

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x

Adam Robinson,  
Plaintiff-Respondent-Appellant,

-against-

Laura Day, Robinsonday, LLC and Laura  
Day, Inc.,  
Defendants-Appellants-Respondents,

M-7593  
Index No. 600907/10

-and-

David J. DePinto, et al.,  
Defendants-Respondents.

-----x

Appeals and cross appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about January 17, 2019 and March 7, 2019,

And defendants-appellants-respondents having moved to strike the briefs filed by plaintiff-respondent-appellant, to strike the cross appeals, and for other relief,

Now, upon reading and filing the stipulation of the parties hereto, dated October 22, 2019, and due deliberation having been had thereon,

(M-7593)

-2-

December 17, 2019

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid stipulation.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

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

-----  
Sonia V.,  
Petitioner-Respondent,

-against-

Fitzroy F.,  
Respondent-Appellant.

-----X

**CONFIDENTIAL**

M-8031  
Docket Nos. V-37999/14  
V-43253/14

Petitioner-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 August 26, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of William O'Hern, Esq., dated November 1, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, NY 11753, Telephone No. 603-313-1951, as counsel for purposes of responding to the appeal;

(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

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

- - - - -

ShaAsia W.,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-8124

Docket Nos. V-7767/17

V-18984/18

-against-

Melissa M.,  
James E.,  
Respondents-Respondents.

- - - - -

Randall S. Carmel, Esq., Attorney  
for Child-Appellant.

-----X

Respondent-respondent Melissa M., having moved for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, New York County, entered on or about August 25, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of David Goldstein, Esq., dated November 8, 2019, 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, Lewis S. Calderon, Esq., 153-03 Jamaica Avenue, New York, 11432, Telephone No. 718-883-1560, as counsel for purposes of responding to the appeal;

(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9 of the Practice Rules of the Appellate Division.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

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

- - - - -

Khalia Rene R.,  
Petitioner-Respondent,

-against-

Evans D.,  
Respondent-Appellant.

-----X

**CONFIDENTIAL**

M-8125

Docket Nos. V-2952/18

V-25821/17

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about October 4, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Gary Schultz, Esq., dated October 28, 2019, 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, Lewis S. Calderon, Esq., 153-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from

funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

---

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



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x

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

- - - - -

Alima Z.,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-8126

Docket No. F-41691-16/18C

-against-

Ousmane D.,  
Respondent-Appellant,

-----x

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about September 30, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Michael T. Conroy, Esq., dated October 30, 2019, 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, Lewis S. Calderon, Esq., 153-03 Jamaica Avenue, Jamaica, New York, 11432, Telephone No. 718-883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of

Luciano P.,  
Natanie S.,  
Ava P., and  
Justina S.,

**CONFIDENTIAL**  
M-8127

Children Under 18 Years of Age Alleged Docket Nos. NN-4016-9/17  
to be Neglected Under Article 10  
of the Family Court Act.

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

Louis P.,  
Respondent-Appellant,

Sabrina G.,  
Respondent.

- - - - -  
Janet E. Sabel, Esq., The Legal Aid  
Society,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about April 29, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Marquita Simon, Esq., Center for Family Representation, dated October 31, 2019, 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, Center for Family Representation, 40 Worth Street, Suite 605, New York, NY 10013, Telephone No. 212-691-0950, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
\_\_\_\_\_  
CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of  
Luciano P.,  
Natanie S.,  
Ava P., and  
Justina S.,

**CONFIDENTIAL**  
M-8185

Children Under 18 Years of Age Alleged Docket Nos. NN-4016-9/17  
to be Neglected Under Article 10  
of the Family Court Act.

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

Louis P.,  
Respondent-Appellant.

-----  
Janet E. Sabel, Esq., The Legal Aid  
Society,  
Attorney for the Children.

-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about August 31, 2018,

Now, upon reading and filing the correspondence from the attorney for respondent-appellant dated November 13, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence. Respondent-appellant's remaining appeal from the Order of Disposition, same Court, entered on or about April 29, 2019, remains extant.

ENTERED:

  
-----  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In Re: New York City Asbestos Litigation

- - - - -  
William E. Robaey, as Executor for the  
Estate of Marlana F. Robaey, and  
Edward Robaey, Individually,  
Plaintiffs-Respondents,

-against-

M-8231  
Index No. 190276/13

Air & Liquid Systems Corp., as successor-  
by-merger to Buffalo Pumps, Inc.,  
et al.,  
Defendants,

Federal-Mogul Asbestos Personal Injury  
Trust, as successor to Felt Products  
Manufacturing Company,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about March 1, 2019, and said appeal having been perfected,

And defendant-appellant having moved for a stay of enforcement of the aforesaid judgment pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated November 13, 2019, and due deliberation having been had thereon,

(M-8231)

-2-

December 17, 2019

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

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

- - - - -  
Jada T.,  
Petitioner-Respondent,

**CONFIDENTIAL**  
M-8242  
Docket No. O-2512-19

-against-

Michael Adrian C.,  
Respondent-Appellant.

- - - - -  
Janet E. Sabel, Esq., The Legal Aid Society, Attorney for the Children.

-----x

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, New York County, entered on or about September 26, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Jonathan A. Nelson, Esq., dated November 1, 2019, 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, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, No. 576, Hastings on Hudson, New York, 10701, Telephone No. 914-439-4843, as counsel for purposes of responding to the appeal;



(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9 of the Practice Rules of the Appellate Division.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x  
In the Matter of a Paternity Proceeding  
Under Article 5 of the Unified  
Interstate Family Support Act  
-----

Corporation Counsel, New York City,  
Joy H.,  
Petitioners-Respondents,

**CONFIDENTIAL**  
M-8244  
Docket No. U-12382-18

-against-

Tyrone M.,  
Respondent-Appellant.

-----  
Randall S. Carmel, Esq.,  
Attorney for the Children.

-----x  
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an Order After Estoppel Hearing of the Family Court, New York County, entered on or about October 29, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of William Wight Booth, Esq., dated November 15, 2019, 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., 228 East 45th Street, Suite 900, New York, New York 10017, Telephone No. 646-627-8875, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See, M-8396, dated December 17, 2019, released simultaneously herewith).

ENTERED:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----x  
In the Matter of a Paternity Proceeding  
Under Article 5 of the Unified  
Interstate Family Support Act  
-----

Corporation Counsel, New York City,  
Joy H.,  
Petitioners-Respondents,

**CONFIDENTIAL**  
M-8396  
Docket No. U-12382-18

-against-

Tyrone M.,  
Respondent-Appellant.

-----  
Randall S. Carmel, Esq.,  
Attorney for the Children.

-----x  
Elliot Podhorzer, Esq., court attorney for the subject children, having moved on said children's behalf for leave to respond, as poor persons, to the appeal taken from an Order After Estoppel of the Family Court, New York County, entered on or about October 29, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Elliot Podhorzer, Esq., dated November 17, 2019, 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 S. 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;

(M-8396)

-2-

December 17, 2019

(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9. (See, M-8244, dated December 17, 2019, released 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 December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of the Application of  
Barbara Amis,  
Petitioner,

For a Judgment Pursuant to Article 78 M-8263  
of the Civil Practice Law and Rules, Index No. 100229/19

-against-

New York City Housing Authority,  
Respondent.

-----X

An Article 78 Proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 24, 2019, to review a determination of respondent,

Now, upon reading and filing the stipulation of the parties hereto, dated October 23, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Alpha Beta Capital Partners, L.P.,  
Plaintiff-Appellant,

-against-

M-8264

Index No. 651906/17

Anthony P. Schepis, et al.,  
Defendants-Respondents.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated November 14, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York  
ex rel. Marie Ndiaye, Esq., on behalf  
of Richard Ortiz,  
Petitioner-Appellant,

M-8271  
Index No. 451526/18

-against-

Cynthia Brann, Commissioner, New York  
City Department of Correction,  
Respondent-Respondent.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about August 3, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated October 30, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Country-Wide Insurance Company,

Petitioner/Cross Respondent-Respondent,

-against-

M-8291

Index No. 651302/18

Acuhealth Acupuncture, P.C., etc.,  
Respondent/Cross Petitioner-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 10, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated September 27, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Patricia M. Swanson, as Executrix for  
the Estate of John Swanson, Deceased,  
and Patricia M. Swanson, Individually,  
Plaintiffs-Respondents,

-against-

M-8307  
Index No. 190535/12

Aerco International, Inc., et al.,  
Defendants,

-and-

American Biltrite Inc.,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 10, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated September 10, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Tyesha Goodwyn,  
Plaintiff-Respondent,

-against-

M-8309  
Index No. 23277/14E

Seafood City Express, Inc., et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 10, 2019, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated October 22, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Asaf Berman, et al.,  
Plaintiffs-Appellants,

-against-

M-8311  
Index No. 651789/18

Dean Jankelowitz, et al.,  
Defendants-Respondents.

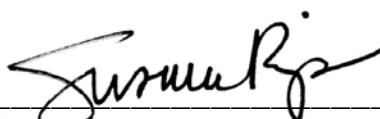
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 19, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated October 20, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Gary LaBarbera,  
Plaintiff-Respondent,

-against-

M-8364  
Index No. 154364/18

The Center for Union Facts,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 8, 2019, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated November 21, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Petition of

Rodney Brayman, et al.,  
Petitioners,

M-8365  
Index No. 152842/17

-against-

The New York State Industrial Board  
of Appeals, et al.,  
Respondents.

-----X

An Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about October 3, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated October 31, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Jenal Hunt,  
Plaintiff-Respondent,

-against-

M-8399X  
Index No. 306290/14

Wheels LT and Omar Asprilla,  
Defendants-Appellants,

Kelvin Somerville,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 29, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 21, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Jacqueline Toboroff Gross and Leonard  
Toboroff, as Guarantor,  
Plaintiffs-Respondents,

-against-

M-8401  
Index No. 153274/17

Aronson, Mayefsky & Sloan, LLP,  
Defendant-Appellant.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated November 22, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Maida Camacho,  
Plaintiff-Respondent,

-against-

M-8402X  
Index No. 301797/16

Church of Saint Raymond and Saint Raymond  
Cemetery,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 20, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 6, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

John Rashad Franklin also known as DJ  
Rashad Hayes,  
Plaintiff-Appellant,

-against-

M-8403

Index No. 154042/15

4Control Media, Inc.,  
Defendant-Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 21, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated October 22, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Ramon Rafael Mella, as Administrator of  
the Estate of Newton Mejia Mella also  
known as Newton Mella Mejia,  
Plaintiff-Respondent,

-against-

M-8404X  
Index No. 805225/14

Jonathan Hertz, M.D.,  
Defendant-Appellant,

Center for Alterative Sentencing and  
Employment Services, Christian Colon,  
Michelle Love, M.D. and St. Luke's  
Hospital,  
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 10, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 6, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Dennis Burke,  
Plaintiff-Appellant,

-against-

Snowplow LH LLC and Lend Lease (US)  
Construction LMB, Inc.,  
Defendants-Respondents,

M-8405  
Index No. 154557/15

-and-

250 East 57th Street, LLC, et al.,  
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 18, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated November 6, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**

M-7839

-against-

Ind. No. 10931/87

Kirk Patterson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Hayes, J.), entered on or about September 6, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Hayes as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-7839)

-2-

December 17, 2019

The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**

M-7847

-against-

Ind. No. 2258/09

Jonathan Then,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Stolz, J.), entered on or about October 2, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTERED:

  
\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Lizbeth Gonzalez, Justices.

-----x  
Tania Ventura Perez, Administrator  
of the Estate of Ramona Antonia Perez,  
Plaintiff-Appellant,

M-7766  
Index No. 450552/16

-against-

139 Medical Facility P.C., et al.,  
Defendants-Respondents,

Yasmine Jones, N.P. and Natalie  
Wilson, N.P.,  
Defendants.

-----x  
Plaintiff-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about June 5, 2019,

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

It is ordered that the motion is granted.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Lizbeth Gonzalez, Justices.

-----x  
Alroy Richards,  
Plaintiff-Appellant,

-against-

M-8204  
Index No. 101659/18

Security Resources, et al.,  
Defendants-Respondents.  
-----x

Plaintiff-appellant having moved for an extension of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about June 17, 2019, to enlarge the record on appeal, to have the record transferred to this Court, 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 only to the extent of extending the time to perfect the appeal to the April 2020 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 December 17, 2019.

Present - Hon. David Friedman,  
Troy K. Webber  
Ellen Gesmer  
Cynthia S. Kern,

Justice Presiding,  
  
Justices.

-----X  
Mario Fabian,  
Plaintiff-Appellant,

-against-

M-7996  
Index No. 301408/15

Mohammad A. Quadir and  
Sparrow Taxi, 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 April 10, 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 April 2020 Term.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

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

-----X

The People of the State of New York  
ex rel. Francisco German-DeJesus,  
Petitioner-Appellant,

-against-

M-8123  
Ind. No. 1143N/18

Warden, A.M.K.C., Rikers Island,  
Respondent-Respondent.

-----X

The above-named petitioner, pro se, having moved for, inter alia, a writ of habeas corpus to be issued from this Court, and poor person 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 be and the same hereby is granted only to the extent of transferring the proceeding the Supreme Court of the State of New York, County of New York, to be heard before a Justice thereof, forthwith, and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at A.M.K.C. Rikers Island, Department of Corrections; the Attorney General of the State of New York, 28 Liberty Street, New York, NY 10005; and the District Attorney of New York County, be deemed sufficient notice. This order is without prejudice to further proceedings regarding the related relief.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

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

-----X  
In the Matter of

Muhamed Omar W.,

**CONFIDENTIAL**

M-8146

Docket Nos. B-43917-16

NN-42965-13

A Child Subject of a Termination of Parental Rights Proceeding Pursuant to §384-b of the Social Services Law of the State of New York.

- - - - -  
Little Flower Children's Services,  
Petitioner-Respondent,

Jessica Ann W.,  
Respondent-Appellant.

Joel S.  
Respondent.

- - - - -  
Janet E. Sabel, Esq., The Legal  
Aid Society, Attorney for the Child.

-----X

Respondent-appellant mother, having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, New York County, both entered on or about September 25, 2019, 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, Daniel R. Katz, Esq., 339 West 88th Street, Apt. 3, New York, New York, 10024, Telephone No. 917-886-5620, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
\_\_\_\_\_  
CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Sallie Manzanet-Daniels  
Troy K. Webber  
Ellen Gesmer, Justices.

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

-against-

M-7985  
Ind. No. 4821/16

Erin Wicomb,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about March 21, 2019, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

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

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

(M-7985)

-2-

December 17, 2019

Defendant-appellant's time in which to perfect the appeal is enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Judith J. Gische  
Angela M. Mazzarelli  
Ellen Gesmer, Justices.

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

NYC Health + Hospitals,  
Petitioner-Appellant,

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

M-8226  
Index No. 450553/18

-against-

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

-----X

An appeal having been taken to this Court by the above-named petitioner from the order of the Supreme Court, New York County, entered on or about February 27, 2019, and said appeal having been perfected,

And the New York City Municipal Labor Committee having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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

It is ordered that the motion is granted and the copies of the amicus curiae brief submitted to this Court with the moving papers are deemed filed.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,  
Angela M. Mazzarelli  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-

M-8108  
Ind. No. 3319/17

Elijah Randolph,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about December 19, 2018, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

(M-8108)

-2-

December 17, 2019

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 17, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,  
Angela M. Mazzarelli  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-

M-8114  
Ind. No. 539/18

Pedro Santiago,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 25, 2019,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal.

ENTERED:

  
\_\_\_\_\_  
CLERK

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

BEFORE: Peter H. Moulton  
Justice of the Appellate Division

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

M-7931  
Ind. No. 1171/2010

-against-


CERTIFICATE  
DENYING LEAVE

Paul Gaccione,  
Defendant.

-----X

I, Peter H. Moulton, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County (Carter, J.) entered on or about September 12, 2019 is hereby denied.

Dated: December 2, 2019  
New York, New York



Hon. Peter H. Moulton  
Associate Justice

ENTERED: DEC 17 2019