

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----x

Cris Moldow,  
Plaintiff-Respondent,

-against-

A.I. Friedman, L.P.,  
Defendant,

M-3630  
M-3830  
Index No. 190301/17

-and-

Colgate-Palmolive Company,  
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 16, 2019,

And defendant-appellant having moved to stay the trial pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from counsel for defendant-appellant dated July 31, 2019, and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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 Petition to Quash  
Subpoena and for Issuance of a  
Protective Order,

Lane Schaffer, et al.,  
Petitioners-Appellants,

**Sealed**  
**M-6524**  
**M-6792**

-against-

Index No. 654077/18

MTD Products Inc.,  
Respondent-Respondent.

For Entry of a Protective Order and  
to Quash the Out-of-State Subpoena  
Ad Testificandum Issued by MTD  
Products, etc.

-----X

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

And petitioners-appellants having moved for a stay pending appeal (M-6524),

Now, upon reading and filing the stipulation of the parties hereto, dated August 13, 2019, and the correspondence from counsel for petitioners-appellants dated August 2, 2019 and due deliberation having been had thereon,

It is ordered that the appeal and motion are withdrawn in accordance with the aforesaid stipulation and correspondence.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
Daryl Wiley, Jr.,

Plaintiff-Respondent,

-against-

M-6785  
Index No. 22443/13E

ESI New York, Inc., also known as  
IESI NY Corporation, et al.,

Defendants-Appellants.  
-----X

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

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

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

Macarthur Properties I, LLC,  
Plaintiff-Appellant-Respondent,

-against-

**M-6786**

Index No. 651504/18

Christina Galbraith, Roman Kazan,  
Brian McConville and Ronald Howard, in  
their capacities as the Residential  
Members of the Board of Managers of such  
Condominium, and Akam Associates, Inc.,  
Defendants-Respondents-Appellants.

-----X

A cross-appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 13, 2018,

Now, upon reading and filing the notice of withdrawal of cross-appeal from the attorneys for defendants-respondents-appellants, dated August 5, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
New Cingular Wireless PCS, LLC,

Plaintiff-Respondent,

-against-

M-6787  
Index No. 652926/15

West Investors LLC,

Defendant-Appellant.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 7, 2016,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated August 1, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

Martin Regalado,  
Plaintiff,

-against-

635 Riverside Drive NY LLC,  
et al.,  
Defendants.

M-6788X  
Index No. 151907/15

- - - - -  
635 Riverside Drive NY LLC,  
Third-Party Plaintiff-Respondent,

-against-

Bluestar Properties, Inc. and Jeffrey  
Pikus,  
Third-Party Defendants-Appellants,

-and-

Ogando Construction Corp., et al.,  
Third-Party Defendants.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 12, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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

Desiree T.,

A Child Under 18 Years of Age  
Voluntarily Placed in Foster Care  
Pursuant to Social Services Law  
Sec. 358-a.

-----  
Commissioner of the Administration for  
Children's Services, The City of  
New York,  
Petitioner-Appellant,

**Confidential**  
M-6789  
Docket No. L-46578/16

Tawana T.,  
Respondent-Respondent.

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

-----X  
An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about February 26, 2019,

Now, upon reading and filing the correspondence from counsel for petitioner-appellant, dated August 7, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
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CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
Gregorio Perez,

Plaintiff-Appellant,

-against-

215 Chrystie LLC, et al.,

Defendants-Respondents.  
-----X

M-6790X  
Index No. 301318/15

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 5, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
NRT New York LLC, doing business as  
Corcoran Sunshine Marketing Group,  
Plaintiff-Respondent-Appellant,

-against-

M-6793X  
Index No. 653094/18

111 West 57<sup>th</sup> Property Owner LLC,  
et al.,  
Defendants-Appellants-Respondents.

-----X

An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about February 26, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 29, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
Hector M. Frias, Jr.,

Plaintiff-Respondent,

-against-

M-6973  
Index No. 302841/14

571-573 W. 159<sup>th</sup> Street Owner, LLC,  
et al.,

Defendants-Appellants.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 19, 2019,

Now, upon reading and filing the correspondence from the attorneys for defendants-appellants dated August 22, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
W 108 Development, LLC,

Plaintiff-Appellant,

-against-

M-6939  
Index No. 654801/16

Dominick R. Pilla, et al.,

Defendants-Respondents.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 12, 2018,

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated August 12, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

Kent Ave Holdings I LLC,  
Plaintiff-Petitioner-Appellant,

For a Judgment Pursuant to Article 30  
and 78 of the CPLR,

M-6941  
Index No. 158297/17

-against-

New York City Loft Board,  
Defendant-Respondent-Respondent.

-----X

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

Now, upon reading and filing the notice of withdrawal of notice of appeal from the attorneys for plaintiff-petitioner-appellant dated August 13, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
In the Matter of the Commitment of

Raeydan Dominic Evan C., also known as  
Raeydan D. Evan C., also known as  
Raeydan Dominick E. C., also known as  
Raeydan D. E. C., also known as  
Raeydan Dominick C., also known as  
Raeydan Evan C., also known as  
Raeydan C.,

**Confidential**  
**M-6947**

A Child Under 18 Years of Age  
Pursuant to §384-b of the Social  
Services Law of the State of New York.

Docket No. B-19052/17

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

Kevin C.,  
Respondent-Appellant,

Lauren McC.  
Respondent.

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

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

- - - - -  
Nakeira C., et al.,  
Petitioners-Respondents,

-against-

Docket Nos.  
B-119051-52/17

Kevin C.,  
Respondent-Appellant,

Lauren McC.,  
Respondent.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an orders of the Family Court, Bronx County, entered on or about March 25, 2019 and July 1, 2019, respectively, 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 Latrice V. Campbell, Esq., dated July 16, 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, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8<sup>th</sup> Floor, New York, NY 10016, Telephone No. 212-818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

14th Street Owner LLC  
Plaintiff-Respondent,

-against-

M-6962X  
Index No. 650473/17

Westside Donut 6th Avenue Ventures LLC,  
et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 7, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 20, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

Tyrone Gillespie,

Plaintiff-Respondent,

-against-

M-6964X  
Index No. 300889/12

Samaritan Village, Inc., et al.,

Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 13, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" August 26, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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 Custody/Visitation  
Proceeding Under Article 6 of the  
Family Court Act.

Antwan M.,  
Petitioner-Respondent,

**CONFIDENTIAL**  
M-6969

-against-

Docket No. V-10349/17/18A

Corinne Frances B.  
Respondent-Appellant.

-----  
Shirim Nothenberg, Esq., Lawyers for  
Children, Attorney for the Child.

-----X  
An appeal having been taken to this Court by respondent-appellant from orders of the Family Court, New York County, entered on or about January 24, 2018 and March 8, 2018,

Now, upon reading and filing the correspondence from counsel for respondent-appellant dated August 2, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
Sydney Hyman,

Plaintiff-Appellant,

-against-

M-6970  
Index No. 151451/18

Black Square Builders Corp., et al.,

Defendants-Respondents.  
-----X

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

Now, upon reading and filing the correspondence from the attorney for plaintiff-appellant dated August 22, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

M.B., by his Mother and Natural Guardian,  
Mamasona Darboe, and Mamasona Darboe,  
Individually,

Plaintiffs-Respondents-Appellants,

M-6971

Index No. 22710/16E

-against-

Sports & Arts in Schools Foundation,  
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 12, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated August 15, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

Walsam 316, LLC, et al.,  
Plaintiffs-Respondents,

-against-

316 Bowery Realty Corp., Leonard Taub  
and Eva Taub,  
Defendants-Appellants,

M-6972  
Index No. 153318/17

-and-

4-6 Bleecker Street LLC, et al.,  
Defendants.

-----X

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

Now, upon reading and filing the correspondence from the attorney for defendants-appellants dated August 21, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
Hector M. Frias, Jr.,

Plaintiff-Respondent,

-against-

M-6973  
Index No. 302841/14

571-573 W. 159<sup>th</sup> Street Owner, LLC,  
et al.,

Defendants-Appellants.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 19, 2019,

Now, upon reading and filing the correspondence from the attorneys for defendants-appellants dated August 22, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
JPMorgan Chase Bank, National  
Association,  
Plaintiff-Respondent,

-against-

Avideh B. Ghaffari, also known as  
Avideh Ghaffari,  
Defendant-Appellant,

M-6974  
Index No. 850212/17

-and-

Washington Mutual Bank/The Board of  
Managers of 330 East 37<sup>th</sup> Street  
Condominium Homeowners Association,  
et al.,  
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 31, 2019,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant dated August 21, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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

Daniel P.,

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

**CONFIDENTIAL**  
**M-6975**  
Docket No. NN-473/17/19B

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

Noheme R. P.,  
Respondent-Appellant.  
- - - - -

Steven P. Forbes, Esq.,  
Attorney for the Child.  
-----X

Jessica Brown, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about May 10, 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 §1120 of the Family Court Act, Steven P. Forbes, Esq. 155-03 Jamaica Avenue, Jamaica, New York, 11432 Telephone No. 718-791-8444, as counsel for purposes of responding



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

ENTERED:

  
CLERK

CORRECTED ORDER - FEBRUARY 4, 2020

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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 Commitment of  
Guardianship and Custody of

Amanda Matthiew T., also known as  
Amanda T.,

**Arianna** Franklin T., also known as  
Arianna T.,

No Name Given Ocasio, also known as  
Isaih T.,

Confidential

M-6976  
Docket Nos. B-6753/18  
B-6754/18  
B-6755/18

Children Under 18 Years of Age  
Pursuant to §384-b of the Social  
Services Law of the State of New York.

- - - - -  
The New York Foundling Hospital,  
et al.,  
Petitioners-Respondents,

Charles Franklin T., also known as  
Charles T.,  
Respondent-Appellant.

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

-----X  
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, New York County, entered on or about June 24, 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 Robert Rothman, Esq., dated July 29, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-791-8444, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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 Commitment of

Afrail McK.,

A Dependent Child Under the Age of 18  
Years Under Section 384-b of the Social  
Services Law of the State of New York.

- - - - -  
St. Dominic's Family Services, **CONFIDENTIAL**  
formerly known as St. Dominic's Home, M-7031  
Petitioner-Respondent, Docket Nos. B-13523/16  
B-533/15

Johnesha H., also known as Janeesha  
H.,  
Respondent-Appellant.

- - - - -  
Steven P. Forbes, Esq.,  
Attorney for the Child.  
-----X

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

Now, upon reading and filing the papers with respect to the motion, including the certification of Joseph Santo, Esq., dated July 11, 2019 and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Tel. No. 718-791-8444, as counsel for purposes of responding to the appeal; 2) permitting movant to respond to the appeal upon a

reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9. The perfected appeal is adjourned to the February 2020 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-3559  
Ind. No. 3032/18

Dembo Sanyang,  
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 May 23, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-3748  
Ind. No. 658/17

Jermaine Gordon,  
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 November 28, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-3749  
Ind. No. 232/17

Marcus Graham,  
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 March 27, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-3750  
Ind. No. 1843/18

Oscar Bejar,  
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 March 1, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-3751  
Ind. Nos. 20133/18  
20044/19

David Bookman,  
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 May 1, 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.

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-3860

Ind. No. 2328/16

Darryl McCoy,

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 July 12, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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



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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-

**CONFIDENTIAL**

M-3861

SCI No. 3446/16

Reislin Betances, also known as  
Reislen Betances,

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 February 2, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-3874  
Ind. No. 15/17

Walter Peterson,

Defendant-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about March 22, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated August 8, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-6820  
Ind. No. 4352/18

Olga Logunosvkaya,  
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 May 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-6822  
Ind. No. 975/19

Towon Hector,  
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 May 30, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-

**CONFIDENTIAL**

M-6850

Ind. No. 344/16

Raymond Johnson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about June 21, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 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-3779  
Ind. No. 428/14

Darnell Holmes,  
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 June 6, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

In re Wimbledon Financing Master Fund, Ltd.,  
Petitioner-Respondent-Appellant,

-against-

M-3572

Index No. 150584/16

David Bergstein, et al.,  
Respondents,

Steven J. Katzman and Bienert, Miller &  
Katzman, PLC,  
Non-Party Appellants-Respondents.

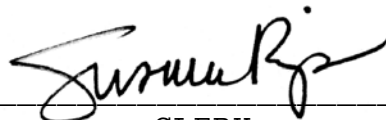
-----X

Non-party appellants-respondents 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 June 4, 2019 (Appeal No. 9217-9218N),

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----x  
Robert Albertson,

Plaintiff,

-against-

Suzanne Elizabeth Murphy,

Defendant.  
-----x

**Confidential**

M-7006

Index No. 304492/13

Plaintiff having moved, pursuant to CPLR 5704(a), for an order granting a certain portion of an order to show cause, said relief having been denied by a Justice of the Supreme Court, New York County, on or about August 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:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Peter Tom  
Ellen Gesmer  
Jeffrey K. Oing, Justices.

-----X

Vishal Vohra and Neetu S. Vohra,  
Plaintiffs-Respondents,

-against-

**M-6794**

Index No. 301572/13

The Mount Sinai Hospital and  
The Mount Sinai Medical Center, Inc.,  
Defendants-Respondents,

Rhino Construction NYC, Inc.,  
Defendant,

Rock Scaffolding Corp.,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about May 14, 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:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 26, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Troy K. Webber  
Jeffrey K. Oing, Justices.

-----X  
Bijan Karimian,  
Plaintiff-Appellant,

-against- **M-3866**  
Index No. 100914/17

Stewart L. Karlin, et al.,  
Defendants-Respondents.  
-----X

Plaintiff-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 June 27, 2019, (Appeal No. 9741),

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

It is ordered that the motion is denied.

ENTERED:

  
\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

Francisco Molina,  
Plaintiff-Appellant,

-against-

**M-3007**  
Index No. 300435/11

Samuel L. Dimon, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on April 30, 2019 (Appeal No. 9148),

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

It is ordered that the motion is denied.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----x  
United Capital Real Estate Development  
Corp.,  
Plaintiff-Appellant,

-against-

Sahara US Corporation, Sahara Plaza  
LLC., Sahara Dreams LLC., Subrata Roy  
Qatar Investment Authority Advisory  
(USA) Inc., Katara Hospitality, Qatar  
Holding LLC, Qatar Financial Centre  
Authority,  
Defendants-Respondents.

M-7072  
Index No. 155910/18

-----x  
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 17, 2018, and said appeal having been perfected,

And the Sahara defendants-respondents having moved for leave to file a supplemental record to include transcripts dated October 1, 2018 and October 16, 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 directing said defendants-respondents to serve and file a supplemental record containing the transcripts dated October 1, 2018 and October 16, 2018 (Exhibits B & C to the moving papers),

within 10 days of the date of entry hereof. Sua sponte, the appeal is adjourned to the November 2019 Term.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----x  
In the Matter of the Application of  
Raymond Lewis,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-2817  
of the Civil Practice Law and Rules, Index No. 160578/18

-against-

New York City Housing Authority,  
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 29, 2019,

And petitioner-appellant having moved for a stay of all proceedings before the Housing 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.

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 October 3, 2019.

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

-----X  
Donna Hellegers,  
Plaintiff,

-against-

Paul M. Hellegers,  
Defendant.  
-----X

**Confidential**

**M-3603**

Index No. 350710/05

Plaintiff-wife having moved, pro se, for leave to file a late notice of appeal from a judgment of divorce of the Supreme Court, New York County, entered on or about August 27, 2007, which brings up for review, an order of the same court entered on or about August 10, 2007, and to prosecute the late appeal, as a poor person, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is denied.

ENTERED:

  
-----  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

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

-against-

M-3665  
Ind. No. 5809/13

Dary Ramirez,  
Defendant-Appellant.

-----X

An order of this Court having been entered on May 17, 2016 (M-1793), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 17, 2015, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal,

And defendant-appellant having moved for an order amending the aforementioned order of assignment to include the judgment of resentence of said Court rendered on or about July 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 said motion is granted to the extent of amending the order of assignment to include the judgment of resentence, rendered on or about July 16, 2019, and extending the poor person relief previously granted to cover same.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----x  
Sobro-Gateway Housing Development  
Fund Corp., et al.,  
Plaintiffs-Appellants,

-against-

M-3714  
Index No. 308725/12

Scottsdale Insurance Company,  
Defendant-Respondent,

Shamas Construction Co., Inc.,  
et al.,  
Defendants.

-----x

Defendant-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about May 6, 2019, as untimely taken (CPLR 5513[a]),

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

It is ordered that the motion is granted, and the appeal is dismissed.

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 October 3, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-3734  
Ind. No. 3340/16

Abraham Cucuta,  
Defendant-Appellant.

-----X

An order of this Court having been entered on December 11, 2018 (M-5513) granting defendant-appellant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about February 20, 2018, and assigning Christina Swarns, Esq., Office of the Appellate Defender, as counsel, to prosecute the appeal,

And assigned counsel, Christina Swarns, Esq., having moved to be relieved as counsel and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of Christina Swarns, Esq., as counsel to prosecute defendant-appellant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is



continued, and defendant-appellant's time in which to perfect the appeal is hereby enlarged until 120 days from the date of this order, or the filing of the complete record, whichever is later.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X  
Peter Golia,  
Plaintiff-Appellant,

-against-

M-3797  
Index No. 655787/16

30 Macombs Place Housing Development Fund Corporation also known as 30 Macombs Place HDFC, Clarence Haley and Willie L. Brown, Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about September 24, 2018,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2020 Term, with no further enlargements to be granted.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-3806  
Ind. No. 4987/15

Donald Chambers,  
Defendant-Appellant.

-----X

An order of this Court having been entered on February 27, 2018 (M-471) granting defendant-appellant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 28, 2017, 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 assigned counsel, Janet E. Sabel, Esq., The Legal Aid Society, having moved to be relieved as counsel and to substitute other counsel to prosecute the appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of Janet E. Sabel, Esq., as counsel to prosecute defendant-appellant'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

(M-3806)

-2-

October 3, 2019

granted is continued, and defendant-appellant's time in which to perfect the appeal is hereby enlarged until 120 days from the date of this order, or the filing of the complete record, whichever is later.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 20, 2019.

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

-----X

D.L.,  
Plaintiff-Respondent,

-against-

**CONFIDENTIAL**  
M-3867  
Index No. 3130/06

K.M.  
Defendant-Appellant.

-----X

Defendant-appellant having moved for a further enlargement of time to perfect the appeal taken from the Decision After Parental Access Hearing of the Supreme Court, Bronx County, entered on or about July 11, 2018,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2020 Term.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X  
Dae Hyun Chung,  
Plaintiff-Appellant,

-against-

**M-3869**  
Index No. 156345/16

Google, Inc. and ABC Corporation,  
Non-Party(s),

IHATEDHC and Raymond Yang,  
Defendants-Respondents.

-----X

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

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

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

It is ordered that the motion is denied and the appeal is dismissed.

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 October 3, 2019.

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

-----X

The People of the State of New York,  
Respondent,

M-6765  
SCI. Nos. 1545/19  
1562/19

-against-

Alexis Ocasio,  
Defendant-Appellant.

-----X

Defendant-appellant 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 June 19, 2019,

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-6767  
Ind. No. 114/19

Frederick Herron,  
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 June 3, 2019, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the motion papers as a timely filed notice of appeal. That branch of the motion seeking leave to prosecute, as a poor person, the aforesaid appeal is denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101 and 22 NYCRR 1250.4(d)(1) and (4), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and listing his property with its value.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on October 3, 2019.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-6835**

Ind. No. 2335/18

Harvey Weinstein,  
Defendant-Appellant.

-----X

Defendant having moved, pursuant to CPL § 230.20(2)(a) for a change of venue, and pursuant to CPL § 230.30 for a stay of trial,

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 in its entirety.

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 October 3, 2019.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----x

Paula Genna,  
Plaintiff-Appellant,

-against-

M-6837  
Index No. 100530/16

Oleg Klemppner, D.D.S., et al.,  
Defendants-Respondents.

-----x

Appeals having been taken to this Court from two orders of the Supreme Court, New York County, entered on or about March 8, 2018,

And plaintiff-appellant having moved to vacate the dismissal of the aforesaid appeals from the orders entered on or about March 8, 2018, and upon vacatur, for an enlargement of time to perfect the appeals,

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the aforesaid appeals from orders of the Supreme Court, New York County, entered on or about March 8, 2018, and enlarging the time to perfect same to the January 2020 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----x

Country-Wide Insurance Company,  
Petitioner-Respondent,

-against-

M-6839

Index No. 653844/15

TC Acupuncture, P.C., as assignee of,  
Darrius Williams,  
Respondent-Appellant.

-----x

Respondent-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about June 8, 2018, and upon vacatur, for an enlargement of time to perfect said appeal,

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the appeal, and enlarging the time to perfect same to the January 2020 Term.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

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

-----x

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

-----  
Jose F., Jr.,  
Petitioner-Respondent,

-against-

Santa F.,  
Respondent-Appellant,

Administration for Children's Services,  
Respondent,

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

-----x

**CONFIDENTIAL**

M-6840  
Docket Nos. V-2782-18  
V-2783-18  
V-2784-18

An appeal having been taken to this Court from an order of the Family Court, New York County, entered on or about January 7, 2019,

And an order of this Court having been entered on April 30, 2019 (M-872) granting respondent-appellant leave to prosecute, as a poor person, the aforesaid appeal, and assigning Andrew J. Baer, Esq., as counsel to prosecute same; and respondent-appellant having moved to relieve assigned counsel, and to withdraw said appeal,

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

(M-6840)

-2-

October 3, 2019

Ordered that the motion is granted, the appeal is withdrawn,  
and assigned counsel is relieved.

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 October 3, 2019.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X  
James Dawson,  
Plaintiff-Appellant,

-against-

M-6844  
Index No. 152112/17

Adam Leitman Bailey, P.C., Adam Leitman  
Bailey, Esq., John Desiderio, Esq., and  
Vladimir Mironenko, Esq.,  
Defendants-Respondents.

-----X

Plaintiff-appellant, pro se, having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 3, 2018,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2020 Term, with no further enlargements to be granted.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 3, 2019.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----X  
Adam Plotch, Individually and as Assignee  
of Stephen Plotch and Batia Plotch,  
Plaintiff-Appellant,

-against-

M-6851  
Index No. 157881/17

435 East 85th Street Tenants Corp.,  
Halstead Management Company, LLC, JP  
Morgan Chase Bank, N.A. and Ralph Karow,  
Defendants-Respondents.

-----X

Separate appeals having been taken to this Court from (1) orders of the Supreme Court, New York County, entered on or about October 5, 2018 and October 16, 2018, which granted defendants' motions to dismiss the complaint and denied plaintiff's cross-motion to amend the complaint; and (2) an order of the same Court, entered on or about July 3, 2019, which denied plaintiff's motion to reargue defendants' motions to dismiss,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the orders entered on or about October 5, 2018 and October 16, 2018; or, in the alternative, withdrawing the November 15, 2018 notice of 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 deemed one seeking to vacate the dismissal of the appeal taken from the orders entered on or about October 5, 2018 and October 16, 2018 and, as such, is granted, The appeal reinstated, and the time to perfect that appeal is enlarged to the January 2020 Term (see, 22 NYCRR 1250.10(c)).

ENTERED:

  
CLERK