

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

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

-----X
Noreen E. Ford, as Executrix of
the Estate of Frank M. Gondar, Jr.,
deceased,
Plaintiff-Respondent,

-against-

M-3552
Index No. 190079/15

Burnham LLC,
Defendant-Appellant,

A.O. Smith Water Products Co., et al.,
Defendants.

-----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 February 21, 2017, and from a judgment, same Court, entered on or about August 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 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 September 13, 2018.

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

-----X
Metropolitan Commercial Bank,

Plaintiff-Appellant,

-against-

M-3577
Index No. 655635/16

Medallion Funding Chicago Corp.,
and Medallion Funding LLC,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about May 9, 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 March 2019 Term.

ENTERED:


CLERK

CORRECTED ORDER - September 25, 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 September 13, 2018.

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

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

Respondent,

-against-

M-3583
Ind. No. 5584/12

Anthony Rodriguez,

Defendant-Appellant.
-----X

An order of this Court having been entered on November 18, 2014 (M-4577), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 22, 2014, and from a judgment of **resentence**, rendered on or about August 14, 2014, and assigning Seymour W. James, Jr., Esq., The Legal Aid Society, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., predecessor counsel to Justine M. Luongo, Esq., The Legal Aid Society, as counsel to prosecute defendant's appeal. **That branch of the motion seeking to substitute Warren S. Landau, Esq., as defendant's counsel is denied, as unnecessary.**

CORRECTED ORDER - September 25, 2018

(M-3583)

-2-

September 13, 2018

The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged to the March 2019 Term of this 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 September 13, 2018.

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

-----X
Douglas Dyce,

Plaintiff-Appellant,

-against-

M-3599
Index No. 106930/11

276 West 135 Street Associates LLP,
Lemle & Wolff Inc. and Seven Seas
Deli Grocery Corp.,

Defendants-Respondents.

-----X

Plaintiff-appellant having moved for poor person relief and for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about October 18, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term. That branch of plaintiff's motion which seeks poor person relief is denied, such relief having previously been granted by this Court, on March 27, 2018 (M-616).

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 September 13, 2018.

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

-----X

In the Matter of the Application of

New York State Land Title
Association, Inc., et al.,
Petitioners-Respondents,

M-3610

For a Judgment Pursuant to Article 78 Index No. 151562/18
of the Civil Practice Law and Rules,

-against-

The New York State Department of
Financial Services, et al.,
Respondents-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 5, 2018,

And respondents-appellants having moved for a calendar preference for the October 2018 Term,

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

It is ordered that the motion is granted to the extent of granting a calendar preference for said October 2018 Term, subject to respondents having perfected this appeal for that 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 September 13, 2018.

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

-----X

Skiboky Shavar Stora,
Plaintiff-Appellant,

-against-

M-3632

M-3634

Ind. No. 107715/06

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

-----X

Plaintiff-appellant 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 September 26, 2017, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for an enlargement of time to perfect the appeal (M-3634),

And plaintiff-appellant having moved, by separate motion, for permission to consult with former counsel, Sullivan Papin Block McGrath & Cannavo P.C., (M-3632),

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

It is ordered that plaintiff's motion to consult with former counsel is denied (M-3632). Plaintiff's subsequent motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term, with no further enlargements to be granted, and otherwise denied.

ENTERED:


CLERK

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

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

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

-against-

Skanska USA Building Inc.,
Defendant-Appellant,

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

M-3664
Index No. 653705/16

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

-against-

Peter Borducci,
Additional Counterclaim Defendant-
Respondent.

-----X

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 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 September 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 a Custody/Visitation
Proceeding Under Article 6 of the
Family Court Act.

- - - - -
Joaquin C., CONFIDENTIAL
Petitioner-Appellant, M-3719
Docket No. V-47248-15/17A

-against-

Josephine I.-C.,
Respondent-Respondent.

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

-----X

Respondent-respondent, having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about November 1, 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 §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 responding to the appeal; (2) permitting movant to respond to

the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTERED:


CLERK

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

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Anil C. Singh, Justices.

-----X
Leon Pokoik, etc., et al.,
Plaintiffs-Appellants,

-against-

M-1711
Index No. 653382/14

Norsel Realities, et al.,
Defendants-Respondents.
-----X

Defendants-respondents having moved for "resettlement", deemed a motion for reargument, of the decision and order of this Court, entered on March 8, 2018 (Appeal Nos. 5733-5734),

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, upon reargument, the decision and order of this Court, entered on March 8, 2018, is hereby recalled and vacated and a new decision and order substituted therefor. (See Appeal Nos. 5733-5734, decided simultaneously herewith.)

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 September 13, 2018.

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

-----x

Gristede's Foods, Inc.,

Plaintiff-Appellant,

-against-

M-2278

Index No. 651811/15

Madison Capital Holdings LLC, et al.,

Defendants-Respondents.

-----x

Separate appeals having been taken to this Court by plaintiff from orders of the Supreme Court, New York County, entered on or about August 9, 2017 and March 8, 2018, respectively,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order entered on or about August 9, 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 both appeals to 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 September 13, 2018.

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

-----x
Sanjeev R. Bahlani,

Plaintiff-Appellant,

-against-

M-3818
Index No. 154888/12

Museum of Modern Art,

Defendant-Respondent.
-----x

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, entered on or about May 2, 2017, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect the appeal, and for other relief,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term, with no further enlargements to be granted; 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 September 13, 2018.

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

-----x
Francis Coleman, et al.,

Plaintiffs-Appellants,

-against-

M-3279
Index No. 156959/13

URS Corporation, et al.,

Defendants-Respondents.
-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about October 5, 2017,

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

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

ENTERED:


CLERK

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

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

-----X
Andrew Berliner and Douglas Saltstein,
Plaintiffs-Appellants,

-against-

M-3346
Index No. 151345/13

Consolidated Edison, Inc., et al.,
Defendants-Respondents.

-----X

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

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

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

ENTERED:


CLERK

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

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

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

Respondent,

-against-

M-3401
Ind. No. 3349/12

Wilfred Matthews,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 3, 2013,

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

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

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 September 13, 2018.

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

-----x
D. Penguin Brothers Ltd., et al.,
Plaintiffs-Appellants,

-against-

David Spiegelman,
Defendant-Respondent,

M-3415
Index No. 153494/15

-and-

City National Bank, et al.,
Defendants.

-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 8, 2017,

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

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

ENTERED:


CLERK

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

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

-----x
Jessica Cicala,
Plaintiff-Respondent,

-against-

Brad Jacobs, M.D.,
Defendant-Appellant,

M-3433
Index No. 805059/15

-and-

Nicholas Sewell, M.D., et al.,
Defendants.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an amended order of the Supreme Court, New York County, entered on or about March 29, 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 enlarging the time to perfect the appeal to the March 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 September 13, 2018.

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

-----x

TransAsia Commodities Investment
Limited,
Plaintiff-Respondent,

-against-

M-3471

Index No. 654414/13

NewLead JMEG, LLC, et al.,
Defendants-Appellants.

-----x

Appeals having been taken to this Court by defendants from orders of the Supreme Court, New York County, entered on or about December 6, 2017 and May 22, 2018,

And defendants-appellants having moved for consolidation of the aforesaid appeals, and to enlarge the time to perfect the appeal from the order entered on or about December 6, 2017,

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

It is ordered that the motion is granted to the extent of permitting appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellants' points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the 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 September 13, 2018.

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

-----x
Eve Tedeschi and Phil Tedeschi,
Plaintiffs-Appellants-Respondents,

-against-

Lillian Cohen, The New York and
Presbyterian Hospital Weill Cornell
Medical College,
Defendants-Appellants-Respondents,

M-3480
M-4129
Index No. 805293/16

Quest Diagnostics,
Defendant-Respondent-Appellant.

-----x

Appeals and a cross appeal having been taken to this Court from orders of the Supreme Court, New York County, entered on or about September 29, 2017 and March 12, 2018, respectively,

And defendants-appellants Lillian Cohen, et al. having moved for consolidation of their appeal, and the appeal taken by plaintiffs, from the order entered on or about September 29, 2017, with the appeal taken by plaintiff and the cross-appeal taken by defendant Quest Diagnostics from the order entered on or about March 12, 2018, and for an enlargement of time to perfect their appeal from the September 29, 2017 order (M-3480),

And defendant Quest Diagnostics having cross-moved to dismiss the direct appeals taken by plaintiffs and the Cohen defendants from the order entered on or about September 29, 2017 (M-4129),

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 (M-3480) is granted to the extent that the Cohen defendants and plaintiffs' time to perfect their appeals from the order entered on or about September 29, 2017 is enlarged to the January 2019 Term. Sua sponte, plaintiffs' appeals from the orders entered September 29, 2017 and March 12, 2018 are consolidated and the Clerk of this Court is directed to calendar the Cohen defendants, plaintiffs and defendant Quest's appeals to be heard together on the same date of the January 2019 Term. The attention of the parties is directed to 22 NYCRR § 600.11 with respect to a joint record and costs thereof (M-3480). The cross motion (M-4129) 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 September 13, 2018.

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

-----x
Board of Managers of the Soundings
Condominium,
Plaintiff-Appellant,

-against-

M-3492
Index No. 153150/14

Sonja Foerster,
Defendant-Respondent.

- - - - -

Sonja Foerster,
Third-Party Plaintiff-Respondent,

Index No. 595136/14

-against-

Colleen Moran, et al.,
Third-Party Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 26, 2017,

And plaintiff-appellant, joined by third-party defendants, 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 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 September 13, 2018.

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

-----x
U.S. Bank National Association, etc.,
Plaintiff-Respondent,

-against-

M-3500
Index No. 105117/08

Cheryl A. Smith,
Defendant-Appellant,

-and-

Bankers Trust Co. of California, N.A.,
et al.,
Defendants.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from orders of the Supreme Court, New York County, entered on or about September 20, 2017,

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

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

ENTERED:


CLERK

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

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

-----X
Sonja Valenta,
Plaintiff-Appellant,

-against-

M-3505
Index No. 152824/14

Spring Street Natural and PMW, Inc.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 29, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----X
Omar Herrera,
Plaintiff-Appellant,

-against-

M-3531
Index No. 302090/15

Carlos Vargas,
Defendant-Respondent.
-----X
(And a third-party action)
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about September 29, 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 enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----x

Brian Mooney,
Plaintiff-Appellant,

-against-

Index No. 153483/13

BP/CG Center II, LLC, Citigroup, Inc., M-3532
Structure Tone, Inc., Furniture M-3675
Consulting, Inc. and Steelcase, Inc., M-3998
Defendants-Respondents. M-3813

- - - - -

Structure Tone, Inc.,
Third-Party Plaintiff-Respondent,

-against-

Index No. 590086/13

Furniture Consulting, Inc.,
Third-Party Defendant-Respondent.

- - - - -

[And other actions]

-----x

Appeals having been taken to this Court by plaintiff from the order of the Supreme Court, New York County, entered on or about August 15, 2017, and from the judgment, same Court and Justice, entered on or about October 12, 2017,

And an order of this Court having been entered on February 15, 2018 (M-5642/M-5297/M-5505/M-6198), inter alia, deeming the appeal from the order of the Supreme Court, New York County, entered on or about August 15, 2017, dismissed as subsumed in the appeal from the judgment of said Court, entered on or about October 12, 2017,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal (M-3532),

And defendant-respondent Furniture Consulting, Inc. having cross-moved to dismiss the notice of appeal from the judgment entered on or about October 12, 2017, and to strike and modify this Court's order entered February 15, 2018 (M-5642/M-5297/M-5505/M-6198), wherein it states "as subsumed in the appeal from the judgment entered on October 12, 2017" to not be applicable as to Furniture Consulting, Inc., and for other relief (M-3675),

And defendant-respondent Steelcase, Inc. (M-3998) and defendant-respondent BP/CG Center II, LLC (M-3813) having separately cross-moved to dismiss plaintiff's notice of appeal from the judgment entered on or about October 12, 2017, and to strike any references to either Steelcase or BP/CG in said notice of appeal,

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 motion is granted to the extent of enlarging the time to perfect the appeal to the February 2019 Term. The cross 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 September 13, 2018.

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

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

-against-

M-3537
Ind. No. 435/14

Tommy Barnes,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about June 28, 2016, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental 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 directing defendant to serve and file 8 copies of his pro se supplemental brief for the January 2019 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 September 13, 2018.

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

-----x
Estate of Robert Emmett Bowen III
by and through the Estate Administrator,
Amy Bowen, on her own behalf of her
minor children,
Petitioners-Respondents,

-against-

M-3539
Index No. 153988/12

Tri State Haulers, Inc., et al.,
Defendants-Appellants,

-and-

Verizon New York, Inc.,
Defendant-Respondent.

-----x

Defendants-appellants having moved for an enlargement of time to perfect the appeals from orders of the Supreme Court, New York County, entered on or about September 26, 2017 and May 16, 2018, respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----x
Hamad Ali, Monsour Al-Kabualer
and Fath Saleh,

Plaintiffs-Respondents,

-against-

M-3542

M-3707

Index No. 153074/13

Silas Metro Holdings Corp., James G.
Dibbini & Associates, P.C., and
James G. Dibbini,
Defendants-Appellants.

Selim Zherka and Signature Bank,
Defendants,

-----x
Separate appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 16, 2016,

And defendant-appellant James G. Dibbini & Associates, P.C., et al. (M-3542) and Silas Metro Holdings Corp. (M-3707) having separately moved for a further enlargement of time to perfect their respective 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 appeals to 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 September 13, 2018.

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

-----X
Elizabeth S. Strauss,
Plaintiff-Respondent,

-against-

Daniel Strauss,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-3551

Index No. 304189/13

Defendant-appellant having moved to dismiss the appeals taken from an order of the Supreme Court, New York County, entered on or about February 26, 2018, and from an order of the same Court and Justice, entered on or about May 9, 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 unless the appeals are perfected for the February 2019 Term.

ENTERED:



CLERK

CORRECTED ORDER

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

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

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

Adama D.,
Petitioner-Appellant,

CONFIDENTIAL

M-3569

Docket No. **V-43468-71/13/17D**

-against-

Mariam D.,
Respondent-Respondent.

-----X
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about May 15, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Anne Reiniger, Esq., 801 Second Avenue, 10th Floor, New York, NY 10017, Telephone No. 646-627-8875, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available 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 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

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

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

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

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

Respondent,

-against-

M-3571

Ind. Nos. 4342/13
2338/14

Jarell Cunningham,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 8, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----x
Arthur E. Rondeau,

Plaintiff-Appellant,

-against-

David Bargman, Esq.,

Defendant-Respondent.
-----x

M-3596
Index No. 153727/16

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about October 25, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----x

Sevenson Environmental Services, Inc.,
Plaintiff-Appellant,

-against-

M-3600

Index No. 652331/17

Manhattan Telecommunications Corp.,
etc.,

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 January 22, 2018,

And plaintiff-appellant having moved for an order enlarging the record on appeal to include a copy of the New York State Public Service Commission's May 22, 2018 decision, 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, without prejudice to defendant-respondent raising objections to the consideration of the May 22, 2018 decision in their respondent's brief. The time to perfect the appeal is enlarged to 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 September 13, 2018.

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

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

-against-

M-3609
Ind. No. 3368/14

Mohammed Chowdhury,
Defendant-Appellant.

-----X

An order of this Court having been entered on July 10, 2018 (M-2406) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 2, 2018, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute defendant's appeal, and is otherwise denied as unnecessary.

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 September 13, 2018.

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

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

Anthony V. L.,
Petitioner-Appellant,

-against-

Bernadette R.,

Respondent-Respondent.
-----x

CONFIDENTIAL

M-3630

Docket No.

F-8291-06/12B & 12C

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from orders of the Family Court, New York County, entered on or about September 15, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

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

-against-

M-3640
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 a further 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 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 September 13, 2018.

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

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

Respondent,

-against-

M-3657
Ind. No. 2684N/11

Jose Cruz-Ortiz,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about August 12, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----X
Rhuzt Elizabeth Rivera, Guardian of
the Property of Istrael Ortiz and
Rhuzt Elizabeth Rivera, Individually,
Plaintiff-Appellant,

-against-

M-3659
Index No. 309781/09

St. Barnabas Nursing Home, Inc.,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeals taken from a judgment of the Supreme Court, Bronx County, entered on or about July 7, 2017, and from an order of the same Court and Justice, entered on or about February 9, 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 enlarging the time to perfect the appeals to 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 September 13, 2018.

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

-----x
Madonna Ciccone,

Plaintiff-Appellant,

-against-

M-3667
Index No. 651748/16

One West 64th Street, Inc.,

Defendant-Respondent.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 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 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 September 13, 2018.

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

-----x
Hertz Vehicles, LLC,
Plaintiff-Respondent,

-against-

Darren T. Mollo, D.C., et al.,
Defendants-Appellants,

M-3678
Index No. 151486/16

Quality Custom Medical Supply, Inc.,
et al.,
Defendants.

-----x

Defendants-appellants having moved for an 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 September 6, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----x
Timothy Cotton,

Plaintiff-Respondent,

-against-

Teresa Mary Roedelbronn,

Defendant-Appellant.
-----x

CONFIDENTIAL

M-3682

Index No. 314883/12

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about October 25, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----X
Lijun Feng,
Plaintiff-Appellant-Respondent,

-against-

Martin Jansche,
Defendant-Respondent-Appellant.

-----X

CONFIDENTIAL

M-3683

Index No. 307157/13

Plaintiff-appellant-respondent having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about October 11, 2017,

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

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

ENTERED:



CLERK

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

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

-----x
Kalman Kaspiev,

Plaintiff-Appellant,

-against-

Irina Pankova, et al.,

Defendants-Respondents.
-----x

M-3684
Index No. 800008/14

Plaintiff-appellant pro se having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 19, 2017,

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

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

ENTERED:


CLERK

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

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

-----x
Dana Escoffier,
Plaintiff-Appellant,

-against-

M-3727
Index No. 151487/14

Amalgamated Bank,
Defendant-Respondent.

-----x
Amalgamated Bank,
Third Party Plaintiff,

-against-

Linda Bronstein-Dietch, also known as
Linda Dietch,
Third Party Defendant.

-----x

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about November 15, 2017, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect the appeal, and for other relief,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term. 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 September 13, 2018.

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

-----x
Leonardo Cutone,

Plaintiff-Appellant,

-against-

M-3729
Index No. 157774/13

Riverside Towers Corp.,

Defendant-Respondent.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 8, 2017,

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

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

ENTERED:


CLERK

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

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

-----X
Vangelis Kapatos,
Plaintiff-Respondent,

-against-

M-3741
Index No. 805003/12E

New York City Health and Hospitals
Corporation,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about January 3, 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 enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----X
In re Application for a Judgment under
Article 78 of the Civil Practice Law
and Rules

Susan Crawford,
Petitioner-Respondent,

-against-

M-3743
Index No. 157002/15

New York City Department of Information
Technology Telecommunications,
Respondent-Appellant,

-and-

AT&T Corp., Empire City Subway Company
Ltd., Time Warner Cable Inc., and RCN
Telecom Services, LLC.,
Intervenors-Respondents-Appellants.

-----X

Appellants having jointly moved for an enlargement of time to perfect their separate appeals taken from an order of the Supreme Court, New York County, entered on or about May 12, 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 motions are granted to the extent of enlarging the time to perfect the appeals to 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 September 13, 2018.

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

-----x
Magna Equities II, LLC, et al.,

Plaintiffs-Respondents,

-against-

M-3749
Index No. 653808/16

Writ Media Group Inc., et al.,

Defendants-Appellants.
-----x

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 11, 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 March 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 September 13, 2018.

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

-----x

Carlos Saquicaray,
Plaintiff-Respondent-Respondent,

M-3753

-against-

Index No. 161299/13

Consolidated Edison Company of
New York, Inc.,
Defendant-Appellant-Respondent,

- - - - -

Consolidated Edison Company of
New York, Inc.,
Third-Party Plaintiff-Appellant-
Respondent,

Index No. 595303/14

-against-

Clean Up Service, Inc.,
Third-Party Defendant-Respondent-
Appellant.

-----x

Third-party defendant-respondent-appellant having moved for an enlargement of time to perfect the cross appeal taken from the order of the Supreme Court, New York County, entered on or about October 27, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the cross appeal to 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 September 13, 2018.

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

-----x
U.S. Bank N.A., as Legal Title Trustee
for Truman 2013 SC4 Legal Title Trust,
Plaintiff-Appellant,

-against-

M-3760
Index No. 850323/13

The Nassau County Public Administrator
as Administrator of the Estate of
Kathleen Bestany, Deceased, et al.,
Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 30, 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 enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----x

Ashlee Merrill,

Plaintiff-Appellant,

-against-

M-3761

Index No. 155587/15

The City of New York, et al.,

Defendants-Respondents.

-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about August 11, 2017,

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

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

ENTERED:



CLERK

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

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

-----X
Cheryl H. Daniels,
Plaintiff-Respondent,

M-3764
Index No. 151542/13

-against-

New York City Transit Authority,
Defendant-Appellant.

-----X

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

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

-against-

M-3765
Ind. No. 4108/14

Willie Caraway,
Defendant-Appellant.

-----X

An order of this Court having been entered on April 6, 2017 (M-1151), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 11, 2016, and assigning Seymour W. James, Jr., Esq., The Legal Aid Society, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Justine M. Luongo, Esq., The Legal Aid Society, as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 September 13, 2018.

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

-----x
In the Matter of

Gabriella Nichole N.,
and Naomi Nichole T.,

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

CONFIDENTIAL
M-3772
Docket Nos. NN-3075/12
NN-21860/12

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

Jacqueline Nichola T.,
Respondent-Appellant.

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

-----x
Consolidated appeals having been taken to this Court from Permanency Hearing orders of the Family Court, Bronx County, entered on or about February 24, 2016 and February 28, 2018,

And respondent-appellant having moved for a reconstruction hearing with respect to a missing exhibit, namely, an Administration for Children's Services report pertaining to the child Gabriella Nichole N., and for an enlargement of time to perfect the consolidated appeals,

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

It is ordered that the motion is granted to the extent of remanding the matter to the Family Court, Bronx County, for a reconstruction hearing regarding the missing exhibit, such hearing to be conducted as expeditiously as possible. Appellant's counsel is directed to serve a copy of this order upon the Clerk of the Family Court, Bronx County, within 10 days from the date of entry hereof, and the Clerk is directed to have the minutes transcribed and delivered to appellant's counsel, for inclusion in the record on appeal, within 30 days of the conclusion of said reconstruction. The time to perfect the consolidated appeals is enlarged to the March 2019 Term, with leave to seek further enlargements, if necessary.

ENTERED:



CLERK

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

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

-----x

Robyn Gorman,
Plaintiff-Appellant,

-against-

Albert H. Gorman,
Defendant-Respondent.

-----x

CONFIDENTIAL

M-3779

Index No. 312525/10

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 1, 2017,

And an order of this Court having been entered on May 3, 2018 (M-887), inter alia, enlarging the time to perfect the appeal to the October 2018 Term, and staying enforcement of a sanctions judgment, entered on or about May 1, 2017, on condition the appeal be perfected for said October 2018 Term,

And plaintiff-appellant having moved for leave to prosecute the appeal as a poor person, for a further enlargement of time to perfect the appeal, and a continued stay of enforcement of sanctions 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,

(M-3779)

-2-

September 13, 2018

It is ordered that the motion is granted to the extent of continuing the stay of enforcement of sanctions on condition the appeal is perfected for the January 2019 Term, with leave to seek further enlargements, if necessary. 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 September 13, 2018.

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

-----X
Jorge Ajche,

Plaintiff-Appellant-Respondent,

-against-

Park Avenue Plaza Owner, LLC,
Defendant-Respondent-Appellant,

CPM Builders, Inc.,
Defendant-Respondent-Appellant,

53rd St. Food, LLC, et al.,
Defendants-Respondents.

-----X

Park Avenue Plaza Owner, LLC,
Third-Party Plaintiff-Appellant-
Respondent,

-against-

53rd St. Food, LLC and Blake & Todd,
Third-Party Defendants-Respondents.

-----X

53rd St. Food, LLC and Blake & Todd,
Second Third-Party Plaintiffs,

-against-

Cobra Kitchen Ventilation, Inc.,
Second Third-Party Defendant-
Respondent.

-----X

(Caption Continued)

M-3781

M-3858

M-4127

Index No. 156696/12

Third-Party

Index No. 590149/13

Second Third-Party

Index No. 590318/13

-----X
 Park Avenue Plaza Owner, LLC,
 Third Third-Party Plaintiff-
 Appellant-Respondent,

-against-

Third Third-Party
 Index No. 590712/13

Cobra Kitchen Ventilation, Inc.,
 Third Third-Party Defendant-
 Respondent.

-----X

Appeals and cross appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about June 5, 2017,

And defendant-third-party plaintiff/third third-party plaintiff-appellant-respondent, Park Avenue Plaza Owner LLC, having moved for an enlargement of time to perfect its appeal (M-3781),

And plaintiff, Jorge Ajche, having moved for an enlargement of time to perfect his appeal (M-3858),

And defendant-respondent-appellant, CPM Builders, Inc., having cross-moved for an enlargement of time to perfect its cross appeal (M-4127),

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 and cross motion are granted to the extent of enlarging the time to perfect the appeals and cross appeal to 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 September 13, 2018.

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

-----X
East River Mortgage Corp.,
Plaintiff-Appellant,

-against-

M-3792

Index No. 112574/11

Onewest Bank, N.A.,
Defendant-Respondent,

Americorp Funding Inc., also known as
Americorp Funding, et al.,
Defendants.

-----X

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 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 September 13, 2018.

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

-----X
1279 St. Johns Place, LLC,
Plaintiff-Respondent,

-against-

M-3793
Index No. 32082/16

Latou Realty Corp. and Everton Sterling
also known as Everton A. Sterling,
Defendants-Appellants,

Bronx Supreme Court, et al.,
Defendants.

-----X

Defendants-appellants, Latou Realty Corp. and Everton Sterling, having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about October 6, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term, without prejudice to seeking a further enlargement when a judgment is entered, if so advised.

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 September 13, 2018.

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

-----x
In Re: New York City Asbestos Litigation Index No. 40000/88

Claudia DiScala, as Administrator of
the Estate of Joan Robusto,
Plaintiff-Respondent,

-against-

M-3795
Index No. 190413/13

Charles B. Chrystal Company, Inc.,
et al.,
Defendants,

-and-

Whittaker Clark & Daniels, Inc.,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about August 29, 2017,

And defendant-appellant having moved for an enlargement of time to perfect their appeal until the earlier of 1) 20 days after the Court of Appeals decides or disposes of the appeal entitled *Juni v A.O. Smith Water Prods. Co.* (154 AD3d 441 [1st Dept 2017]), presently sub judice, or 2) until February 19, 2019, with leave to seek further enlargements, if necessary,

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

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

ENTERED:


CLERK

CORRECTED ORDER - September 26, 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 September 13, 2018.

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

-----x
Thomas E. Lanetot,

Plaintiff-Respondent,

-against-

Maura Shaykin, et al.,

Defendants-Appellants.
-----x

M-3801
Index No. 159155/16

Defendant-appellant **Leonard** Shaykin having moved for an enlargement of time to perfect the appeal from the order and ensuing judgment of the Supreme Court, New York County, entered on or about November 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 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 September 13, 2018.

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

-----x
Francis Carling,
Plaintiff-Appellant-Respondent,

-against-

M-3806
Index No. 651203/13

Kristan Peters,
Defendant-Respondent-Appellant.
-----x

Appeals having been taken by plaintiff-appellant-respondent from an order of the Supreme Court, New York County, entered on or about August 8, 2017 and from an order of the same Court and Justice, entered on or about September 27, 2017, and said appeals having been perfected in a joint appendix,

And defendant-respondent-appellant having taken an appeal from a final judgment of the Supreme Court, New York County, entered on or about September 8, 2017,

And defendant-respondent-appellant having moved to strike the joint appendix filed by plaintiff-appellant-respondent, and for other relief,

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

It is ordered that the motion is granted to the extent of granting defendant-respondent-appellant leave to file a supplemental appendix containing the documents required to perfect her appeal taken from the judgment entered on or about September 8, 2017, at her own expense, if so advised; plaintiff's perfected appeals are adjourned to the January 2019 Term; and the motion is otherwise denied. Sua sponte, defendant-respondent-appellant's time to perfect the appeal is enlarged to 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 September 13, 2018.

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

-----x
Kassin Sabbagh Realty, LLC,

Plaintiff-Appellant,

-against-

M-3811
Index No. 654403/13

Carol Pendroff, et al.,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeals from the order and the judgment of the Supreme Court, New York County, entered on or about April 7, 2017 and April 24, 2017, respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the January 2019 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 September 13, 2018.

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

-----x

John Doe,

Plaintiff-Appellant,

-against-

M-3812

Index No. 118182/09

New York City Police Department, et al.,

Defendants-Respondents.

-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 12, 2017,

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

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

ENTERED:



CLERK

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

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

-----x

In the Matter of the Application of

Quanisha Smith and Anthony Colavecchio,
individually and on behalf of all
others similarly situated,
Plaintiffs-Respondents,

For a Judgment Pursuant to Article 78
and Section 3001 of the Civil Practice
Law and Rules,

M-3814
Index No. 400903/10

-against-

Samuel Roberts, as Commissioner of the
New York State Office of Temporary and
Disability Assistance, and Robert Doar,
as Commissioner of the New York City
Human Resources Administration,
Defendants-Appellants.

-----x

Defendant Robert Doar, as Commissioner of the New York City Human Resources Administration having appealed from orders of the Supreme Court, New York County, entered on or about August 15, 2013 and April 28, 2015, and defendant Samuel Roberts, as Commissioner of the New York State Office of Temporary and Disability Assistance having also appealed from the order entered on or about April 28, 2015,

And by order entered May 19, 2016 (M-1402), this Court, having, inter alia, consolidated the State defendant's appeal with the City defendant's appeal, and the City defendant having moved for a further enlargement of time to perfect the consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the 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 September 13, 2018.

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

-----x
Paul Fiondella,

Plaintiff-Respondent,

-against-

M-3815

Index No. 100594/14

345 W. 70th Tenants Corp.,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about October 11, 2017,

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

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

ENTERED:


CLERK

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

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

-----X
Josette Joseph,
Plaintiff-Appellant,

-against-

M-3816
Index No. 154279/15

Lourdes Torres,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about October 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 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 September 13, 2018.

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

Justice Presiding,

Justices.

-----X
Inocencio Cunin,
Plaintiff-Appellant,

-against-

23-14 30th Drive LLC,
Defendant-Respondent.

M-3817
Index No. 304313/12

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about June 29, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----X
In the Matter of the Application of
Moshe Kelman, as Administrator of Bay
Park Center for Nursing & Rehabilitation,
Petitioner-Respondent,

Pursuant to Article 81 of the Mental
Hygiene Law for the Appointment of a
Guardian of the Person and Property of,

Marit Ekeland,

An Incapacitated Person, Now Deceased

Richard Ekeland,
Respondent-Appellant.

CONFIDENTIAL

M-3819

Index No. 91700/15

-----X

An order of this Court having been entered on June 5, 2018 (M-1474) enlarging the time to perfect the consolidated appeals taken from orders of the Supreme Court, Bronx County, entered on or about June 5, 2015, March 7, 2016, March 7, 2016, November 10, 2016 and January 11, 2017, to the October 2018 Term,

And respondent-appellant having moved for a further enlargement of time to perfect the consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the February 2019 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 September 13, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern, 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-3820
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, and for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief,

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 transferred proceeding to the January 2019 Term, and

It is further ordered that poor person relief 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 September 13, 2018.

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

-----X
In the Matter of the Application of
WE 223 Ralph LLC,
Petitioner-Appellant,

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

M-3827
Index No. 157148/16

-against-

New York City Department of Housing
Preservation and Development,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 29, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

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

Respondent,

-against-

M-3831
Ind. No. 1668/09

Ricardo Scott,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 29, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term, 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 September 13, 2018.

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

-----x
In the Matter of the Application of

Lyhnn Brown,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-3837
Index No. 100192/16

-against-

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

-----x

Petitioner-appellant pro se 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 January 31, 2017,

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

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

ENTERED:


CLERK

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

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

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

Respondent,

-against-

M-3838
Ind. No. 1348/06

Albert Javier,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of resentence of the Supreme Court, New York County, rendered on or about August 10, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----x
William Koladzyn, et al.,

Plaintiffs-Respondents,

-against-

M-3839
Index No. 159098/15

Andron Construction Management, et al.,

Defendants-Appellants.
-----x

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about November 27, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

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

-against-

M-3847
Ind. Nos. 39/15
4369N/15
Santino Boderick,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 13, 2017 (M-2593), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about January 18, 2017, under Ind. No. 39/15, and assigning counsel therefor,

And an order of this Court having been entered on March 22, 2018 (M-253), granting defendant's motion for an order amending the aforementioned order of assignment to include the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 18, 2017, under Ind. No. 4369N/15, and deeming the notice of appeal from that judgment as timely filed,

And Defendant having moved for an enlargement of time to perfect the appeals taken from the aforementioned judgments,

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

(M-3847)

-2-

September 13, 2018

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the February 2019 Term, and the poor person relief previously granted is extended to cover same.

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 September 13, 2018.

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

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

-against-

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

M-3850
Index No. 150620/15

-----X

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

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

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

ENTERED:


CLERK

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

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

-----x

Michael Beloyianis, et al.,
Plaintiffs-Respondents-Appellants,

-against-

The New York and Presbyterian Hospital, M-3852
etc., et al., M-3823
Defendants-Appellants-Respondents, Index No. 14121/04

David Price Royee, Jr., M.D., et al.,
Defendants-Appellants-Respondents,

Craig Stanton Radnay, M.D., et al.,
Defendants.

-----x

Appeals and a cross appeal having been taken to this Court from an amended order of the Supreme Court, Bronx County, entered on or about May 18, 2017,

And plaintiffs-respondents-appellants and defendants-appellants-respondents The New York and Presbyterian Hospital, etc., et al., having jointly moved for an enlargement of time to perfect their appeal and cross appeal (M-3852),

And defendants-appellants-respondents David Price Royee, Jr., M.D., et al. having cross-moved for an enlargement of time to perfect their appeal (M-3823),

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 and cross motion are granted to the extent of enlarging the time to perfect the respective appeals and cross appeal to 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 September 13, 2018.

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

-----x

Barclays Capital Inc.,
Petitioner-Respondent,

-against-

M-3853

M-3857

Index No. 651527/16

Andrew Stuart Leventhal,
Respondent-Appellant.

-----x

Appeals having been taken to this Court from the order and the judgment of the Supreme Court, New York County, entered on or about August 14, 2017 and May 16, 2018, respectively,

And petitioner-respondent having moved for dismissal of the appeal from the order entered on or about August 14, 2017, for failure to timely prosecute (M-3853),

And respondent-appellant having cross-moved for an enlargement of time to perfect the appeal from the order entered on or about August 14, 2017,

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, sua sponte, the appeals are consolidated, and appellant is permitted to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11, and it is further,

Ordered that the motion to dismiss the appeals is granted unless the appeals are perfected for the January 2019 Term (M-3853). The cross motion is granted to the extent of enlarging the time to perfect the consolidated appeals to said January 2019 Term (M-3857).

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 September 13, 2018.

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

-----X

At Last Sportswear, Inc.,
Plaintiff-Respondent,

-against-

M-3865

M-3909

Index No. 652176/14

Laurie Fishman, Erlyn Ikeda,
and Mark Lavender,
Defendants-Appellants,

-and-

XYZ Co.,
Defendant.

-----X

Separate appeals having been taken from an order of the Supreme Court, New York County, entered on or about June 13, 2017,

And defendants-appellants Erlyn Ideda and Mark Lavender (M-3865) and Laurie Fishman (M-3909) having separately moved for an enlargement of time to perfect their respective appeals taken from the aforesaid order,

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 appeals to the February 2019 Term. The Clerk of the Court is directed to calendar the appeals to be heard together on the same date of 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 September 13, 2018.

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

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

-against-

M-3877

Index No. 308376/12

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

-----X

Plaintiffs-appellants having moved for a further 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 March 2019 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 September 13, 2018.

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

-----X
In the Matter of the Application of
John Regan,
Petitioner-Respondent,

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

M-3879
Index No. 104117/10

-against-

New York City Department of Buildings,
et al.,
Respondents-Appellants.

-----X
Respondents-appellants having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about December 24, 2013, and to continue the stay extended by order of this Court on May 24, 2018 (M-1493),

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 February 2019 Term. The aforesaid stay is continued on the condition that the appeal is perfected for said February 2019 Term.

ENTERED:


CLERK

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

Justice Presiding,

Justice.

-----X
Marion Scott Real Estate, Inc.,
Petitioner-Respondent,

-against-

M-3884
Index No. 155807/16

Riverbay Corporation,
Intervenor-Petitioner-Appellant,

-against-

New York State Division of Housing
and Community Renewal and President
Mark Colon,
Respondent-Respondent.

-----X

Intervenor-petitioner-appellant, Riverbay Corporation,
having moved for an enlargement of time to perfect an appeal
taken from an order and judgment (one paper) of the Supreme
Court, New York County, entered on or about October 9, 2017,

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

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

ENTERED: September 13, 2018


CLERK

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

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

-----X
Terri Martin, as Administrator of
the Estate of Ralph Martin,
Plaintiff-Appellant,

-against-

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

M-3888
Index No. 304548/11

-----X

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

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

-against-

M-3894
Ind. No. 3493/14

Charlie Blount,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 27, 2015,

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

It is ordered that the time to perfect the appeal is enlarged to the January 2019.

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 September 13, 2018.

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

-----X

The People of the State of New York,

Respondent,

-against-

M-3895
Ind. No. 32282C/11

Naim Roper,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 25, 2012,

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

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

ENTERED:


CLERK

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

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

-----X
New York City School Construction
Authority,
Plaintiff-Respondent,

-against-

M-3906
Index No. 42079/14E

Adam's European Contracting, Inc.
Defendant-Appellant.

-----X
Adam's European Contracting, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Phoenix Services Corp., Universal
Testing & Inspection Services Inc.,
Susan Doban, and Susan Doban
Architect, PC,
Third-Party Defendants-Respondents.

-----X

Defendant/third-party plaintiff-appellant, Adam's European Contracting, Inc., having moved for an enlargement of time to perfect the appeal taken from an order the Supreme Court, Bronx County, entered on or about November 18, 2016,

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

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

ENTERED:


CLERK

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

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

-----X
Jonathan Bloostein, et al.,
Plaintiffs,

-against-

Morrison Cohen, LLP, et al.,
Defendants.

- - - - -

Morrison Cohen, LLP, et al.,
Third-Party Plaintiffs,

M-3912
Index No. 651242/12

-against-

Brown Rudnick, LLP,
Third-Party Defendant-Appellant.

- - - - -

Brown Rudnick LLP,
Fourth-Party Plaintiff-Appellant,

-against-

Stroock Stroock & Lavan LLP,
Fourth-Party Defendant-Respondent.

-----X

Third-party defendant/fourth-party plaintiff-appellant,
Brown Rudnick LLP, having moved for an enlargement of time to
perfect the appeal taken from the order of the Supreme Court,
New York County, entered on or about June 8, 2017,

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

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

ENTERED:


CLERK

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

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

-----X
In the Matter of

Richard D.,
Plaintiff,

CONFIDENTIAL

M-3913

Vera D.,
Plaintiff-Appellant,

Index No. 350094/00

-against-

Rachel D.,
Defendant-Respondent.

-----X

Vera D., current wife and guardian of Richard D., having taken an appeal from an order of Supreme Court, New York County, entered on or about May 25, 2017,

And plaintiff-appellant Vera D. having moved for a further enlargement of time to perfect her 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 January 2019 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 September 13, 2018.

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

-----X

In the Matter of the Application of
John Joyce,
Petitioner-Appellant-Respondent,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-3918
Index No. 158793/16

New York City Department of Education,
Carmen Farina, Chancellor of New York
City Department of Education,
Respondents-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 5, 2017,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the cross appeal to the January 2019 Term, and deeming the cross appeal to be the direct appeal.

ENTERED:


CLERK

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

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

-----X
American Stevedoring, Inc.,
Plaintiff,

-against-

Red Hook Container Terminal, LLC,
Defendant-Appellant,

-and-

Seneca Insurance Company, Inc.,
doing business as The Seneca
Companies,
Defendant-Respondent,

M-3928
Index No. 651472/12

-and-

JBL Trinity Group, Ltd.,
Third-Party Defendant-Respondent.

-----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 September 14, 2017,

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

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

ENTERED:


CLERK

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

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

-----X
U.S. Bank National Association,
Successor Trustee to Bank of America,
N.A., as Successor to LaSalle Bank,
N.A., as Trustee for Merrill Lynch
First Franklin Mortgage Loan Trust,
Mortgage Loan Asset-Backed Certificates,
Series 2007-02,
Plaintiff-Appellant,

M-3932
Index No. 35131/14E

-against-

Pierre Charles,
Defendant-Respondent,

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

-----X

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----x
Reinaldo Rodriguez, as Voluntary
Administrator of the Estate of
Eneida Rodriguez, deceased,
Plaintiff-Appellant,

-against-

M-3984
Index No. 27889/16

River Valley Care Center, Inc., and
Gracie Square Hospital,
Defendants-Respondents.
-----x

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 28, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----X
In the Matter of the Application
to Hold

William W. Koepfel,
Respondent-Appellant-Respondent,

in Statutory Criminal and/or Civil
Contempt and/or Common Law Civil
Contempt for Violating Orders
Entered by this Court, and to
Decide the Summary Judgment Motion
Presently Held in Abeyance, in the
Matter of the Application of the
Law Offices of Craig Avedisian, P.C.
and Richenthal, Abrams and Moss to
Fix and Determine a Charging Lien
Pursuant to Judiciary Law §475 and
for a Money Judgment and Related
Relief Against William W. Koepfel
regarding the Estate of

M-3985
M-4067
Surrogate's Court
File No. 1996-4098C

Robert A. Koepfel,
Deceased,

The Law Offices of Craig Avedisian,
P.C. and Richenthal Abrams & Moss,
Petitioners-Respondents-Appellants.
-----X

An appeal and cross appeal having been taken from an order of the Surrogate's Court, New York County, entered on or about February 20, 2018, and said appeal and cross appeal having been perfected and calendared,

And petitioners-respondents-appellants having moved to have this Court take judicial notice of certain documents (M-3985),

And respondent-appellant-respondent having cross moved for an order striking certain portions of petitioners brief and for costs on this motion (M-4067),

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 granted to the extent of taking judicial notice of the bankruptcy and mortgage documents and directing petitioners to file 9 copies of said documents within seven days of the date of this order (M-3985). The cross motion is denied in its entirety (M-4067).

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 September 13, 2018.

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

Justice Presiding,

Justices.

-----X
Ramon Pena-Diaz,
Plaintiff-Appellant,

-against-

M-3999
Index No. 302040/14

Sylvia Lewis,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about October 19, 2017,

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

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

ENTERED:



CLERK

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

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

Justice Presiding,

Justices.

-----X
Caliber Home Loans, Inc.,

Plaintiff-Respondent,

-against-

M-4000
Index No. 35367/14

Xiu Lian Tang, Jian Shi Xu, New York City Parking Violations Bureau, New York City Transit Adjudication Bureau, JP Morgan Chase Bank NA, New York City Environmental Control Board, et al.,

Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from a judgment of foreclosure and sale of the Supreme Court, Bronx County, entered on or about October 11, 2017,

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

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

ENTERED:


CLERK

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

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

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

Respondent,

-against-

M-4061
Ind. No. 2911/11

Jeffrey Ramirez,

Defendant-Appellant.
-----x

Defendant-appellant having moved, through retained counsel, for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 3, 2015,

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

It is ordered that the motion is granted to the extent of deeming the appeal filed for 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 September 13, 2018.

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

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

-against-

M-4062
Ind. No. 4977/12

Leroy Bundy,
Defendant-Appellant.

-----x

An order of this Court having been entered on May 4, 2017 (M-1764), granting defendant-appellant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about February 11, 2016, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal,

And defendant-appellant, both pro se and through retained counsel, having moved to relieve assigned counsel and to substitute retained counsel to prosecute the appeal,

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

It is ordered that the motion is granted to the extent of relieving Robert S. Dean, Esq., as assigned counsel on the appeal. The appellate brief filed by assigned counsel, on or about June 21, 2018, is deemed withdrawn. The time to perfect the appeal is enlarged to the January 2019 Term. The motion, to the extent it seeks to substitute retained counsel on the appeal, is denied as unnecessary.

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 September 13, 2018.

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

-----x

Michael Weiss,
Plaintiff-Respondent,

-against-

M-4068
Index No. 160202/13

Pamela Buchbinder,
Defendant-Appellant,

-and-

Jacob Nolan,
Defendant.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about April 11, 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 March 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 September 13, 2018.

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

-----X
In the Matter of the Application of
Mayflower Development Corp.,
Petitioner-Respondent,

For a Judgment Pursuant to Article 78 M-4071
of the Civil Practice Law and Rules, Index No. 101105/16

-against-

New York State Division of Housing
and Community Renewal,
Respondent-Appellant,

Piers Cardew and Karen Chatfield,
Respondents-Respondents.

-----X
Respondent-appellant having moved for an enlargement of time in which to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 25, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----X
Jonny Contreras,
Plaintiff-Appellant,

-against-

M-4091
Index No. 310552/11

3335 Decatur Avenue Corp.,
Defendant-Respondent.
-----X

3335 Decatur Avenue Corp.,
Third-Party Plaintiff-
Respondent,

-against-

Third-Party
Index No. 84092/12

Muhammad Zubair, doing business as
ZK Construction and ZK Construction,
Third-Party Defendants.
-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 8, 2017,

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

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

ENTERED:


CLERK

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

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

-----x
In the Matter of a Support Proceeding
Pursuant to Article 4 of the Family
Court Act.

- - - - -
Bryant P.,
Petitioner-Appellant,

CONFIDENTIAL

M-4103
Docket No. F-25246-05/17J

-against-

Lateshia D.,
Respondent-Respondent.

-----x

An appeal having been taken to this Court by petitioner-appellant from the order of the Family Court, Bronx County, entered on or about January 4, 2018,

And petitioner-appellant having moved for leave to prosecute said appeal as a poor person, for the assignment of counsel, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon petitioner-appellant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that petitioner-appellant has no funds or assets with which to prosecute the appeal, and submission of a copy of the Support Magistrate order dated August 2, 2017, and

(M-4103)

-2-

September 13, 2018

It is further ordered that the time to perfect the appeal is, sua sponte, enlarged to 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 September 13, 2018.

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

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

Monique McLaughlin, M-4112
Petitioner-Appellant, Index No. 101456/16

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

-against-

The New York City Housing Authority,
Brownsville Houses,
Respondent-Respondent.

-----X
This Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 20, 2017, to review a determination of respondent,

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to 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 September 13, 2018.

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

-----x
Marie Cruz,

Plaintiff-Appellant,

-against-

M-4116
Index No. 805079/13

Yuman Fong, M.D., and Memorial
Sloan-Kettering Cancer Center,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, entered on or about January 25, 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 enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----x
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

Linda H.,
Petitioner-Appellant,

CONFIDENTIAL

M-4119

Docket No. O-24835/16

-against-

Ahmad S.,
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about March 13, 2018,

And petitioner-appellant having moved for an order enlarging the record on appeal to include the transcripts and record from the proceedings under Docket No. O-21909/14,

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 petitioner-appellant is permitted to enlarge the record to include the entire record under Docket No. O-21909/14. Sua sponte, petitioner-appellant's time to perfect the appeal is enlarged to 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 September 13, 2018.

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

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

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

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-4165
Index No. 100655/14

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

-----X

Petitioners-appellants having moved for an enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 19, 2017,

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

It is ordered that the motion is denied as unnecessary, said relief having been granted by the order of this Court entered on August 30, 2018 (M-3183).

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 September 13, 2018.

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

-----x

Henry 85 LLC,

Plaintiff-Respondent,

-against-

M-3473

Index No. 154499/15

Joel Roodman, et al.,

Defendants-Appellants.

-----x

Defendants-appellants having moved for an 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 May 15, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----X
William Dugan, et al.,
Plaintiffs-Respondents-Appellants,

-against-

M-3899

Index No. 603468/09

London Terrace Gardens, L.P.,
Defendant-Appellant-Respondent.

-----X

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

And defendant-appellant-respondent having moved for an enlargement of time to perfect the aforesaid appeal and cross appeal, pursuant to the stipulation of the parties dated August 2, 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 enlarging the time to perfect the appeal and cross appeal to 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 September 13, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

-and-

M-4086
Ind. No. 1304/09

David Snipes,
Defendant-Appellant,

-----X

Defendant-appellant having moved for an enlargement of time to perfect its consolidated appeals taken from a judgment of the Supreme Court, New York County, rendered on or about March 23, 2010, a judgment of **resentence** of said Court, rendered on or about December 12, 2017, and from an order of the same court and Justice entered on or about October 27, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to 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 September 13, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

-against-

M-4096
Ind. No. 4440/16

Edgar Tapia-Hernandez,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 2, 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 enlarging the time to perfect the appeal to the March 2019 Term of this Court and extending the relief granted by an order of a Justice of this Court, dated January 8, 2018, on the same terms and conditions, and on the further condition that the appeal be perfected for said March 2019 Term.

ENTERED: September 13, 2018


CLERK

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

PRESENT: Hon. David Friedman, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
Paul J. Napoli,
Plaintiff-Respondent,

-against-

M-3742
Index No. 159576/14

Marc J. Bern,
Defendant-Appellant.
-----X

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2019 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 September 13, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
Summer Zervos,
Plaintiff-Respondent,

-against-

M-3878
Index No. 150522/17

Donald J. Trump,
Defendant-Appellant,

Law Professors,
Proposed Amici Curiae.

-----X

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

And Law Professors having moved for leave to file a brief amici 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 9 copies of the proposed amici curiae brief submitted with the moving papers herein 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 September 13, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x

Harvey Bojarskoy,
Plaintiff-Respondent,

-against-

M-2728
Index No. 654381/15

Croman Real Estate, Inc., et al.,
Defendants-Appellants.

-----x

Appeals having been taken from an order of the Supreme Court New York County, entered on or about November 29, 2017 and from an order of the same Court and Justice, entered on or about March 1, 2018,

And defendants-appellants having moved to deem the notice of appeal filed on December 27, 2017 for the above referenced November 29, 2017 order to constitute an application for leave to appeal, for an enlargement of time to perfect the appeal, and to stay a certain inquest scheduled for June 26, 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 enlarging the time in which to perfect the appeals, which are, sua sponte, consolidated, to the January 2019 Term. Appellants are permitted to prosecute the appeals upon ten copies of one record and one copy of appellants' points covering the aforesaid

appeals. The stay of inquest is granted on condition the consolidated appeals are perfected for said January 2019 Term. So much of the motion seeking leave to appeal is denied as unnecessary.

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 September 13, 2018.

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

Justice Presiding,

Justices.

-----x

Rosemarie A. Herman, et al.,
Plaintiffs-Respondents,

M-3685

M-3662

-against-

ACTION NO. 1
Index No. 652700/12

36 Gramercy Park Realty Associates,
LLC, et al.,
Defendants-Appellants.

- - - - -

36 Gramercy Park Realty Associates,
LLC, et al.,
Plaintiffs-Appellants,

ACTION NO. 2
Index No. 654067/12

-against-

Rosemarie A. Herman, etc.,
Defendants-Respondents.

-----x

Separate appeals having been taken to this Court by defendants in Action No. 1 and plaintiffs in Action No. 2 from an order of the Supreme Court, New York County, entered on or about April 24, 2017,

And all parties, having moved for consolidation of the appeals (M-3685 and M-3662), and an enlargement of time in which to perfect same,

Now, upon reading and filing the papers with respect to the motions, and the stipulation of the parties hereto, dated July 24, 2018, and due deliberation having been had thereon,

It is ordered that the motions are granted to the extent of enlarging the time in which to perfect the appeals, which are, consolidated, to the February 2019 Term. Appellants are permitted to prosecute the appeals upon eight copies of one record and one copy of appellants' points covering the aforesaid 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 September 13, 2018.

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

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

- - - - -
Antwan M.,
Petitioner-Respondent,

CONFIDENTIAL
M-3071
Docket No. V-5270-18

-against-

Corinne Frances B.,
Respondent-Appellant,
- - - - -

Anna Schissel, Esq.,
Attorney for the Child.

-----X

Leave having been granted to appeal to this Court from three interim orders of the Family Court, New York County, entered on or about May 7, 2018,

And respondent-appellant-mother having moved for consolidation of the appeals of the aforesaid Family Court orders, and to stay, pending appeal, the enforcement of the portions of those orders that adversely affect appellant,

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

It is ordered that that branch of the motion seeking to consolidate three orders of Family Court is granted to the extent of permitting appellant to prosecute a consolidated appeal upon 9 copies of one record and one set of appellant's points covering the consolidated orders. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeal is hereby enlarged to the January 2019 Term.

(M-3071)

-2-

September 13, 2018

The interim stay granted by an order of a Justice of this Court, dated June 14, 2018, is continued until the determination of the consolidated appeal.

ENTERED:


CLERK

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

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

Justice Presiding,

Justices.

-----X
Sheena Burton,

Plaintiff-Appellant,

-against-

M-3131
Index No. 156604/15

Khedouri Ezair Corp., Antonio Pecora,
Antonio Pecora, doing business as
IGGY's, H.K. Paris, Inc., H.K. Paris,
Inc., doing business as Voila 76, and
7 Just One Corp., trading as Iggy's,

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 September 7, 2017,

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

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

ENTERED:



CLERK

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

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

-----x
Constantine Spathis,

Plaintiff-Respondent,

-against-

Alina Dulimof Spathis,

Defendant-Appellant.
-----x

CONFIDENTIAL

M-3149

Index No. 302534/08

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 27, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----X
Alberto Galue,
Plaintiff-Appellant,

-against-

M-3197
Index No. 303246/11

Independence 270 Madison LLC, 270
Madison Avenue LLC, ABS Partners
Real Estate LLC and J. Spaccarelli
Construction Co. Inc.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, Bronx County, entered on or about December 21, 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 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 September 13, 2018.

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

-----X
Angel Luis Bartolomey,
Plaintiff-Respondent,

-against-

M-3214
M-3337
Index No. 303873/14

Henry K. Tworek,
Defendant-Appellant,

James C. Shea,
Defendant-Respondent,

Rolando J. Reynoso,
Defendant.

-----X

Defendant-appellant having moved to enlarge the record on appeal and for an enlargement of time to perfect his appeal taken from an order of the Supreme Court, Bronx County, entered on or about August 7, 2017 (M-3214),

And plaintiff-respondent having moved to dismiss the aforesaid appeal for failure to timely perfect (M-3337),

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

It is ordered that the motion by defendant-appellant is granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term and otherwise denied (M-3214). The motion by plaintiff-respondent to dismiss the appeal is granted unless said appeal is perfected for the January 2019 Term (M-3337).

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 September 13, 2018.

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

-----X

In the Matter of
State of New York,
Petitioner-Appellant,

-against-

Jerome A. (Anonymous),
Respondent-Respondent,

for Commitment Under Article 10
of the Mental Hygiene Law.

-----X

CONFIDENTIAL

M-3222

Index No. 30261/14

Petitioner-appellant having moved for a stay of the release order pending its appeal taken from an order of the Supreme Court, New York County, entered on or about June 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 stay is granted on condition petitioner perfect the appeal for 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 September 13, 2018.

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

-----X
Alprentice Gray, Sr., as Administrator
of the Estate of Alprentice Gray, Jr.,
deceased,
Plaintiff-Respondent,

-against-

M-3224
Index No. 306169/11

Stacy Ann Jackson, et al.,
Defendants,

Consolidated Edison, Inc., and
Qualcon Construction LLC,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about September 12, 2017,

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

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

ENTERED:


CLERK

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

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

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

Respondent,

-against-

M-3282
Ind. No. 162/12

Serafin E. Colon,

Defendant-Appellant.
-----x

An order of this Court having been entered October 22, 2013 (M-4055) substituting Steven Banks, Esq., predecessor to Seymour W. James, Jr., Esq. and Justine M. Luongo, Esq., The Legal Aid Society, as counsel to prosecute the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 18, 2012,

And defendant-appellant having moved to relieve assigned counsel and to substitute other counsel to prosecute 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. Sua sponte, the time to perfect the appeal is enlarged to 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 September 13, 2018.

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

-----X
Cornelius Gilchrist and Rachel
Gilchrist,
Plaintiffs,

-against-

Wang Technology, LLC,
Defendant-Respondent,

Judlau Contracting, Inc., Metropolitan
Transportation Authority, New
York City Transit Authority,
City of New York,
Defendants-Appellants.

M-3294
Index No. 155695/13

-----X
Judlau Contracting, Inc.,
Metropolitan Transportation Authority,
New York City Transit Authority,
City of New York,
Third-Party Plaintiffs-Appellants,

-against-

Brisk Waterproofing Company,
Third-Party Defendant-Appellant,

Wang Technology, LLC,
Third-Party Defendant-Respondent.
-----X

-----X
 Judlau Contracting, Inc., Metropolitan
 Transportation Authority, New York City
 Transit Authority, City of New York,
 Second Third-Party Plaintiffs-Appellants,

-against-

Liberty Construction Corp.,
 Second Third-Party Defendant-Respondent.

-----X

Defendants/third-party plaintiffs/second-third party
 plaintiffs-appellants having moved for an enlargement of time to
 perfect the appeal taken from an order of the Supreme Court, New
 York County, entered on or about September 5, 2017,

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

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

ENTERED:



 CLERK

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

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

-----X
Manhattan Realty Offices, Ltd.,
and Joshua Najjar,
Plaintiffs-Appellants,

-against-

Henry I. Weil, Esq.,
Defendant-Respondent.

M-3351
Index No. 157554/16

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about September 14, 2017,

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

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

ENTERED:


CLERK

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

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

-----X
Eric T. Schneiderman, Attorney General
of the State of New York,
Plaintiff-Claiming
Authority-Respondent,

-and-

M-3381
Index No. 251437/14

State of New York,
Co-Plaintiff-Respondent,

-against-

Alan Brand, et al.,
Criminal Defendants,

Nancy Brand,
Non-Criminal Defendant,

-and-

U.S. Bank, N.A.,
Non-Party Appellant.

-----X

Consolidated appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about April 17, 2017 and on or about December 19, 2017,

And non-party appellant, having moved for a further enlargement of time to perfect the aforesaid consolidated appeals

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals taken from the orders entered on or about April 17, 2017 and on or about December 19, 2017, to the March 2019 Term, with leave to seek further enlargements, if necessary.

ENTERED:


CLERK

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

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

-----X
Ana Castillo, as the Mother and
Natural Guardian of S.S., an infant
under the age of 14, and Ana Castillo,
Individually,
Plaintiffs-Appellants,

-against-

Robert Lopez, M.D., et al.,
Defendants-Respondents.

M-3382
M-3608
Index No. 350418/08

-----X

Plaintiffs-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 November 13, 2017 (M-3382),

And defendants-respondents New York Presbyterian Hospital and John T. Flynn, M.D., having cross-moved to dismiss the aforesaid appeal (M-3608)

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 granted to the extent of enlarging the time to perfect the appeal to the January 2019 Term (M-3382). The cross motion is denied and the appeal is deemed to be one from the judgment of the same Court entered on or about November 13, 2017 (M-3608).

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 September 13, 2018.

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

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

CONFIDENTIAL

M-3386

Kayo I.,
Petitioner-Respondent,

-against-

Eddie W.,
Respondent-Appellant.

Eddie W.,
Petitioner-Appellant,

-against-

Kayo I.,
Respondent-Respondent.
-----X

Docket Nos. V-1887/08
V-1887-08/14B
V-1887-08/15C
V-1887-08/15D
V-1887/08/15E
V-1887/08/15F
V-22546-09/15B
V-22546-09/15C
V-22546-09/15D
V-22546-09/15E

Respondent-appellant-father having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, New York County, entered on or about October 17 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 in which to perfect the appeal to the January 2019 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 September 13, 2018.

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

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

-against-

Anthony Criscuolo,
Defendant-Appellant.

CONFIDENTIAL

M-3400

Ind. No. 2055/13

-----X

Defendant having moved for a further enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 7, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

-----X
Marjorie Givens, by her Attorney-in-Fact,
Glenn Givens,

Plaintiff-Appellant,

-against-

M-3424
Index No. 25103/15E

Kingsbridge Heights Care Center, Inc.,
Kingsbridge Heights Care Center, Inc.
doing business as Kingsbridge Heights
Rehabilitation and Care Center and
Kingsbridge Heights Rehabilitation and
Care Center,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about February 9, 2017,

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

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

ENTERED:



CLERK

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

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

-----X
Misleidy Cuenca,
Plaintiff-Appellant,

-against-

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

M-3425
Index No. 23153/14

-----X

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

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to 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 September 13, 2018.

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

-----X
Michael Baptiste,

Plaintiff-Defendant,

-against-

M-3442
Index No. 308590/11

Port Authority of New York and New Jersey,
Tishman Construction Corporation and
Silverstein Properties, Inc.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about September 20, 2017,

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

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

ENTERED:


CLERK

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

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

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

-against-

M-3443
Ind No. 2373/14

Keith Goodman,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 16, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 September 13, 2018.

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

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

-against-

M-3456
Index No. 260341/16

Haffel Concepcion,
Defendant-Respondent,

Seneca Insurance Company, Inc./
ABC Bail Bond Agency Inc.,
Petitioner-Appellant.

-----X

Petitioner-appellant surety having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about October 6, 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 March 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 September 13, 2018.

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

-----X
Sez Holdings LLC, et al.,
Plaintiffs-Respondents,

-against-

Magic Quick Lube, Inc., et al., M-3457
Defendants-Appellants, Index No. 26479/15

-and-

Jerome Avenue Car Wash and Lube,
Inc., et al.,
Defendants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 5, 2017,

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

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

ENTERED:


CLERK

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

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

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

-against-

M-3476
Index No. 302488/10

2147 Second Avenue, LLC, Shan Home
Improvement, Inc., Gary Silver
Architects, P.C. and Sunshine Quality
Construction, Inc.,
Defendants-Appellants-Respondents.

-----X
2147 Second Avenue, LLC,
Third-Party Plaintiff,

-against-

Third-Party
Index No. 83773/14

Shan's Construction, Inc.,
Third-Party Defendant.

-----X
Sunshine Quality Construction, Inc.,
Second Third-Party Plaintiff-
Appellant,

Second Third-Party
Index No. 8397/15

-against-

Shan's Construction, Inc.,
Second Third-Party Defendant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about October 2, 2017,

And defendant/second third-party plaintiff-appellant Sunshine Quality Construction, Inc., having moved for an enlargement of time to perfect its appeal from the aforesaid order, and for a stay of trial and for pending hearing and determination of said 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 staying trial pending hearing and determination of the aforesaid appeals. The time to perfect for defendant Sunshine Quality Construction, Inc. is enlarged to the March 2019 Term. Sua sponte, the time for defendant Gary Silver Architects, P.C. is enlarged to said March 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 September 13, 2018.

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

-----X

Wayne Charles,
Plaintiff-Appellant,

M-3515

M-3516

-against-

M-3711

Index No. 100117/16

Levitt & Kaizer, Richard Levitt,
Nicholas Kaizer and Brendan White,
Defendants-Respondents.

-----X

Plaintiff having moved for a further enlargement of time to perfect the consolidated appeals taken from orders of the Supreme Court, New York County, entered on or about February 8, 2017, and September 21, 2016 (M-3516), to enlarge the time to perfect from purported appeals taken from orders entered on or about May 9, 2018 and March 22, 2017, and for leave to prosecute said consolidated appeals as a poor person, for leave to have the consolidated appeals heard on the original record and upon a reproduced appellant's brief (M-3515),

And defendants-respondents having cross-moved to dismiss the consolidated appeals for failure to timely perfect (M-3711),

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 plaintiff's motion for an enlargement of time to perfect the consolidated appeals is denied (M-3516) as moot. Plaintiff's motion seeking leave to prosecute the consolidated appeals as a poor person is granted only with

respect to future motion practice in this Court related to this action and the two purported appeals from orders entered on or about May 9, 2018 and March 22, 2017, and is otherwise denied (M-3515). Defendant's cross motion is granted and the consolidated appeals are dismissed.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R.", 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 September 13, 2018.

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

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

-against-

M-3517
Ind. Nos. 196/17
651/16
Nelson Jacquez,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 10, 2018 (M-1584), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 21, 2017, under Indictment No. 196/17, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include Indictment No. 651/16,

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

It is ordered that said motion is granted to the extent of deeming the moving papers a timely filed notice of appeal under Indictment number 651/16, amending the aforementioned order of assignment to include both Indictment Nos. 196/17 and 651/16, and extending the poor person relief previously granted to cover same, and

(M-3517)

-2-

September 13, 2018

It is further ordered, that the time to perfect the appeal is hereby enlarged to 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 September 13, 2018.

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

-----X

U.S. Bank National Association, not in its individual capacity, but as trustee for Merrill Lynch Mortgage Investors Trust, Series 2006-RM4, and Merrill Lynch Mortgage Investors Trust, Series 2006-RM5,
Plaintiff-Respondent-Appellant,

M-3528
Index No. 654403/12

-against-

Merrill Lynch Mortgage Lending, Inc. and Bank of America, National Association,
Defendants-Appellants-Respondents.

-----X

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about May 16, 2018

And plaintiff-respondent-appellant having moved, inter alia, for a stay of all proceedings pending evaluation of the Proposed Settlement Agreement,

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

(M-3528)

-2-

September 13, 2018

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

ENTERED:


CLERK

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

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

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

Shali D.,
Petitioner-Appellant,

CONFIDENTIAL

-against-

M-3541
Docket Nos. V-34630/15
V-32196/15

Victoria V.,
Respondent-Respondent.

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

-----X
Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, New York County, entered on or about August 8, 2017,

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

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

ENTERED:



CLERK

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,

-against-

M-3789
Ind. No. 435/2014

Tommy Barnes,

Defendant.

ORDER DENYING ROR OR
BAIL PENDING APPEAL

-----X

An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, New York County, rendered on June 28, 2016, and defendant having moved, pursuant to CPL 460.50 and 530.50 for an order of recognizance or to be admitted to bail pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion, and further papers filed in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied.

Dated: August 15, 2018
New York, New York


Justice of the Appellate Division

ENTERED:

SEP 13, 2018