

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

-----X  
J.T. Magen & Company, Inc.,  
Plaintiff-Respondent,

-against-

**M-3755**  
Index No. 160497/17

Georgetown Eleventh Avenue Owners, LLC,  
Defendant-Appellant,

Nissan North America, Inc.,  
Defendant-Appellant,

Philadelphia Indemnity Insurance Company,  
Gary Flom and Ven Nilva,  
Defendants.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant Georgetown Eleventh Avenue Owners, LLC, dated July 22, 2019, and due deliberation having been had thereon,

It is ordered that the appeal of defendant-appellant Georgetown Eleventh Avenue Owners, LLC is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

Presiding Justice,  
  
  
  
Justices.

-----X  
Panagiotis Savlas,  
Plaintiff-Respondent-Appellant,

-against-

M-3707X  
Index No. 309332/12

The City of New York,  
Defendant-Respondent-Appellant,

Malcolm Pirnie, Inc., URS Corporation  
- New York and URS Corporation,  
Defendants-Appellants-Respondents,

CSM Engineering, P.C.,  
Defendants-Respondents.

- - - - -  
[And a Third Party Action]

-----X

An appeal and cross appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about December 11, 2017,

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

It is ordered that the cross appeal taken by plaintiff Panagiotis Salvas is deemed withdrawn in accordance with the aforesaid stipulation.

ENTERED: September 17, 2019

  
-----  
CLERK

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

-----X  
TC Tradeco, LLC,  
Plaintiff-Appellant-Respondent,

-against-

M-3695  
Index No. 651631/15

Greg Selkoe,  
Defendant-Respondent-Appellant,

-and-

Karmaloop Europe AG, Capstone Partners,  
LLC and Brian Davies,  
Defendants.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-respondent-appellant Greg Selkoe dated July 23, 2019, and due deliberation having been had thereon,

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

ENTERED: September 17, 2019

  
CLERK

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-3042  
Ind. No. 2597/16

Matthew Hall,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 3, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK

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-3529  
Ind. No. 3696/18

Thomas Allbrooks,  
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 May 29, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK



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

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

**CONFIDENTIAL**

**M-3449**

-against-

Ind. No. 3980/16

Antoine Thompson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Biben, J.), entered on or about June 19, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Biben as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's

counsel, Robert S. Dean, Esq., Center for Appellate Litigation, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK

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

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

**CONFIDENTIAL**  
**M-3455**

-against-

Ind. No. 289/17

Theodore Dalton,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about June 28, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's

counsel, Robert S. Dean, Esq., Center for Appellate Litigation, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK

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

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

**CONFIDENTIAL**

**M-3491**

-against-

Ind. No. 3626/16

Habiel Morales,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Rodriguez-Morick, J.), entered on or about June 6, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Rodriguez-Morick as yet not transcribed. The Clerk shall furnish a copy of such transcripts

to appellant's counsel, Janet E. Sabel, Esq., The Legal Aid Society, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK

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

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

**CONFIDENTIAL**  
**M-3450**

-against-

Ind. No. 2606/12

Ishri Harripersaud,  
Defendant-Appellant.

-----X

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

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's

counsel, Robert S. Dean, Esq., Center for Appellate Litigation, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK



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

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

**CONFIDENTIAL**  
**M-3489**

-against-

Ind. No. 2097/11

Damian Pacheco,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about June 7, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's

counsel, Janet E. Sabel, Esq., The Legal Aid Society, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK

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-3662  
Ind. No. 2467/17

Juan Polanco,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about March 27, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about March 14, 2019,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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: September 17, 2019

  
CLERK

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-3664  
Ind. No. 3257/16

Carlos Lozado,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about March 20, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about March 20, 2019,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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: September 17, 2019

A handwritten signature in cursive script, appearing to read "Susan R. Jones", written in black ink.

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CLERK

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-3670  
Ind. No. 2226/17

Nathaniel Linden,  
Defendant-Appellant.

-----X

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

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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: September 17, 2019

  
CLERK



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-3672  
Ind. No. 354/17

Justin Alvarez,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about March 20, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about March 20, 2019,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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: September 17, 2019

  
CLERK

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

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

- - - - -  
Atiya Dorothy K.,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-3330

Docket No. O-16722/18

-against-

Curtis Jermaine C.,  
Respondent-Appellant.

- - - - -  
Larry S. Bachner, Esq.,  
Attorney for the Children  
Tai'Shaun C. and Tre'Shaun C.

-----X  
Tara Diamond, Esq., court attorney for the subject children,  
having moved on the childrens' behalf for leave to respond, as a  
poor person, to the appeal taken from the order of the Family  
Court, New York County, entered on or about 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 Tara Diamond, Esq., dated  
June 12, 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, Larry  
S. Bachner, P.C., c/o Bachner & Associates, P.C., 39 Broadway,  
Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as  
counsel for purposes of responding to the appeal; (2) permitting  
movants to respond to the appeal upon a reproduced respondents'

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: September 17, 2019

  
CLERK

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.

- - - - -  
Deanna V., also known as Wisdom A.,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-3331

Docket Nos. V-10392-09-16A;  
16C; 16D; 16E; 16F  
V-29392-09/16A  
16B; 16C; 16D

-against-

Michael C.,  
Respondent-Appellant.

- - - - -  
Rina Mais, Esq.,  
Attorney for the Subject Children.

-----X

Petitioner-respondent mother having moved for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, Bronx County, entered on or about April 7, 2019, and for assignment of counsel, a free copy of the transcript, and related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Beatrice Mayol, Esq., dated June 13, 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, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, New York, 10007, Telephone No. 212-227-0206, 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: September 17, 2019

  
CLERK

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.

- - - - -

Brandy P.,  
Petitioner-Appellant,

**CONFIDENTIAL**

M-3582

Docket Nos. V-32166-15/18E

V-32167-15/18E

V-32167-15/18E

-against-

Administration for Children's Services,  
Christine B. and Pauline W.,  
Respondents-Respondents.

- - - - -

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

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about May 23, 2019, and for assignment of counsel, a free copy of the transcript, and related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Vanessa J. Spears, Esq., dated July 22, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol L. Kahn, Esq., 225 Broadway, Suite 1510, New York, New York, 10007, Telephone No. 212-227-0206, as counsel for purposes of prosecuting the appeal; (2)

directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED: September 17, 2019

  
CLERK

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



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.

- - - - -

Michael R.,  
Petitioner-Respondent,

-against-

**CONFIDENTIAL**

M-3583

Docket Nos. V-19315/18

V-27521/18

Pamela G.,  
Respondent-Appellant.

-----X

Petitioner-respondent father having moved 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 June 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 Katherine Tracey, Esq., dated July 11, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, New York, 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: September 17, 2019

  
CLERK

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.

- - - - -

Carlos L.,  
Petitioner-Respondent,

-against-

**CONFIDENTIAL**

M-3700

Docket Nos. V-18851-52/17  
V-16821-22/17  
V-18851-52-17/18A

Eva P.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about July 8, 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 Latrice V. Campbell, Esq., dated July 8, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, P.C., c/o Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available

therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED: September 17, 2019

  
CLERK

---

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

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.

- - - - -

Carlos L.,  
Petitioner-Respondent,

-against-

**CONFIDENTIAL**

M-3723

Docket Nos. V-18851-52/17  
V-16821-22/17  
V-18851-52-17/18A

Eva P.,  
Respondent-Appellant.

-----X

Petitioner-respondent having moved 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 July 8, 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 Dana Stricker, Esq., dated July 20, 2019 and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8<sup>th</sup> Floor, New York, NY 10016, Telephone No. 212-818-9019, as counsel for purposes of 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: September 17, 2019

  
CLERK

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.

- - - - -  
Louis B.,  
Petitioner-Respondent,

**CONFIDENTIAL**

M-3740

Docket Nos. V-15369-06/18B

-against-

V-02062-07/18B

Jennifer L.,  
Respondent-Appellant.

-----X

Samuel Feldman, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about June 18, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Larry S. Bachner, Esq., c/o Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, 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: September 17, 2019

  
CLERK



PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----X  
In re 333 East 49<sup>th</sup> Partnership,  
LP, et al.,  
Petitioners-Appellants,

-against-

M-2590  
Index No. 101608/15

New York State Division of Housing and  
Community Renewal,  
Respondent-Respondent.

-----X

Non-party Madeleine Dzienna having moved to vacate that part of the decision and order of this Court, entered on August 9, 2018 (Appeal No. 6608) finding her personally liable for damages imposed by the New York State Division of Housing and Community Renewal (DHCR), and for related relief,

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

It is ordered that the motion is denied in its entirety. The interim stay granted by an order of a Justice of this Court, dated May 3, 2019, is vacated.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

Present - Hon. Rolando T. Acosta,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Marcy L. Kahn  
Cynthia S. Kern,

Presiding Justice,  
  
Justices.

-----X  
Cynthia I. Caimares,  
Plaintiff-Respondent,

-against-

Aimee Erickson, et al.,  
Defendants-Appellants,

David M. Jakubowicz, M.D., et al.,  
Defendants.

-----X

**M-3414**

Index No. 20620/17E

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on June 4, 2019 (Appeal No. 9530),

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: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

-----x  
Elie Tahari,  
Plaintiff-Respondent,

-against-

M-3362  
Index No. 654702/18

860 Fifth Avenue Corporation,  
Defendant-Appellant,

-and-

Christina Hagglund, Daniel Melendez,  
David Leben, Steven Holm, Robert Katz,  
Christin Passaro, Garrett Camporine,  
Ann Korelitz, Sherry Warren, Jennifer  
Chin Dussich, Joseph Dussich, Nomi  
Ghez, Herbert Biern, and Darrell Zander,  
Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 25, 2019, and said appeal having been perfected,

And an order of this Court having been entered on May 28, 2019 (M-2275), staying that part of the aforesaid order requiring defendant-appellant to permit plaintiff-respondent to commence work in the subject apartments, on condition the appeal be perfected for the October 2019 Term,

And plaintiff-respondent having moved for renewal/reargument of the aforesaid order to the extent of vacating the stay or, in the alternative, requiring defendant-appellant to post a bond,

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: September 17, 2019

  
CLERK

Present - Hon. David Friedman,  
Judith J. Gische  
Troy K. Webber  
Marcy L. Kahn  
Jeffrey K. Oing,

Justice Presiding,  
  
Justices.

-----X  
TRC Master Fund, LLC,

Plaintiff-Appellant,

-against-

AP Gas & Electric (TX) LLC,

Defendant-Respondent.  
-----X

M-2854  
Index No. 654968/16

Defendant-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on April 30, 2019 (Appeal No. 9112),

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, to the extent it seeks reargument, is granted and, upon reargument, the decision and order of this Court entered on April 30, 2019 (Appeal No. 9112) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 9112, decided simultaneously herewith.) The motion, to the extent it seeks leave to appeal to the Court of Appeals, is denied.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

Present - Hon. David Friedman,  
John W. Sweeny, Jr.  
Peter Tom  
Peter H. Moulton,

Justice Presiding,  
  
Justices.

-----X  
Elizabeth A. Strauss,  
Plaintiff-Respondent,

**CONFIDENTIAL**  
**M-3182**

-against-

Index No. 304189/13

Daniel S. Strauss,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on April 23, 2019 (Appeal Nos. 9059-9060N), and upon reargument, to vacate said order and remand the matter to the Supreme Court, New York County for further proceedings,

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: September 17, 2019

  
-----  
CLERK

Present - Hon. David Friedman,  
Peter Tom  
Barbara R. Kapnick  
Marcy L. Kahn,

Justice Presiding,  
  
Justices.

-----X  
Grace Glueck,

Plaintiff-Appellant,

-against-

Starbucks Corporation, et al.,

Defendants-Respondents.  
-----X

**M-3254**

Index No. 154685/16

Plaintiff-appellant having moved for reargument of the decision and order of this Court, entered on June 6, 2019 (Appeal No. 9556),

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: September 17, 2019

  
-----  
CLERK

Present - Hon. John W. Sweeny, Jr.,  
Dianne T. Renwick  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Peter Tom,

Justice Presiding,  
  
Justices.

-----X  
The Bank of New York Mellon, as trustee  
for CIT Mortgage Loan Trust 2007-1,  
Plaintiff-Respondent,

-against-

**M-2855**  
Index No. 32548/17E

Sandy Wharton,  
Defendant-Appellant,

Wells Fargo USA Holdings, Inc. etc.,  
et al.,  
Defendants.

-----X  
Plaintiff-respondent having moved to dismiss the appeal  
taken from an order and judgment (one paper) of the Supreme  
Court, Bronx County, entered on or about December 12, 2018,

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

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

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK



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

-----X  
Shelley Rubin,  
Plaintiff-Appellant,

-against-

Nisha Sabharwal, et al.,  
Defendants-Respondents.

M-2738  
Index No. 650839/17

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on April 23, 2019 (Appeal No. 8793),

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: September 17, 2019

  
-----  
CLERK

Present - Hon. John W. Sweeny, Jr.,  
Judith J. Gische  
Peter Tom  
Ellen Gesmer  
Anil C. Singh,

Justice Presiding,  
  
Justices.

-----X  
Bradley C. Birkenfeld,  
Plaintiff-Appellant,

-against-

UBS AG, et al.,  
Defendants-Respondents.

-----X

**M-3157**

Index No. 154000/17

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on May 21, 2019 (Appeal No. 9259),

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: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

-----x  
Dual Commercial, LLC,

Petitioner-Appellant,

-against-

Starr Indemnity & Liability Company,  
et al.,

M-2910  
Index No. 654385/18

Respondents-Respondents.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 13, 2018,

And petitioner-appellant having moved for a stay of arbitration pending hearing and determination of the appeal,

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

It is ordered that the motion is denied, and the interim stay of arbitration granted by the order of a Justice of this Court, dated June 6, 2019, is vacated.

ENTERED: September 17, 2019

  
CLERK

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Angela M. Mazzarelli, Justices.

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

-against-

Henry Steele,  
Defendant-Appellant.

**CONFIDENTIAL**

M-3536  
Ind. Nos. 8794/95  
8360/95

-----X

A decision and order of this Court having been entered on April 3, 2001 (Appeal No. 3707), unanimously affirming a judgment of the Supreme Court, Bronx County (John Moore, J.), rendered on April 27, 1999,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTERED: September 17, 2019

  
CLERK

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

-----x  
NRT New York LLC, doing business as  
Corcoran Sunshine Marketing Group,  
Plaintiffs-Respondents-Appellants,

-against-

M-3525  
Index No. 653094/18

111 West 57<sup>th</sup> Property Owner LLC and  
Douglas Elliman LLC, doing business as  
Douglas Elliman Real Estate,  
Defendants-Appellants-Respondents.

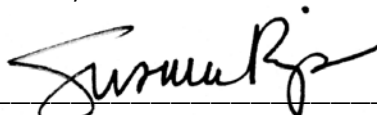
-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 28, 2019,

Now, upon reading and filing the joint correspondence from counsel for plaintiffs and defendants, dated July 10, 2019, and due deliberation having been had thereon,

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

ENTERED: September 17, 2019

  
CLERK

Present - Hon. Judith J. Gische,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton,

Justice Presiding,  
  
Justices.

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

-against-

**M-3509**  
Ind. No. 2362N/16

Steven Baylor,  
Defendant-Appellant.

-----X

Respondent having moved to dismiss the consolidated appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 16, 2016 and from an order, same court and Justice, entered on or about October 4, 2018,

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

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

ENTERED: September 17, 2019

  
-----  
CLERK

Present - Hon. Judith J. Gische,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton,

Justice Presiding,  
  
Justices.

-----X

Narragansett Bay Insurance Company  
as subrogee of Ofira Bronfeld,  
Plaintiff-Appellant,

**CONFIDENTIAL**  
**M-3264**

-against-

Index No. 156936/17

Pearl Manwani, The Tower 53 Condominium,  
Condoparc Associates, et al.,  
Defendants-Respondents,

TS & TS Construction Inc. and T53  
Condominium, LLC, et al.,  
Defendants.

-----X

Defendant-respondent Pearl Manwani, having moved to dismiss the appeal taken from an order of the Supreme Court, New York County, entered on or about July 27, 2018,

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

It is ordered that the motion is denied as unnecessary, the appeal having already been dismissed pursuant to NYCRR 1250.10(a).

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

Present - Hon. Judith J. Gische,  
          Marcy L. Kahn  
          Jeffrey K. Oing  
          Anil C. Singh  
          Peter H. Moulton,

Justice Presiding,  
  
  
  
  
Justices.

-----x  
Clare Grady,  
  Plaintiff-Respondent,

-against-

M-3500  
Index No. 153565/17

Hessert Realty L.P., 118 East 92nd Street,  
LLC, Alvin Glick and Mautner-Glick Corp.,  
  Defendants-Appellants.

-----x

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about June 29, 2018, and a judgment, same Court, entered on or about June 14, 2019,

And an order of this Court having been entered on June 6, 2019 (M-1608), granting defendants-appellants an enlargement of time to perfect the appeal taken from the June 29, 2018 order to the October 2019 Term of this Court,

And plaintiff-respondent having moved to dismiss defendants-appellants' appeals from the order and judgment if they are not perfected by an unspecified date certain,

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



It is ordered that the motion is denied, as the time for defendants-appellants to perfect the appeals has not expired.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

Present - Hon. Judith J. Gische,  
          Marcy L. Kahn  
          Jeffrey K. Oing  
          Anil C. Singh  
          Peter H. Moulton,

Justice Presiding,  
  
Justices.

-----X  
Darnley Clarke,  
  Plaintiff-Appellant,

-against-

**M-3270**  
Index No. 310675/11

American Truck and Trailer, Inc.,  
et al.,  
  Defendants,

National Freight, Inc.,  
  Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 18, 2018,

And defendant-respondent having moved (1) to dismiss said appeal as moot or, in the alternative, to enlarge its time to file a respondent's brief and (2) to impose sanctions and costs on plaintiff-appellant's counsel for refusing to withdraw the appeal,

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

It is ordered that the motion is granted to the extent of dismissing the aforementioned appeal as moot, with \$100 costs to defendant-respondent. That branch of the motion seeking an

enlargement of time to file a respondent's brief is denied as moot.

ENTERED: September 17, 2019

  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

Respondent,

-against-

**M-3173**

Ind. No. 453/18

Pedro Jimenez,

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 May 3, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

Respondent,

-against-

**M-3259**

Ind. No. 2398/15

Laquan Hamby,

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 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 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 (2), setting forth, inter alia, the amount and sources of funds used to retain trial counsel, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTERED: September 17, 2019

  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

Respondent,

-against-

Aubrey Carter,

Defendant-Appellant.  
-----X

**M-3459**

Ind. Nos. 2366/18

48/18

3451/17

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 November 27, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK



PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-

**M-3460**  
Ind. No. 4749/15

David Hernandez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 3, 2018, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-

**M-3462**  
Ind. No. 2131/08

Sergio Arechiga,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about September 11, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and

730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED: September 17, 2019

  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

**CONFIDENTIAL**

M-3454

-against-

Ind. No. 5580/14

Kevin Thomas,  
Defendant-Appellant.

-----X

An order of this Court having been entered on May 23, 2019 (M-827), deeming defendant-appellant's notice of appeal as timely filed, from a judgment of the Supreme Court, New York County, rendered on or about December 5, 2018,

And defendant-appellant having moved for leave to prosecute, as a poor person, the aforesaid appeal, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED: September 17, 2019



CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-

**M-2740**  
Ind. No. 201/15

Fernando Rivera,  
Defendant-Respondent.

-----X

An order of this Court having been entered on December 13, 2016 (M-5379), granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about March 21, 2016, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal; and a motion having been made to extend the poor person relief for the purposes of defendant responding to the People's appeal taken from an order of the Supreme Court, New York County, entered on or about April 16, 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, and the poor person relief granted to defendant in this Court's December 13, 2016 order is extended to cover defendant's response to the People's appeal. Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York

10005, Telephone No. 212-577-2523, is to continue as assigned counsel for defendant-respondent for purposes of the People's appeal.

ENTERED: September 17, 2019

  
CLERK



PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

M-3357  
Ind. Nos. 3173/16  
2546/17  
1228/17  
1498/16

-against-

Fatir Bowie,  
Defendant-Appellant.

-----X

An order of this Court having been entered on June 27, 2019 (M-2099) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about March 5, 2019, and assigning Christina Swarns, Esq., Office of the Appellate Defender, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

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

appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the receipt of the complete record, whichever is later.

ENTERED: September 17, 2019

  
CLERK

Present - Hon. Judith J. Gische,  
          Marcy L. Kahn  
          Jeffrey K. Oing  
          Anil C. Singh  
          Peter H. Moulton,

Justice Presiding,  
  
Justices.

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

-against-

Jonathan Cruz,  
          Defendant-Appellant.

**M-3210**  
Ind. No. 3796/17

-----X

Defendant having moved for leave to file a late notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about May 16, 2018,

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

It is ordered that the motion is denied as untimely.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Davidoff Hutcher & Citron, LLP,  
Plaintiff-Respondent,

-against-

Maria Del Pilar Nava Prada,  
Defendant-Appellant.

M-3266  
Index No. 152533/16

-----X

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

And defendant-appellant, pro se, having moved for an enlargement of time to perfect said appeal, which has been dismissed pursuant to 22 NYCRR 1250.10(a),

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

It is ordered that the motion is deemed one to vacate the dismissal of the appeal and, as such is granted, the dismissal is vacated, the appeal reinstated, and the time to perfect the appeal is enlarged to the January 2020 Term (see, 22 NYCRR 1250.10[c]).

ENTERED: September 17, 2019

  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Marsha Bateman,  
Plaintiff-Appellant,

-against-

Montefiore Medical Center, et al.,  
Defendants-Respondents.

M-3437  
Index No. 309690/11

-----X

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

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal, which has been dismissed pursuant to 22 NYCRR 1250.10(a),

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

It is ordered that the motion, deemed one to vacate the dismissal of the appeal, is granted, the dismissal vacated, the appeal reinstated, and the time to perfect the appeal is enlarged to the to the December 2019 Term (see, 22 NYCRR 1250.10[c]).

ENTERED: September 17, 2019

  
CLERK

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

-----X  
In the Matter of a Paternity  
Proceeding Under Article 5 of  
the Family Court Act.

- - - - -  
Department of Social Services, on  
behalf of Preshawna J. A.,  
Petitioner-Respondent,

**CONFIDENTIAL**  
**M-3448**  
Docket No. P-6873/17

-against-

Donald A. C.,  
Respondent-Appellant.

- - - - -  
Bruce A. Young, Esq.,  
Attorney for the Child.

-----X  
An appeal having been taken from two orders of the Family Court, New York County, both entered on or about May 10, 2018, and respondent-appellant having moved to vacate the dismissal of the appeal, and upon reinstatement, for an enlargement of time in which to perfect same,

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time in which to perfect the appeal is enlarged to the December 2019 Term.

ENTERED: September 17, 2019

  
CLERK

Present - Hon. Judith J. Gische,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton,

Justice Presiding,  
  
Justices.

-----X  
Tatiana Brunetti, individually, and  
as a member suing derivatively on  
behalf of Ginza Holding LLC, and  
Ginza Project LLC, individually, and  
as a member suing derivatively on  
behalf of Ginza 2 LLC,  
Plaintiffs-Appellants,

-against-

**M-3584**  
Index No. 653855/15

Dmitry Sergeev, also known as  
Dzhemali Kvaratskheliya, Ginza 2, LLC,  
Ginza Management LLC, Alexander  
Dzerneyko, Alexander Kvartskheliya,  
Saia Restaurant Group LLC,  
Ginza 1 LLC, Ginza 3 LLC,  
Gans Mex LLC, Southwest Valley  
LLC and Triskonex Holdings Limited,  
Defendants-Respondents,

Ginza Holding LLC,  
Defendant.

-----X  
Ginza 2 LLC and Ginza Management LLC,  
Third Party Plaintiffs,

-against-

Ginza Project LLC,  
Third Party Defendants.

-----X

Plaintiffs-appellants having moved for an enlargement of  
time to perfect the appeal taken from an order of the Supreme  
Court, New York County, entered on or about August 22, 2018,  
which appeal has been dismissed pursuant to 22 NYCRR 1250.10(a),



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

It is ordered that the motion is deemed one to vacate the dismissal of appeal and, as such, is granted, the dismissal is vacated, the appeal reinstated, and the time to perfect said appeal is enlarged to the January 2020 Term.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

Present - Hon. Judith J. Gische,  
          Marcy L. Kahn  
          Jeffrey K. Oing  
          Anil C. Singh  
          Peter H. Moulton,

Justice Presiding,

Justices.

-----x  
Country-Wide Insurance Company,  
  Petitioner-Respondent,

-against-

M-3592  
Index No. 157967/15

TC Acupuncture, P.C., as assignee of  
Corey Chrichlow,  
  Respondent-Appellant.

-----x

Respondent-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about November 28, 2018, and upon vacatur, for an enlargement of time to perfect said appeal,

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the appeal is deemed timely perfected for the December 2019 Term.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Karen Stephens,  
Petitioner-Appellant,

-against-

M-3601  
Index No. 100699/18

New York State Division of Human  
Rights, et al.,  
Respondents-Respondents.  
-----X

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 20, 2018,

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

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time to perfect the appeal is extended to the to the January 2020 Term.

ENTERED: September 17, 2019

  
CLERK

Present - Hon. Judith J. Gische,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton,

Justice Presiding,  
  
Justices.

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

**M-3508**  
Index No. 300101/13

-against-

Post Graduate Center of Mental Health,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for futher enlargement of  
time to perfect the appeal taken from an order of the Supreme  
Court, Bronx County, entered on or about April 4, 2018,

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

It is ordered that the motion is granted to the extent of  
enlarging the time to perfect the appeal to the December 2019  
Term.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----x  
Nimer Diaz,  
Plaintiff-Appellant,

-against-

Raveh Realty, LLC,  
Defendant-Respondent,

M-3268  
Index No. 26890/15

-and-

Jerusalem Carting Inc.,  
Defendant.

- - - - -  
[And a third-party action.]

-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 28, 2018,

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

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

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

Present - Hon. Judith J. Gische,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton,

Justice Presiding,  
  
Justices.

-----X  
Kathryn Casey, et al.,  
Plaintiffs-Respondents,

-against-

**M-3502**  
Index No. 111723/11

Pamela Renna, Vittina Degrezia,  
also known as Vittina Luppino,  
Intervenor-Plaintiffs-Respondents,

-against-

Whitehouse Estates, Inc., Koepfel &  
Koepfel, Inc., Duell 5 Management  
LLC, doing business as Duell  
Management Systems, William W.  
Koepfel and Eastgate Whitehouse  
Estates, LLC,  
Defendants-Appellants.

-----X  
Whitehouse Estates, Inc., Eastgate  
Whitehouse LLC and William W. Koepfel,  
Third-Party Plaintiffs-Respondents,

Third-Party  
Index No. 595472/17

-against-

Roberta L. Koepfel, et al.,  
Third-Party Defendants-Appellants.

-----X

Third-party defendants-appellants having moved for an  
enlargement of time to perfect the appeal taken from an order of  
the Supreme Court, New York County, entered on or about March 28,  
2017,

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

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

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

Present - Hon. Judith J. Gische,  
          Marcy L. Kahn  
          Jeffrey K. Oing  
          Anil C. Singh  
          Peter H. Moulton,

Justice Presiding,  
  
  
  
Justices.

-----X  
In the Matter of the Application of  
Ryan Lee Properties, LLC.,  
    Petitioner,

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

-against-

**M-3287**  
Index No. 153526/18

The City of New York, Fidel F. Del Valle,  
as Commissioner and Chief Judge of the  
New York City Office of Administrative  
Trials and Hearings, and Rick D.  
Chandler, as Commissioner of the  
New York City Department of Buildings,  
    Respondents.

-----X

An Article 78 proceeding having been transferred to this  
Court, pursuant to CPLR 7804(g), by order of the Supreme Court,  
New York County, entered on or about October 10, 2018,

And petitioner having moved for an enlargement of time in  
which to perfect the transferred proceeding,

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



It is ordered that the motion is granted to the extent of enlarging petitioner's time to perfect the proceeding to the February 2020 Term.

ENTERED: September 17, 2019

  
CLERK

Present - Hon. Judith J. Gische,  
          Marcy L. Kahn  
          Jeffrey K. Oing  
          Anil C. Singh  
          Peter H. Moulton,

Justice Presiding,  
  
  
  
Justices.

-----X  
In the Matter of the Application of  
Clear Channel Outdoor, Inc.,  
    Petitioner,

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

-against-

**M-3289**  
Index No. 153537/18

The City of New York, Fidel F. Del Valle,  
as Commissioner and Chief Judge of the  
New York City Office of Administrative  
Trials and Hearings, and Rick D.  
Chandler, as Commissioner of the  
New York City Department of Buildings,  
    Respondents.

-----X

An Article 78 proceeding having been transferred to this  
Court, pursuant to CPLR 7804(g), by order of the Supreme Court,  
New York County, entered on or about October 10, 2018,

And petitioner having moved for an enlargement of time in  
which to perfect the aforementioned proceeding,

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

It is ordered that the motion is granted to the extent of enlarging petitioner's time to perfect the proceeding to the February 2020 Term.

ENTERED: September 17, 2019

  
CLERK

Present - Hon. Judith J. Gische,  
          Marcy L. Kahn  
          Jeffrey K. Oing  
          Anil C. Singh  
          Peter H. Moulton,

Justice Presiding,  
  
Justices.

-----X  
Liberty Square Realty Corp.,

Plaintiff-Appellant,

-against-

**M-3602**  
Index No. 302595/11

The Doe Fund, Inc., Boricua Village  
Housing Development Fund CO., Inc.,  
The City of New York, New York City  
Department of Housing Preservation  
and Development,

Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from duplicate orders of the Supreme Court, Bronx County, dated April 30, 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 April 2020 Term.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

Present - Hon. Judith J. Gische,  
          Marcy L. Kahn  
          Jeffrey K. Oing  
          Anil C. Singh  
          Peter H. Moulton,

Justice Presiding,  
  
Justices.

-----X

Josefina Cruz,  
    Plaintiff-Appellant,

-against-

Board of Managers of Towers on the Park  
Condominium,  
    Defendant-Respondent.

-----X

Josefina Cruz,  
    Plaintiff-Appellant,

-against-

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

-----X

Josefina Cruz,  
    Plaintiff-Appellant,

-against-

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

-----X

**M-3475**

**M-3521**

Index No.158208/14  
(Cruz I)

Index No. 100362/18  
(Cruz II)

Index No. 100956/18  
(Cruz III)

-----X  
Board of Managers of Towers on the Park  
Condominium,  
Plaintiff-Respondent,

-against-

Index No. 157132/17  
(Foreclosure Action)

Josefina Cruz,  
Defendant-Appellant,

City of New York Parking  
Violations Bureau, City of New York  
Environmental Control Board, et al.,  
Defendants.

-----X

Pro-se plaintiff-appellant/defendant-appellant having moved to consolidate four appeals taken from orders of the Supreme Court, New York County, entered on or about October 25, 2018 (Cruz I), October 26, 2018 (Cruz II), April 5, 2019 (Cruz III) and May 13, 2019 (Foreclosure Action), and for an enlargement of time within which to perfect the appeals taken in the Cruz I and Cruz II actions (M-3475),

And defendants-respondents/plaintiff-respondent having cross-moved to dismiss the appeals taken in the Cruz I and Cruz II actions (M-3521),

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 in which to perfect the appeal in the Cruz II action to the February 2020 Term and consolidating the appeals in the Cruz II and Cruz III actions, and is otherwise denied (M-3475),

It is further ordered that the cross motion is granted to the extent of dismissing the appeal in the Cruz I action and is otherwise denied (M-3521).

ENTERED: September 17, 2019

  
CLERK

Present - Hon. Judith J. Gische,  
          Marcy L. Kahn  
          Jeffrey K. Oing  
          Anil C. Singh  
          Peter H. Moulton,

Justice Presiding,  
  
  
  
  
  
Justices.

-----x

Blendi Agolli, Percy Bonilla, and Adamis  
Dimitrios, individually and on behalf of  
all other persons similarly situated  
who were employed by PS Contracting of  
NJ Inc., and/or Zoria Housing, LLC,  
Zoria and/or any other entities affiliated  
with or controlled by PS Contracting of  
NJ Inc., and/or Zoria Housing, LLC, Zoria,  
Plaintiffs-Appellants,

M-3225

Index No. 160843/15

-against-

PS Contracting of NJ Inc., Zoria Housing,  
LLC, Technico Construction Services, Inc.,  
US Specialty Insurance Co., and John Doe  
Bonding Company,  
Defendants-Respondents.

-----  
Blendi Agolli, Percy Bonilla and Adamidis  
Dimitrios, individually and on behalf of  
all other persons similarly situated who  
were employed by PS Contracting of NJ  
Inc., Technico Construction Services Inc.  
and/or any other entities affiliated with  
or controlled by PS Contracting of NJ Inc.,  
and/or Technico Construction Services Inc.,  
Plaintiffs-Appellants,

-against-

Index No. 162351/15

PS Contracting of NJ Inc., Technico  
Construction Services, Inc., and John Doe  
Bonding Company,  
Defendants-Respondents.

-----x



Appeals having been taken to this Court by plaintiffs-appellants from two orders of the Supreme Court, New York County, both entered on or about May 13, 2019, under New York County Index Nos. 160843/15 and 162351/15,

And plaintiffs-appellants having moved for consolidation of the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties hereto, dated June 26, 2019 and June 14, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted.

ENTERED: September 17, 2019

  
CLERK

Present - Hon. Judith J. Gische,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton,

Justice Presiding,  
  
Justices.

-----X  
Tatiana Brunetti, individually, and  
as a member suing derivatively on  
behalf of Ginza Holding LLC, and  
Ginza Project LLC, individually, and  
as a member suing derivatively on  
behalf of Ginza 2 LLC,  
Plaintiffs-Appellants,

-against-

Dmitry Sergeev, also known as  
Dzhemali Kvaratskheliya, Ginza 2, LLC,  
Ginza Management LLC, Alexander  
Dzerneyko, Alexander Kvartskheliya,  
Saia Restaurant Group LLC, Ginza  
Management LLC, Ginza 1 LLC, Ginza 3  
LLC, Gans Mex LLC, Southwest Valley  
LLC and Triskonex Holdings Limited,  
Defendants-Respondents,

Ginza Holding LLC,  
Defendant.

-----X  
Ginza 2 LLC and Ginza Management LLC,  
Third Party Plaintiffs,

-against-

Ginza Project LLC,  
Third Party Defendants.

-----X

Plaintiffs-appellants having moved for an enlargement of  
time to perfect the appeal taken from a so ordered transcript of  
the Supreme Court, New York County, entered on or about October  
5, 2018, which appeal has been dismissed pursuant to 22 NYCRR  
1250.10(a),

**M-3585**  
Index No. 653855/15

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

It is ordered that the motion is deemed one to vacate the dismissal of appeal and, as such, is granted, the dismissal is vacated, the appeal reinstated, and the time to perfect said appeal enlarged to the January 2020 Term.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Daryl Wiley, Jr.,  
Plaintiff-Respondent,

-against-

M-3138  
Index No. 22443/13E

ESI New York, Inc., also known as  
IESI New York Corporation and  
Krzystof M. Hajnos,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 30, 2018,

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

It is ordered that the motion is denied, as moot.

ENTERED: September 17, 2019

  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

-----X  
Michael Valentine,  
Plaintiff-Appellant-Respondent,

-against-

2147 Second Avenue, LLC and Shan  
Home Improvement, Inc.,  
Defendants-Respondents,

Sunshine Quality Construction, Inc.  
and Gary Silver Architects, P.C.,  
Defendants-Respondents-Appellants.

-----X  
2147 Second Avenue, LLC,  
Third-Party Plaintiff,

-against-

Shan's Construction, Inc.,  
Third-Party Defendant.

-----X  
Sunshine Quality Construction, Inc.,  
Second Third-Party Plaintiff,

-against-

Shan's Construction, Inc.,  
Second Third-Party Defendant.

-----X  
Appeals having been taken from orders of the Supreme Court,  
New York County, entered on or about October 2, 2017,

**M-3265**  
Index No. 302488/10

Third-Party  
Index No. 83773/14

Second Third-Party  
Index No. 8397/15

And defendant-appellant Gary Silver Architects, P.C., having moved for an enlargement of time to perfect all pending appeals, and to continue the stay of trial granted in an order of this Court, entered September 13, 2018 (M-3476), pending hearing and determination of said appeals,

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

It is ordered that the motion is granted to the extent of continuing the stay of trial pending hearing and determination of the aforesaid appeals. The time to perfect all three of the aforementioned appeals is enlarged to the February 2020 Term.

ENTERED: September 17, 2019

  
CLERK

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Marcy L. Kahn  
Jeffrey K. Oing  
Anil C. Singh  
Peter H. Moulton, Justices.

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

-against-

M-3465  
Ind. No. 4477/15

Donnell Jackson,  
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about April 27, 2017,

And defendant-appellant having moved for an order to unseal the minutes of a sealed witness examination conducted during defendant's trial,

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

It is ordered that the motion is granted to the extent of directing the Clerk of the Supreme Court, New York County, to have transcribed and delivered under seal for an in camera inspection by this Court, a copy of the aforesaid minutes, within 30 days of the service of this order, for a determination by the appeals bench as to whether the minutes should be unsealed.

ENTERED: September 17, 2019

  
-----  
CLERK

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

-----x  
U.S. Bank National Association not in  
its Individual Capacity, but Solely  
as Legal Title Trustee for LVS Title  
Trust, 1,  
Plaintiff-Respondent,

-against-

M-3653  
Index No. 850116/14

Nilufar Hossain,  
Defendant-Appellant,

And-

Mohammed Hossain, et al.,  
Defendants.

-----x

An appeal having been taken to this Court from the order  
of the Supreme Court, New York County, entered on or about  
October 5, 2018, and said appeal having been perfected,

And defendant-appellant having moved for a stay of the order  
pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTERED: September 17, 2019

  
CLERK



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

-----x  
In the Matter of the Application of  
ACF Finco 1 LP,  
Petitioner-Respondent,

For an Order Pursuant to CPLR § 3119  
and the Uniform Interstate Depositions  
and Discovery Act Compelling

M-3686  
Index No. 651959/19

Arnold Jung and Andrew Intrater,  
Respondents-Appellants,

To Comply with Subpoenas Issued in ACF  
Finco 1 LP v Columbus Nova Investments  
IV, Ltd. Pending in Georgia Superior  
Court.

-----x

An appeal having been taken to this Court from the  
judgment of the Supreme Court, New York County, entered on  
or about July 15, 2019 which, inter alia, granted petitioner-  
respondent's motion to compel deposition of respondents-  
appellants and to produce certain documents,

And respondents-appellants having moved for a stay of the  
aforesaid order pending hearing and determination of the appeal  
taken therefrom,

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

It is ordered that the motion is granted on condition the appeal is perfected for the January 2020 Term.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

-----x  
Bradford Rom,

Plaintiff-Appellant,

-against-

M-3688  
Index No. 300960/15

Eurostruct, Inc., et al.,

Defendants-Respondents.  
-----x

Separate appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about May 28, 2019 and on or about June 21, 2019, respectively,

And plaintiff-appellant having moved for a stay of execution of the orders, pending hearing and determination of the appeals taken therefrom,

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

It is ordered that the motion is denied.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

-----x  
Ross Lipson,

Petitioner-Respondent,

-against-

M-3689  
Index No. 652405/19

Taylor Stuart Herman (doing business as  
Taylor Stuart, Inc. and Taylor Stuart  
Herman Inc) and Taylor Stuart  
Herman Inc.,

Respondents-Appellants.

-----x

An appeal having been taken to this Court from the orders of  
the Supreme Court, New York County, entered on or about July 10,  
2019 and July 18, 2019, which confirmed an arbitration award in  
favor of petitioner,

And respondents-appellants having moved for a stay of the  
entry of a judgment against them pursuant to the aforesaid orders  
on appeal or, if a judgment has been entered, to stay enforcement  
thereof pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

-----x  
In Re: New York Diet Drug Litigation

-----x  
Clara Appel-Hole, et al.,  
Intervenor-Plaintiffs-Appellants,

-against-

M-3690  
Index No. 105122/09

Wyeth-Ayerst Laboratories, a Division  
of American Home Products Corp.,  
et al.,  
Intervenors-Defendants-Respondents.

- - - - -  
[And other actions.]

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 25, 2019, and intervenor plaintiffs-appellants having moved for a stay of all proceedings in this matter pending hearing and determination of the appeal taken therefrom,

And an interim order having been issued by this Court, dated July 25, 2019, staying all proceedings in this matter, other than conferences before the Supreme Court, pending the determination of the within motion,

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

It is ordered that the motion is granted only to the extent of staying the subject depositions, on condition the appeal is

perfected for the January 2020 Term. The interim stay granted by the order of a Justice of this Court dated July 25, 2019, is vacated except to the forgoing extent.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

-----x  
Kelly Gunn,

Petitioner-Appellant,

-against-

Circe Hamilton,

Respondent-Respondent.  
-----x

**CONFIDENTIAL**

M-3709

Index No. 309154/16

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

And petitioner-appellant having moved for a stay of all proceedings to enforce the aforesaid order, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

-----x  
John Woodward, et al., etc.,

Plaintiffs-Appellants,

-against-

M-3744  
Index No. 655709/16

Nira Levine, et al.,

Defendants-Respondents.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 6, 2019, and said appeal having been perfected,

And plaintiffs-appellants having moved for a stay of the aforesaid order pending hearing and determination of the appeal,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court, dated July 31, 2019, is vacated.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK



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

-----x  
In the Matter of Commitment of  
Guardianship and Custody of

Gabriela Gisele L.,

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

**CONFIDENTIAL**

M-3645  
Docket No. B-34819/14

- - - - -  
Catholic Guardian Services,  
Petitioner-Respondent,

Catherine Nicole L.,  
Respondent-Appellant.

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

-----x

Respondent-appellant mother, Catherine Nicole L., pro se,  
having moved for an order pursuant to 22 NYCRR 1250.10(c)  
vacating the dismissal of the appeal taken from orders of the  
Family Court, New York County, entered on or about July 6, 2016  
and August 22, 2017, and upon vacatur, for an enlargement of time  
to perfect the appeal, and for poor person relief and 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  
vacating the dismissal and reinstating the aforesaid appeal, and  
enlarging the time to perfect same to the to the March 2020 Term.

The request for poor person relief and assignment of counsel is denied, with leave to renew upon submission of a detailed notarized affidavit, pursuant to CPLR 1101(a) and 22 NYCRR 1250.4(d)(1), setting forth, inter alia, facts sufficient to establish appellant's indigence, including the amount and sources of her 2018 and 2019 income, and a description of any property she owns, with its value.

ENTERED: September 17, 2019

  
CLERK

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

-----x  
Geoffrey Payton,

Plaintiff-Appellant,

-against-

M-3652  
Index No. 452790/17

First Lenox Terrace Associates LLC  
and Hampton Management Co.,

Defendants-Respondents.  
-----x

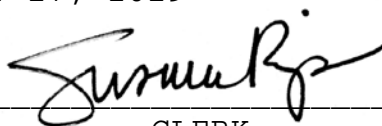
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 3, 2018, and said appeal having been perfected,

And defendants-respondents having moved to adjourn 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 appeal is adjourned to the December 2019 Term.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

-----x  
Burton S. Sultan,

Plaintiff-Appellant,

-against-

M-3518  
Index No. 101402/17

Michael H. Zhu, Esq., et al.,

Defendants-Respondents.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about August 28, 2018 and February 19, 2019, and said appeals having been perfected,

And defendants-respondents having moved to strike plaintiff-appellant's appendix, for an enlargement of time for defendants-respondents to file a respondent's brief, and for a stay of proceedings pending hearing and determination of the instant motion,

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

It is ordered that the motion is granted to the extent of adjourning the appeal to the December 2019 Term. Further, all references in plaintiff-appellant's brief to plaintiff's motion for leave to reargue as well as the order entered on or about February 19, 2019 are stricken, and pp. 15-22, and pp. 923-1073

are stricken from the Appendix. Sua sponte, the appeal from the order entered on or about February 19, 2019 is dismissed as having been taken from a non-appealable order. The motion is otherwise denied.

ENTERED: September 17, 2019

  
CLERK

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

-----x  
Mandeep Singh,

Plaintiff-Appellant,

-against-

M-3775  
Index No. 20334/16E

New York City Housing Authority,

Defendant-Respondent.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about October 10, 2018, and said appeal having been perfected,

And plaintiff-appellant having moved for leave to substitute a corrected p. 36 of plaintiff-appellant's brief to correct a typographical error,

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 deeming p. 36 of plaintiff-appellant's brief stricken, and directing plaintiff-appellant to file an original and six copies of the corrected p. 36 of the brief that is attached to the moving papers as Exhibit F, accompanied by a cover letter and a

copy of this order, within 5 days of the date of entry of this order. Sua sponte, the appeal is adjourned to the October 2019 Term.

ENTERED: September 17, 2019

  
CLERK

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

-----x  
Jacquelin Motta,

Plaintiff-Appellant,

-against-

M-3766  
Index No. 101040/17

Acting Judge Diane Kiesel, et al.,

Defendants-Respondents.  
-----x

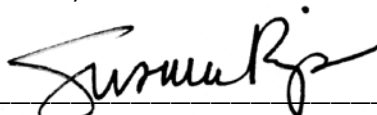
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 27, 2018, and said appeal having been perfected,

And plaintiff-appellant having moved to enlarge 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 denied.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK



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

-----x  
Federal National Mortgage Association  
("Fannie Mae"), etc.,  
Plaintiff-Respondent,

-against-

Jacob Rosenberg,  
Defendant-Appellant,

M-6798  
Index No. 32417/16E

-and-

New York City Environmental Control  
Board, et al.,  
Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about February 26, 2018, and said appeal having been perfected,

And plaintiff-respondent having moved for leave to file and serve a supplemental record on appeal, and for the imposition of costs and fees incurred on the instant motion and for filing and serving the supplemental 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 that respondent is granted leave to serve and file, if so advised, a supplemental record on appeal, at its own expense, on or before

October 30, 2019, for the December 2019 Term, to which Term the appeal is adjourned. The motion is otherwise denied.

ENTERED: September 17, 2019

  
\_\_\_\_\_  
CLERK

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-2536  
Ind. No. 44560C/05

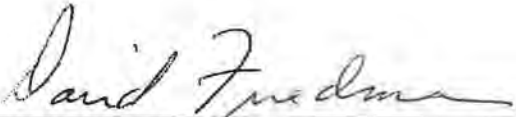
-against-

CERTIFICATE  
DENYING LEAVE

Lawrence Perez,  
Defendant.

-----X  
I, DAVID FRIEDMAN, a Justice of the Appellate Division,  
First Judicial Department, do hereby certify that, upon  
application timely made by the above-named defendant for a  
certificate pursuant to Criminal Procedure Law, section 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, Bronx County, entered  
on or about January 16, 2019, is hereby denied.

Dated: New York, New York  
August 6, 2019

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

**ENTERED**

SEP 17 2019

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

BEFORE: **Hon. Rosalyn H. Richter,**  
Justice of the Appellate Division

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

M-3171  
Ind. No. 2157/89

-against-

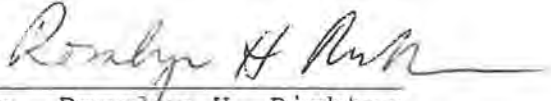
CERTIFICATE  
DENYING LEAVE

**Glenn Ford,**

Defendant.

-----X

I, Rosalyn H. Richter, 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 (Stolz, J.), entered on or about April 17, 2019, is hereby denied.

  
Hon. Rosalyn H. Richter

Dated: **August 19, 2019**  
New York, New York

**ENTERED**

SEP 17 2019

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

BEFORE: Hon. Troy K. Webber  
Justice of the Appellate Division

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

-against-

Elbert Mitchell,  
Defendant.  
-----X

**CONFIDENTIAL**  
M-3391  
Ind. No. 4099/99

CERTIFICATE  
DENYING LEAVE

I, Troy K. Webber, 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 (Robert M. Mandelbaum, J.) entered on or about June 4, 2019 is hereby denied.

Dated: August 6, 2019  
New York, New York

  
\_\_\_\_\_  
Hon. Troy K. Webber  
Associate Justice

ENTERED: SEP 17 2019

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

BEFORE: Hon. Troy K. Webber  
Justice of the Appellate Division

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

M-3363  
Ind. No. 1725/1996

-against-

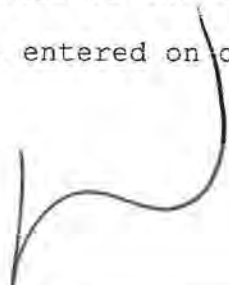
CERTIFICATE  
GRANTING LEAVE

Marilyn Mezquita,  
Defendant-Appellant.  
-----X

I, Troy K. Webber, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County (Roger S. Hayes, J.), entered on or about June 18, 2019.<sup>1</sup>

Dated: August 6, 2019  
New York, New York

**ENTERED** SEP 17 2019

  
\_\_\_\_\_  
Hon. Troy K. Webber  
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

<sup>1</sup>In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.



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-3543  
Ind. Nos. 6058-08


-against-

CERTIFICATE  
DENYING LEAVE

Jose Guzman

Defendant.

-----X  
I, Ellen Gesmer, a Justice of the Appellate Division, First  
Judicial Department, certify that the application of the above-  
named defendant for a certificate pursuant to Criminal Procedure  
Law sections 450.15 and 460.15 fails to present any question of  
law or fact 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, dated April 30, 2019  
is denied.

  
\_\_\_\_\_  
Hon. Ellen Gesmer  
Associate Justice

Dated: August 20, 2019  
New York, New York

ENTERED: SEP 17 2019



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,

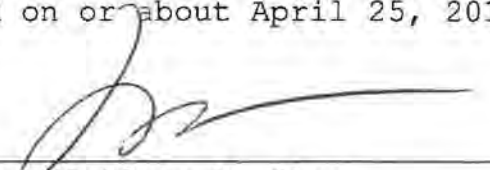
-against-

M-3147  
Ind. No. 1370/15

DAVID RODNEY,

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 (Mandelbaum, J.), entered on or about April 25, 2019, is hereby denied.

  
\_\_\_\_\_  
Hon. Jeffrey K. Oing  
Associate Justice

Dated: August 2, 2019  
New York, New York

ENTERED: SEP 17 2019

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,

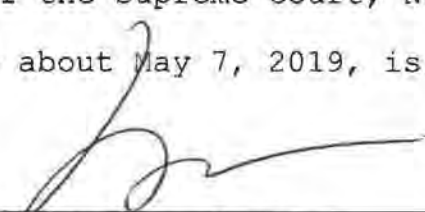
Respondent-Appellee,  
  
-against-

M-3212  
Ind. No. 969/15

TIMOTHY MCMILLAN,

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 (Ward, J.), entered on or about May 7, 2019, is hereby denied.

  
\_\_\_\_\_  
Hon. Jeffrey K. Oing  
Associate Justice

Dated: August 2, 2019  
New York, New York

ENTERED: SEP 17 2019

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,

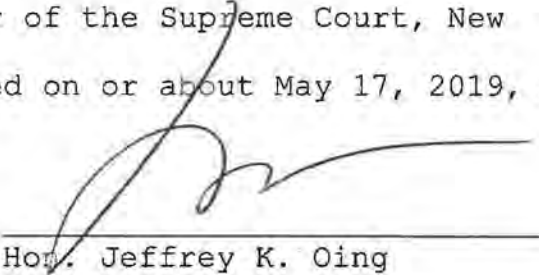
-against-

M-3243  
Ind. No. 624/11

VLADIMIR MATOS,

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 (Antignani, J.), entered on or about May 17, 2019, is hereby denied.

  
\_\_\_\_\_  
Hon. Jeffrey K. Oing  
Associate Justice

Dated: August 2, 2019  
New York, New York

ENTERED: SEP 17 2019

STATE OF NEW YORK  
APPELLATE DIVISION: FIRST DEPARTMENT

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

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

-against-

M-3445  
Ind. No. 1032/2016

ALDEN LEE

Defendant.

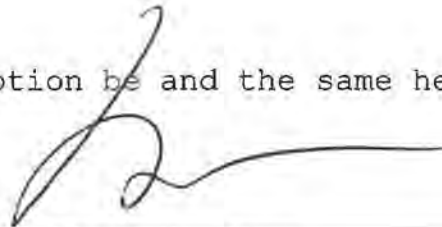
ORDER DENYING ROR OR  
BAIL PENDING APPEAL

-----X

An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, New York County, rendered on February 21, 2019, and defendant having moved, pursuant to CPL 460.50 and 530.50 for an order of recognizance or to be admitted to bail pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion, and further papers filed in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied.



\_\_\_\_\_  
Hon. Jeffrey K. Oing  
Justice of the Appellate Division

Dated: August 21, 2019  
New York, New York

ENTERED: SEP 17 2019