

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

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

Juan L.,
Petitioner-Appellant,

-against-

Darlene C.,
Respondent-Respondent.

CONFIDENTIAL

M-2339

Docket No. V-18307/16

-----X
An appeal having been taken from the order of the Family Court, Bronx County, entered on or about June 18, 2018,

Now, upon reading and filing the correspondence from the attorney for petitioner-appellant dated April 29, 2019, and the signed consent of the petitioner-appellant dated April 22, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence and consent.

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 June 11, 2019.

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

-----x
GFI Realty Services Inc., et al.,
Plaintiffs-Appellants,

-against-

M-1438
Index No. 652906/15

Benchmark 117 LP and Benchmark Real
Estate Group, LLC,
Defendants-Respondents,

STG Realty Group, Inc., etc., et al.,
Defendants.

-----x

Defendants-respondents having moved for an order dismissing the appeal taken from the order of the Supreme Court, New York County, entered on or about April 18, 2018,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from the attorney for defendants-respondents dated April 15, 2019, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

-----X
Gayley N. Henry,
Plaintiff-Respondent,

-against-

M-1841X
Index No. 21572/13

Ihab Ibrahim Saad and Citron
Houseware, Inc.,
Defendants-Appellants.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 29, 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 June 11, 2019.

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

-----X

Fashion World, Ltd.,
Plaintiff-Respondent,

-against-

M-1855X
Index No. 652290/18

Glory Holdings Enterprises, LLC
and Adorable Pillows, Inc.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 19, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 3, 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 June 11, 2019.

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

-----X
Shamir Gutierrez,
Plaintiff-Appellant,

-against-

M-1922X
Index No. 300947/15

Imrul Morsohed and Katalina
Transit, Inc.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 7, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 3, 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 June 11, 2019.

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

-----X
Tower Insurance Company of New York,
as subrogee of 532 39 Realty, LLC,
Plaintiff-Respondent,

-against-

M-1923X
Index No. 150281/11

LMW Engineering Group, LLC, et al.,
Defendants,

Metal Stone Construction, Inc.,
Defendant-Appellant.
-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 4, 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 June 11, 2019.

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

-----X
Dominique Smith,
Plaintiff-Respondent,

-against-

M-1924X
Index No. 302493/15

Rudolph B. Sosa, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 30, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 5, 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 June 11, 2019.

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

-----X
PSB Indian Creek LLC, directly,
and derivatively on behalf of JHPSB
Indian Creek Ventures LLC, JHPSB
Indian Creek Ventures Investors LLC,
and 2901 JMH LLC,
Plaintiffs-Appellants-Respondents,

-against-

Jason Halpern, JMH Indian Creek
Development, LLC, JMH Development III,
LLC, and 29 ICD, LLC,
Defendants-Respondents-Appellants,

M-1967
Index No. 651406/17

-and-

JHPSB Indian Creek Ventures LLC,
JHPSB Indian Creek Ventures Investors
LLC, and 2901 JMH, LLC,
Nominal Defendants.

-----X

An appeal and cross appeal having been taken from of the Supreme Court, New York County, entered on or about September 11, 2018,

Now, upon reading and filing the correspondence from the attorney for defendants-respondents-appellants dated April 9, 2018, and due deliberation having been had thereon,

It is ordered that defendants-respondents-appellants' cross appeal is deemed withdrawn in accordance with the aforesaid correspondence. The direct appeal 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 June 11, 2019.

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

-----X
Seymour Sohmer, et al.,

Plaintiffs-Appellants,

-against-

M-1969
Index No. 654744/17

Liba Targownik, etc., 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 25, 2018,

Now, upon reading and filing the the correspondence from the attorney for plaintiffs-appellants dated April 4, 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 June 11, 2019.

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

-----X
Hetri Totaram,

Plaintiff-Respondent,

-against-

M-1976
Index No. 380033/15

Debbie Gibson,

Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 14, 2017,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant, dated March 29, 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 June 11, 2019.

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

-----X
Structure Tone, Inc.,
Plaintiff-Appellant,

-against-

The Travelers Indemnity Company, M-1970
Harleystville Insurance Company of New York, Index No. 159598/14
Zurich American Insurance Company and
National Union Fire Insurance Company of
Pittsburgh, PA,
Defendants-Respondents,

Burlington Insurance Company and
Castlepoint Insurance Company,
Defendants.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 30, 2018 (mot. seq. nos. 005, 007, 008, 009),

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated April 3, 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 June 11, 2019.

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

-----X
Suttongate Holdings Limited,
Plaintiff-Respondent,

-against-

M-1972
Index No. 652393/15

Lacomm Management N.V., et al.,
Defendants-Appellants.

- - - - -
[And other actions.]

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 10, 2018 (Cal. No. 2018-4058),

Now, upon reading and filing the Notice of Withdrawal of Appeal, dated March 29, 2019, and due deliberation having been had thereon,

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

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 June 11, 2019.

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

-----X
Suttongate Holdings Limited,
Plaintiff-Respondent,

-against-

M-1973
Index No. 652393/15

Lacomm Management N.V., et al.,
Defendants-Appellants.

- - - - -
[And other actions.]

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 9, 2018 (Cal. No. 2018-4060),

Now, upon reading and filing the Notice of Withdrawal of Appeal, dated March 29, 2019, and due deliberation having been had thereon,

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

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 June 11, 2019.

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

-----X
Luz Virginia Saboi,

Plaintiff-Respondent,

-against

M-1975
Index No. 161619/13

Modell's NY II, sued herein as
Modell's Sporting Goods, Inc.,

Defendant-Appellant.

-----X

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

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated March 28, 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 June 11, 2019.

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

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

ex rel. Alma Magana, Esq., on
behalf of Jose Rodriguez,
Petitioner-Appellant,

-against-

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

-----X

M-1980
Index No. 452262/18
Ind. No. 3527/18
SCID No. 30201/18

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 6, 2018,

Now, upon reading and filing the stipulation of the parties hereto, filed April 12, 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 June 11, 2018.

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

-----X

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

CONFIDENTIAL

M-2332

Shawn C.,
Petitioner-Appellant,

Docket No. V-12541-11/16A

Cesare R.,
Respondent-Respondent,

-----X

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

Now, upon reading and filing the correspondence from petitioner-appellant's assigned counsel, Hani M. Moskowitz, Esq., dated April 29, 2019, and the letter of consent to withdrawal of appeal, signed by petitioner-appellant, dated June 1, 2018, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence and letter of consent.

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 June 11, 2019.

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

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

- - - - -
Georgianna N.,
Petitioner-Appellant,

CONFIDENTIAL
M-1642
Docket No. V-43480/13

-against-

Carmen V. and Ibor S.,
Respondents-Respondents,

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

-----X
William O'Hern, Esq., court attorney for the subject child Albert Gregory S., having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about February 1, 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 March 20, 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, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of responding to the appeal; and (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the

appeal and an original, five hard copies and, if represented by counsel, one digital copy of such brief are filed, pursuant to 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 June 11, 2019.

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

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

- - - - -
Dave D.,
Petitioner-Appellant,

CONFIDENTIAL

M-1649

Docket No. V-31561-11/17H

-against-

Cara C.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about March 1, 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 Joseph V. Moliterno, Esq., dated March 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. 914-419-8407, as counsel for purposes of prosecuting the appeal;
(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA**

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

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 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

Nazere M.,

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

CONFIDENTIAL

M-1648

Docket No. NN-24407/13

- - - - -
Abbott House, et al.,
Petitioners-Respondents,

Nazaray M.,
Respondent-Appellant.

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

-----X

Joann Bourne, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about April 27, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of responding to the appeal; and (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 of the appeal, and an original, five hard copies and, if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR 1250.9.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

Katherine U.,

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

CONFIDENTIAL

M-1660

Docket No. NA-31335/16

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

Jose U.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, Bronx County, entered on or about February 11, 2019 and February 27 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 J. Erkin, Esq., dated February 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, Thomas R. Villecco, Esq., 266 N. Broadway, Suite 410, Jericho, NY 11753, Telephone No. 516-942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

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

- - - - -
Hyland P.,
Petitioner-Appellant,

CONFIDENTIAL

M-1715
Docket No. V-29041/17

-against-

Ericka B. and Administration for
Children's Services
Respondents-Respondents.

-----X

Respondent-respondent Ericka B. 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 December 14, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Emily S. Wall, Esq., dated February 26, 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, Thomas R. Villecco, Esq., 366 N. Broadway, Suite 410, Jericho, NY 11753, Telephone No. 516-942-4221, 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. (See, M-1814, dated June 11, 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 June 11, 2019.

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

-----X

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

- - - - -

Hyland P.,
Petitioner-Appellant,

CONFIDENTIAL

M-1814

Docket No. V-29041/17

-against-

Ericka B. and the Administration for Children's Services,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about December 14, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Daniel X. Robinson, Esq., dated February 7, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-374-1962, 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**

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

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 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-1715, dated June 11, 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 June 11, 2019.

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

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

- - - - -
Milagros R.,
Petitioner-Appellant,

CONFIDENTIAL

M-1722
Docket No. V-47098/15

-against-

Quazay S.-R., K'Shonna J., and
Administration for Children's
Services of the City of New York,
Respondents-Respondents.

-----X

Respondent-respondent father, Quazay S.-R., 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 28, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Daniel X. Robinson, Esq., dated February 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 §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. 914-949-8214, 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

of the appeal, and an original, five hard copies and, if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR 1250.9.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

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

Jose F., Jr.,
Petitioner-Respondent,

-against-

CONFIDENTIAL
M-1727
Docket Nos. V-2782-18
V-2783-18
V-2784-18

Santa F.,
Respondent-Appellant,

Administration for Children's
Services,
Respondent.

-----X

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 January 7, 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 Wendy I. Luger, Esq., dated March 25, 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, Thomas R. Villecco, Esq., 366 N. Broadway, Suite 410, Jericho, NY 11753, Telephone No. 516-942-4221, 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 June 11, 2019.

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

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

Dyani Iris O.,
Petitioner-Respondent,

-against-

CONFIDENTIAL

M-1807

Docket Nos. V-4391-17/17B
V-4391-17/17A

Roberto R.,
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 January 31, 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 Samuel Feldman, Esq., dated February 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-374-1962, 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**

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

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 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

Melody S.,

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

CONFIDENTIAL

M-1808

Docket No. NN-7839/18

- - - - -
Administration for Children's Services,
Petitioners-Respondents,

Maryeling R. S.-P.,
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 October 11, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Robert Rothman, Esq., dated February 14, 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, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

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

- - - - -
Ramon R.,
Petitioner-Appellant,

-against-

Carmen L.,
Respondent-Respondent.

CONFIDENTIAL

M-1826
IDV No. 163/11
Docket No. V-268-71/15

-----x
Linda McCarthy, Esq., court attorney for the subject children Haley R. And Jocelyn R., having moved on the children's behalf for leave to respond, as a poor person, to the appeal taken from the orders of the Supreme Court, Bronx County, Integrated Domestic Violence Part, entered on or about December 17, 2018, and for the 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 Linda McCarthy, Esq., dated February 19, 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, and Judiciary Law § 35, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-374-1962, 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 of the appeal, and an original, five hard copies and, if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR 1250.9. (See, M-1434, dated June 11, 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 June 11, 2019.

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

-----X

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

CONFIDENTIAL

M-1434

IDV No. 163/11

Docket No. V-268-71/15

Ramon R.,
Petitioner-Appellant,

-against-

Carmen L.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Supreme Court, Bronx County, Integrated Domestic Violence Part, entered on or about December 17, 2018, and for assignment of counsel, a free copy of the transcript, and related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Michael DeMattio, Esq., 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, and Judiciary Law § 35, Larry S. Bachner, P.C., c/o Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as counsel for purposes of prosecuting the appeal; (2) **directing the Clerk of said Supreme Court, Integrated Domestic Violence Part, to have transcribed within 60 days of service of a copy of this order upon said Clerk, 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 to this Court. **The Clerk of the Supreme Court shall transfer the record(s) 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 receipt of the transcripts. **Assigned counsel is directed to immediately immediately subpoena the record from the Supreme Court, Bronx County, Integrated Domestic Violence Court, and to serve a copy of this order upon the Clerk of said Supreme Court.**

(See, M-1826, dated June 11, 2019, released simultaneously herewith).

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

Shilloh Matthew J., also known as
Shilloh M. J., also known as
Shilloh J., also known as
Shailloh J., and
Khalil Timothy J., also known as
Khalil T. J., also known as
Khalil J., and
Cobey Rymel R., also known as
Cobey R. R., also known as
Cobey R., also known as
Cobey J.,

CONFIDENTIAL

M-2278

Children Under 18 Years of Age
Pursuant to §384(b) and (d) of the Social
Services Law of the State of New York.

Docket Nos. B-59/15
B-60/15
B-61/15

- - - - -
Saint Dominic's Family Services, et al.,
Petitioners-Respondents,

Dwayne R.,
Respondent-Appellant.

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

-----X

Respondent-appellant, Dwayne R., having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about January 17, 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 Elizabeth Posse, Esq., dated April 22, 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, George E. Reed, Jr., Esq., 222 Mamaroneck Avenue, White Plains, New York, 10605, Telephone No. 914-946-5000, as counsel for purposes of prosecuting the appeals; (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 the appeals, 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

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

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

Respondent,

CONFIDENTIAL

M-1610

-against-

Ind. No. 99039/18

Gabriely Jose,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about March 1, 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 Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's

counsel, Christina Swarns, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-2293
Ind. No. 824/18

Rudolph Brown,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about March 27, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about March 21, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

It is ordered that the appeal is permitted 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.

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

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style. The signature is positioned above 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 June 11, 2019.

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

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

-against-

M-2623
Ind. No. 3043/06

George Akino,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 26, 2016 (M-5654) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 6, 2007, and assigning Zachary Johnson, Esq., Galluzzo & Johnson LLP, 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 Zachary Johnson, Esq., 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 complete 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 June 11, 2019.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-1363

-against-

Ind. No. 3101/08

SCI. No. 99034/18

Rondelle Trinidad,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the orders of the Supreme Court, Bronx County (Bruce, J.), entered on or about November 30, 2018 and December 18, 2018, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-1363)

June 11, 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 June 11, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----x

Michael Hedges, As Guardian Ad Litem
of Marion Hedges, An Incapacitated
Person, and Michael Hedges,
Individually, and Dayton Hedges,
Plaintiffs-Respondents,

-against-

Planned Security Service Inc.,
Defendant-Appellant-Respondent,

M-1500
Index No. 101854/12

East River Plaza, LLC., Tiago
Holdings, LLC, Blumenfeld
Development Group, Ltd., Forest City
Enterprise, Inc., Forest City Ratner
Companies, Inc., and ERP Management
LLC,
Defendants-Respondents-Appellants,

Target Corporation, Costco Wholesale
Corporation and Bob's Discount
Furniture of NY, LLC.,
Defendants-Respondents.

-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 19, 2018,

And defendant-appellant-respondent having moved for an enlargement of time to perfect the direct 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 and cross appeal to the October 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 June 11, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----X
KAMCO Supply Corp., on behalf of
itself and all other persons similarly
situated as trust fund beneficiaries
of Lien Law trusts of which Nastasi &
Associates, Inc., is a trustee,
Plaintiffs-Respondents,

-against-

M-1681
Index No. 651725/15

Nastasi & Associated, Inc., et al.,
Defendants,

J.T. Magen & Company Inc. and
Liberty Mutual Insurance Company,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about June 12, 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 October 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 June 11, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----X

Aleks Y. Kovkov,
Plaintiff-Appellant,

-against-

Law Firm of Dayrel Sewell, PLLC, Dayrel
S. Sewell, Augustus Balasubramaniam,
Defendants-Respondents.

M-1698
Index No. 300163/18

-and-

The Schutzer Group, PLLC, et al.,
Defendants.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, Bronx County, entered on or about February 22, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, a free copy of the transcript, and for other relief,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----x
Loeb Boathouse Services, LLC, et al.,
Petitioners/Plaintiffs,

JPO Concept, Inc.,
Petitioner/Plaintiff-Appellant,

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

M-1754
Index Nos. 158983/16
158978/16

-against-

The City of New York, and its constituent
municipal agency, The Department of Parks
and Recreation; Dean Poll and Central
Park Boathouse LLC,
Respondents-Respondents.

-----x
An appeal having been taken by petitioner/plaintiff JPO
Concepts, Inc. from an order of the Supreme Court, New York
County, entered on or about June 15, 2018,

And petitioner-appellant having moved to vacate the
dismissal of the appeal, and, upon vacatur, for an enlargement of
time to perfect same,

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

It is ordered that the motion is granted to the extent of
vacating the dismissal of the appeal, and enlarging the time to
perfect same to the October 2019 Term (see, 22 NYCRR 1250.10).

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 June 11, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Troy K. Webber
Cynthia S. Kern, Justices.

-----X
Michele Lauenders, as Administratrix
of The Goods, Chattels and Credits
of Baby Girl Lauenders, also
known as Lisa,
Plaintiff-Respondent,

M-1940
Index No. 155648/14

-against-

Joel Steinberg,
Defendant-Appellant.

-----X

Defendant-appellant having, moved pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about June 14, 2018, and, upon vacatur, for an enlargement of time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of reinstating the appeal and enlarging the time to perfect same to the October 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 June 11, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

Rosetta Cochran,
Petitioner,

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

-against-

M-1388
Index No.101116/17

Shola Olatoye, As Chairperson of the
New York City Housing Authority and
The New York City Housing Authority,
Respondents.

-----X

An Article 78 proceeding to review a determination of respondents having been transferred to this Court by order of the Supreme Court, New York County entered on or about September 5, 2018,

And petitioner having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of the proceeding and, upon reinstatement, for an enlargement of time in which to perfect said 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 vacating the dismissal of the proceeding and enlarging the time to perfect same to the October 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 June 11, 2019.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

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

Cave Creek Investments, Inc. and
James Leroy Davis,
Petitioners-Respondents,

M-2377
Index No. 161999/18

To Enforce Subpoenas Duces Tecum for
the Production of Documents by

Urban FT Group, Inc., Urban FT
(North America), LLC, Urban FT, Inc.
and UFT Equities, Inc.,
Respondents-Appellants.

-----x


An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 20, 2019, which granted petitioners' application to enforce four subpoenas duces tecum,

And respondents-appellants having moved for a stay of enforcement of the aforementioned order, and of an order of the same court, entered on or about April 16, 2019, which directed respondents-appellants to comply with the February 20, 2019 order, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of staying enforcement of the subpoenas duces tecum pending hearing and determination of the appeal on condition that the appeal is perfected for the October 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 June 11, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

Luis Rafael Del Valle Garcia,
Plaintiff-Appellant-Respondent,

-against-

M-2516
Index No. 301298/13

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

Semper Fi Management 7 Corp.,
Defendant-Respondent,

Palazzolo Realty VII Corp., et al.
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, Bronx County, entered on or about March 27, 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 on the condition that plaintiff-appellant perfect the appeal for the October 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 June 11, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-961

-against-

Ind. No. 3892/15

Edward Ruiz,
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 July 21, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-6446
Ind. No. 445/14

Kalief Jackson,
Defendant-Appellant.

-----X

Defendant-appellant 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 July 9, 2015, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X

Neida Guzman,
Plaintiff-Respondent,

-against-

Jonathan Ettricks,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-1501

Index No. 5281/10

Defendant-appellant, pro se, having moved for a further enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about May 15, 2018,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 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 June 11, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Peter H. Moulton, Justices.

-----x

The People of the State of New York,
Respondent,

-against-

M-2117
M-2187
Ind. No. 1540/15

Steven Jude,
Defendant-Appellant.

-----x

Consolidated appeals having been taken to this Court from two judgments of the Supreme Court, New York County, rendered on or about February 14, 2017, and on or about November 14, 2018, and said appeals having been perfected, (Cal. No. 1944),

And defendant-appellant, by orders of this Court entered on July 5, 2017 and February 5, 2019 (M-2452 and M-6003, respectively) having been granted poor person relief and assigned the Center for Appellate Litigation as counsel to prosecute the appeals,

And assigned counsel, the Center for Appellate Litigation, having moved for an order relieving it as counsel, and substituting other counsel on the consolidated appeals to assess whether the brief filed by the Center for Appellate Litigation with this Court on April 10, 2019, should be withdrawn, (M-2187),

And defendant-appellant having moved for leave to file a pro se supplemental brief, (M-2117),

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

It is ordered that the Center for Appellate Litigation's motion (M-2187) is granted to the extent of relieving the Center for Appellate Litigation as assigned counsel, striking their

appellate brief, filed with this Court on April 10, 2019, and substituting Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, as assigned counsel to prosecute the consolidated appeals. The poor person relief previously granted in this Court's prior orders is continued and the perfected consolidated appeals are adjourned to the December 2019 Term of this Court, and

It is further ordered that the motion (M-2117) by defendant-appellant to file a pro se supplemental brief, is denied, with leave to renew, if so advised, after replacement counsel files its substituted appellant's brief.

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 June 11, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Peter H. Moulton, Justices.

-----x
Board of Managers of 141 Fifth Avenue
Condominium,
Plaintiff-Respondent-Appellant,

-against-

141 Acquisition Associates LLC, et al., M-1162
Defendants-Respondents, Index No. 651426/13

J Construction Company LLC,
Defendant-Appellant-Respondent,
-----x

An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about July 16, 2015,

And plaintiff-respondent-appellant having appealed from an order, same court, entered on or about August 12, 2015, and defendant-appellant-respondent having appealed from an order, same court, entered on or about July 18, 2016,

And defendant-appellant-respondent, J. Construction Company, LLC, having moved for an enlargement of time to perfect its appeal and plaintiff-respondent-appellant's cross appeal from the order entered on or about July 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 and cross appeal from the July 16, 2015 order to the November 2019 Term. Sua sponte, the time to perfect the appeal from the August 12, 2015 order and July 18, 2016 order is likewise enlarged to said November 2019 Term. The Clerk is directed to calendar all of the appeals and the cross appeal to be heard on the same day for said November 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 June 11, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

Mark Joseph Danis,
Plaintiff-Respondent,

-against-

M-2380
Index No. 150098/12

John C. Food Corp., improperly pled as
McDonald's Restaurant,
Defendant-Appellant,

New York City Transit Authority and The
Metropolitan Transportation Authority,
Defendants-Respondents,

"John Doe" who is intended to be the
train operator,
Defendant.

-----X

Defendant-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 October 1, 2018,

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

It is ordered that the motion is denied.

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 June 11, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Emmett A. Hanratty,

Plaintiff-Respondent,

-against-

M-2491
Index No. 159320/14

56 Leonard LLC and Lend Lease (US)
Construction LMB, Inc.,

Defendants-Appellants.
-----x

Appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about June 5, 2018 and January 8, 2019, and said appeals having been perfected,

And defendants-appellants having moved for a stay of trial, pending hearing and determination of the aforesaid appeals,

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

It is ordered that the motion is 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 June 11, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x

Carter Ledyard & Milburn LLP,
Plaintiff-Respondent,

M-2513

-against-

Action No. 1
Index No. 150470/18

Lilaahar Bical,
Defendant-Appellant.

- - - - -

Lilaahar ("Sammy") Bical,
Plaintiff-Appellant,

-against-

Action No. 2
Index No. 451850/18

G. Michael Bellinger, et al.,
Defendants,

-and-

Carter Ledyard & Milburn LLP,
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 March 25, 2019, granting plaintiff's motion for summary judgment,

And defendant/plaintiff-appellant having moved for a stay of all proceedings and of the enforcement of the ensuing judgment of the same court, entered against him on or about April 11, 2019, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court, dated May 10, 2019, is vacated.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Anil C. Singh, Justices.

-----x

Sam Mushkatinsky and Natalia Mushkatinsky
Plaintiffs-Respondents,

-against-

M-1183
Index No. 25211/14E

Valeriy Kazakov, M.D. and Boston Road
Medical Practice, P.C.,
Defendants-Appellants.

-----x

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 16, 2018,

And defendants-appellants having moved to vacate the dismissal of the appeal, pursuant to 22 NYCRR 1250.10(c) and, upon vacatur, an enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of vacating the dismissal of the appeal, and enlarging the time to perfect same to the October 2019 Term (see, 22 NYCRR 1250.10).

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 June 11, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Anil C. Singh, Justices.

-----X

Neiman Nix and DNA Sports
Performance Lab, Inc.,
Plaintiffs-Appellants,

-against-

M-1805
M-1981
Index No. 159953/16

Major League Baseball, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeals taken from a judgment of the Supreme Court, New York County, entered on or about June 22, 2018, and from an order of the same Court entered on or about December 31, 2018 (M-1805),

And defendants-respondents having cross moved to dismiss the aforesaid appeals for failure to timely perfect (M-1981),

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 appeals to the October 2019 Term (M-1805). The cross motion is denied (M-1981).

ENTERED:


CLERK

(M-1472)

-2-

June 11, 2019

It is ordered that the motion is granted to the extent of vacating the dismissal of appeal from the order entered May 21, 2018 and enlarging the time to perfect same to the October 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 June 11, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

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

Respondent,

-against-

CONFIDENTIAL

M-1488

Ind. No. 2110/17

Leroy Dorsey,
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 7, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

It is ordered that the motion is granted to the extent of vacating the dismissal of the appeal and enlarging the time to perfect same to the October 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 June 11, 2019.

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

-----X
Danny Tenaglia and D Tour Inc.,

Plaintiffs-Appellants,

-against-

M-1273

Index No. 650608/16

Kevin McHugh,

Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect their appeal taken from an order of the Supreme Court, New York County, entered on or about August 8, 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, deemed to include a request to vacate the dismissal of appeal pursuant to 22 NYCRR 1250.10(c), is granted, the appeal reinstated, and the time to perfect same is enlarged to the December 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 June 11, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern, Justices.

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

-against-

M-1680
Ind. No. 468/18

Willie Seabrook,
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, New York County, rendered on or about September 27, 2018, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew, upon defendant-appellant's submission of a notarized affidavit, in compliance with CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4), setting forth his indigency, as well as detailing the amount and sources of his income and listing his property with its value.

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 June 11, 2019.

Present - Hon. Dianne T. Renwick,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justice Presiding,
Justices.

-----x
Shakilla Noorzi, As Administratrix of the Estate of Ata Noorzi, also known as Ata U. Noorzi, also known as Ata Ullah Noorzi,

Claimant-Appellant

M-1503

Claim No. 123824

-against-

The State of New York,

Respondent.

Rebecca Sheehan, as Executrix of the Estate of John Patrick Sheehan, Rebecca Sheehan, Individually, as the spouse of John Patrick Sheehan, deceased, George Sheehan, as son of John Patrick Sheehan, deceased, Thaddeus Sheehan, as son of John Patrick Sheehan, deceased and Rebecca Sheehan, as mother and natural guardian of Nathaniel Sheehan, an infant, son of John Patrick Sheehan, deceased,

Claim No. 124666

Claimants-Appellants,

-against-

The State of New York,

Respondent-Respondent.

-----x
An appeal have been taken by the Sheehan claimants-appellants (Claim No. 124666) from a decision of the Court of Claims entered on or about August 29, 2018, and from a judgment of the same court, entered on or about September 10, 2018,

And an appeal have been taken by the Noorzi claimants-appellants (Claim No. 123824) from the same decision of the Court of Claims entered on or about August 29, 2018, and from a separate judgment of the same court, entered on or about September 10, 2018,

And the Sheehan Claimants having moved to consolidate the aforesaid appeals and, for an enlargement of time to perfect the consolidated appeal, and to expedite the motion,

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

It is ordered that the motion is granted, on consent, to the extent of consolidating the aforesaid appeals from the separate judgments entered on or about September 10, 2018. The parties are directed to perfect the consolidated appeal on a single brief and record and the time in which to perfect the consolidated appeal is enlarged to the October 2019 Term. The appeals taken from the decision entered on or about August 29, 2018 are deemed subsumed in the appeal from the individual judgments entered on or about September 10, 2018.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

-----x
Toni Ince,

Plaintiff-Respondent,

-against-

M-2639

Index No. 158147/15

The City of New York,

Defendant-Appellant.
-----x

Defendant-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 December 21, 2018,

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

It is ordered that the motion is denied.

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 June 11, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Cynthia S. Kern, Justices.

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

-against-

M-1390
Index No. 302090/15

Carlos Vargas,
Defendant-Respondent.
-----X
(And a third-party action)
-----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 September 29, 2017,

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

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

ENTERED:



CLERK

CORRECTED ORDER - AUGUST 1, 2019

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Marcy L. Kahn
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
Olga P.,
Plaintiff-Appellant,

-against-

Ioannis Y.,
Defendant-Respondent.

CONFIDENTIAL
M-1322
Index No. 310169/16

-----X
Plaintiff-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Supreme Court, New York County, entered on or about January 30, 2019, October 16, 2018 and November 27, 2018, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 attorney for respondent 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. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. **The court reporter shall promptly make and file with the Supreme Court one transcript of the stenographic minutes of any proceedings in this matter related to the orders on appeal and the Clerk shall furnish a copy of such transcripts to**

appellant, without charge, the transcripts to be returned to this Court when appellant's brief is filed. 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 June 11, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Peter H. Moulton, Justices.

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

Yvette F.,
Petitioner-Respondent, **CONFIDENTIAL**
M-656
Docket No. 0-19354/18

-against-
Elijah F.,
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 December 4, 2018, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon respondent's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a) and 22 NYCRR 1250.4(d)(1), setting forth, inter alia, facts sufficient to establish his indigency, including a statement detailing the amount and sources of his income and listing his property with its value and addressing whether respondent was assigned counsel in the Family Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

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

West 58th Street Coalition, Inc., 152
W. 58 St. Owners Corp., Suzanne
Silverstein, Carroll Thompson,
Xianghong Di (Stella) Lee, Doru Iliesiu,
and Elizabeth Evans-Iliesiu,
Petitioner-Appellants,

M-2406
Index No. 156196/18

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

-against-

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

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 29, 2019, which denied and dismissed the petition in this Article 78 proceeding,

And plaintiffs-appellants having moved for an order granting a preliminary appellate injunction enjoining the opening of a homeless shelter at the subject premises 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-2406)

-2-

June 11, 2019

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated May 8, 2019, is hereby vacated.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 11, 2019.

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

Michael G.,

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

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

CONFIDENTIAL

M-2376
Docket No. NN-45208/14

Karina Elizabeth F.,
Respondent-Appellant,

Mike G., Sr.,
Respondent-Appellant.

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

-----X

Appeals having been taken to this Court from orders of the Family Court, New York County, entered on or about March 9, 2015 and August 12, 2015,

And respondent-appellants having jointly moved for leave to prosecute the aforesaid appeals as poor persons with respect to the child Michael G., 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 denied.

ENTERED:


CLERK