

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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.

Stephan A.,
Petitioner-Appellant, Docket Nos. V-10427-17/18A
V-12201-17/18A
-against-

CONFIDENTIAL

M-2041

Amber V. J.,
Respondent-Respondent.

-----X
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about April 2, 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, Bruce A. Young, Esq., 100 Church Street, Suite 800, New York, NY 10007, Telephone No. 646-775-8994, 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 thereforl **within 30 days (FCA**

Service 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 May 21, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-923
Ind. Nos. 1033/14
4131/13

Donald Carroway,
Defendant-Appellant.

-----X

Two orders of this Court having been entered on February 7, 2019, under the same motion number (M-5978), and Indictment No. 1033/14, inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal taken from judgments of the Supreme Court, New York County, rendered on or about September 8, 2015, and May 29, 2018, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel therefor,

And defendant-appellant having moved for an order correcting, reissuing, and/or amending the orders of assignment to include both of appellant's indictments (Ind. No. 1033/14 and 4131/13) and both the original judgments of September 8, 2015, and the judgments of resentencing of May 29, 2018, 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 said motion is granted to the extent of amending the prior orders of assignment issued on February 7, 2019 to include both Indictment Nos. 1033/14 and 4131/13, and the original judgments of September 8, 2015, as well as the judgments of resentencing of May 29, 2018 under both Indictment Nos., and extending the poor person relief previously granted to cover same.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written over a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Rachel Siegel,
Plaintiff-Respondent,

-against-

M-1134

Index No. 158128/15

James T. Robinson and FW Webb
Company,
Defendants-Appellants,

-and-

Enterprise FM Trust, Chauncey A.
Matthews and Dollar Rent A Car,
Inc.,
Defendants-Respondents.

-----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 August 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 granted to the extent of enlarging the time to perfect the appeal to the October 2019 Term.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Marcy L. Kahn
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
Alberto Betancourt, personally, and as
Next of Kin and on behalf of Ada
Rodriguez, Decedent,
Plaintiff-Appellant,

-against-

M-1845
Index No. 101628/17

Mount Sinai Hospital, et al.,
Defendants-Respondents.

-----x

A purported appeal having been taken to this Court from the order to show cause of the Supreme Court, New York County, entered on or about January 22, 2019, which struck plaintiff-appellant's request for a temporary restraining order,

And plaintiff-appellant having moved for an order staying all proceedings in the above entitled action pending the hearing and determination of the appeal and enforcing the order of the Supreme Court, New York County entered on or about March 15, 2019, which granted plaintiff an extension of time to serve his summons with notice upon defendant Mount Sinai Hospital, and for poor person and 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, deemed to include a request for relief pursuant to CPLR 5704(a), is denied.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Leon Simon and Grace Edwards-Simon,

Plaintiffs-Respondents,

-against-

M-1282

Index No. 305209/13

Bernard Lewis,

Defendant-Appellant.

-----X

Defendant-appellant having moved, pro se, to have this Court take judicial notice of certain factual allegations in relation to the appeal taken from an order of the Supreme Court, Bronx County, entered on or about January 22, 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 denied.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Marcy L. Kahn
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x
Eric Cortes,

Plaintiffs-Appellants,

-against-

M-2060
Index No. 157421/13

The Madison Square Garden Company,
also known as Madison Square Garden,
Inc., et al.,

Defendants-Respondents.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 2, 2018, and said appeal having been perfected,

And defendants-respondents having moved to enlarge the record on appeal to include the transcript of oral argument of the underlying motions, to extend the time to serve and file a respondents' 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 denied.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

In the Matter of the Application of
Ardila McMillan,

Petitioner-Appellant,

M-906

Index No. 100405/16

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

-against-

New York City Housing Authority,

Respondent-Respondent.

-----X

Petitioner-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 31, 2019 (Appeal No. 8297),

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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----X
In the Matter of a Family Offense
Proceeding,

Reginald M.,
Petitioner-Appellant,

-against-

CONFIDENTIAL

M-1647
Docket No. O-13338/18

Marilyn M.,
Respondent-Respondent.

Cassandra Celestin, Esq.,
Childrens Law Center,
Attorney for the Child.

-----X
Assigned Family Court counsel having moved on behalf of petitioner-appellant 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 5, 2019, and for assignment of appellate counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and counsel's certificate of continued eligibility for poor person relief, dated March 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, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, New York, 10007, Telephone No. 212-233-0318, as counsel for purposes of prosecuting the appeal;
(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City

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



DEPUTY 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 May 21, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

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

-against- M-262
Index No. 3487/13

Hamza Sidibe, also known as,
Hamza Sidbe,
Defendant-Appellant.


-----X

An order of this Court having been entered on March 21, 2017 [Corrected order November 3, 2017](M-787), granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about June 28, 2016, and assigning Rosemary Herbert, Esq., predecessor counsel to Christina A. Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute the appeal; and a motion having been made by defendant, pro se, 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 denied.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----X
Paul Haggis,

Plaintiff-Appellant,

-against-

Haleigh Breest,

Defendant-Respondent.
-----X


M-1581
Index No. 161123/17

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 15, 2018,

Now, upon reading and filing the correspondence received from counsel for plaintiff-appellant dated March 13, 2019, and due deliberation having been had thereon,

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

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----X

New Canaan Capital Management, LLC,
Plaintiff-Appellant,

-against-

M-1673

Index No. 651861/18

Chadbourne & Parke LLP, Norton Rose
Fulbright US LLP, Norton Rose Fulbright
LLP, Norton Rose Fulbright Verein and
Scott Naidech,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 23, 2018,

Now, upon reading and filing the correspondence received from counsel for plaintiff-appellant dated March 18, 2019, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----X
Linda Kirsch,
Plaintiff-Respondent,

-against-

M-1576

Index No. 155451/17

Lincoln Center for the Performing Arts,
Inc., American Ballet Theatre,
Metropolitan Opera House, "John Doe",
as further described in the annexed
complaint,
Defendants,

Bryan McCalister,
Defendant-Appellant.

-----X

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

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

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----X

Genesis Merchant Partners, LP, and
Genesis Merchant Partners II, LP,

Plaintiffs-Respondents,

M-1579

Index No. 653145/14

-against-

Gilbride, Tusa, Last & Spellane LLC,
Jonathan M. Wells, Kenneth M. Gammill,
Jr., and Charles S. Tusa,

Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 8, 2018,

Now, upon reading and filing the correspondence received from counsel for defendants-appellants dated March 6, 2019, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----X
J.N., an infant by his parents and
natural Guardians Jolanta Klich and
Jimmy Nieves,
Plaintiff-Respondent,

M-1603
Index No. 161129/13

-against-

The City of New York and The
Department of Education,
Defendants-Appellants.

-----X

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

Now, upon reading and filing the correspondence received from counsel for defendants-appellants dated March 19, 2019, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----X

John Nolan,
Plaintiff,

-against-

Sciame Construction LLC, F.J. Sciame
Construction Co., Inc. and New York
City Economic Development Corporation,
Defendants.

M-1724
Index No. 161422/14

Sciame Construction LLC, F.J. Sciame
Construction Co., Inc. and New York
City Economic Development Corporation,
Third-Party Plaintiffs-Respondents,

-against-

Tutor Perini Building Corp. and Tutor
Perini Corporation,
Third-Party Defendants-Appellants.

-----X

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

Now, upon reading and filing the correspondence received from counsel for third-party defendants-appellants dated March 22, 2019, and due deliberation having been had thereon,

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

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1405
Ind. No. 2389/17

Daniel Thomas,
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 January 11, 2019, 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1406
Ind. No. 301/18

Harris Curtis,
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 January 29, 2019, 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written over a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1410
Ind. Nos. 4673/17
1401/18

William Cuevas,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 21, 2019, 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:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1411
Ind. Nos. 989/17
4345/17

Rasheem Meredith,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 20, 2019, 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:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1412
Ind. No. 4119/17

Lester Walker,
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 January 22, 2019, 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1414
Ind. No. 4529/17

Marco Tacomul,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 13, 2019, 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:

A handwritten signature in black ink, appearing to read "Eric Schuck", written over a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1417
Ind. No. 4798/17

Andrew Vail,
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 January 28, 2019, 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:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1629
Ind. No. 357/18

Harvey Drake,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 22, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 17, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink on a white background.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1630
SCI No. 13/17

Avad Ratliff,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 22, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 22, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1632
SCI No. 2438/18

Russell Rivera,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 18, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 16, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1633
SCI. Nos. 92/19
93/19

Antonio Mora,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 16, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 14, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink on a white background.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1635
Ind. No. 351/18

Christian Aguirre,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 25, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 25, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1638
Ind. Nos. 2390/18
2526/18

Liz Perez Rodriguez,
Defendant-Appellant.

-----X

Orders of the Supreme Court, Bronx County, having been entered on or about January 23, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 23, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1659
Ind. No. 854/17

Michael Rosa,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 25, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about February 4, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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-1747

-against-

Ind. No. 30123/18

Richard Porzio,
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 (Pickholz, J.), entered on or about 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 Pickholz 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, 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:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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 Family Offense
Proceeding Pursuant to Article 8
of the Family Court Act.

Diana A.,
Petitioner-Respondent,

CONFIDENTIAL

M-1870

Docket No. O-16342-17

-against-

Kareem E.,
Respondent-Appellant.

-----x

Respondent-appellant, Kareem E., 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 March 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 Maria M. Curran, Esq., dated March 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, Larry S. Bachner, P.C., C/O Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, New York, 10006, Telephone No. 917-674-9516, 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:



DEPUTY 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 May 21, 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-1881

Docket Nos. V-34239-14/17C
V-34239-14/16B
V-34239-14/16A
V-34239-14/17F
V-34239-14/17D
V-04388-17/17A
V-04389-17/17B
V-04389-17/17A
V-04388-17/17B
V-34240-14/17G
V-34240-14/17F
V-34240-14/17D
V-34239-14/17G
V-34240-14/17C
V-34240-14/16B
V-34240-14/16A

Naamye Nyarko B.,
Petitioner-Appellant,

-against-

Goodwin Edwin C.,
Respondent-Respondent.

Alexander Carlin, Esq.,
Attorney for the Children.

-----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 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 Gary Schultz, 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 Article 18b of the County Law and §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 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:



DEPUTY 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 May 21, 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

Martyna B.,
Petitioner-Appellant,

M-1892
Docket No. V-5613-13/18H

-against-

Marlo M.,
Respondent-Respondent.

Elizabeth Posse, Esq.,
Attorney for the Child.

-----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 22, 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 Lisa M. Licata, Esq., dated April 6, 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, Randall S. Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, New York, 11753, Telephone No. 603-313-1951, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have

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



DEPUTY 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 May 21, 2019.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom
Peter H. Moulton, Justices.

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

-against-

M-375
Ind. No. 5202N/15

Andre Hall,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 17, 2016, (M-1780), granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 22, 2016, and assigning Seymour W. James, Jr., Esq., predecessor counsel to Janet E Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal; and a motion having been made by assigned counsel to discontinue the appeal as moot,

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

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 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,

-against-

M-1631
Ind. No. 3049/12

Jamel Maldonado,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about January 31, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 31, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed 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.

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in cursive script, appearing to read "Eric Schuck", written in black ink. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom, Justices.

-----X

New Cingular Wireless PCS, LLC,

Plaintiff-Respondent,

-against-

M-1146

Index No. 652926/15

West Investors LLC,

Defendant-Appellant.

-----X

Defendant-appellant having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of appeal taken from an order of the Supreme Court, New York County, entered on or about April 7, 2016, 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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----x

Marilyn Model Management, Inc.,

Plaintiff-Respondent,

-against-

M-1927

Index No. 655776/18

Derek Saathoff, et al.,

Defendants-Appellants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 12, 2019,

And defendants-appellants having moved for a stay of the preliminary injunction issued in Supreme Court, New York County, pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Troy K. Webber
Ellen Gesmer
Anil C. Singh, Justices.

-----X
The People of the State of New York
ex rel. Lauren Gottseman, Esq., on
behalf of Randy Scott,
Petitioner-Appellant,

-against-

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

M-1051

Index No. 451986/18
Ind. No. 3069/18

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County rendered on or about October 15, 2018, which denied and dismissed petitioner's writ of habeas corpus, and to continue the interim relief granted by order of a Justice of this Court on October 30, 2018, extended by order of this Court entered January 24, 2019 (M-5631), which directed petitioner's supervised release with immediate placement at Promesa, pending the hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from the counsel for petitioner-appellant, dated April 9, 2019, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer, Justices.

-----X

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

- - - - -
Manuel B.,
Petitioner-Appellant,

CONFIDENTIAL
M-1042

Docket No. F-24241-10/18F

-against-

Rosa H.
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about August 24, 2018, 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 due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) 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 file an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division; (2) directing the Clerk of the Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof

to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting petitioner-appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing petitioner-appellant to perfect this appeal **within 60 days** of the filing of the transcripts. **Petitioner-appellant is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** So much of the motion which seeks the assignment of counsel is denied.

ENTERED:



DEPUTY CLERK

¹Service of appellant's brief upon respondent(s) shall include a 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 May 21, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Troy K. Webber
Ellen Gesmer
Anil C. Singh, Justices.

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

-against- **M-1168**
Ind. No. 58/07

Andrew Blake,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 29, 2019(M-5683) granting defendant leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, entered on or about December 22, 2017, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Robert S. Dean, Esq., Center for Appellate Litigation, as assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, 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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

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

Respondent,

-against-

M-1247

Ind. No. 4440/16

Edgar Tapia-Hernandez,

Defendant-Appellant.
-----X

Defendant-appellant having moved for a further enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 2, 2018, and to continue the stay of execution of judgment issued by an order of a Justice of this Court, dated January 8, 2018, pending the hearing and determination of the aforementioned appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2019 Term of this Court and extending the relief granted by an order of a Justice of this Court, dated January 8, 2018, on the same terms and conditions, and on the further condition that the appeal be perfected for said October 2019 Term.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Peter Tom
Peter H. Moulton, Justices.

-----x
Tonya Muro Phillips,
Plaintiff-Respondent,

-against-

Roger Phillips,
Defendant-Appellant.
-----x

CONFIDENTIAL
M-1086
Index No. 307883/12

Appeals having been taken to this Court from two orders of the Supreme Court, New York County, entered on or about January 22, 2018 and on or about December 17, 2018,

And defendant-appellant having moved for an order consolidating the aforesaid appeals and enlarging the time to perfect same, and staying the enforcement of the aforesaid orders pending the hearing and determination of the consolidated 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 branch of the motion seeking a stay pending appeal is denied. The motion is otherwise granted to the extent of enlarging the time to perfect the consolidated appeals (see 22 NYCRR 1250.9[f][3]) to the September 2019 Term, with no further enlargements.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----X
In re Ana Rodriguez,

Petitioner-Appellant,

-against-

M-813

Index No. 152230/18

The City of New York, et al.,

Respondents-Respondents.

-----X

Petitioner-appellant having moved for reargument of the decision and order of this Court, entered on January 10, 2019 (Appeal No. 8070N),

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

It is ordered that the motion is granted and, upon reargument, the decision and order of this Court entered on January 10, 2019 (Appeal No. 8070N) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 8070N, decided simultaneously herewith.)

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

-----X

John Hon, et al.,
Plaintiffs-Respondents,

-against-

M-698
Index No. 602236/04

Prince Development Company LLC, et al.,
Defendants.

- - - - -

Roug Kang Wang, et al.,
Non-party Appellants.

-----X

Non-party appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 10, 2019 (Appeal No. 8069N),

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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Peter Tom
Barbara R. Kapnick
Jeffrey K. Oing, Justices.

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

-against-

M-902
Ind. No. 1231/13

Booker Moss,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 5, 2018 (M-1963), granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 27, 2017, and assigning Seymour W. James, Jr., since succeeded by Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., since succeeded by Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, 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:

A handwritten signature in black ink, appearing to read "Eric Schuck", written in a cursive style. The signature is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Peter Tom
Jeffrey K. Oing, Justices.

-----X
In the Matter of the Petition of
Louis Golder, as Administrator of
the Estate of Robert Golder,
Petitioner-Respondent,

for Judicial Dissolution of
29 West 27th Street Associates, LLC,
Respondent-Appellant,

M-1998
Index No. 652371/16

Tauber Family Irrevocable Trust
Dated December 10, 2012, et al.,
Respondents-Appellants.

-----X

Respondents-appellants having moved pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of their appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 8, 2018, and, upon reinstatement, for an enlargement of time to perfect the appeal and a stay of enforcement of the order and judgment pending hearing and determination thereof,

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. Enforcement of the order and judgment is stayed pending hearing and determination of the appeal, on condition that the appeal is perfected for the aforesaid October 2019 Term.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Peter Tom
Jeffrey K. Oing, Justices.

-----x

High Line Gourmet Market, Corp.,
Plaintiff-Appellant,

-against-

M-2246

Index No. 652130/19

Bilvas Equities LLC,
Defendant-Respondent.

-----x

A purported appeal having been taken by plaintiff from the denial of plaintiff's application for a Temporary Restraining Order by a Justice of Supreme Court, New York County, on or about April 15, 2015,

And plaintiff having moved, pursuant to CPLR 5704(a), for an order granting it the aforesaid relief denied by a Justice of the Supreme Court, New York County, on or about April 15, 2019, 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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-776
Index No. 2029/10

Arthur Sherwood,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 31, 2012 (M-5272), 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 June 29, 2011, and assigning Richard M. Greenberg, Esq., predecessor counsel to Christina A. Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute the appeal; and a motion having been made by successor assigned counsel to relieve such counsel, or, in the alternative, dismissing the appeal, without prejudice to reinstatement.

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn, and otherwise denied.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Patricia Wolff Schaen and Estate of
Ernst Wolff,
Petitioners-Appellants,

-and-

Elizabeth Murov,
Petitioner,

M-35
Index No. 450762/16

-against-

Helen A. Brandes, Estate of Edna Brandes,
Emily Klayenberg and Joseph Klayenberg,
Respondents-Respondents,

-and-

480 Park Avenue Corp.,
Respondent-Stakeholder-Respondent.

-----X
Estate of Edna Brandes,
Respondent-Cross Petitioner-
Appellant,

-against-

Helen A. Brandes and Estate of Bernard
Brandes,
Respondents-Cross-Respondents.

-----X

Respondents, Helen A. Brandes and Estate of Bernard E. Brandes, having moved for an order (1) dismissing the appeal taken from an order of the Supreme Court, New York County,

entered on or about September 27, 2018, and (2) enjoining petitioner and cross-petitioner appellants from filing any further motions or applications without prior authorization of Supreme Court or this Court,

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

It is ordered that the motion is granted to the extent of dismissing the aforementioned appeal, and is otherwise denied.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written over a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-721
Ind. No. 1074/18

Christopher Brown,
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 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 deeming the moving papers a timely filed notice of appeal.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

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

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

-against-

M-1005
Ind. No. 3251/16

Maria Ramirez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about November 28, 2018,

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

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-1198

Ind. No. 143/19

Somin Park also known as,
So Min Park,

Defendant-Appellant.
-----X

Defendant-appellant having moved, Via the Neighborhood Defender Services of Harlem, for an extension of time within which to file an untimely notice of appeal pursuant to CPL 460.30 from a judgment of the Supreme Court, New York County, rendered on or about January 17, 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:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Anil C. Singh
Peter H. Moulton, Justices.

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

-against-

M-57
Ind. No. 376/17

Cedric Wolfe,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about August 16, 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 defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101, 22 NYCRR 1250.4(d)(1) and (4), including the amount and sources of funds used to pay the fee of trial counsel, Jason Russo, Esq., the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Marcy L. Kahn
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x

Edward Higgins,
Plaintiff-Respondent,

-against-

M-1812
M-1813
M-2178
M-2247

TST 375 Hudson, L.L.C., et al.,
Defendants-Respondents-Appellants,
-and-

Index No. 24722/13E

ADCO Electrical Corp.,
Defendant-Appellant-Respondent.

- - - - -

Americon Construction Inc.,
Third-Party Plaintiff,

-against-

Emcor Services New York/New Jersey,
Inc.,

Index No. 43957/14E

Third-Party Defendant,
-and-

ADCO Electrical Corp.,
Third-Party Defendant-Appellant-
Respondent.

- - - - -

Emcor Services New York/New Jersey,
Inc.,

Index No. 43112/14E

Second Third-Party Plaintiff-
Respondent-Appellant,

-against-

OMC, Inc. and OMC Sheet Metal, Inc.,
Second Third-Party Defendants-
Respondents-Appellants.

-----x

[And other third-party actions]

-----x

Appeals having been taken to this Court by defendant/third-party defendant/fifth third-party plaintiff-appellant-respondent, ADCO Electrical Corp. (ADCO), from the orders of the Supreme Court, Bronx County, entered on or about July 24, 2018, and on or about November 29, 2018,

And cross appeals having been taken by defendants/fourth-party plaintiffs-respondents-appellant TST 375 Hudson, L.L.C., and TST 375 Hudson Corp. (collectively TST), and third-party defendant/second third-party plaintiff/third-third party plaintiff-respondent-appellant, Emcor Services of New York/New Jersey, Inc. (Emcor), from the aforesaid order of the Supreme Court, Bronx County, entered on or about July 24, 2018,

And ADCO having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of its appeal from the aforesaid order of the Supreme Court, Bronx County, entered on or about July 24, 2018, and, upon vacatur, for an enlargement of time to perfect the appeal (M-1812), and, by separate motion, for a stay of trial, including jury selection, pending hearing and determination of its direct appeal, and for a calendar preference in the hearing of the appeal (M-1813),

And TST having moved to vacate the dismissal of their cross appeal from the aforesaid order of the Supreme Court, Bronx County, entered on or about July 24, 2018, and, upon vacatur, for an enlargement of time to perfect same (M-2178),

And Emcor having moved to vacate the dismissal of their cross appeal from the aforesaid order of the Supreme Court, Bronx County, entered on or about July 24, 2018 and, upon vacatur, for an enlargement of time to perfect same (M-2247),

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

May 21, 2019

It is ordered that the motions (M-1812/M-2178/M-2247) are granted to the extent of reinstating the appeal and cross appeals from the aforesaid order of the Supreme Court, Bronx County, entered on or about July 24, 2018, and enlarging the time to perfect same to the October 2019 Term. The motion for a stay of trial (M-1813) is granted on condition that ADCO perfects its direct appeals for said October 2019 Term.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck", written over a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 21, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Collateral Loanbrokers Association
of New York, Inc., et al.,
Plaintiffs-Respondents,

-against-

M-2303
Index No. 303901/14

The City of New York and Bill de Blasio
as Mayor of the City of New York,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 3, 2019,

And defendants-appellants having moved to stay the aforementioned Supreme Court order pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is granted on condition the appeal is perfected for the October 2019 Term.

ENTERED:



DEPUTY CLERK

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

BEFORE: Hon. Anil C. Singh
Justice of the Appellate Division

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

Respondent


-against-

Katherine Sanchez

Defendant.

M-1288
SCI. No.
5594/98
CERTIFICATE
DENYING LEAVE

-----X
I, Hon. Anil C. Singh, a Justice of the Appellate Division, First
Judicial Department, do hereby certify that, upon application timely made
by the above-named defendant for a certificate pursuant to Criminal
Procedure Law, section 440.10, and upon the record and proceedings herein,
there is no question of law or fact presented which ought to be reviewed
by the Appellate Division, First Judicial Department, and permission to
appeal from the order of the Supreme Court, New York County (Curtis J.
Farber, J.), entered on or about November 1, 2018 is hereby denied.



Hon. Anil C. Singh
Associate Justice

Dated: April 2, 2019
New York, New York

ENTERED: **MAY 2 1 2019**

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-964
Ind. No. 770/08


Respondent,
-against-

Michael Allick,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the orders of the Supreme Court, Bronx County, entered on or about August 28, 2018 and December 18, 2018 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: May 3, 2019
New York, New York

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Entered MAY 21 2019

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

BEFORE: Hon. Ellen Gesmer
Justice of the Appellate Division

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

M-940
Ind. No. 3923/2009


-against-

CERTIFICATE
DENYING LEAVE

Aljulah Cutts,

Defendant.
-----X

I, Ellen Gesmer, a Justice of the Appellate Division, First Judicial Department, certify that, upon the application of the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about November 7, 2018, is denied.



Hon. Ellen Gesmer
Associate Justice

Dated: April 1, 2019
New York, New York

ENTERED: **MAY 2 1 2019**