716, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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 Proceeding for  
Custody/Visitation under Article 6  
of the Family Court.

-----  
Maria K.,  
Petitioner-Appellant,

**CONFIDENTIAL**  
**M-3250**

-against-

Docket Nos.  
V-34266-11/14D&15E  
V-184-13/14B&15C  
V-183-13/14B&15C  
V-34267-11/14D&15E

Christopher B. and Dimitra L.,  
Respondents-Respondents.

-----  
Rachel Ambats, Esq.,  
Attorney for the Child  
Kristyna B.,

Lauren Friend, Esq.,  
Attorney for the Child  
Matthew B.

-----X  
R. Ellen Sigal, Esq., court attorney for the subject child Kristyna B., having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about February 7, 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 §1120 of the Family Court Act, Rachel Ambats, Esq., 44 Court Street, Suite #1210, Brooklyn, New York 11201, Telephone No. (917) 749-3949, 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.

ENTERED:

  
DEPUTY 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 August 30, 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 the Commitment of

Michael Jayvon H., also known as  
Michael J. H., also known as  
Michael H.,

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

- - - - -  
St. Dominic's Family Services,  
formerly known as St. Dominic's Home,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-2318

Docket Nos. B-13523/16

B-530/15

B-531/15

B-532/15

B-533/15

B-534/15

Johnesha H., also known as Janeesha  
H.,  
Respondent-Appellant.

- - - - -  
Helene Bernstein, Esq.,  
Attorney for the Child.

-----X

Patricia L. Moreno, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from an order of the Family Court, Bronx County, entered on or about February 27, 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 §1120 of the Family Court Act, Helene Bernstein, Esq., 44 Court Street, Suite 905, Brooklyn, NY 11201,

Telephone No. (718) 875-8705, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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 the Commitment of

Carter Lee H., also known as  
Carter L. H.,

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

- - - - -  
St. Dominic's Family Services,  
formerly known as St. Dominic's Home,  
Petitioners-Respondents,

**CONFIDENTIAL**  
M-2319  
Docket No. B-13523/16  
B-530/15

Johnesha H., also known as Janeesha  
H.,  
Respondent-Appellant.

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

-----X

Patricia L. Moreno, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from an order of the Family Court, Bronx County, entered on or about February 27, 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 §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. (212) 233-0318 , as counsel for purposes of

responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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 the Commitment of

Kyahh Latrease McK., also known as  
Kyahh L. McK., also known as  
Kyahh McK.,

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

- - - - -  
St. Dominic's Family Services,  
formerly known as St. Dominic's Home,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-2470  
Docket Nos. B-13523/16  
B-531/15

Johnesha H., also known as Janeesha  
H.,  
Respondent-Appellant.

- - - - -  
Bruce A. Young, Esq.,  
Attorney for the Child.

-----X

Jessica Brown, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from an order of the Family Court, Bronx County, entered on or about February 27, 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 §1120 of the Family Court Act, Bruce A. Young, Esq., 100 Church Street, Suite 800, New York, NY 10007,

Telephone No. (646) 775-8994, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:

  
DEPUTY 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 August 30, 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 the Commitment of

Shyleak McK.,

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

- - - - -  
St. Dominic's Family Services,  
formerly known as St. Dominic's Home,  
Petitioner-Respondent,

**CONFIDENTIAL**  
M-1995  
Docket Nos. B-13523/16  
B-532/15

Johnesha H., also known as Janeesha  
H.,  
Respondent-Appellant.

- - - - -  
Randall Carmel, Esq.,  
Attorney for the Child.

-----X

Elizabeth Posse, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from an order of the Family Court, Bronx County, entered on or about February 27, 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 §1120 of the Family Court Act, Randall Carmel, Esq., 410 Jericho Turnpike, Jericho, NY 11753, Telephone

No. (603) 313-1951, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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.

- - - - -  
Administration for Children's Services,  
et al.,  
Respondent-Respondent,

Elizabeth R.,  
Petitioner-Appellant,

Renzo H.,  
Respondent-Respondent,

Brenda P.-H.,  
Respondent-Appellant.

- - - - -  
Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Children.

**CONFIDENTIAL**  
**M-1952A**

Docket Nos. G-46395/14  
V-21152/12

-----X  
An appeal having been taken from orders of the Family Court, New York County, entered on or about February 24, 2017,

And an order of this Court having been entered on July 13, 2017 (M-1952), assigning Neal D. Futerfas, Esq., as counsel for purposes of prosecuting the aforesaid appeal on behalf of the respondent-appellant,

And this Court, by order entered June 21, 2018, having affirmed the February 25, 2017 orders (Appeal # 6945-6946),

Now, upon the Court's own motion, it is

Ordered that the designation of Neal D. Futerfas, Esq., is stricken as counsel for purposes of prosecuting the aforesaid appeal, and, pursuant to Section 722 of the County Law, Salihah R. Denman, 600 Mamaroneck Avenue, Suite 400 Harrison, New York 10528, Telephone No. (914) 215-7221, is substituted as such counsel. The poor person relief previously granted is continued.

The order of this Court entered on July 13, 2017 (M-1952) is hereby recalled and vacated.

ENTERED:

  
DEPUTY 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 August 30, 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

Orchid C., and  
Romeo L.,

**CONFIDENTIAL**  
**M-2176A**

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

Docket Nos. B-34935/14  
B-36937/15

-----  
New York Foundling Hospital,  
Petitioner-Respondent,

Tiffany C.,  
Respondent-Appellant.

-----  
Doneth Gayle, Esq.,  
Lawyers for Children,  
Attorney for the Child,  
Orchid C.,

Dominick Sarna, Esq.,  
Attorney for the Child,  
Romeo L.

-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about January 23, 2017,

And an order of this Court having been entered on June 6, 2017 (M-2176), assigning Neal D. Futerfas, Esq., as counsel for purposes of prosecuting the aforesaid appeal on behalf of the respondent-appellant,

And respondent-appellant's appeal having been perfected and calendered for the September 2018 Term,

Now, upon the Court's own motion, it is

Ordered that the designation of Neal D. Futerfas, Esq., is stricken as counsel for purposes of prosecuting the aforesaid appeal, and, pursuant to Section 722 of the County Law, Salihah R. Denman, 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528, Telephone No. (914) 215-7221, is substituted as such counsel. The poor person relief previously granted is continued.

The perfected appeal is adjourned to the January 2019 Term.

The order of this Court entered on June 6, 2017 (M-2176) is hereby recalled and vacated.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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

Juelz U.,

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

**CONFIDENTIAL**

**M-2255A**

Docket No. N-42400/16

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

Chantal Nicole C.-D.,  
Respondent-Appellant.

-----  
Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child.

-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about March 27, 2017,

And an order of this Court having been entered on June 6, 2017 (M-2255), assigning Neal D. Futerfas, Esq., as counsel for purposes of prosecuting the aforesaid appeal on behalf of the respondent-appellant,

And this Court, by order entered June 17, 2018, having affirmed the March 27, 2017 order insofar as it brought up for review the fact-finding determination, and otherwise dismissing the appeal, as moot (Appeal #6824),

Now, upon the Court's own motion, it is

Ordered that the designation of Neal D. Futerfas, Esq., is stricken as counsel for purposes of prosecuting the aforesaid appeal, and, pursuant to Section 722 of the County Law, Salihah R. Denman, 600 Mamaroneck Avenue, Suite 400 Harrison, New York 10528, Telephone No. (914) 215-7221, is substituted as such counsel. The poor person relief previously granted is continued.

The order of this Court entered on June 6, 2017 (M-2255) is hereby recalled and vacated.

ENTERED:

  
DEPUTY 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 August 30, 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

Danny C.,  
Deandre C.,  
and Shayla D.,

**CONFIDENTIAL**  
**M-2256A**

Docket Nos. NN-47254/16  
NN-47255/16  
NN-47256/16

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

- - - - -  
Commissioner of Social Services  
of the City of New York,  
Petitioner-Respondent,

Luis D.,  
Respondent-Appellant.

- - - - -  
Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child.

-----X

An appeal having been taken from an orders of the Family Court, New York County, entered on or about March 6, 2017 and April 5, 2017,

And an order of this Court having been entered on June 13, 2017 (M-2256), assigning Neal D. Futerfas, Esq., as counsel for purposes of prosecuting the aforesaid appeal on behalf of the respondent-appellant,

And respondent-appellant's appeal having been perfected and calendered for the September 2018 Term,

Now, upon the Court's own motion, it is

Ordered that the designation of Neal D. Futerfas, Esq., is stricken as counsel for purposes of prosecuting the aforesaid appeal, and, pursuant to Section 722 of the County Law, Salihah R. Denman, 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528, (914) 215-7221, is substituted as such counsel. The poor person relief previously granted is continued.

The perfected appeal is adjourned to the January 2019 Term.

The order of this Court entered on June 13, 2017 (M-2256) is hereby recalled and vacated.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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 Visitation  
Proceeding Under Article 6 of  
the Family Court Act.

- - - - -  
Doreen F.,  
Petitioner-Appellant,

**CONFIDENTIAL**  
**M-2997A**

Docket Nos. V-30249-14/16E  
V-30248-14/16E

-against-

Fabricio M.,  
Respondent-Respondent.

- - - - -  
Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Children.

-----X

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

And an order of this Court having been entered on July 25, 2017 (M-2997), assigning Neal D. Futerfas, Esq., as counsel for purposes of prosecuting the aforesaid appeal on behalf of the respondent-appellant,

And respondent-appellant's appeal having been perfected and calendered for the September 2018 Term,

Now, upon the Court's own motion, it is

Ordered that the designation of Neal D. Futerfas, Esq., is stricken as counsel for purposes of prosecuting the aforesaid appeal, and, pursuant to Section 722 of the County Law, Salihah R. Denman, 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528, Telephone No. (914) 215-7221, is substituted as such counsel. The poor person relief previously granted is continued.

The perfected appeal is adjourned to the January 2019 Term.

The order of this Court entered on July 25, 2017 (M-2997) is hereby recalled and vacated.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 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 Visitation  
Proceeding Under Article 6 of  
the Family Court Act.

- - - - -  
Tiffany P.,  
Petitioner-Appellant,

**CONFIDENTIAL**  
M-2998A  
Docket No. V-43426-10/12A

-against-

Sharon B., and Morris T.,  
Respondents-Respondents.

-----X  
An appeal having been taken from an order of the Family Court, New York County, entered on or about May 16, 2017,

And an order of this Court having been entered on July 25, 2017 (M-2998), assigning Neal D. Futerfas, Esq., as counsel for purposes of prosecuting the aforesaid appeal on behalf of the respondent-appellant,

And respondent-appellant's appeal having been perfected and calendered for the September 2018 Term,

Now, upon the Court's own motion, it is

Ordered that the designation of Neal D. Futerfas, Esq., is stricken as counsel for purposes of prosecuting the aforesaid appeal, and, pursuant to Section 722 of the County Law, Salihah R. Denman, 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528, Telephone No. (914) 215-7221, is substituted as such counsel. The poor person relief previously granted is continued.

The perfected appeal is adjourned to the January 2019 Term.

The order of this Court entered on July 25, 2017 (M-2998) is hereby recalled and vacated.

ENTERED:

  
DEPUTY 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 August 30, 2018.

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

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**

M-3150

-against-

Ind. No. 6792/93

Corey R.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about June 8, 2018, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED:

  
DEPUTY 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 August 30, 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,

**CONFIDENTIAL**

M-3151

-against-

Ind. No. 2068/16

Shykeim T.,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Fabrizio, J.), entered on or about May 18, 2018, 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 Fabrizio 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.

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

ENTERED:

  
DEPUTY 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 August 30, 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,

**CONFIDENTIAL**

M-3219

-against-

Ind. No. 6022/09

Francisco C.,  
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 (Stolz, J.), entered on or about June 5, 2018, 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 Stolz as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Justine M. Luongo, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Barbara R. Kapnick  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----x  
Keren Ben-Horin and Adar Earon,

Plaintiffs-Respondents,

-against-

M-3288  
Index No. 155256/14

Coso 120 West 105, LLC,

Defendant-Appellant.  
-----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 June 6, 2018,

And defendant-appellant having moved for a stay of a hearing on attorney's fees, pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated July 30, 2018, and due deliberation having been had thereon,

It is ordered that the motion is granted.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Barbara R. Kapnick  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern, Justices.

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

Respondent,

-against-

M-3530  
Ind. No. 1463/14

Rafael Perez,

Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about September 8, 2015, and said appeal having been perfected,

And respondent having moved for an order enlarging the record on appeal to include an undated affidavit from the Grand Jury Warden in Bronx County,

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

It is ordered that the motion is denied.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Barbara R. Kapnick  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern, Justices.

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

Respondent,

-against-

M-3880  
Ind. Nos. 4883/15

Andre Brown,

Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about April 21, 2017, and said appeal having been perfected,

And defendant-appellant having moved for an order adjourning the aforesaid perfected appeal, and directing that the appeal be heard together with the appeal of a co-defendant,

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

It is ordered that the motion is denied.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Peter Tom  
Barbara R. Kapnick  
Anil C. Singh, Justices.

-----X  
In re Carl D. Wells,  
Petitioner,

-against-

Warden Ada Pressley, et al.,  
Respondents.

M-2806  
Ind. No. 6548/06  
41/07  
O.P. 134/17

-----X

Petitioner, pro se, having moved for reargument of the decision and order of this Court, entered on March 29, 2018 (Appeal No. 6145/M-6508), and for a stay of proceedings in his criminal case pending the reconsideration of certain issues,

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:

  
DEPUTY 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 August 30, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

-----x

Wells Fargo Bank, N.A.,  
Plaintiff-Respondent,

-against-

Gumercindo Cabral, et al.,  
Defendants-Appellants,

M-2944  
Index No. 380203/13

New York City Transit Adjudication  
Bureau, et al.,  
Defendants.

-----x

Plaintiff-respondent having moved for dismissal of the appeal taken from the judgment of foreclosure of the Supreme Court, Bronx County, entered on or about May 31, 2017, for failure to timely perfect,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

-----X  
Bank of New York as Indentured Trustee,  
For the Benefit of the CWABS, Inc.,  
Asset-Backed Notes, Series 2007-Seal,  
Plaintiff-Respondent,

-against-

M-2820  
Index No. 117054/08

Farrin B. Ullah, etc.,  
Defendant-Appellant,

Board of Managers of the Columbia  
Condominium,  
Defendant-Respondent.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 7, 2018,

And defendant-appellant having moved for an appellate injunction, denominated a stay, enjoining a certain foreclosure sale, pending hearing and determination of the appeal, for civil poor person relief to prosecute said appeal, and for other relief,

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

It is ordered that the motion is denied and, sua sponte, the appeal is dismissed, and it is further,

Ordered that defendant-appellant is prohibited from bringing further proceedings in this Court against plaintiff-respondent relating to the condominium unit without prior permission of this Court.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

-----X  
In the Matter of the Application of  
Tomas Santos,  
Petitioner,

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

M-2711  
Index No. 100832/16

-against-

New York City Housing Authority,  
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 29, 2017,

And respondent having moved for dismissal of the aforesaid proceeding for failure to timely perfect,

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

It is ordered that the motion is granted and the proceeding is dismissed.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

-----x

Maureen Vetrano, et al.,  
Plaintiffs-Appellants,

-against-

The TJX Companies, Inc., et al.,  
Defendants-Respondents.

- - - - -

M-3070  
Index No. 155571/14

The TJX Companies, Inc., et al.,  
Third-Party Plaintiffs-Respondents,

-against-

USM, Inc.,  
Third-Party Defendant-Respondent.

-----x

Defendant/third-party defendant-respondent USM, Inc. having moved for dismissal of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about May 30, 2018, and for the imposition of sanctions pursuant to 22 NYCRR 130-1.1,

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

It is ordered that the motion is granted to the extent of dismissing the appeal, and otherwise denied.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

-----X  
Deidre L. Hargrove,

Plaintiff-Appellant,

-against-

Riverbay Corporation, et al.,

Defendants-Respondents.  
-----X

**M-3120**

**M-2998**

Index No. 13018/05

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 1, 2017,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal (M-2998),

And defendants-respondents having cross-moved to dismiss the aforesaid appeal (M-3120),

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 defendants-respondents' cross motion is granted and the appeal is dismissed (M-3120). Plaintiff-appellant's motion for an enlargement of time to perfect the appeal is denied as academic.

ENTERED:



DEPUTY 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 August 30, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

-----X

The Columbia Condominium, by its Board  
of Managers,  
Plaintiff-Respondent,

-against-

M-2809  
Index No. 153517/13

Farrin B. Ullah, also known as  
Entezari F. Ullah, also known as  
Entezari Ullah, also known as Farrin  
B. Ullah, also known as Fallin E.  
Ullah,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 7, 2018,

And defendant-appellant having moved for an appellate injunction, denominated a stay, enjoining a certain foreclosure sale, pending hearing and determination of the appeal, for civil poor person relief to prosecute said appeal, and for other relief,

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

It is ordered that the motion is denied and, sua sponte, the appeal is dismissed, and it is further,

Ordered that defendant-appellant is prohibited from bringing further proceedings in this Court against plaintiff-respondent relating to the condominium unit without prior permission of this Court.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

-----x

Hudson Insurance Company,  
Plaintiff-Respondent,

-against-

M-3160  
Index No. 155869/16

Kaleil Isaza Tuzman,  
Defendant-Appellant,

-and-

Robyn Smyth,  
Defendant.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the two appeals taken from two orders of the Supreme Court, New York County, both entered on or about September 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 in which to perfect the appeals, which are, sua sponte, consolidated, to the March 2019 Term. Appellant is permitted to prosecute the appeals upon 9 copies of one record and one copy of appellant's points covering the aforesaid appeals.

ENTERED:

  
DEPUTY 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 August 30, 2018.

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

-----X

Michael N. Bogle and Danisha Stephens,  
Plaintiffs-Appellants,

-against-

Jose Eugenio Paredes,  
Defendant-Respondent.

-----X

M-2739  
M-3206  
Index No. 22846/15E

Defendant-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about August 16, 2017, for failure to timely perfect (M-2739),

And plaintiff-appellant Danisha Stephens having cross-moved for an enlargement of time to perfect the aforesaid appeal (M-3206),

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 granted unless the appeal is perfected for the December 2018 Term (M-2739). The cross motion is granted to the extent of enlarging the time to perfect the appeal to the December 2018 Term, with no further enlargements to be granted (M-3206).

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

-----x  
In the Matter of a Proceeding for  
Support Under Article 4 of the  
Family Court Act.  
-----

Glenda D. C.,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-2813

Docket No. F-43837-10/16G

-against-

Wayne I. C.,  
Respondent-Appellant.  
-----x

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 7, 2017, and for assignment of counsel, a free copy of the transcript, an enlargement of time 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, to the extent it seeks poor person relief and the assignment of counsel, is denied. That branch the motion which seeks an enlargement of time to perfect the appeal is granted to the extent of enlarging the time to perfect the appeal to the December 2018 Term, with no further enlargements to be granted.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

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

Respondent,

-against-

M-3075  
SCID No. 30068/18

Kirk Watson,

Defendant-Appellant.  
-----x

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County, entered on or about April 25, 2018, for leave to have the appeal on the original record and upon a reproduced appellant's brief, for the assignment of 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.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Richard T. Andrias, Justices.

-----x  
In the Matter of

Zachary Thomas T., and  
Mason Thomas T.,

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

**CONFIDENTIAL**  
M-779  
Docket Nos. NN-3112/17  
NN-3113/17

- - - - -  
New York City Administration for  
Children's Services,  
Petitioners-Respondents,

Patricia T.,  
Respondent-Appellant.

- - - - -  
Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Children.

-----x

An order of this Court having been entered on September 26, 2017 (M-3918), granting respondent-appellant leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about June 27, 2017, and assigning Lewis S. Calderon, Esq., as counsel to prosecute the appeal,

And assigned counsel having moved for an order to be relieved as assigned counsel in connection with 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, and Lewis A. Calderon, Esq., is relieved as counsel for respondent-appellant. Sua sponte, the appeal is dismissed as academic, without prejudice to any appeals from future orders.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

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

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

Respondent,  
-against-

**M-2759**  
Ind. No. 164/13

Keith Hall,

Defendant-Appellant.  
-----X

A decision and order of this Court having been entered on June 22, 2017 (Appeal No. 4353), unanimously modifying a judgment of the Supreme Court, New York County (Robert Stoltz, J.), rendered on February 19, 2014,

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

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

It is ordered that said application is denied.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Peter Tom  
Richard T. Andrias  
Troy K. Webber  
Marcy L. Kahn, Justices.

-----X  
In re Andrew Sinzheimer, et al.,

Petitioners-Appellants,

-against-

Bank of America, N.A.,

Respondent-Respondent.  
-----X

**CONFIDENTIAL**

M-2819

File No. 1418/15

Petitioners-appellants having moved for reargument of the decision and order of this Court, entered on May 1, 2018 (Appeal Nos. 6414-6415),

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:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern  
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-2172A  
Ind. Nos. 3884/14  
438/15

Saif Reid,  
Defendant-Appellant.

-----X

An order of this Court having been entered on April 25, 2017 (M-594) substituting the Office of the Appellate Defender, as counsel to prosecute the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 15, 2015; and a motion having been made to relieve said 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 granted to the extent of striking the designation of assigned counsel The Office of the Appellate Defender to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later. (See M-2172B, decided simultaneously herewith.) The order of this Court entered on July 26, 2018 (M-2172) is hereby recalled and vacated.)

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Troy K. Webber  
Marcy L. Kahn  
Cynthia S. Kern  
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-2172B  
Ind. Nos. 5219/13

Saif Reid,  
Defendant-Appellant.

-----X

An order of this Court having been entered on April 25, 2017 (M-595) substituting the Office of the Appellate Defender, as counsel to prosecute the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 15, 2015; and a motion having been made to relieve said 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 granted to the extent of striking the designation of assigned counsel The Office of the Appellate Defender to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8214, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later. (See M-2172A, decided simultaneously herewith.) The order of this Court entered on July 26, 2018 (M-2172) is hereby recalled and vacated.)

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present: Hon. Rosalyn H. Richter, Justice Presiding,  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----X

Jose Marin, et al.,  
Plaintiffs,

-against-

**M-3126**

Constitutional Realty, LLC, et al., Index No. 111531/07  
Defendants.

- - - - -

Sheryl Menkes, Esq.,  
Nonparty Appellant,

-against-

David B. Golomb, Esq.,  
Nonparty,

Barbara Manheimer, etc.,  
Nonparty Respondent.

-----X

Nonparty appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on May 15, 2018 (Appeal No. 6576N),

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:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Ellen Gesmer  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Pedro Bautista,  
Plaintiff-Respondent-Appellant/  
Respondent,

-against-

Archdiocese of New York, etc., et al., M-2969  
Defendants-Appellants-Respondents. Index No. 23394/14  
- - - - -  
Archdiocese of New York, etc., et al.,  
Third-Party Plaintiffs-Appellants,

-against-

Hughes & Hughes Contracting Corp.,  
et al.,  
Third-Party Defendants.

-----X

Plaintiff-respondent-appellant/respondent, Pedro Bautista, having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on May 3, 2018 (Appeal Nos. 6446-6448),

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

It is ordered that the motion, to the extent it seeks reargument is granted and, upon reargument, the decision and order of this Court, entered on May 3 2018 (Appeal Nos. 6446-6448), is recalled and vacated and a new decision and order



substituted therefor. (See Appeal Nos. 6446-6448, decided simultaneously herewith.) The motion, to the extent it seeks leave to appeal to the Court of Appeals, is denied, as moot.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x  
Barbara Quigley,  
Plaintiff-Appellant,

-against-

M-3344  
Index No. 154474/14

Nederlander Organization, Inc.,  
doing business as The Lunt-Fontanne  
Theater, et al.,  
Defendants-Respondents.

-----  
[And another action]  
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about September 26, 2017,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from counsel for plaintiff-appellant dated July 6, 2018, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-3146  
SCI No. 552/17

Darius Moore,  
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 May 18, 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 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.

Christina Swarns, 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.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justice.

-----X

The People of the State of New York,  
Respondent,

-against-

M-3211  
Ind. No. 1451/17

Feliks Kayumov,  
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 January 12, 2018, 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 motion papers as 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.

Justine M. Luongo, Esq., The Legal Aid Society, 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 to the March 2019 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-  
  
Bernardita Fermin,  
  
Defendant-Appellant.  
-----X

M-3161  
Ind. No. 3555/13

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 3, 2014,

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

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

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

Glen Bolofsky, etc., et al.,  
Petitioners-Appellants,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-3183  
Index No. 100655/14

City of New York Department of  
Finance Parking Violations Bureau,  
Respondent-Respondent.

-----X

Petitioners-appellants 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 July 19, 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 January 2019 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-

M-3205  
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 granted to the extent of enlarging the time to perfect the appeal to the December 2018 Term.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Residential Committee of the Board  
of Managers of 200 Riverside  
Boulevard at Trump Place Condominium,  
on its own Behalf and on Behalf of  
the Board of Managers,

**SEALED**

**M-3262**

Index No. 650080/18

Plaintiff-Respondent,

-against-

DJT Holdings LLC,

Defendant-Appellant.  
-----X

Plaintiff-respondent having moved to dismiss defendant's appeal taken from the order of the Supreme Court, New York County, entered on or about May 15, 2018,

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 dismiss the appeal is granted unless the appeal is perfected for the December 2018 Term.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Kathryn Casey, et al.,  
Plaintiffs-Respondents,

-against-

M-3273  
Index No. 111723/11

Pamela Renna, Vittina Degrezia,  
also known as Vitina Luppino,  
Intervenor-Plaintiffs-Respondents,

-against-

Whitehouse Estates, Inc., Koepfel &  
Koepfel, Inc., Duell 5 Management  
LLC, doing business as Duell  
Management Systems, William W.  
Koepfel and Eastgate Whitehouse  
Estates, LLC,  
Defendants-Appellants.

-----X  
Whitehouse Estates, Inc., Eastgate  
Whitehouse LLC and William W. Koepfel,  
Third-Party Plaintiffs-Respondents,

Third-Party  
Index No. 595472/17

-against-

Roberta L. Koepfel, et al.,  
Third-Party Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 28, 2017,

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

It is ordered that motion is granted to the extent of enlarging defendant's time to perfect the appeal to the December 2018 Term.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Jane Doe, a fictitious name for an infant, by her father, and natural guardian Darren Johnson, and Darren Johnson, individually, and April Johnson,  
Plaintiffs-Respondents,

-against-

**M-3278**  
Index No. 306670/14

The Bronx Preparatory Charter School,  
Defendant-Appellant,

-and-

Democracy Prep Public Schools,  
Defendant.

-----X

Defendant-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 September 6, 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 December 2018 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
In the Matter of

Puah B.,  
Asa B.,  
Jehoshapha B.,  
David B., and  
Josiah B.,

**CONFIDENTIAL**

M-3281

Docket Nos. NN-13790/16  
NN-6984/16  
NN-6983/16  
NN-6982/16  
NN-6981/16

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

- - - - -

Administration for Children's Services,  
Petitioner-Respondent,

Autumn B.,  
Respondent-Appellant,

Hemerd B.,  
Respondent.

- - - - -

Dawne A. Mitchell, Esq., The Legal Aid  
Society, Juvenile Rights Division,  
Attorney for the Children.

-----X

Respondent-appellant mother having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court of the State of New York, Bronx County, entered on or about July 13, 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 in which to perfect the appeal to the December 2018 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X

National Union Fire Insurance Company of Pittsburgh, PA. and Illinois National Insurance Company,

Plaintiffs-Respondents-Appellants,

**M-3340**

Index No. 653575/14

-against-

The Roman Catholic Diocese of Brooklyn, et al.,  
Defendants-Appellants-Respondents,

City of New York, etc., et al.,  
Defendants.

-----X

Defendants-appellants-respondents having moved for an enlargement of time to perfect the direct appeal and plaintiffs-respondents-appellants' cross appeal taken from an order of the Supreme Court, New York County, entered on or about May 25, 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 and cross appeal to the December 2018 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x  
Francis Carling,

Plaintiff-Respondent,

-against-

M-3358  
Index No. 651203/13

Kristan Peters,

Defendant-Appellant.  
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the final judgment of the Supreme Court, New York County, entered on or about September 8, 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 January 2019 Term.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x

Michael Park, et al.,

Plaintiffs-Appellants,

-against-

M-3390  
Index No. 651048/17

Newbank, et al.,

Defendants-Respondents.

-----x

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

And plaintiffs-appellants having moved for an order deeming their appeal timely perfected,

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 plaintiffs perfecting their appeal for the December 2018 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x  
Andrea Schrager,

Plaintiff-Appellant,

-against-

Brad Schrager,

Defendant-Respondent.  
-----x

**CONFIDENTIAL**

M-3395

Index No. 304056/16

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

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x  
In the Matter of

Messiah G.,

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

**CONFIDENTIAL**

M-3430

Docket No. B-37421/16

- - - - -  
Catholic Guardian Services,  
Petitioner-Respondent,

Giselle F.,  
Respondent-Appellant.

- - - - -  
Dawne A. Mitchell, Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney for the Child.

-----x

Respondent-appellant having moved for an enlargement of time to perfect the appeal from two orders of the Family Court, New York County, entered on or about August 31, 2017 and September 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 granted to the extent of enlarging the time to perfect the appeal to the December 2018 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Richard Wolodin and Crystal Wolodin,  
Plaintiffs-Respondents,

-against-

M-2845  
Index No. 154020/12

Lehr Construction Corp. and  
450 Partners, LLC,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about September 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 January 2019 Term.

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X

In the Matter of the Application of  
556 Driggs Avenue, LLC,  
Petitioner,

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

M-3378  
Index No. 159157/16

-against-

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

-----X

An Article 78 proceeding to review a determination of respondents 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 25, 2017,

And petitioner-appellant having moved for a further enlargement of time to perfect the proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the January 2019 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-

Richard Diaz,  
Defendant-Respondent,

Seneca Insurance Company, Inc.,  
JCP Bail Bonds also doing business  
as AAA Bail Bonds, Inc., Surety,  
Petitioner-Appellant.

M-3383  
Index No. 260376/16  
Ind. No. 5349/12

-----X  
Petitioner-appellant Surety having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about November 2, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Saxon Mortgage Services, Inc.,  
Plaintiff-Respondent,

-against-

M-3392  
Index No. 381157/07

Abigail Ajala,  
Defendant-Appellant,

-and-

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

-----X

Defendant-appellant having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about April 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 January 2019 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Getty Properties Corp., Power  
Test Realty Company Limited  
Partnership and Leemilt's  
Petroleum, Inc.,  
Plaintiffs-Respondents,

-against-

M-3459  
Index No. 151772/16

Lukoil Americas Corporation,  
et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about August 16, 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 January 2019 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Marc A. Stephens, an individual, Doreway  
Transportation Services, LLC,  
Plaintiffs-Appellants,

-against-

M-3544  
Index. No. 303056/13

Evan Dore, etc., et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about February 3, 2016, and from an order of the same Court and Justice, entered on or about July 5, 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 January 2019 Term.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-3027  
Ind. No. 3481N/17

Anthony Bautista,

Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about February 27, 2018,

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

It is ordered that the motion is denied, as unnecessary, in light of fact that defendant's appeal, noticed on February 27, 2018, is currently required to be perfected for the February 2019 Term, pursuant to First Department Rule 600.11[a][3].

ENTERED:

  
\_\_\_\_\_  
DEPUTY 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 August 30, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Barbara R. Kapnick  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern, Justices.

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

-----  
Francois B.,  
Petitioner-Respondent,

-against-

**CONFIDENTIAL**

M-3759

Faroumata H. L., also known as  
Haidatia L., also known as Aida L.,  
also known as Haidara L.,  
Respondent-Appellant,

Docket Nos. V-20747-17/17A  
V-31612-17/17A

Jules Andre B.,  
Subject Child-Appellant.

-----  
Leslie S. Lowenstein, Esq.,  
Attorney for the Child.

-----x  
An order of this Court having been entered on May 29, 2018 (M-1333), inter alia, granting respondent-appellant leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about January 12, 2018, and assigning Steven N. Feinman, Esq., as counsel to prosecute the appeal;

And Steven N. Feinman, Esq., having moved to be relieved as counsel for respondent-appellant and to substitute other counsel to prosecute 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, the designation of assigned counsel Steven N. Feinman, Esq., is stricken and, pursuant to Section 722 of the County Law, Larry S. Bachner, P.C., c/o Backner & Associates, P.C., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. (917) 674-9516, is substituted as such counsel to prosecute the appeal. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTERED:

  
DEPUTY 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 August 30, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Barbara R. Kapnick  
Marcy L. Kahn  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----x  
21<sup>st</sup> Century Diamond, LLC,  
Plaintiff,

-against-

Allfield Trading, LLC, et al.,  
Defendants.

- - - - -  
Allfield Trading, LLC, et al.,  
Third-Party Plaintiffs-Respondents,

M-3963  
Index No. 650331/09

-against-

Exelco North America, Inc., et al.,  
Third-Party Defendants-Appellants,

Doe Corporations 1-100, et al.,  
Third-Party Defendants.

- - - - -  
Sterling Jewelers, Inc.,  
Non-Party Appellant.

-----x

Defendant/third-party plaintiffs-respondents having moved for a stay of trial herein pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about August 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 denied, and the interim relief granted by an order of a Justice of this Court, dated August 8, 2018, is vacated.

ENTERED:

  
DEPUTY CLERK

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

M-2411  
Ind. No. 2475/14

Respondent,  
-against-

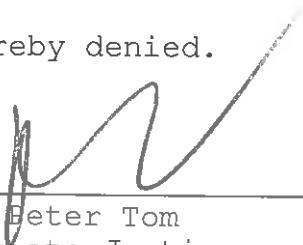
CERTIFICATE  
DENYING LEAVE

Kyle McBride,

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, New York County, entered on or about June 29, 2017 is hereby denied.

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

Dated: July 10, 2018  
New York, New York

**ENTERED**

AUG 30 2018