

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

Present - Hon. Peter Tom, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Jeffrey K. Oing, Justices.

-----x  
Joseph Motta,  
Plaintiff-Respondent,

-against-

Jacquelin Motta,  
Defendant-Appellant.  
-----x

**CONFIDENTIAL**

M-6108

M-6121

Index No. 3360/11

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, IDV Part, entered on or about October 23, 2017,

And defendant-appellant, pro se, having moved, by separate motions, for poor person relief, and for a stay of the order pending hearing and determination of the aforesaid appeal,

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 in their entirety. The interim relief granted by an order of a Justice of this Court, dated November 28, 2017, is vacated.

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 February 13, 2018.

Present - Hon. Peter Tom, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Jeffrey K. Oing, Justices.

-----x  
Dormitory Authority - State of New York,  
Plaintiff,

-against-

Zurich American Insurance Company,  
Defendant-Appellant-Respondent,

-and-

M-6181  
Index No. 451461/13

Travelers Insurance Company and Liberty  
Mutual Insurance Company,  
Defendants-Respondents-Appellants,

-and-

Hunter Roberts Construction Group, LLC  
and B&G Electrical Contractors of  
N.Y., Inc.,  
Defendants.

- - - - -  
LM Insurance Corporation, initially  
sued herein as Liberty Mutual  
Insurance Company,  
Third-Party Plaintiff-Respondent-  
Appellant,

Index No. 595263/14

-against-

Travelers Indemnity Company,  
Third-Party Defendant-Appellant-  
Respondent.

-----x

An appeal and cross appeals having been taken to this Court from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 26, 2017,

And the parties having jointly moved for an enlargement of time to perfect the appeal and cross appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals and cross appeals to the June 2018 Term. The Clerk is directed to calendar the appeal and cross appeals on the same date in said June 2018 Term. The parties are granted leave to proceed on a joint record, if so advised (Rule 600.11[d][1]).

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 February 13, 2018.

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

-----X  
Heather Schwarz, as Administrator  
of the Estate of Margaret Dorn,

Plaintiff-Appellant,

**M-50**

Index No. 23633/15E

-against-

Royal Dorn,

Defendant-Respondent.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 13, 2017, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated December 18, 2017, and due deliberation having been had thereon,

It is ordered that the previously perfected 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 February 13, 2018.

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

-----X  
Z H Control Co., LLC,  
Plaintiff-Respondent,

-against-

**M-81**

Index No. 153140/16

Extra Storage LLC, Marjorie Otter,  
and XYZ Corp.,  
Defendants-Appellants.

-----X

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

And defendants-appellants having moved for a stay of enforcement of the aforesaid order, and other relief, pending determination of the aforesaid appeal,

Now, upon reading and filing the correspondence submitted by counsel for defendants-appellants, dated January 5, 2018, and due deliberation having been had thereon,

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

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 February 13, 2018.

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

-----X  
Gary J. Douglas and Gary Douglas  
Music, Inc.,  
Plaintiffs-Appellants,

-against-

**M-148X**  
Index No. 650351/17

Lowell Johnson, Yasseen Mohamed,  
and Prive Jets,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 6, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 11, 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 February 13, 2018.

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

-----X  
Raymond Fong and Winnie Moy,  
Plaintiffs-Respondents,

-against-

**M-205X**

Index No. 652124/16

Michael Braverman and Michael  
Braverman Design Incorporated,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 19, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 16, 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 February 13, 2018.

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

-----X  
Hector Delgado,

Plaintiff-Respondent,

-against-

**M-241**

Index No. 300260/15

House of God, doing business as  
House of God Pentecostal Church,  
and Francisco Zeno,

Defendants-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 20, 2017, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated December 21, 2017, 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 February 13, 2018.

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

-----X

John Bermingham,

Plaintiff-Appellant,

M-47

M-6575

-against-

Index No. 102409/11

Atlantic Concrete Cutting Inc.,  
et al.,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 23, 2014, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated January 3, 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 February 13, 2018.

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

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

333 East 49<sup>th</sup> Partnership, LP,  
333 EA 4<sup>th</sup> Partnership, LP, and  
330 East 50<sup>th</sup> Partner,  
Petitioners-Appellants,

**M-6510**  
Index No. 101608/15

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

-against-

Division of Housing and Community  
Renewal,  
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 4, 2017,

And petitioner-appellant having moved for a stay of the aforesaid order, pending determination of the appeal,

Now, upon reading and filing the correspondence submitted by counsel for petitioner-appellant, dated December 19, 2017, and due deliberation having been had thereon,

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

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 February 13, 2018.

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

-----X

In the Matter of the Retention/  
Release of

**CONFIDENTIAL**

**M-6630**

Index No. 784/16

Reuben B. (Anonymous),  
Petitioner-Respondent,

A Patient Admitted to

Jacobi Medical Center,  
Respondent-Appellant.

-----X

An appeal having been taken by Jacobi Medical Center from an order of the Supreme Court, Bronx County, entered on or about December 22, 2017,

And respondent-appellant having moved to stay the aforesaid order pending determination of the appeal,

Now, upon reading and filing the correspondence submitted by counsel for respondent-appellant, dated January 8, 2018, and due deliberation having been had thereon,

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

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 February 13, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Judith J. Gische  
Peter Tom, Justices.

-----x

Grant B. H.,  
Plaintiff-Respondent/Appellant,

**CONFIDENTIAL**

M-6383

M-6415

Index No. 312438/03

-against-

Katrina V. H.,  
Defendant-Appellant/Respondent.

-----x

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

And an appeal having been taken to this Court by plaintiff from the order of said Court entered on or about September 7, 2017,

And defendant-appellant/respondent having moved for an enlargement of time to perfect the appeal from the order entered on or about March 22, 2017 (M-6383),

And plaintiff-respondent/appellant having cross-moved to vacate and modify a stay entered on or about September 7, 2017, and for related relief (M-6415),

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

It is ordered that the motion is denied pursuant to this Court's directive that defendant perfect by December 4, 2017 for the February 2018 Term. (M-4056). The cross 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 February 13, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

-----X  
1471 Second Corp.,  
Plaintiff-Appellant,

-against-

M-6175  
Index No. 652594/13

Nat of New York Corp., et al.,  
Defendants-Respondents.  
-----X

Defendants-respondents having moved for an enlargement of time to file defendants-respondents' brief and adjourning the appeal from the order of the Supreme Court, New York County, entered on or about June 20, 2016,

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

It is ordered that the motion is granted to the extent of adjourning the appeal to the June 2018 Term, with no further enlargements to be granted.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Barbara R. Kapnick  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X  
Antonio Albericci,  
Plaintiff-Respondent,

-against-

M-6591  
Index No. 23768/13E

The Port Authority of New York  
and New Jersey, 1 World Trade  
Center, LLC and Tishman Construction  
Corporation,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 17, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Richard T. Andrias  
Ellen Gesmer, Justices.

-----x

In the Matter of Towaki Komatsu,  
Petitioner-Appellant,

-against-

M-5868  
Index No. 100054/17

New York City Human Resources  
Administration,  
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 21, 2017,

And petitioner pro se having moved, pursuant to CPLR 5518, for various injunctive relief, including an order directing the Human Resources Administration to pay a storage allowance to him for expenses incurred when he resided in a temporary shelter as well as his cell phone bill and insuring his employment with a salary that exceeds the combined salaries of the Human Resources Commissioner and his wife, and for other, related relief,

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

It is ordered that the motion is denied.

ENTERED:

  
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 February 13, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Peter Tom  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----x

Satnam Dhani,  
Plaintiff-Respondent,

-against-

Pedro Mateo and SDQ Realty Corp.,  
Defendants-Appellants,

M-5852  
M-5887  
Index No. 22824/05

-and-

City of New York, et al.,  
Defendants.

-----x

Separate appeals having been taken to this Court by defendants Pedro Mateo and SDQ Corp. from the order of the Supreme Court, Bronx County, entered on or about February 29, 2016, and from an amended judgment of foreclosure of said Court, entered on or about August 31, 2017,

And defendants-appellants having moved for an enlargement of time to perfect the appeal from the order entered on or about February 29, 2016 (M-5852),

And plaintiff-respondent having moved for dismissal of the appeal from the order entered on or about February 29, 2016 (M-5887),

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

It is ordered the motion is granted to the extent that the time to perfect the appeal from the February 29, 2016 order is enlarged to the June 2018 Term. Sua sponte, the appeal from the February 29, 2016 order is consolidated with the appeals from the judgment entered on or about August 31, 2017 and defendants-appellants are permitted to prosecute the consolidated appeals upon 9 copies of one record and one set of appellants'



points covering the consolidated appeal. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeal is enlarged to the June 2018 Term. The cross motion is granted only to the extent of dismissing the appeals unless they are perfected for the June 2018 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Peter Tom  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----x  
Rebel Jones,  
Plaintiff-Appellant,

-against-

M-5885  
Index No. 153717/15

New York City Transit Authority, et al.,  
Defendants-Respondents.  
-----x

Appeals having been taken to this Court by plaintiff from orders of the Supreme Court, New York County, entered on or about July 28, 2017 and October 4, 2017,

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

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

It is ordered that the motion is granted to the extent of permitting plaintiff to prosecute the consolidated appeals upon 9 copies of one record and one set of points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11.

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 February 13, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Angela M. Mazzarelli  
Cynthia S. Kern, Justices.

-----X  
Anthony T. Rinaldi, LLC doing  
business as The Rinaldi Group,  
LLC, et al.,  
Plaintiffs-Respondents,

-against-

M-6605  
Index No. 450691/16

Anchorage Construction Corp., et  
al.,  
Defendants,

-and-

North American Specialty Insurance  
Company,  
Defendant-Appellant.

-----X  
(And another action)  
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 3, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Angela M. Mazzarelli  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X

In the Matter of the Application of  
Rose A. Heavens,  
Petitioner,

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

M-7  
Index No. 251184/14

-against-

New York State Office of Children  
and Family Services,  
Respondent.

-----X


An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, Bronx County, entered on or about January 11, 2016,

And petitioner having moved for an enlargement of time to perfect the aforesaid proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to on or before March 19, 2018 for the June 2018 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Angela M. Mazzarelli  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X  
In the Matter of the Application of  
Rudolph Rosenberg,  
Petitioner,

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

-against-

M-6481  
Index No. 101591/17

Steven Statsinger, Manhattan  
Criminal Judge, et al.,  
Respondents.

-----X

Petitioner having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about November 20, 2017, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 February 13, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Angela M. Mazzarelli  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X  
In the Matter of

Jaiseem B.,

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

**CONFIDENTIAL**

-----  
Commissioner of Children's Services,  
Petitioner-Respondent,

M-6636  
Docket No. NN-27468/17  
NN-27469/17

Selena M.,  
Respondent-Appellant,  
-----

Dawne Mitchell, Esq.,  
Legal Aid Society Juvenile Rights Project,  
Attorney for the Child.  
-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about December 22, 2017,

And the attorney for the child moved to stay so much of the aforesaid order denying return of the subject child to his mother pursuant to Family Court Act § 1028,

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 February 13, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Angela M. Mazzarelli  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X  
Luisa Eisenbach,  
Plaintiff,

-against-

M-6655  
Index No. 159320/13

884 Riverside Limited Partnership,  
Defendant-Appellant.

-----X  
884 Riverside Limited Partnership,  
Third-Party Plaintiff-Appellant,

-against-

Third-Party  
Index No. 595601/14

The City of New York,  
Third-Party Defendant-Respondent.

-----X

Defendant/third-party plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about February 21, 2017,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Troy K. Webber  
Marcy L. Kahn  
Anil C. Singh, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-5783

Ind. No. 2584/15

Michele Gantt,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 12, 2017, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel, Anthony Strazza, Esq., and to post the \$5,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTERED:

  
CLERK



CORRECTED ORDER – February 14, 2018

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

Present - Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Troy K. Webber  
Marcy L. Kahn  
Anil C. Singh, Justices.

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

Respondent,

-against-

M-5899  
Ind. No. 5251/12

Angel Ocasio,

Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about November 13, 2014,

And defendant-appellant having moved, through assigned counsel, for an order remanding the matter of Supreme Court, Bronx County, to reconstruct the minutes of jury selection and pretrial decisions held on December 2 2013, December 3, 2013, December 4, 2013 and December 5, 2013, respectively, and for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of remanding the matter to Supreme Court, Bronx County, for a reconstruction hearing with respect to the aforesaid proceedings. Defendant's counsel is directed to serve a copy of this order upon the Clerk of said Court and its Chief Court Reporter within 10 days from the date of entry hereof, and the Clerk is directed to have the minutes of the proceedings transcribed and delivered to appellant's counsel, for inclusion in the record on appeal,

CORRECTED ORDER - February 14, 2018

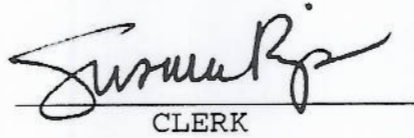
(M-5899)

-2-

February 13, 2018

within 30 days of the conclusion of said reconstruction hearing. The time to perfect the appeal is enlarged to 120 days from the date of receipt of the reconstruction court's findings.

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 February 13, 2018.

Present: Hon. David Friedman,  
Peter Tom  
Angela M. Mazzarelli  
Anil C. Singh,

Justice Presiding,  
Justices.

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

Barbara White,  
Petitioner,

For a Judgment Pursuant to N.Y.  
Executive Law §298,

**M-170**  
Index No. 101029/16

-against-

New York State Division of Human  
Rights, et al.,  
Respondents.

-----X  
A proceeding having been transferred to this Court, pursuant to N.Y. Executive Law §298, by order of the Supreme Court, New York County, entered on or about December 6, 2016, to review a determination of respondents,

And petitioner having moved for a default judgment against respondent New York State Division of Human Rights,

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 February 13, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Troy K. Webber  
Jeffrey K. Oing, Justices.

-----X  
In the Matter of the Application of  
Deborah Howard,  
Petitioner,

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

M-6237  
Index No. 100781/16

-against-

New York City Housing Authority,  
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about February 16, 2017,

And a corrected order of this Court, entered on January 5, 2018 (M-4301), having granted petitioner a stay of eviction on condition the proceeding is perfected for the May 2018 Term and related relief,

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

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

It is ordered that the motion is denied as academic in light of the aforesaid corrected order entered on January 5, 2018 (M-4301).

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 February 13, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn  
Peter H. Moulton, Justices.

-----X  
KNIC, LLC, a Delaware Limited  
Liability Company, et al.,  
Plaintiffs-Appellants,

-against-

M-33  
Index No. 22507/16

New York City Economic Development  
Corporation,  
Defendant-Respondent,

-and-

Zachary W. Carter, etc.,  
Nominal Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about December 20, 2016,

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn  
Peter H. Moulton, Justices.

-----X  
The Mazursky Group, Inc.,  
Plaintiff-Respondent,

-against-

953 Realty Corp. and Melvin Stier,  
Defendants-Appellants.

M-6672  
Index No. 654064/13

-----X  
Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about February 28, 2017, and from a judgment of the same Court, entered on or about March 22, 2017

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

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

ENTERED:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn  
Peter H. Moulton, Justices.

-----x  
Ryan Frank Huang, et al.,  
Plaintiffs-Respondents,

-against-

M-6688  
Index No. 158542/13

Watts Water Technologies, Inc.,  
Defendant-Appellant,

AMG Amana Contracting LLC, et al.,  
Defendants-Respondents.  
-----x

Defendant AMG Amana Contracting LLC having moved to dismiss the appeal taken from an order of the Supreme Court, New York County, entered on or about August 10, 2016,

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

It is ordered that the motion is granted unless the appeal is perfected for the June 2018 Term. Sua sponte, the time to perfect the appeal is enlarged to said June 2018 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn  
Peter H. Moulton, Justices.

-----x

Jorge Naupari,  
Plaintiff-Appellant-Respondent,

-against-

Shearman Cabinets, Inc.,  
Defendant-Respondent-Appellant,

M-6710  
M-82  
Index No. 111215/11

NY Custom Home and Remodeling, Inc.,  
Defendant-Respondent-Appellant,

-and-

Jennifer Murray, et al.,  
Defendants-Respondents.

-----x

An appeal and cross appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 5, 2016, and the direct appeal having been perfected,

And defendants-respondents-appellants Shearman Cabinets, Inc. (M-6710) and New York Custom Home and Remodeling, Inc. (M-82) having separately moved for an enlargement of time to perfect their respective cross appeals,

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 granted to the extent of enlarging the time to perfect the respective cross appeals to the



June 2018 Term, to which Term the perfected direct appeal is adjourned. The Clerk is directed to calendar the appeal and cross appeals to be heard together in said 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 February 13, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli  
Richard T. Andrias, Justices.

-----X  
Clephane B. Burgess, et al.,  
Plaintiffs-Appellants,

-against-

M-6562  
Index No. 308376/12

Avignon Taxi, LLC, et al.,  
Defendants-Respondents.  
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeals taken from an order of the Supreme Court, Bronx County, entered on or about October 29, 2015, and from an order of the same Court and Justice, entered on or about February 1, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the June 2018 Term, with leave to seek further enlargements if the bankruptcy stay has not been lifted.

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 February 13, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Peter Tom  
Ellen Gesmer  
Jeffrey K. Oing, Justices.

-----X  
In re Matthew Sullivan,  
Petitioner-Respondent,

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

M-6774  
Index No. 101371/15

-against-

226-8 East 2<sup>nd</sup> Owners Corp., et al.,  
Respondents-Appellants.

-----X

Respondents-appellants having moved for a further enlargement of time to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 4, 2016,

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

It is ordered that the motion is granted, on consent, to the extent of enlarging the time to perfect the appeal to the June 2018 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Judith J. Gische  
Marcy L. Kahn  
Anil C. Singh, Justices.

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

Respondent,

-against-

M-6082  
Ind. No. 6478/08

Chao Zhang Lin,

Defendant-Appellant.  
-----X

Assigned counsel for defendant having moved for an order relieving it as counsel, or, in the alternative, dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 5, 2011, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

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 February 13, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Judith J. Gische  
Marcy L. Kahn  
Anil C. Singh, Justices.

-----x  
Petition of Harrison J. Weisner to  
Construe Article Eleventh of the Will  
of

Sidney Weisner,  
Deceased,

M-6104  
File No. 1991-3783/J

and for the Appointment of Petitioner  
as Successor Co-Trustee under  
Article Ninth(II) (A) (1) of the Will  
for his Primary Benefit.

-----  
Harrison J. Weisner,  
Petitioner-Appellant,

Melvin Ginsberg,  
Respondent-Respondent.

-----x  
An appeal having been taken to this Court from the order of the Surrogate's Court, New York County, entered on or about July 12, 2017,

And respondent-respondent having moved for dismissal of the aforesaid appeal (CPLR 5530),

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

It is ordered that the motion is granted to the extent of dismissing the appeal unless it is perfected for the June 2018 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Richard T. Andrias  
Barbara R. Kapnick  
Peter H. Moulton, Justices.

-----x  
Anthony Gordon & Martina Gordon,  
Plaintiffs-Appellants,

-against-

M-6733  
Index No. 103951/12

476 Broadway Realty Corp.,  
Defendant-Respondent,

Board of Managers of the 476 Broadway  
Condominium,  
Defendant.

-----x

Plaintiff-appellant Martina Gordon having moved for a stay of eviction, pending hearing and determination of an appeal taken from an order of the Supreme Court, New York County, entered on or about March 23, 2017,

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

It is ordered that 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 February 13, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Richard T. Andrias  
Barbara R. Kapnick  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----x

Bethany Elmaleh,  
Plaintiff-Respondent,

-against-

Edwin G. Vroom,  
Defendant-Appellant,

M-156  
Index No. 159272/13

-and-

Brady Willis,  
Defendant-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 8, 2017, and said appeal having been perfected,

And defendant-appellant having moved for a stay of trial 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 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 February 13, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Peter Tom  
Barbara R. Kapnick  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----X

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

- - - - -  
Dawn H. F.,  
Petitioner-Appellant,

**CONFIDENTIAL**

M-6124  
Docket Nos. V-04073/15  
V-02034/15

-against-

Marco J.  
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 9, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8<sup>th</sup> Floor, New York, NEW YORK 10016, Telephone No. 212-818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record**

---

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



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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

Present: Hon. Rosalyn H. Richter, Justice Presiding,  
Angela M. Mazzairelli  
Troy K. Webber  
Cynthia S. Kern  
Jeffrey K. Oing, Justices.

-----X

Sean Reeps, by his Father and Guardian  
ad litem Guy Reeps,  
Plaintiff-Respondent,

-against-

**M-73**  
**M-107**  
**M-39**

Index No. 100725/08

BMW of North America, LLC, BMW of North  
America, Inc, BMW (US) Holding Corp.,  
Respondent-Appellants,

Martin Motor Sales, Inc.,  
Respondent-Appellant,

Hassel Motors, Inc.,  
Respondent-Appellant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about May 1, 2017, and said appeals having been perfected on a joint record,

And plaintiff-respondent having moved for leave to file a supplemental appendix containing a sur-reply (M-73),

And defendant-appellant "BMW" having cross-moved to strike plaintiff-respondent's appendix and certain portions of the respondent's brief, and to extent the time to file their reply brief, and the costs of this motion (M-107),

And defendant-appellant, Martin Motor Sales, Inc., having cross-moved to strike plaintiff-respondent's appendix and certain portions of the respondent's brief (M-39),

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

Ordered that the cross motions (M-39, M-107) are granted, to the extent of deeming struck those portions of plaintiff-respondent's brief that rely on citations to the proposed respondent's supplemental record by plaintiffs-respondents; and adjourning the appeals to the April 2018 Term (reply deadline, March 9, 2018), and directing the cross-movants (M-39 , M-107) to include a copy of this order as addenda to their respective reply briefs, and otherwise deny; plaintiff's motion for leave to file a supplemental appendix is denied (M-73).

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 February 13, 2018.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,  
Judith J. Gische  
Peter Tom  
Ellen Gesmer  
Anil C. Singh, Justices.

-----X  
Seneca Insurance Company, as  
subrogee of 437 West 16th Street,  
LLC,  
Plaintiff-Appellant,

-against-

M-6577  
Index No. 652106/12

The Related Companies, L.P., and  
17th and 10th Associates, LLC,  
Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about February 15, 2017,

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

It is ordered that the motion is granted, on consent, to the extent of enlarging the time to perfect the appeal to the June 2018 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 13, 2018.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,  
Angela M. Mazzarelli  
Richard T. Andrias  
Ellen Gesmer  
Jeffrey K. Oing, Justices.

-----x

Gary Gordon, et al.,  
Plaintiffs-Appellants,

-against-

M-5999

Index No. 155715/12

The City of New York, 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 April 11, 2016, and said appeal having been perfected,

And plaintiffs-appellants having moved for an order: 1) granting them leave to file a supplemental record on appeal to include the motions for summary judgment by the City of New York and the Long Island Railroad, and the April 8, 2016 order that were inadvertently omitted from the record on appeal; 2) adjourning the appeal to the next available Term of Court; 3) granting defendants-respondents leave to withdraw their respondents' brief and submit an amended brief, or to serve a supplemental brief so as to address the substantive issues involving the City and LIRR's liability as owners; and 4) granting an enlargement of time to permit plaintiff to submit a reply brief,

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

It is ordered that the motion is granted to the extent of adjourning the appeal to the June 2018 Term, and permitting the plaintiff to file a supplemental record on appeal to include the April 8, 2016 order, and the underlying motion papers, on or before March 19, 2018. Sua sponte, plaintiffs' notice of appeal is deemed to include plaintiffs' appeal from the April 11, 2016 order (CPLR 5520[c]). Defendants-respondents are permitted, at their option, to withdraw their respondents' brief and submit

an amended brief, or to file a supplemental brief which addresses the arguments raised by plaintiff involving the order to the extent it decides mot seq no. 003, with the additional appellate printing costs to be borne by the plaintiffs.

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 February 13, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,  
Richard T. Andrias  
Cynthia S. Kern  
Jeffrey K. Oing  
Anil C. Singh, Justices.

-----x

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

Frank Enrique S., Jr.,  
Gabrielle G., and  
Michael G.,

**CONFIDENTIAL**

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

M-5739  
M-5740  
M-5937

- - - - -  
Catholic Guardian Society & Home Bureau,  
now known as Catholic Guardian Services,  
et al.,

Docket Nos. B-18651/13  
B-46584/16  
B-46585/16

Petitioners-Respondents,

Karina F.,  
Respondent-Appellant.

Mike G.,  
Respondent-Appellant.

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

-----x

An appeal having been taken to this Court by respondent-  
appellant mother Karina F. from the order and judgment (one  
paper) of the Family Court, New York County, entered on or about  
February 4, 2015, under Docket No. B-18651/13,

And a purported appeal having been taken to this Court from  
respondent-appellant father Mike G. from the order of the Family  
Court, New York County, entered on or about July 10, 2017, under  
Docket Nos. B-46584-5/16,

And an order of this Court having been entered on September 12, 2017 (M-4023), inter alia, denying a stay of adoption of the child Frank Enrique S., Jr. under Docket No. B-18651/13, and vacating the interim stay of adoption granted by the order of a Justice of this Court dated July 27, 2017,

And respondent-appellant mother Karina F. having renewed the motion seeking a stay of adoption of the child Frank Enrique S., Jr. under Docket No. B-18651/13, and for other relief (M-5739),

And respondents-appellants Mike G. and Karina F. having moved for visitation rights as to all three children (M-5740),

And the attorney for the children, The Legal Aid Society, having cross-moved for dismissal of the aforesaid appeals (M-5937),

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

It is ordered that the motions are denied. The cross motion is granted only to the extent of dismissing the appeal as to the child Frank Enrique S., Jr., under Docket No. B-18651/13, and 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 February 13, 2018.

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

-----x  
JAKKS Pacific, Inc., et al.,

Plaintiffs-Appellants,

-against-

M-5727  
Index No. 655311/17

Brian D. Kessler, et al.,

Defendants-Respondents.  
-----x

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

And plaintiffs-appellants having moved, pursuant to CPLR 5518, for an order enjoining defendants-respondents from competing with plaintiffs and/or soliciting plaintiffs' customers, 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

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-5708  
Ind. No. 150/10

-against-

CERTIFICATE  
DENYING LEAVE


Eric Davidson,  
Defendant.

-----X  
I, DAVID FRIEDMAN, a Justice of the Appellate Division,  
First Judicial Department, do hereby certify that, upon  
application timely made by the above-named defendant for a  
certificate pursuant to Criminal Procedure Law, section 460.15,  
and upon the record and proceedings herein, there is no question  
of law or fact presented which ought to be reviewed by the  
Appellate Division, First Judicial Department, and permission to  
appeal from the Order of the Supreme Court, New York County,  
entered on or about September 20, 2017, is hereby denied.

Dated: New York, New York  
February 2, 2018



FEB 13 2018

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

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

BEFORE: Hon. Richard T. Andrias,  
Associate Justice

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

M-6245  
Ind. No. 1916/2016

-against-

CERTIFICATE  
DENYING LEAVE

Braulio A. Jimenez Gomez,

Defendant.

-----X  
I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, New York County, (Ellen Biben, J.), entered on or about November 12, 2017, which denied defendant's motion pursuant to CPL 30.30 and 170.30, is hereby denied.

Dated: New York, New York  
February 2, 2018



FEB 13 2018

Justice of the Appellate Division

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

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

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

M-217  
Ind. No. 4474/2011

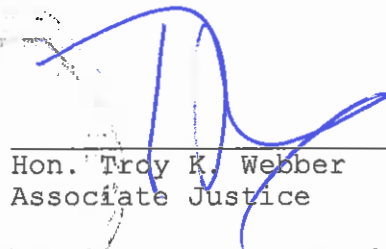
-against-

CERTIFICATE  
GRANTING LEAVE

Dionis Mejia,  
Defendant-Appellant.  
-----X

I, Troy K. Webber, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Daniel P. FitzGerald, J), entered on or about December 7, 2017.<sup>1</sup>

Dated: February 1, 2018  
New York, New York





FEB 13 2018

Hon. Troy K. Webber  
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

<sup>1</sup>In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

BEFORE: Hon. Richard T. Andrias,  
Associate Justice

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

M-6563  
Ind. No. 3013/2015

-against-

CERTIFICATE  
DENYING LEAVE

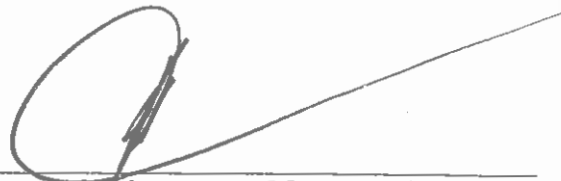
Mohamed Bangoura,

Defendant.

-----X

I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law Section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order of the Supreme Court, Bronx County, (Steven L. Barrett, J.), entered on or about September 19, 2017, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York  
February 2, 2018



Justice of the Appellate Division

