

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 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-7476
Ind. No. 2402/17

Patrick Francis,


Defendant-Appellant.
-----X

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

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

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

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 November 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-7478
Ind. No. 563/17

Terrell Warren,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about October 30, 2017,

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

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid stipulation.

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 November 21, 2019.

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

-----X
Kai S. Chang and Doris J. Chang,
Plaintiffs-Respondents,

-against-

127 East 92 LLC,
Defendant-Appellant,

-and-

Trident Restoration Inc.,
Defendant.

-----X


M-7712
M-7714
Index No. 150531/18

Appeals having been taken from orders of the Supreme Court, New York County, both of which were entered on or about March 14, 2019, (M-7712, Mot. Seq. 001) and (M-7714, Mot. Seq. 002 and 003),

Now, upon reading and filing the correspondence from counsel for defendant-appellant, each dated October 11, 2019, and due deliberation having been had thereon,

It is ordered that the appeals are deemed 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 November 21, 2019.

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

-----X
JP Morgan Chase Bank, N.A.,
Plaintiff-Respondent,

-against-

M-7754
Index No. 850171/13

The Executor of the Estate of Rita
Lerner Lynn D. Salvage also known as
Lynn Salvage,
Defendant-Appellant,

The Board of Managers of Astor
Terrace Condominium, et al.
Defendants.

-----X

Appeals having been taken to this Court from two orders of the Supreme Court, New York County, entered on or about April 17, 2019 and July 16, 2019,

And defendant-appellant having moved to consolidate the aforesaid appeals for disposition,

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

It is ordered that the motion is deemed 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 November 21, 2019.

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

-----X
Probate Proceeding, Will of Ralph
Wynn, also known as Ralph M. Wynn,
Deceased.

Bruce D. Steiner, et al.,
Petitioners-Respondents,

Surrogate's Court
M-7833
File No. 2013-4132

-against-

Naomi Sall, as Executor of the Estate
of Ralph M. Wynn,
Cross-Petitioner-Appellant.

-----X

An appeal having been taken from the order of the Surrogate's Court, New York County, entered on or about March 5, 2015, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated October 1, 2019, and due deliberation having been had thereon,

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

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 November 21, 2019.

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

-----X
James Sauer,

Plaintiff-Respondent,

-against-

M-7836

Index No. 306485/11

URS Corporation-New York and URS/Malcom
Pirnie Joint Venture,
Defendants-Appellants.

-and-

The City of New York, NYC Department of
Environmental Protection and John P.
Picone, Inc.,
Defendants-Respondents,

-and-

Malcolm Pirnie, Inc.,
Defendant.

- - - - -
[And Additional Actions]

-----X

An appeal having been taken to this Court, from an order of the Supreme Court, Bronx County, entered on or about June 22, 2019, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated October 18, 2019, and due deliberation having been had thereon,

(M-7836)

-2-

November 21, 2019

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

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 November 21, 2019.

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

-----X

Bronx Broadway Funding, Inc.,
Plaintiff-Appellant,

-against-

Milton A. Rainford,
Defendant-Respondent,

-and-

Zion Pentecostal Temple, Inc., et al.,
Defendants.

-----X

Appeals having been taken from an orders of the Supreme Court, Bronx County, entered on or about April 5, 2019 (M-7861) and June 13, 2019 (M-7862),

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

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

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 November 21, 2019.

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

-----X
551 West 161st Street Lender, LLC,
Plaintiff-Respondent,

-against-

M-7863

Index No. 850191/17

Skygate 010 LLC, Hezi Torati,
Defendants-Appellants,

New York State Department of Taxation
and Finance, New York City Department of
Finance, AC Penguin Prestige Corp.,
Admiral Air Conditioning Corp.,
Marjam Supply Co. Inc., New York City
Environmental Control Board,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 26, 2018,

Now, upon reading and filing the Notice of Withdrawal and correspondence from counsel for defendants-appellants dated October 10, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid Notice of Withdrawal and 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 November 21, 2019.

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

-----X
Kelly Gunn,

Petitioner-Appellant,

-against-

M-7865

Index No. 309154/16

Circe Hamilton,

Respondent-Respondent.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 3, 2019,

Now, upon reading and filing the Withdrawal Notice from counsel for petitioner-appellant dated October 8, 2019, and due deliberation having been had thereon,

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

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 November 21, 2019.

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

-----X

A&F Fire Protection Co., Inc.,
individually and on behalf of all
trust fund beneficiaries under a
trust created pursuant to Lien Law,
Article 3-A,
Plaintiff-Respondent,

-against-

M-7866X

Index No. 603284/01

Kreisler, Borg, Florman General
Construction Co., Inc.,
Defendant-Appellant,

The City of New York Department
of Design and Construction, et al.,
Defendants.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 17, 2019, and due deliberation having been had thereon,

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

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 November 21, 2019.

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

-----X

Jane Doe, a fictitious name for an infant, by her Father and natural guardian, Darren Johnson,
Plaintiff-Appellant,

M-7867
Index No. 306670/14

Darren Johnson, individually and April Johnson,
Plaintiffs,

-against-

The Bronx Preparatory Charter School and Democracy Prep Public Schools,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about March 27, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 17, 2019, and due deliberation having been had thereon,

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

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 November 21, 2019.

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

-----X

The Board of Managers of the 186
Fifth Avenue Condominium,
Plaintiff-Respondent,

M-7868
Index No. 653743/13

-against-

186 Fifth Avenue, LLC,
Defendant-Appellant,

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant, dated October 17, 2019 and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 November 21, 2019.

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

-----X
Dr. Alfred Garofalo, on behalf of himself,
and derivatively on behalf of The
Bookkeeping Company, Inc., doing business
as Sum Innovation,
Plaintiff-Appellant,

-against-

M-7869
Index No. 655184/18

Jennifer Scott, Christopher Scott, Matthew
Heggem and Hireeffect, LLC, John Does 1-10,
Jane Does 1-10, ABC Corp.,
Defendants-Respondents.

-----X

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

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated October 17, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 November 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 the Application of
Juan Gil and Jennifer Bonesteel,
Petitioners,

For a Judgment Pursuant to Article 78 M-7813
of the Civil Practice Law and Rules Index No. 100419/18

-against-

Manhattan Plaza, L.P., New York City
Department of Housing Preservation and
Development,
Respondents.

-----X

An Article 78 proceeding to review a determination of respondent New York City Department of Housing Preservation and Development having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about August 17, 2018,

And respondent-landlord Manhattan Plaza L.P., having moved to vacate a stay of a related holdover proceeding commenced by respondent-landlord against petitioners in the Civil Court of the City of New York, New York County, under L&T Index No. 56847/18,

And by decision and order entered October 17, 2019, this Court having rendered a final determination in this matter and having dismissed the proceeding,

Now, upon reading and filing the correspondence from counsel for respondent Manhattan Plaza L.P., dated October 25, 2019, and due deliberation having been had thereon,

(M-7813)

-2-

November 21, 2019

It is ordered that the instant motion is deemed 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 November 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-7747
Dkt. No. 2012BX001774

Luchy Gomez,
Defendant-Appellant.


-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about January 10, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated February 5, 2019, and due deliberation having been had thereon,

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

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 November 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 Support Proceeding
Under Article 4 of the Family Court Act.

Allison S.,
Petitioner-Respondent,

Confidential

M-7676

Docket No. F-21654-18/19C

-against-

Darren R. S.,
Respondent-Appellant.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about September 19, 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 Adam Joseph Brown, Esq., dated October 2, 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, Carol Kahn, Esq., 225 Broadway, Suite 1510, New York, NY 10007, Telephone No. 212-227-0206, 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 November 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-7604
Ind. No. 4448/18

Amadou Dieye,

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 September 9, 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 November 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-7605
Ind. No. 709/17

Jonathan Deleon,

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 June 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 over a horizontal line.

DEPUTY CLERK

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 November 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-7701
Ind. No. 710/16

Juan Rodriguez,

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 4, 2017, 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 November 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-7704
Ind. No. 3847/18

Bertrand Delisme,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 17, 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.

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

ENTERED:

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 November 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-7731
Ind. No. 3174/18

Gabriel Ramos,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 24, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 November 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-7738
Ind. No. 164/19

David Aguero,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 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, 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 November 21, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Anil C. Singh, Justices.

-----X
PDL Biopharma, Inc. M-7331
Plaintiff-Respondent, M-7673
Index No. 653028/15
-against-
Action No.1
Samuel J. Wohlstadter, et al.,
Defendants-Appellants.

-----X
Samuel J. Wohlstadter, et al.,
Plaintiffs-Appellants, Index No. 653512/15
-against- Action No. 2
PDL Biopharma, Inc.,
Defendant-Respondent.

-----X
Appeals having been taken to this Court from two orders of the Supreme Court, New York County, both of which were entered on or about September 11, 2019, under separate Index Numbers,

And by separate motions, defendants-appellants/plaintiff-appellants having moved for a stay of all proceedings in Supreme Court pending hearing and determination of the aforementioned appeals, taken from the orders entered September 11, 2019, (M-7331, Index No. 653028/15; M-7673, Index No. 653512/15),

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

(M-7331/M-7673)

-2-

November 21, 2019

It is ordered that the motions (M-7331 and M-7673) are denied.

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 November 21, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

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

-against-

M-7317
Ind. No. 4428N/17

Robinson Antoine,
Defendant-Appellant.

-----X

Assigned counsel for defendant-appellant having moved for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 28, 2018, without prejudice to reinstatement at such time as appellant becomes amenable to the jurisdiction of this Court,

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

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

ENTERED:



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 November 21, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----X
Josefina Cruz,

Plaintiff-Appellant,

M-7662

Index No. 100362/18

-against-

Board of Managers of Towers on the Park
Condominium, et al.,
Defendants-Respondents.

-----X
Josefina Cruz,

Plaintiff-Appellant,

Index No. 100956/18

-against-

Board of Managers of Towers on the Park
Condominium, et al.,
Defendants-Respondents.

-----X

Consolidated appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about October 25, 2018 and April 5, 2019, and plaintiff-appellant, pro se, having moved for assignment of counsel to perfect her consolidated appeals,

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

It is ordered that the motion is 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 November 21, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----X
Francis Odunsi, Individually and as
Executor of the Estate of Ester
Oluranti Adegbola,
Plaintiff-Respondent,

M-7666
Index No. 300101/13

-against-

Post Graduate Center of Mental Health,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about April 4, 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 extending the time to perfect the appeal to the June 2020 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 November 21, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----X
Giovanni De M.,

Petitioner-Respondent,

-against-

Nick W.,
Respondent-Appellant.

-----X

Confidential

M-7635

Docket No. O-33422/14

An appeal having been taken from an order of the Family Court, New York County, entered on or about March 2, 2018,

And respondent-appellant having moved, pursuant to 22 NYCRR 1250.10(c) to vacate the dismissal of the appeal and for an extension of time to perfect same,

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time in which to perfect the appeal is enlarged to the March 2020 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 November 21, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

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

Hawke & Company Outfitters LLC and
Daron Fashions, Inc.,
Petitioners-Appellants,

M-7767

For an Order Pursuant to Article 75 of
the Civil Practice Law and Rules
Staying Arbitration

Index No. 655241/19

-against-

Zee Co. Apparel Corp.,
Respondent-Respondent.

-----X

Petitioners-appellants having moved for a stay of arbitration pending hearing and determination of the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 27, 2019,

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

It is ordered that the motion is 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 November 21, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

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

-against-

M-7403
Ind. Nos. 555/14
2052/15

James Lucas,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 15, 2018 (M-303), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 14, 2017, under Indictment No. 555/14, and assigning counsel therefor,

And defendant-appellant having moved for an order amending this Court's March 15, 2018 (M-303) order of assignment to include a judgment of the same Court, rendered on or about July 14, 2017, under Indictment No. 2052/15,

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 amending the aforementioned order of assignment to include the judgment rendered on or about July 14, 2017, under Indictment No. 2052/15, and extending the poor person relief previously granted to cover same. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of receipt of the complete record.

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 November 21, 2019.

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

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

-against-

M-2261
Ind. No. 9336/99

Jarrett Smith,
Defendant-Appellant.

-----X


A decision and order of this Court having been entered on March 18, 2003 (Appeal No. 505-0), unanimously affirming a judgment of the Supreme Court, New York County (Bradley, J.), rendered on April 10, 2001,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 November 21, 2019.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh, Justices.

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

-against-

M-7402
Ind. No. 1541/12

Michael Webb,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 22, 2016,

And defendant-appellant having moved for an extension of time to perfect the appeal until 120 days after the hearing and determination of his CPL 440.10 motion,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the March 2020 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 November 21, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

Domingo Feliz Terc,
Plaintiff-Appellant-Respondent,

-against-

M-7300
Index No. 302163/16

535 Coster Realty Inc.,
Defendant-Respondent-Appellant.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 7, 2018, and said appeal and cross appeal having been perfected and decided by this Court, by decision and order entered on October 22, 2019,

And plaintiff-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken therefrom,

And an interim stay of all proceedings before Supreme Court having been granted, on consent, by a Justice of this Court by order entered on September 16, 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 as academic said appeal and cross appeal having been decided by this Court. The interim relief granted by a Justice of this Court on September 16, 2019 is hereby vacated.

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 November 21, 2019.

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

-----x

980 Westchester Avenue, LLC.,
Petitioner-Appellant,

-against-

M-7771
Index No. 26641/19E

Mercy Ewoodzie, Hector Appellaniz
and Bernadette Lamboy,
Respondents-Respondents.

-----x

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about October 2, 2019, and the appeal having been perfected and calendared for the January 2020 Term.

And petitioner-appellant having moved for a preference in the calendaring of the appeal and advancement of the appeal to the December 2019 Term of this Court.

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

It is ordered that the motion is 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 November 21, 2019.

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

-----X

Guo Ping Li,
Plaintiff-Respondent,

-against-

M-7740
Index No. 156029/16

Overseas Partnership Co., Inc.,
Defendant-Appellant.

- - - - -

[And a Third-Party Action]

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 21, 2018, and said appeal having been perfected and decided by this Court,

And defendant-appellant having moved for an order staying all proceedings in Supreme Court pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied as academic, said appeal having been determined by a decision and order of this Court entered on October 29, 2019 (Appeal No. 10213). The interim relief granted by a Justice of this Court on October 11, 2019 is hereby vacated.

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 November 21, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-7510
Ind. No. 3029/18

Patrick Hoover,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 31, 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 November 21, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

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

Monique J.,
Petitioner-Respondent,

CONFIDENTIAL
M-7572

Docket No. 0-1607/18

-against-

Keith S.,
Respondent-Appellant.

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

-----X
Respondent-appellant having moved for an extension of time to perfect the appeal taken from the order of the Family Court, Bronx County, entered on or about October 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 deemed one to vacate the dismissal of the appeal and, as such, is granted, the appeal is reinstated, and the time to perfect said appeal is extended to the September 2020 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 November 21, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

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

-against-

M-7316
Ind. No. 849/16

Albert Jenkins,
Defendant-Appellant.


-----X

Assigned counsel for defendant-appellant having moved for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 16, 2017, as abandoned, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

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

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

ENTERED:



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 November 21, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Mahmood Tayyab,
Plaintiff-Appellant,

-against-

M-7325
Index No. 27345/17

Giovanni Fiorenza,
Defendant-Respondent.
-----X

Defendant-respondent having moved to dismiss of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 7, 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 as unnecessary.
(See, 22 NYCRR 1250.10[a]).

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 November 21, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

In the Matter of a Proceeding Under
The Uniform Interstate Family Support
Act.

- - - - -
Jeffrey D. B.,
Petitioner-Appellant,

CONFIDENTIAL

M-7737

Docket No. U-11741-16/18C

-against-

Khadeba B.,
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 May 15, 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 denied, with leave to renew, upon proof of service of the moving papers upon respondent-respondent.

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 November 21, 2019.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer, Justices.

-----X

The People of the State of New York
ex rel. John Doe also known as
Anthony Williams,
Petitioner,

M-7761
Ind. No. 3426/18
B&C #3491809135
NYSID 4309521L

-against-

Warden C-95, A.M.K.C.,
Respondent.


-----X

Petitioner, pro se, having moved for reargument of the order of this Court, entered on September 24, 2019 (M-3387), which transferred this habeas corpus proceeding to the New York County Supreme Court and which denied, without prejudice, petitioner's motion for poor person relief,

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

It is ordered that the motion 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 November 21, 2019.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

-----X
Suttongate Holdings Limited, M-7628
Plaintiff-Respondent, M-7657
-against- M-7658
M-7824
Index No. 652393/15

Laconm Management N.V., Samir Andrawos,
Virginia Iglesias, Kashmire Investments,
Ltd., Immo Kashmire Development Inc.,
Sedna Group Ltd., Kuiper Group Ltd.,
and Ourista N.V.,
Defendants-Appellants.

-----X
Laconm Management N.V., et al.,
Counterclaim Plaintiffs-Appellants,
-against-

Suttongate Holdings Ltd., Arie E. David,
Charyn Powers and Waverly Investments, Ltd.,
Counterclaim Defendants-Respondents.

-----X
Laconm Management N.V., et al.,
Third Party Plaintiffs-Appellants,
Barbery Group Ltd. and Pledge Group
Holdings, Inc.,
Nominal Third Party Plaintiffs-
Appellants,

-against-
Waverly Investments, Ltd. and Arie E.
David,
Third Party Defendants-Respondents.

-----X

An appeal having been taken by defendant/counterclaim plaintiff/third-party plaintiff Virginia Iglesias from the order of the Supreme Court, New York County, entered on or about September 26, 2019,

And an appeal having been taken by defendants/counterclaim plaintiffs/third-party plaintiffs Laconm Management N.V., Samir Andrawos, Virginia Iglesias, Kashmire Investments, Ltd., Immo Kashmire Development Inc., Sedna Group Ltd., Kuiper Group Ltd. and Ourista N.V., and nominal third-party plaintiffs Barbery Group, Ltd. and Pledge Group Holdings, Inc., from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 25 and 26, 2019,

And defendant/counterclaim plaintiff/third-party plaintiff Virginia Iglesias, having moved (M-7628) for an order staying enforcement of (i) the order entered on or about September 26, 2019, which required her to place first mortgages on eight properties in St. Maarten on or before October 25, 2019; and (ii) that portion of the order and judgment entered on or about September 25 and 26, 2019 which superseded, replaced and vacated the portion of the order and judgment of the same court, entered on December 21, 2018, which vacated the contempt order previously entered October 16, 2018, pending the hearing and determination of the appeals taken therefrom,

And defendants/counterclaim plaintiffs/third-party plaintiffs Laconm Management N.V., Samir Andrawos, Kashmire Investments, Ltd., Immo Kashmire Development Inc., Sedna Group Ltd., Kuiper Group Ltd. Ourista N.V., and Barbery Group, Ltd. having moved (M-7657) for an order staying enforcement of the seventh, subsections (b) and (e), tenth and eleventh decretal paragraphs of the order and judgment entered on or about September 25 and 26, 2019, pending hearing and determination of the appeal taken therefrom,

And plaintiff/counterclaim defendant/third-party defendants-respondents Suttongate Holdings Limited, Arie E. David and Waverly Investments, Ltd. having moved (M-7658) for an order dismissing the appeal taken from the order and judgment entered on or about September 25 and 26, 2019,

And defendants/counterclaim plaintiffs/third-party plaintiffs Laconm Management N.V., Samir Andrawos, Virginia Iglesias, Kashmire Investments, Ltd., Immo Kashmire Development Inc., Sedna Group Ltd., Kuiper Group Ltd. and Ourista N.V., and nominal third-party plaintiffs Barbery Group, Ltd. and Pledge Group Holdings, Inc., having cross moved (M-7824) for an order pursuant to CPLR 5701(c) granting them leave to appeal from the order and judgment entered on or about September 25 and 26, 2019,

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

Ordered that the motion (M-7658) to dismiss the appeal taken from the order and judgment entered on or about September 25 and 26, 2019 is denied. The cross-motion (M-7824) for leave to appeal said order and judgment is denied as unnecessary, and it is further

Ordered that the motion by defendant/counterclaim plaintiff/third-party plaintiff Virginia Iglesias (M-7628) for an order staying enforcement of (i) the order entered on or about September 26, 2019 and (ii) that portion of the order and judgment entered on or about September 25 and 26, 2019 which superseded, replaced and vacated the portion of the order and judgment of the same court, entered on December 21, 2018, pending the hearing and determination of the appeals taken therefrom, is denied, and it is further

Ordered that the motion by defendants/counterclaim plaintiffs/third-party plaintiffs Laconm Management N.V., Samir Andrawos, Kashmire Investments, Ltd., Immo Kashmire Development Inc., Sedna Group Ltd., Kuiper Group Ltd. Ourista N.V., and Barbery Group, Ltd. having moved (M-7657) for an order staying enforcement of the seventh, subsections (b) and (e), tenth and eleventh decretal paragraphs of the order and judgment entered on or about September 25 and 26, 2019, pending hearing and determination of the appeal taken therefrom, is denied, and it is further

Ordered that the interim relief granted by orders of a Justice of this Court, dated October 8, 2019, is hereby vacated.

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 November 21, 2019.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

-against-

M-2251
Ind. No. 119/11

Albert Harriott,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 12, 2015, (Appeal No. 15081), unanimously affirming a judgment of the Supreme Court, New York County (Allen, J.), rendered on June 27, 2012,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate 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 said application 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 November 21, 2019.

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

-----X
Laura Alaverdi, an Incapacitated
Person, by her Guardian, Rudyard Whyte,
Esq.,
Plaintiff,

-against-

Ralph Lauren Corporation, M-8208
Defendant-Appellant, Index No. 159549/17

-and-

Huey Bui and Jenny Ymoui Chev,
Defendants,

Roseann Birrittella,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 6, 2019,

And defendant-appellant having moved for a stay of the deposition of a certain corporate officer pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted on condition the appeal taken from the order entered on or about November 6, 2019 is perfected for the March 2020 Term.

ENTER:



DEPUTY CLERK