

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X
In the Matter of a Child Abuse
Proceeding

Administration for Children's
Services - NYC,
Petitioner,

CONFIDENTIAL

M-5447

Docket No. NA-10656-7/18

-against-

Efrain M.,
Respondent.

-----X

Respondent having moved for leave to appeal an order of the Family Court, New York County, entered on or about October 26, 2018, and for a stay of said order pending 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 for leave to appeal is denied. That branch of the motion seeking a stay pending appeal is denied, as moot.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Marcy L. Kahn
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Virginia M. Henneberry,

Plaintiff-Appellant,

-against-

M-5175

Index No. 600357/10

Leon Baer Borstein, 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 August 24, 2018, and said appeal having been perfected,

And plaintiff-appellant having moved for a stay of the order pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rosalyn H. Richter
 Peter Tom
 Cynthia S. Kern
 Anil C. Singh, Justices.

-----x

The People of the State of New York
ex rel. Toni Messina, Esq., on behalf
of Carl Wells,
 Petitioner-Appellant,

-against-

Warden, Anna M. Kross Correctional
Center, etc.,
 Respondent-Respondent.

-----x

M-6058
Index No. 101551/18
Ind. Nos. 41/07
6548/06

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 26, 2018, which denied his application for a writ of habeas corpus,

And petitioner-appellant having moved to be released on his own recognizance, pending hearing and 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 denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x
Estate of Margaret Kainer, and the following individuals as heirs of Margaret Kainer: Kurt Beck also known as Curt Beck as Executor of the Estate of Ann Beck, Janet Corden as Executor of the Estate of Gerald Corden, Martin Corden as Executor of the Estate of Gerald Corden, Simon Corden as Executor of the Estate of Gerald Corden, Warner Max Corden, Firelei Magali Cortes Gruenberg, Matilde Labbe Gruenberg, Hernan Labbe Gruenberg, Peter Littman, Hernan Renato Cortes Ramos and Equity Trustees Limited as M-5918
Executor of the Estate of Elli Alter, Index No. 650026/13
Plaintiffs-Appellants,

-against-

UBS AG, a Swiss corporation, UBS Global Asset Management (Americas), Norbert Stiftung formerly known as Norbert Levy Stiftung, a purported Swiss foundation, Edgar Kircher and Christie's Inc.,
Defendants-Respondents,

-and-

John Does 1-X, including a possessor of a painting entitled *Danseuses* by Edgar Degas, circa 1896,
Defendants.

-----x
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 31, 2017, and said appeal having been perfected,

And defendants-respondents having moved for leave to supplement the record on appeal to include the transcript of a hearing held on October 16, 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 that defendants are granted leave to file a supplemental record, containing the hearing transcript dated October 16, 2014, if so advised, at their own expense, and it is further,

Ordered, sua sponte, that the time in which to perfect the appeal is enlarged to the April 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Rosalyn H. Richter
 Peter Tom
 Cynthia S. Kern
 Anil C. Singh, Justices.

-----X
In the Matter of the Application of
NYC Health and Hospitals,
 Petitioner-Appellant,

For a Judgment and Order Pursuant to
Article 78 of the CPLR,

M-6138
Index No. 152144/17

-against-

Organization of Staff Analysts, The
New York City Office of Collective
Bargaining, et al.,
 Respondents-Respondents.

-----X

An appeal having been taken to this Court by the above-named petitioner from the judgment of the Supreme Court, New York County, entered on or about November 20, 2017,

And the New York City Municipal Labor Committee having moved for leave to file a brief amicus curiae 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 the six copies of the proposed amicus curiae brief submitted with the moving papers are deemed filed.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

-----X

In Re: New York City Asbestos
Litigation

M-5341

M-5404

Index Nos. 782000/17
40000/88

This Document relates to
All Cases

-----X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on March 22, 2018 (Appeal Nos. 6079-80),

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

It is ordered that the motions are denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Ellen Gesmer, Justices.

-----X

Damary Guzman,

Plaintiff-Respondent,

-against-

M-5206

Index No. 308820/08

Promesa Administrative Services
Organization, Inc., et al.,

Defendants-Appellants.

-----X

Plaintiff-respondent 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 September 20, 2018 (Appeal Nos. 7053-54),

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 all respects.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Angela M. Mazzarelli
Marcy L. Kahn, Justices.

-----x

The People of the State of New York
ex rel. Anne Dean, Esq., on behalf of
Weldon Faulk,
Petitioner-Appellant,

-against-

Cynthia Brann, Commissioner, New York
City Department of Corrections, et al.,
Respondents-Respondents.

CONFIDENTIAL

M-5047

Index No. 250157/18

Ind. No. 609/16

-----x

An appeal having been taken to this Court by petitioner from the order of the Supreme Court, Bronx County, entered on or about July 24, 2018, which denied and dismissed petitioner's application for a writ of habeas corpus,

And petitioner-appellant having moved to be released on his own recognizance pending hearing and determination of the appeal, for expedited hearing of the appeal, and for poor person relief and assignment of counsel,

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

It is ordered that the motion is granted to the extent of continuing the interim relief granted by the order of a Justice of this Court, dated October 5, 2018, which, inter alia, fixed bail in the sum of \$1,000 credit card or \$1,000 cash, and it is further,

Ordered that poor person relief is granted to the extent of directing that the appeal 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 Attorney General of the State of New York and files an original, five hard copies and,

and if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

Pursuant to Section 25 of the Judiciary Law, Anne Dean, Esq., The Bronx Defenders, 360 East 161st Street, Bronx, NY 10451, Telephone No. 718-838-7878, is assigned as counsel for appellant for purposes of the appeal. Counsel is directed to perfect the appeal on or before February 19, 2019, for the May 2019 Term. The appeal is to be maintained on the calendar for said May 2019 Term, if so perfected.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x
B & H Florida Notes LLC,
Plaintiff-Respondent,

-against-

Alexander Ashkenazi,
Defendant-Respondent,

M-5444
Index No. 850263/13

Amit Louzon,
Defendant-Appellant,

"John Doe No. 1" to "Jane Doe No. 10", inclusive, the last ten names being fictitious and/or unknown to plaintiff, the persons or parties intended being the persons or entities, if any, having or claiming an interest in or lien upon the premises described in the complaint, Defendants.

-----x
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 6, 2018, and said appeal having been perfected,

And plaintiff-respondent having moved for an order dismissing the appeal or, in the alternative, striking defendant-appellant's appendix on appeal, adjourning the time to file a respondent's brief and awarding sanctions and costs against defendant-appellant,

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 appendix on appeal and adjourning the perfected appeal to the April 2019 Term. Defendant-appellant is directed to file a new appendix containing only those exhibits that were submitted to the motion court related to the order entered on or about March 6, 2018. Plaintiff-respondent is granted leave to file a supplemental appendix, containing the oral argument transcript of the proceeding held on February 27, 2018, if so advised, at its own expense. The motion is otherwise denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5708
Ind. No. 3140/14

David Brown,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 16, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated November 9, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5709
Ind. No. 842/16

Richard Porter,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 14, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated November 7, 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

-----X

Paulino Urena,

Plaintiff-Respondent,

-against-

185-189 Audubon LLC, et al.,

Defendants-Appellants.

-----X

M-5720

Index No. 308720/12

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 29, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated November 5, 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

-----X
Anne Jane Cullen,
Plaintiff-Respondent,

-against-

PWV Acquisition LLC, et al.,
Defendants-Appellants,

M-5729
Index No. 450299/16

-and-

Yorkshire & Lexington Towers, Inc.,
et al.,
Defendants,

-and-

Nouveau Elevator Industries, Inc.,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 14, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated October 19, 2018, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

-----X
Massachusetts Bay Transportation
Authority Retirement Fund, et al.,
 Plaintiffs-Respondents,

-and-

Fletcher International, Ltd.,
 Plaintiff,

-against-

M-5731
Index No. 651446/15

Citco Fund Services (Cayman Islands)
Ltd., et al.,
 Defendants-Appellants,

-and-

Citco Fund Services (Suisse), S.A.,
et al.,
 Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 22, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated November 6, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-4887

Ind. No. 2128N/17

Servisio Simmon,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about August 28, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5059
Ind. No. 3035/17

Bulfrano Navarro,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about March 22, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5060
Ind. Nos. 980/16
4347/17

Narada Matthews,

Defendant-Appellant.
-----X

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

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and file an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

CORRECTED ORDER - January 2, 2019

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,
-against-

SEALED
M-5065
Ind. No. 2581/16

Arjun T.,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 24, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

CORRECTED ORDER - January 2, 2019

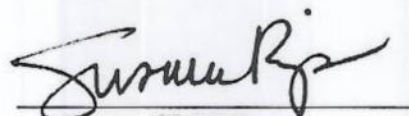
(M-5065)

-2-

December 27, 2018

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5087
Ind. No. 399/18

Jaime Padilla,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 16, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5210
Ind. No. 280/17

Alberto Pena,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 6, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5211
Ind. No. 826/18

Daniel Ayala,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 19, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5284
Ind. No. 4136/17

Archie Johnson,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 19, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

Cristian Dilon,

Defendant-Appellant.
-----X

M-5299

Ind. Nos. 3230/17
2468/18
2209C/18
1848C/18

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 6, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5301
Ind. No. 3593/17

Shaheem Eweka,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 12, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5303

Ind. No. 3525/16

Joshua Brown,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 26, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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-5304

-against-

Ind. No. 57/06

Eddy Momplaisir,
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 (Farber, J.), entered on or about October 16, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The Clerk of the Supreme Court shall expeditiously make 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 Farber 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 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5318
Ind. No. 330/17

Danny Ponder,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 22, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

-against-

M-5449
Ind. No.3957/16

Michael McKenzie,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about March 15, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

-against-

M-5450
Ind. No. 226/18

Ceasare George,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about March 13, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

-against-

M-5451
Ind. Nos. 3490/17
1112/18

Juan Gomez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about March 15, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

-against-

M-5459
Ind. No. 125/18

Franklyn Marti,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about March 21, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

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

Respondent,

-against-

M-5567

Ind. No. 2017/16

Rahim Ali,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 25, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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.

Tatyana G.,
Petitioner-Respondent,

CONFIDENTIAL

M-4303

Docket No. O-00486/15

-against-

Keith C.,
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 August 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 the certification of Shahabuddeen A. Ally, Esq., dated August 6, 2018, 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 therefor¹ **within 30 days (FCA**

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

121[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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.****

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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.

Raquelina V.,
Petitioner-Appellant,

CONFIDENTIAL

M-4328

Docket No. O-04701/18

-against-

Cristian J.,
Respondent-Respondent.

-----X

Petitioner-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 July 9, 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 the certification of Adam Joseph Brown, Esq., dated July 9, 2018, 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 therefor¹ **within 30 days (FCA**

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

121[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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.****

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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.

- - - - -
Douglas W.,
Petitioner-Appellant,

CONFIDENTIAL

M-4864
Docket Nos. V-32295-15/17D

-against-

Yuanning W.,
Respondent-Respondent.

- - - - -
Dawne A. Mitchell, Esq.,
Attorney for the Children.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, an appeal taken from an order of the Family Court, New York County, entered on or about June 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 the certification of Seth M. Kaufman, Esq., dated July 5, 2018, 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, New York 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting petitioner-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) petitioner-appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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 and/or Visitation Under
Article 6 of the Family Court Act.

Catherine L.,
Petitioner-Appellant,

-against-

Jeffrey S.,
Respondent-Respondent.
-----X

CONFIDENTIAL

M-5029

Docket Nos. V-14178-11/17D

V-14178-11/17F

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 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 the certification of Paul W. Matthews, Esq., dated October 6, 2018, 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, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. 603-313-1951, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of 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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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

Jeycol Radiel M.-C.,
Crisledi A. M., and
Carol C. M.-C.,

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

CONFIDENTIAL

M-5039
Docket Nos. NN-4353-55/17

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

Antonio M.,
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, Bronx County, entered on or about July 11, 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 the certification of Annie Cerney, Esq. on behalf of David Shalleck-Klein, Esq., The Bronx Defenders, dated August 27, 2018, 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, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. 603-313-1951, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of 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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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

Liza F., and
Andy F.,

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

CONFIDENTIAL

M-5079

Docket Nos. NN-2116-17

NN-2115-17

Administration for Children's Services,
Petitioner-Respondent,

-against-

Bon F.,
Respondent-Appellant.

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

-----X
Respondent-appellant father, having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, New York County, entered on or about March 16, 2018 and April 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 the certification of Allegra Leitner, Esq., dated August 21, 2018, 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, Randall Carmel, Esq., 410 Jericho

Turnpike, Suite 302, Jericho, New York, 11753, Telephone No. 603-313-1951, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of 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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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 and/or Visitation Under
Article 6 of the Family Court Act.

Anthony J.,
Petitioner-Appellant,

-against-

CONFIDENTIAL
M-5080
Docket Nos. V-00170-18/18A
V-31947/17

Bayyinah G.,
Respondent-Respondent.
-----X

Petitioner-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 August 14, 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 the certification of Michael F. Dailey7, Esq., dated August 19, 2018, and due deliberation having been had thereon, it is

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

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of 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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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

Raheem I. T.,

CONFIDENTIAL

M-5083

A Person Alleged to Be a Juvenile
Delinquent,

Docket No. D-7668/18

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute the appeal taken from an order of the Family Court, New York County, entered on or about September 5, 2018, as a poor person, for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Shahabuddeen A. Ally, Esq., dated September 7, 2018, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 N. Broadway, Suite 410, Jericho, NY 11753, Telephone No. 516-942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the State of New York from funds available therefor;¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;**

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

(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) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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.

Matthew V.,
Petitioner-Respondent,

CONFIDENTIAL

M-5085

Docket Nos. V-35998/16
N-40122/16

-against-

Quintessa C.,
Respondent-Appellant,

-and-

Administration for Children's Services,
Respondent-Respondent.

-----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 August 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 the certification of Anna Arons, Esq., dated September 5, 2018, 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, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. 603-313-1951, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of 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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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 and/or Visitation Under Article 6 of the Family Court Act.

- - - - -

Christina T.,
Petitioner-Appellant,

CONFIDENTIAL

M-5034

Docket Nos. V-02516-15/17D
V-02088-15/17E

-against-

Thomas C. T.,
Respondent-Respondent.

-----X

Respondent-respondent 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 August 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 the certification of Joseph V. Moliterno, Esq., dated August 29, 2018, 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, Suite 302, 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 each party to the appeal and an original, five hard copies and, if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR 1250.9.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 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 and/or Visitation Under Article 6 of the Family Court Act.

Christina T.,
Petitioner-Appellant,

CONFIDENTIAL

M-5081

Docket Nos. V-02516-15/17D

-against-

V-02088-15/17E

Thomas C. T.,
Respondent-Respondent.

-----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 August 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 the certification of Michael F. Dailey, Esq., dated August 19, 2018, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of 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 Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

-----X

In re Jacqueline Bethea,

Petitioner,

-against-

M-5416

Index No. 401055/14

Sheila J. Poole, etc.,

Respondent.

-----X

Petitioner 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 13, 2017 (Appeal No. 3716),

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Jeffrey K. Oing, Justices.

-----X
Starr Russia Investments III B.V.,
Plaintiff-Respondent,

-against-

Deloitte Touche Tohmatsu Limited,
Deloitte LLP, Deloitte CIS Limited,
Deloitte CIS Holdings Limited
and Zao Deloitte & Touche CIS,
Defendants-Appellants.

M-5363
M-5365
M-5367
Index No. 652251/17

-----X

Separate appeals having been taken from orders of the Supreme Court, New York County, entered on or about May 24, 2018 and July 2, 2018,

And defendants-appellants having separately moved for a stay of discovery proceedings pending hearing and determination of the appeal,

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

It is ordered that the motions are granted. The Clerk of the Court is directed to maintain the appeals on the January 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

-----x

Mutual Benefits Offshore Fund, Ltd.,
Plaintiff-Respondent,

-against-

M-5915

Mark Zeltser, Emanuel Zelster and
Interel Corporation, et al.,
Defendants-Appellants,

Index No. 650438/09

Joseph Kay,
Defendant,

Kayley Investments, Ltd.,
Non-Party Appellant.

-----x

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about January 18, 2018 and March 28, 2018,

And defendants-appellants Mark Zeltser and Interel Corporation, and non-party Kayley Investments, Ltd. having perfected their consolidated appeals from the aforesaid orders for the January 2019 Term of this Court,

And defendants-appellants Emanuel Zeltser, Sternik & Zeltser and M.E. Seltser, P.C., (collectively the Zeltser defendants) having moved, inter alia, for an order vacating the dismissal, due to their failure to timely perfect, of their appeal from the order entered on or about January 18, 2018, and accepting the filing of their brief, and scheduling the hearing of the consolidated appeals for an appropriate term,

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

It is ordered that the motion is granted to the extent of vacating the dismissal of the Zeltser defendants' appeal from the order entered on or about January 18, 2018 and enlarging the time to perfect same to the April 2019 Term. Sua Sponte, the perfected appeals of defendants-appellants Mark Zeltser and Interel Corporation, and non-party Kayley Investments, Ltd. are adjourned to the April 2019 Term. If the Zeltser defendants so perfect, the Clerk is directed to calendar the appeals to be heard on the same day.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Cynthia S. Kern, Justices.

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

-against-

M-5286
Ind. No. 1926/16

Antonio Johnson,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about 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 granted to the extent of deeming the notice of appeal timely filed.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X
In the Matter of

Gisele Helen G., also known as
Gisele G.,
Dionne Ariel G., also known as
Dionne G.,
Diavonni Daishaya G., also known as
Diavonni G., also known as
Diavonne G., and
Charisma Viva D., also known as
Charisma D.,

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

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

Vanessa G.,
Respondent-Appellant.

- - - - -
Liza Camellerie, Esq.,
Attorney for the Child Gisele G.,

Philip Katz, Esq.,
Attorney for the Child Dionne G.,

Nicole Riordan, Esq.,
Attorney for the Child Diavonni G.,

Yusuf El Ashmawy, Esq.,
Attorney for the Child Charisma D.

-----X

CONFIDENTIAL

M-5374

Docket Nos. B-30392/16
B-30393/16
B-30394/16
B-30391/16

An appeal having been taken from an order of the Family Court, New York County, entered on or about September 11, 2017,

And respondent-appellant having moved for an enlargement of time to perfect the aforesaid appeal,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----x

Mary Doyle,
Plaintiff-Respondent,

-against-

M-6063
Index No. 20242/13

Temco Service Industries, Inc., City of
New York, New York City Department of
Education and New York City Board of
Education,
Defendants-Appellants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about December 21, 2017,

And defendants-appellants having moved for an order (1) enlarging the record on appeal to include the order of the same court entered on or about July 30, 2018, which denied their motion to renew, and the papers submitted in connection therewith or, in the alternative, taking judicial notice of the order and motion papers; and (2) enlarging the time to perfect their appeal to the April 2019 Term,

Now, upon reading and filing the papers with respect to the motion, and the correspondence, dated December 11, 2011, from the counsel for defendants-appellants, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of directing defendants-appellants to file a supplemental record, including the July 30, 2018 order denying defendants' motion to renew and the underlying motion papers, within ten days of the date of entry of this order (CPLR 5517[b]), and

It is further ordered, sua sponte, that the perfected appeal is adjourned to the April 2019 Term, and plaintiff-respondent is directed to file a respondent's brief on or before February 27, 2019 for that Term. The branch of the motion seeking an enlargement of time to perfect the appeal is deemed withdrawn, as academic, pursuant to the correspondence from defendant's counsel dated December 11, 2018.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

-----X
Li Xian and Zongying Ren also known
as Lily Ren,
Plaintiffs-Respondents,

-against-

M-5633
Index No. 304347/09

Tat Lee Supplies Co., Inc.,
Defendant-Appellant,

-and-

Lorimer Development, LLC., and
Eighth Ave. Builders Corp.,
Defendants.

-----X

Defendant-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about June 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 granted. The Clerk of the Court is directed to maintain the appeal on the calendar for the February 2019 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 27, 2018.

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

-----X
Probate Proceeding, Will of

Sydney H. Fields,

Deceased.

Richard Fields,
Objectant-Appellant,

SURROGATE'S COURT

M-5489

File No. 2016-111

-against-

Diana Palmeri,
Respondent-Respondent.

-----X

An appeal having been taken by objectant-appellant Richard J. Fields from an order of the Surrogates Court, New York County, entered on or about March 26, 2018,

And an order of this Court having been entered on September 25, 2018 (M-3860/M-4076), granting petitioner's cross motion to dismiss the appeal (M-3860) and denying objectant-appellant's motion to reverse the decree and to stay the petitioner from liquidating the estate assets (M-4076),

And objectant-appellant having moved to restore the appeal,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

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

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

-----X

Yitzhak Aron Pastreich, et al,

Plaintiffs-Appellants,

-against-

Mark Pastreich, et al,

Defendants-Respondents.

M-5736
Index No. 654759/17

CERTIFICATE DENYING
LEAVE

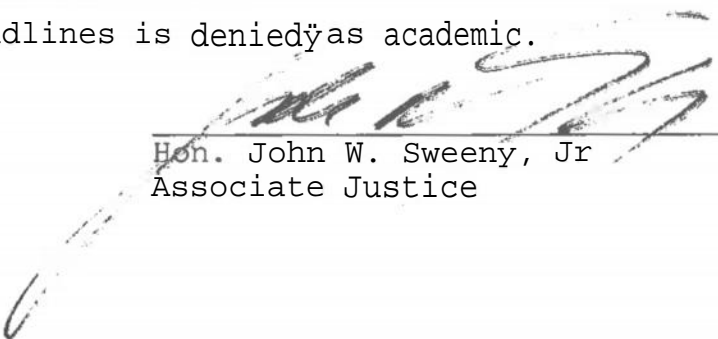
-----X

Plaintiffs having moved pursuant to CPLR § 5701(c) for leave to appeal to this Court from the order of the Supreme Court, New York County, (Barry Ostrager, J.), entered on or about November 17, 2018, and requesting an order granting an extension of all discovery and trial deadlines,

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 accordingly, the interim stay is vacated.

That branch of plaintiff's application for an extension of all discovery and trial deadlines is denied as academic.



Hon. John W. Sweeny, Jr
Associate Justice

Dated: November 30, 2018
New York, New York

Entered: **DEC 27 2018**

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

BEFORE: Hon. Jeffrey K. Oing
Justice of the Appellate Division

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

Respondent,

-against-

M-5612

Ind. No. 1529/2008

Devon Miller

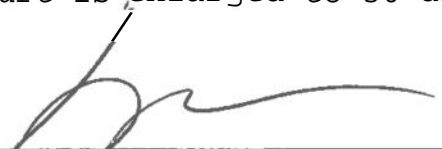
Defendant-Appellant.
----- X

Defendant having moved for an enlargement of time in which to seek a certificate granting leave to appeal to the Appellate Division pursuant to CPL 460.15 and CPL 450.15 subd. 2 with respect to the order of the Supreme Court, Bronx County (Carter, J.), entered on or about June 8, 2017 which denied defendant's application pursuant to CPL 440.10 to vacate the judgment of conviction rendered by said Court,

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

Ordered that defendant's time in which to seek a certificate granting leave to appeal to this Court is enlarged to 30 days from the date of this Order.

Date: December 14, 2018



Hon. Jeffrey K. Oing
Associate Justice

Entered: **DEC E 7 2018**

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

BEFORE: Anil C. Singh
Justice of the Appellate Division

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

Respondent,

-against-

M-5694

Ind. No. 1032/04; 65/05

Emmanuel Sanchez

Defendant-Appellant.


-----X

Defendant having moved pursuant to CPL 460.30 subd. 1 for an enlargement of time in which to seek a certificate granting leave to appeal to the Appellate Division pursuant to CPL 460.15 and CPL 450.15 subd. 2 with respect to the order of the Supreme Court, New York County (Ruth Pickholz, J.), entered on or about April 3, 2018, which denied defendant's application pursuant to CPL 440.20 to set aside a sentence rendered by said Court,

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

Ordered that defendant's time in which to seek a certificate granting leave to appeal to this Court is enlarged to 30 days from the date of this Order.

Date: December 12, 2018



Anil C. Singh
Associate Justice

Entered: DEC 27 2018

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

BEFORE: Peter H. Moulton
Justice of the Appellate Division

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

M-4877
Ind. No. 7827/1994

-against-

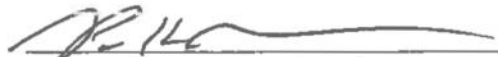
CERTIFICATE
DENYING LEAVE

Robert Davis,
Defendant.

-----X

I, Peter H. Moulton, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Stephen Antignani, J.) entered on or about August 27, 2018 is hereby denied. **Defendant's request for poor person relief is denied as academic.**

Dated: December 10, 2018
New York, New York


Hon. Peter H. Moulton
Associate Justice

ENTERED: DEC 27 2018

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

BEFORE: Peter H. Moulton
Justice of the Appellate Division

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

M-4901
Ind. No. 563/2017

-against-

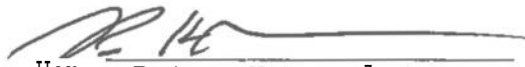
CERTIFICATE
DENYING LEAVE

Terrell Warren,
Defendant.

-----X

I, Peter H. Moulton, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application 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 (Neil Ross, J.) entered on or about July 9, 2018 is hereby denied.

Dated: December 10, 2018
New York, New York


Hon. Peter H. Moulton
Associate Justice

ENTERED: DEC 27 2018