

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 17, 2019.

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

-----X

GC Sandton Acquisitions, LLC,
Plaintiff-Respondent,

-against-

M-7189

Index No. 652664/17

Gold Circle Films, LLC,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated September 11, 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It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.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 17, 2019.

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

-----X

Lucia Gutierrez,
Plaintiff-Respondent,

-against-

M-7193

Index No. 303458/14

643 So. Blvd. Realty Corp.,
Defendant-Appellant.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated August 29, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:


CLERK

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

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

-----X

Giselle Gonzalez,
Plaintiff-Respondent,

-against-

M-7195

Index No. 28477/16

Richard Basciano,
Defendant-Appellant.

-----X

Richard Basciano,
Third-Party Plaintiff,

-against-

Index No. 28477/16E

Napoleon Vargas,
Third-Party Defendant.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant/third-party plaintiff dated August 29, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 17, 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-7160
Ind. No. 4019/17

Darell Jenkins,
Defendant-Appellant.

-----X

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


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 17, 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-7126

Ind. No. 1605/17

Huver Erigolles,

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 May 16, 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:


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 17, 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-7227
Ind. No. 1030/18

Edy Mendoza,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about May 29, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 9, 2019,

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

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

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

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

ENTERED:


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 17, 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-7228

Ind. No. 3066/18

Antwan Travis,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about May 29, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 9, 2019,

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

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

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

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

ENTERED:


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 17, 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-7229

Ind. No. 2834/18

Alonso Brewster,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about May 30, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 30, 2019,

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

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

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

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

ENTERED:


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 17, 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-7230

Ind. Nos. 4610/15
3399/16

Simone Wisdom,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 4, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 28, 2019,

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

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

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

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

ENTERED:


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 17, 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-

Radika Rakhan,
Defendant-Appellant.

-----X

M-7232

Ind. No. 3916/17
SCI No. 315/17

An order of the Supreme Court, New York County, having been entered on or about June 4, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 28, 2019,

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

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

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

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

ENTERED:


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 17, 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,

M-7233

-against-

Ind. No. 2356/18

Abel Echeverria,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 4, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 28, 2019,

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

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

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

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

ENTERED:


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 17, 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,

M-7234

-against-

Ind. No. 1345/17

Dayshawn Cotten,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 4, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 29, 2019,

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

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

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

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

ENTERED:


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 17, 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-7235**
Ind. No. 4480/17

Shakim Desilva,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 4, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 23, 2019,

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

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

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

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

ENTERED:


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 17, 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-7236
Ind. No. 194/17

Daquan King,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 4, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 29, 2019,

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

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

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

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

ENTERED:


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 17, 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-7237
Ind. No. 3442/17

Pare Griffin,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 4, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 30, 2019,

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

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

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

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

ENTERED:


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 17, 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-7238
Ind. No. 894/18

Derrick James,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 5, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 30, 2019,

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

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

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

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

ENTERED:


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 17, 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,

M-7242

-against-

Ind. No. 1249/18

James Goodson,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about June 5, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgement of the Supreme Court, New York County, rendered on or about June 5, 2019,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 17, 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-7243

Ind. No. 3386/18

Alfonso Cataldi,
Defendant-Appellant.

-----X

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

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

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

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

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

ENTERED:


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 17, 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,

M-7244

-against-

Ind. No. 4614/17

Nelson Nieves,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about May 24, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 16, 2019,

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

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

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

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

ENTERED:


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 17, 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-7248
Ind. No. 4510N/18

Quiet Lightfoot, also known as
Quite Lightfoot,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about May 15, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 23, 2019,

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

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

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

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

ENTERED:


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 17, 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-7250

Ind. No. 2531/18

Omar Estrada Perez,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about May 24, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 10, 2019,

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

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

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

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

ENTERED:


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 17, 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-7252
Ind. No. 4465/18

Ronald Hinton,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about May 24, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 13, 2019,

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

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

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

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

ENTERED:


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 17, 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-7254**
Ind. No. 3504/17

Bernard Rivera,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about May 28, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 15, 2019,

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

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

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

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

ENTERED:


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 17, 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-7255

Ind. No. 3297/18

Jesus Figueroa,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about May 28, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 15, 2019,

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

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

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

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

ENTERED:


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 17, 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

Sincere L.,

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

CONFIDENTIAL
M-7022
Docket No. NN-20092/17

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

Romone L.,
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, Bronx County, entered on or about December 5, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Alexandria Nedd, Esq., dated August 6, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite 410, Jericho, NY 11753, Tel. No. (516)942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the

record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) 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

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 October 17, 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

Ayanna P.,
Tyshay M.,
Travis M.,
Prince B.,

CONFIDENTIAL

M-7084

Docket Nos. NA-32184/17
NA-32185/17
NA-32187/17
NA-32186/17

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

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

Darryl B.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, Bronx County, entered on or about August 5, 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 Israel Premier Inyama, Esq., dated September 4, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., 39 Broadway, Suite 1610, New York, NY 10006, Tel. No. (917) 674-9516, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the

record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-7156, decided and released simultaneously herewith.)

ENTERED:


CLERK

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

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

Alyssa F., and
Athena F.,

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

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

CONFIDENTIAL

M-3178

Docket Nos. NN-17615/18
NN-17616/18

Daniel F.,
Respondent-Respondent,

Sandra F.,
Respondent.

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

-----X

Respondent-respondent Daniel F. having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about May 13, 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 Emily Wall, Esq., dated June 24, 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, Michele Cortese, Esq., Center for Family Representation, 40 Worth Street, New York, NY 10013, Telephone No. 212-691-0950, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:


CLERK

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

Kaleb W.,
Joshua V.,
Alexis V., and
Candice W.,

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

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

CONFIDENTIAL

M-7024

Docket Nos. NA-11064-7/17

Richard W.,
Respondent-Appellant,

Rosa W.,
Respondent.

- - - - -
Hani Moskowitz,
Attorney for the Child
Alexis V.,

Andrew J. Baer, Esq.,
Attorney for the Children
Kaleb W. and Candice W.

-----X

Wendy J. Claffee, Esq., court attorney for the subject children Kaleb W. and Candice W., having moved on the children'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 March 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 the certification of Wendy J. Claffee, Esq., dated August 19, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:


CLERK

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

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

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

- - - - -
Donna F. T., and Paul C. T.,
Petitioners-Respondents,

-against-

Renee G.-T.,
Respondent-Appellant.

CONFIDENTIAL

M-7128

Docket Nos. V-1424/18
V-2687/19

-----X
Petitioner-respondent Donna F. T. having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about August 6, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of David Goldstein, Esq., dated September 6, 2019 and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Randall S. Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, New York, 11753, Telephone No. 603-313-1951, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each

party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9. (See M-7086, decided and released simultaneously herewith.)

ENTERED:


CLERK

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

Ayanna P.,
Tyshay M.,
Travis M.,
Prince B.,

CONFIDENTIAL

M-7156

Docket Nos. NA-32184/17
NA-32185/17
NA-32187/17
NA-32186/17

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

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

Darryl B.,
Respondent-Appellant.

-----X

Ellen Winter Mendelson, Esq., Court Attorney for the child Prince B., having moved for leave to respond, as a poor person, to the appeal taken from two orders of the Family Court, Bronx County, entered on or about August 5, 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 Ellen Winter Mendelson, Esq., dated September 9, 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, Daniel R. Katz, Esq., 339 West 88th Street, Apt. 3, New York, NY 10024, Telephone No. 212-579-5719, as counsel for purposes of responding to the appeal; 2) permitting movant to respond to the appeal upon

a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9. (See M-7084, decided and released simultaneously herewith.)

ENTERED:


CLERK

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

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

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

- - - - -
Donna F. T., and Paul C. T.,
Petitioners-Respondents,

CONFIDENTIAL

M-7086

Docket Nos. V-1424/18
V-2687/19

-against-

Renee G.-T.,
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 August 6, 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 Alexandra Rosin, Esq., dated September 3, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as counsel for purposes of prosecuting the appeal;
(2) directing the Clerk of said 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) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-7128, decided and released simultaneously herewith.)

ENTERED:


CLERK

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

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

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

-----X

In the Matter of the Application of
the State of New York,

Petitioner-Respondent,

M-7001

Index No. 250519/08

For a Judgment Pursuant to Article 10
of the Mental Hygiene Law,

-against-

David S.,
Respondent-Appellant.

-----X

Appeals having been taken from three orders of the Supreme Court, Bronx County, entered on or about October 19, 2017, April 4, 2019 and June 6, 2019,

And respondent-appellant having moved, pursuant to Mental Hygiene Law §10.13[c], for leave to prosecute the appeals as a poor person, for leave to have the appeals heard upon the original record and upon a reproduced appellant's brief, and for the assignment of counsel,

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 appeals to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

The court reporter shall promptly make and file with the Supreme Court one transcript of the stenographic minutes of any proceedings in this matter, and 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.

Marvin Bernstein, Esq., Director of Mental Hygiene Legal Services, 41 Madison Avenue, 26th Floor, New York, NY 10010, Telephone No. (646) 386-5891, is assigned as counsel for purposes of prosecuting the appeal on respondent's behalf.

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 17, 2019.

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

-----x
Eugene Tenenbaum,
Petitioner-Appellant, M-7047
M-7396
For a Judgment Pursuant to § 87(b) Case Nos. 2019-3522
of the Private Housing Finance Law, 2019-3874

-against-

State Commissioner of Housing and
Community Renewal,
Respondent-Respondent.

-----x
Petitioner, by separate motions (M-7047 & M-7396), having moved for leave to prosecute as a poor person, the appeal taken, by notice of appeal dated August 26, 2017 [sic] and amended notice of appeal dated September 11, 2017 [sic], from an order of the Commissioner of Housing and Community Renewal, dated July 23, 2019, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division. Appellant is permitted to dispense

with payment of the required fee for the subpoena and filing of the record.

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 17, 2019.

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

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

Margarita Vega,
Petitioner,

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

M-3782
Index No. 100278/17

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding to challenge a New York City Housing Authority determination having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 20, 2018,

And petitioner having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of said proceeding, and upon reinstatement, for leave to prosecute as a poor person, and for leave to have the proceeding heard on the original record and upon a reproduced petitioner's brief, and for an enlargement of time to perfect same,

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

It is ordered that the motion is granted, the dismissal vacated, the proceeding reinstated, and the time to perfect said proceeding is enlarged to the March 2020 Term, with no further enlargements to be granted. The proceeding may be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the

attorney for respondent and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the 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 17, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern, Justices.

-----x
Aldrea Frazier,

Plaintiff-Respondent,

-against-

811 E. 178th Street Realty Corp.,

Defendant-Appellant.
-----x

M-7091
Index No. 28099/17E

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

And defendant-appellant having moved for a stay of enforcement of the underlying judgment 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

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

BEFORE: Hon. Ellen Gesmer
Justice of the Appellate Division

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

M-3546
Ind. No. 10578/91

-against-

CERTIFICATE
DENYING LEAVE

Paul Smith

Defendant.

-----X

I, Ellen Gesmer, a Justice of the Appellate Division, First Judicial Department, certify that, upon the application of the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about September 14, 2018, is denied.



Hon. Ellen Gesmer
Associate Justice

Dated: September 19, 2019
New York, New York

ENTERED: OCT 17 2019

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

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern, Justices.

-----X

Mario Ayars,
Plaintiff-Respondent,

-against-

The Port Authority of New York and
New Jersey,
Defendant-Appellant,

M-7289
Index No. 158178/17

-and-

George Washington Bridge Bus Station
Development Venture, LLC, et al.,
Defendants.

-----X

An appeal having been taken to this Court by the above-named defendant-appellant The Port Authority of New York and New Jersey from the order of the Supreme Court, New York County, entered on or about June 26, 2018,

And the New York Committee for Occupational Safety and Health having moved for leave to file a brief amicus curiae in support of plaintiff-respondent regarding the aforesaid appeal,

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

It is ordered that the motion is granted, and the six copies of the proposed amicus curiae brief submitted with the moving papers are deemed filed.

ENTERED:


CLERK

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

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber, Justices.

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

Respondent,

-against-

M-6886
Ind. No. 898/17

Tyshawn Burroughs,

Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about January 11, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

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

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber, Justices.

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

Respondent,

-against-

M-6887
Ind. No. 888/18

Tyshawn Burroughs,

Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 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:


CLERK

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

BEFORE: Hon. Jeffrey K. Oing
Justice of the Appellate Division

-----X
THE PEOPLE OF THE STATE OF NEW YORK,

Respondent-Appellee,

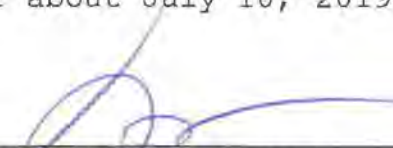
-against-

M-3865
Ind. No. 4073/2013

Angel Navarro,

Defendant-Appellant.
-----X

I, Jeffrey K. Oing, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County (Hayes, J.), entered on or about July 10, 2019, is hereby denied.



Hon. Jeffrey K. Oing
Associate Justice

Dated: September 26, 2019
New York, New York

ENTERED: OCT 17 2019

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

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

CONFIDENTIAL

M-7159

Ind. No. 3267/16

Julio Diaz,
Defendant-Appellant.

-----X

Defendant having moved for an order deeming the notice of motion a timely filed notice of appeal, or in the alternative, for an enlargement of time in which to file a late notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 4, 2019, and for poor person relief, including 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 deeming the motion papers a timely filed notice of appeal, and is otherwise denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, his indigency, including facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, the amount and sources of his income and a list of his property with its value.

ENTERED:


CLERK

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

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----x

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

CONFIDENTIAL

M-7052

Docket No. F-14768-18/18A

Hawa B.,
Petitioner-Respondent,

-against-

Unusu B.,
Respondent-Appellant.

-----x

Respondent-appellant, pro se, 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 November 20, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of extending the time to perfect the appeal to the February 2020 Term. That branch of the motion seeking poor person relief is denied, with leave to renew, upon respondent's submission of a detailed notarized affidavit, pursuant to § 1120 of the Family Court Act, and 22 NYCRR 1250.4(d)(1), setting forth, inter alia, facts sufficient to establish that defendant has no funds or assets with which to obtain independent counsel, including the amount and sources of his income and a list of his property with its value.

ENTERED:


CLERK

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

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----x

Tenzin Choephel,
Plaintiff-Respondent,

-against-

M-7144

Index No. 156398/15

A/R Retail, LLC.,
Defendant-Respondent-Appellant,

Thyssenkrupp Elevator Corporation,
Defendant-Appellant-Respondent.

-----x

A/R Retail, LLC.,
Third-Party
Plaintiff-Respondent-Appellant,

-against-

Whole Foods Market Group, Inc.,
Third-Party Defendant.

-----x

Appeals and cross appeals having been taken to this Court by defendant-appellant-respondent Thyssenkrupp Elevator Corporation, and defendant/third-party plaintiff A/R Retail, LLC., from orders of the Supreme Court New York County, entered on or about February 19, 2019 and July 29, 2019, respectively,

And defendant-appellant-respondent Thyssenkrupp Elevator Corporation, having moved for consolidation of the aforesaid appeals and cross appeals, and for an enlargement of time to perfect the appeals taken from the order entered on or about February 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 for an enlargement is granted to the extent of enlarging the time to perfect the appeal and cross appeal from the order entered on or about February 19, 2019 to the February 2020 Term. That branch of the motion seeking to consolidate the appeal and cross appeal from the order entered on or about February 19, 2019 with the appeal and cross appeal from the order entered on or about July 29, 2019 is denied as unnecessary, as the appeals may be consolidated as of right (See, 22 NYCRR 1250.9[f] [2] and [3]).

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 17, 2019.

Present - Hon. David Friedman, Justice Presiding,
Peter Tom
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----x

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

-against-

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

M-7048

Index No. 101854/12

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

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

-----x

Appeals and cross-appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 19, 2018 and from a judgment of the same court entered on or about July 24, 2019,

And defendants-respondents-appellants having moved for an enlargement of time to perfect their cross appeal from the order entered on or about January 19, 2018,

Now, upon reading and filing the papers with respect to the motion and the correspondence from counsel for defendant-appellant-respondent, Planned Security Service Inc. dated July 30, 2019, annexed to the motion papers as Exhibit E, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of vacating the dismissal of the Tiago defendants' cross appeal taken from the order entered on or about January 19, 2018, and upon vacatur, enlarging the time to perfect the cross appeal to the April 2020 Term.

It is further ordered that the direct appeal taken by Planned Security Services, Inc. from the order entered on or about January 19, 2018 is deemed withdrawn in accordance with the aforementioned correspondence; the Tiago defendants' appeal taken from the order entered on or about January 19, 2018 is subsumed into the appeal taken from the judgment of the same court entered on or about July 24, 2019.

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 17, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----x
257 Bleeker, LLC,

Plaintiff-Appellant,

-against-

M-7152
Index No. 655255/16

Sugar & Plumm (Bleeker), LLC, and
Aventura Investment Partners, LLC,

Defendants-Respondents.
-----x

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

And plaintiff-appellant having move to enlarge the record on appeal to include the motion for reargument/renewal, which is presently pending in Supreme 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, without prejudice to further proceedings in Supreme Court.

ENTERED:


CLERK

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

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Peter Tom, Justices.

-----X
In the Matter of the Application of
Abiy Yifru,
Petitioner-Appellant,

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

-against-

M-7088
Index No. 101428/18

New York City Department of Housing
Preservation and Development,
Respondent-Respondent.

-----X

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

And petitioner-appellant having moved for leave to prosecute the appeal as a poor person, for assignment of counsel, and for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on August 6, 2019 (M-3010), which had denied a prior motion by petitioner-appellant for the assignment of counsel,

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 17, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
 Peter Tom
 Angela M. Mazzarelli
 Jeffrey K. Oing
 Anil C. Singh, Justices.

-----X

Mario Ayars,
Plaintiff-Respondent,

-against-

The Port Authority of New York and
New Jersey,
Defendant-Appellant,

M-7256
Index No. 158178/17

-and-

George Washington Bridge Bus Station
Development Venture, LLC, et al.,
Defendants.

-----X

An appeal having been taken to this Court by defendant-appellant The Port Authority of New York and New Jersey from the order of the Supreme Court, New York County, entered on or about June 26, 2018,

And the New York State AFL-CIO having moved for leave to file a brief amicus curiae in support of plaintiff-respondent regarding the aforesaid appeal,

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

It is ordered that the motion is granted, and the six copies of the proposed amicus curiae brief submitted with the moving papers are deemed filed.

ENTERED:


CLERK

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

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

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

- - - - -
Ben D.,
Petitioner-Respondent,

CONFIDENTIAL

M-6948
Docket No. F-16853-13/13B

-against-

Joannah D.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about July 16, 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 August 15, 2019, and petitioner's affidavit in response, sworn to on August 27, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is denied, with leave to renew, upon respondent's submission of a detailed notarized affidavit, pursuant to § 1120 of the Family Court Act, and 22 NYCRR 1250.4(d)(1), setting forth, inter alia, facts sufficient to establish that she has no funds or assets with which to obtain independent counsel, including the amount and sources of her income and a list of her property with its value.

ENTERED:


CLERK

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

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

-----X
Jacqueline Toboroff-Gross and Leonard
Toboroff, as guarantor,
Plaintiffs-Appellants,

-against-

M-7111
Index No. 153274/17

Aronson, Mayefsky & Sloan, LLP,
Defendants-Respondents.

-----X

Plaintiffs-appellants 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 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 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 17, 2019.

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

-----X
In the Matter of the Application of
Richard Melendez,
Petitioner-Appellant,

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

M-7271
Index No. 100692/18

-against-

James P. O'Neill, Police Commissioner
of the City of New York and New York
City Police Department,
Respondents-Respondents.

-----X
An Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about November 20, 2018,

And respondents having moved to dismiss the aforesaid proceeding, or, in the alternative, for an enlargement of time to file their respondents' brief,

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

It is ordered that the motion is granted solely to the extent of adjourning the proceeding to the February 2020 Term of this Court.

ENTERED:


CLERK

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

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

-----x
Barbara Robins,
Plaintiff-Respondent,

-against-

CONFIDENTIAL

M-7272

Index No. 805644/15

Procure Treatment Centers, Inc., Princeton
Procure Management, LLC, Procure Proton
Therapy Center, Henry K. Tsai, M.D. and
Brian H. Chon, M.D.,
Defendants-Appellants,

Princeton Radiation Oncology, et al.,
Defendants.

-----x

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about January 2, 2019, and defendants Henry K. Tsai, M.D. and Brian H. Chon, M.D. having perfected their appeal,

And defendants-appellants Procure Treatment Centers, Inc. and Princeton Procure Management LLC, doing business as, and sued herein as, Procure Proton Therapy Center, having moved for an order sealing certain documents contained in the Record on 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 directing that the appeal be designated confidential.

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 17, 2019.

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

-----x
Anastasia Xenias as Administrator of

the Estate of Mike S. Xenias,
Plaintiff-Appellant,

M-7116
Index No. 100988/14

-against-

The City of New York, and the
Fire Department of New York,
Defendants-Respondents.

-----x

Separate appeals having been taken from orders of the Supreme Court, New York County, entered on or about December 21, 2018, on or about January 17, 2019 and on or about June 3, 2019,

And plaintiff-appellant, pro se, having moved to consolidate the aforesaid appeals, and for an enlargement of time to perfect the appeals taken from the orders entered on or about December 21, 2018 and on or about January 17, 2019,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeals taken from the orders entered on or about December 21, 2018 and on or about January 17, 2019 to the April 2020 Term. It is further ordered that that branch of the motion seeking to consolidate the aforesaid appeals is denied as unnecessary (see, 22 NYCRR 1250.9[f][3]).

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 17, 2019.

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

-----X
Deutsche Bank National Trust Company,
as Indenture Trustee, for New Century
Home Equity Loan Trust 2005-2,
Plaintiff-Respondent,

-against-

M-7050
Index No. 380266/11

Wendell Chung,
Defendant-Appellant,

Internal Revenue Service-United States
of America, et al.,
Defendants.

-----X

Defendant-appellant having moved for a stay of all proceedings, including the sale of the subject premises, pending hearing and determination of the appeal taken from the order 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 with leave to renew upon demonstration that the bankruptcy stay is lifted. The interim relief granted by an order of a Justice of this Court, dated August 7, 2019, is hereby vacated.

ENTERED:


CLERK

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

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

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

Alina Esther Minkin,
Petitioner-Appellant,

-against-

M-7146
Index No. 102028/16

New York City Department of
Education; Carmen Farina,
Chancellor of New York City
Department of Education,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 2, 2018, and to consolidate said appeal with an appeal taken from an order, same Court and Justice, entered on or about June 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 granted to the extent of enlarging the time to perfect the appeals to the February 2020 Term, and is otherwise denied as unnecessary (see, 22 NYCRR 1250.9[f][3]).

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 17, 2019

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x

Francisco Santos,
Plaintiff-Appellant,

M-3726
Index No. 21955/17E

-against-

Vargas Williams,
Defendant-Respondent,

-----x

Plaintiff-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about September 28, 2018, and upon vacatur, for an enlargement of time to perfect same,

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is enlarged to the March 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 17, 2019.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Isaac Feldman, Individually and as
Voluntary Administrator of the Estate
of Lael Feldman and Marla Mase,
Plaintiffs-Appellants,

-against-

M-7143
Index No. 156869/18

The Port Authority of New York
and New Jersey,
Defendant-Respondent.

-----x
Marybeth Donaldson, Individually, as
Administrator of the Estate of Andrew
Donaldson, and as parent and natural
guardian of A.D. and C.D.,
Plaintiff-Appellant,

Index No. 153624/18

-against-

The Port Authority of New York
and New Jersey,
Defendant-Respondent.

-----x

An appeal in each action having been taken to this Court from two orders of the Supreme Court New York County, both entered on or about December 13, 2018,

And plaintiffs-appellants in each action having moved for consolidation of the aforesaid appeals, and for an enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of consolidating the appeals and permitting appellants to prosecute the appeals upon one record or appendix and one set of appellants' briefs covering the appeals (see 22 NYCRR 1250.9[f][4]). The time in which to perfect the consolidated appeals is enlarged 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 17, 2019.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Live Nation Marketing, Inc., Live Nation
Worldwide, Inc., and Westchester Fire
Insurance Company,
Plaintiffs-Appellants-Respondents,

-against-

M-6922
Index No. 655784/16

Greenwich Insurance Company, XL
Specialty Insurance Company, and
XYZ Companies 1-5, said names being
fictitious except the same are
identified as insurers of Best Buy,
Defendants-Respondents-Appellants.

-----x

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 24, 2018 and an appeal having been taken by plaintiffs from an order of the same Court and Justice entered on or about July 17, 2019,

And defendants-respondents-appellants having moved to dismiss the appeal taken from the order entered on or about July 24, 2018 or, in the alternative, to consolidate the aforesaid appeals,

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

It is ordered that that branch of the motion seeking dismissal of the appeal taken from the order entered on or about July 24, 2018 is denied, and the time to perfect the appeal and cross appeal from that order is enlarged to the April 2020 Term.

It is further ordered that the branch of the motion seeking consolidation of the aforesaid appeals is denied as unnecessary as the appeals may be consolidated as of right (See, 22 NYCRR 1250.9[f][3]).

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 17, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Troy K. Webber
Peter H. Moulton, Justices.

-----x
Mark Shannon,
Plaintiff-Respondent,

-against-

M-7181
Index No. 158635/15

David Molloy, et al.,
Defendants,

-and-

Adirondack Transit Lines, Inc.,
et al.,
Defendants-Appellants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 4, 2019, and said appeal having been perfected,

And defendants-appellants having moved for a stay of trial 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 17, 2019.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Troy K. Webber
Peter H. Moulton, Justices.

-----x

Alejo Ramos,

Plaintiff-Respondent,

-against-

M-7249

Index No. 152665/13

110 Bennett Avenue, LLC, et al.,

Defendants-Appellants.

-----x

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

And defendant-appellant 110 Bennett Avenue, LLC, having moved for a stay of trial 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.

ENTERED:


CLERK