

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Lania C., Jahziyah D.C.,
and Ziyah I. C.,

CONFIDENTIAL

M-1042

Docket Nos. B-03475/17

B-03476/17

B-03477/17

Application for the Guardianship and Custody of a Child Pursuant to the Provisions of Section 384-b of the Social Services Law.

Latoya C.,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about January 10, 2020,

Now, upon reading and filing the correspondence from counsel for appellant, dated February 24, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid correspondence.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Cushman & Wakefield, Inc.,

Plaintiff-Appellant,

-against-

M-1106
Index No. 654482/17

Olivet University,

Defendant-Respondent.

-----X

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

Now, upon reading the correspondence from counsel for appellant, dated February 20, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid correspondence.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Marie Kaiser Napoli,

Plaintiff-Respondent,

-against-

M-1203
Index No. 161423/15

Marc Jay Bern, Clifford S. Robert,
The Parkside Group, LLC and Brian
Brick,

Defendants-Appellants.

-----X

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

Now, upon reading the correspondence from counsel for appellant, dated February 18, 2020, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

David Landau and Flushing LLC,

Plaintiffs-Appellants,

-against-

M-1221

Index No. 655011/18

DGital Media LLC, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about April 3, 2019, April 4, 2019, and May 7, 2019,

Now, upon reading the correspondence from counsel for plaintiffs-appellants, dated February 26, 2020, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Michael J. Devereaux & Associates, P.C.,
Plaintiff-Appellant-Respondent,

-against-

M-1222
Index No. 150497/14

John Tufo and Janice Tufo,
Defendants-Respondents-Appellants,

John Russell,
Defendant-Respondent-Appellant,

Sidney Baumgarten,
Respondent-Respondent,

Trigon Medical Inc., et al.,
Defendants.

-----X

An appeal and cross appeal having been taken from orders of the Supreme Court, New York County, entered on or about January 11, 2020,

Now, upon reading the correspondence from counsel for defendants-respondents-appellants John Tufo and Janice Tufo, dated February 26, 2020, and due deliberation having been had thereon,

It is ordered that the cross appeal of defendants-respondents-appellants John Tufo and Janice Tufo is withdrawn in accordance with the aforesaid correspondence.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-653

Ind. No. 570/19

Wesley Bautista,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 12, 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 December 12, 2019,

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-654

Ind. No. 2280/18

Andrew Brown,
Defendant-Appellant.

-----X

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

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against- M-655
SCI No. 1865/19

Brian Gutierrez,
Defendant-Appellant.

-----X

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

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-656

Ind. No. 2298/17

Alberto Cruz,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 11, 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 December 11, 2019,

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-662
Ind. No. 607/18

Edwin Ortiz,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 6, 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 December 6, 2019,

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against- M-666
Ind. No. 2408/17

Oscar Aguilar,
Defendant-Appellant.

-----X

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

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against- M-670
SCI No. 1789/19

Justo Soto,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 9, 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 December 9, 2019,

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-671

-against-

Ind. No. 2045/13

Jerome H.,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 3, 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 December 3, 2019,

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-673
SCI No. 2085/19

Michael Mable,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 3, 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 December 3, 2019,

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-674

Ind. No. 2463/17

Maurice Kinsey,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about December 3, 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 December 3, 2019,

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
The People of the State of New York
ex rel. Lawrence P. LaBrew, Esq., on
behalf of Marvin Hayes,
Petitioner,

-against-

M-1543
Ind. No. 2744/19

New York County District Attorney Cyrus
Vance, by Assistant District Attorney
Lauren Breen, and Ms. Cynthia Brann,
Commissioner of New York City Department
of Corrections,
Respondents.

-----X

An application having been made by petitioner, inter alia, for a writ of habeas corpus to be issued from this Court,

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

It is ordered that the application be and the same hereby is granted only to the extent of transferring the proceeding for a writ of habeas corpus to be heard before a Justice of the Supreme Court of the State of New York, New York County, 60 Centre Street, New York, New York, forthwith (see CPLR 7002[b][5]), and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the District Attorney of New York County, 1 Hogan Place, New York, New York 10013, the Attorney General of the State of New York, 120 Broadway, New York, New York 10271 and the Warden at A.M.K.C. Rikers Island Department of Corrections, 1818 Hazen Street, East Elmhurst, NY 11370 be deemed due and sufficient notice. The application is otherwise denied.

ENTERED:

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of a Custody/Visitation Proceeding

Charles N. N.,
Petitioner-Respondent,

-against-

Jaclyn A. M.,
Respondent-Appellant.

CONFIDENTIAL

M-939

Docket Nos. V-17145-16/17D
V-17554-16/17D
V-17554-16/17E
V-17146-16/17D
V-17553-16/17E
V-17553-16/17D

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about January 24, 2020, 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 Joseph Santo, Esq., dated January 24, 2020, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite 410, Jericho, New York 11753, Telephone No. 516-942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;**

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Justice V.,

A Child Under 18 Year of Age Alleged to
be Abandoned and/or Permanently Neglected
Pursuant to §384-b of the Social
Services Law of the State of New York.

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

CONFIDENTIAL
M-798
Docket No. B-43944/16

Stephanie M.,
Respondent-Appellant.

Ricardo V.
Respondent.

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

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

- - - - -
Ana R. V.,
Petitioner-Appellant,

Docket No. V-17504/17

-against-

Administration for Childrens Services
of the City of New York, Stephanie M.,
And Ricardo V.,
Respondents-Respondents.

-----X
Petitioner-appellant under Docket No. V-17504/17, Ana R. V.,
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 January 7, 2020, which denied and dismissed her petition, 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 Paul W. Matthews, Esq., dated February 4, 2020, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Justice V.,

A Child Under 18 Year of Age Alleged to be Abandoned and/or Permanently Neglected Pursuant to §384-b of the Social Services Law of the State of New York.

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

CONFIDENTIAL
M-1196
Docket No. B-43944/16

Stephanie M.,
Respondent-Appellant.
Ricardo V.
Respondent.

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

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

Ana R. V.,
Petitioner-Appellant,

Docket No. V-17504/17

-against-

Administration for Children's Services of the City of New York, Stephanie M., and Ricardo V.,
Respondents-Respondents.

-----X
Respondent-respondent under Docket No. V-17504/17, Stephanie M., having moved for leave to respond, as a poor person, to the

appeal taken by petitioner-appellant Ana R.V. from the order of the Family Court, New York County, entered on or about January 7, 2020, 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 Jennifer Feinberg, dated February 19, 2020, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-791-8444, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Justice V.,

A Child Under 18 Year of Age Alleged to
be Abandoned and/or Permanently Neglected
Pursuant to §384-b of the Social
Services Law of the State of New York.

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

CONFIDENTIAL
M-1198
Docket No. B-43944/16

Stephanie M.,
Respondent-Appellant,

Ricardo V.,
Respondent.

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

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

- - - - -
Ana R. V.,
Petitioner-Appellant,

Docket No. V-17504/17

-against-

Administration for Children's Services
of the City of New York, Stephanie M.,
And Ricardo V.,
Respondents-Respondents.

-----X

Respondent-appellant under Docket No. B-43944/17, Stephanie M., having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County,

Now, upon reading and filing the papers with respect to the motion, and the certification of Jennifer Feinberg, Esq., dated February 19, 2020, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-791-8444, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Alexander Renzo H.,

CONFIDENTIAL

M-813

Docket Nos. B-07372-18

V-19756-18

A Child Subject of a Termination of Parental Rights Proceeding Pursuant to §384-b of the Social Services Law of the State of New York.

- - - - -
Sheltering Arms Children & Family Services,
Petitioner-Respondent,

Renzo Napoleon H.,
Respondent-Appellant,

Ana M.
Respondent,

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

-----X

Respondent-appellant, having moved for leave to prosecute, as a poor person, the appeal taken from two orders of the Family Court, New York County, both entered on or about January 7, 2020, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Robert Rothman, dated January 30, 2020, 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, Salihah R. Denman, Esq., 200 Park Avenue, Suite 1700, New York, New York 10166, Telephone No. 914-215-7221, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See, M-815, dated April 23, 2020, released simultaneously herewith.)

ENTERED:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Alexander Renzo H.,

CONFIDENTIAL

M-815

Docket Nos. V-19756-18

B-07372-18

A Child Subject of a Termination of Parental Rights Proceeding Pursuant to §384-b of the Social Services Law of the State of New York.

- - - - -
Sheltering Arms Children & Family Services,
Petitioner-Respondent,

Ana M.,
Respondent-Appellant,

Renzo Napoleon H.,
Respondent.

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

-----X

Respondent-appellant grandmother, having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Family Court, New York County, entered on or about January 7, 2020, which dismissed her petition for custody, 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 Judith L. Carlin, Esq., dated January 27, 2020, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 100 Church Street, Suite 800, New York, New York 10007, Telephone No. 646-775-8994, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See, M-813, dated April 23, 2020, released simultaneously herewith.)

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-75
Ind. No. 2427/18

John Garcia-Lasso,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 28, 2019, for leave to prosecute the appeal as a poor person, 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 deeming the moving papers a timely filed notice of appeal. That branch of the motion seeking poor person relief is denied, as unnecessary, said relief having been granted by an order of this Court entered on March 5, 2020 (M-8693).

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
In the Matter of the Application of
John Regan,
Petitioner-Respondent,

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

M-985
Index No. 104117/10

-against-

New York City Department of Buildings,
et al.,
Respondents-Appellants.

-----X

Respondents-appellants having moved for a further extension of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about December 24, 2013, and to continue the stay pending appeal extended by an order of this Court entered December 19, 2019 (M-8368),

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 time to perfect the appeal is extended to the September 2020 Term. The aforesaid stay is continued on the condition that the appeal is perfected for said September 2020 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Ken Montera, on behalf of himself
and all others similarly situated,
Plaintiff-Respondent,

-against-

M-1089
Index No. 160550/17

KMR Amsterdam, LLC,
Defendant-Appellant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about September 10, 2018 and June 12, 2019,

And defendant-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal from the September 10, 2018 order, and, upon vacatur, for an extension of time to perfect both appeals,

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

It is ordered that the motion is granted to the extent of vacating the dismissal of the appeal from the September 10, 2018 order and reinstating that appeal, and extending the time to perfect both appeals to the September 2020 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Hemant Shah, Varsha Shah,
Plaintiffs-Respondents,

M-1265
M-1266
M-1268

-against-

Index No. 156305/15

20 East 64th Street LLC,
Defendant-Appellant,

Tri Star Construction Corp., Urban
Foundation/Engineering, LLC,
Abelow Sherman Architects LLC,
RA Consultants LLC,
Defendants.

-----X

Appeals having been taken from two orders of the Supreme Court, New York County, entered on or about May 10, 2019 and from a judgment of the same court entered on or about June 13, 2019,

And defendant-appellant having moved for an extension of time to perfect the appeals taken from the aforementioned May 10, 2019 orders (M-1265 & M-1268),

And defendant-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of appeal taken from the aforementioned judgment, and upon reinstatement, for an extension of time to perfect same (M-1266),

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

April 23, 2020

It is ordered that the motions are granted to the extent of vacating the dismissal of appeals and extending the time to perfect the appeals to the September 2020 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Lizbeth González, Justices.

-----X
Eric Rowe,
Plaintiff-Respondent-Appellant,

-against-

M-1059
Index No. 155902/12

Strike Force of New Jersey, Inc.,
Defendant-Appellant-Respondent,

-and-

AEG Live LLC, AEG Live Productions, LLC,
AEG Live NY, LLC, Mariel's Tours,
LLC, Mariel's Tours, Inc., and Armando
Perez, also known as Pitbull,
Defendants-Respondents.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 5, 2018, and the appeal having been perfected,

And defendants-respondents AEG Live LLC, AEG Live Productions, LLC, and AEG Live NY, LLC, having moved pursuant to CPLR 5513 for an order dismissing plaintiff's cross appeal based on the alleged failure to timely file a notice of cross 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 cross appeal is dismissed.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Troy K. Webber
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Hetri Totaram,
Plaintiff-Respondent,

-against-

Debbie Gibson, M-983
Defendant-Appellant, Index No. 380033/15

CACH LLC, et al.,
Defendants.
-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on January 7, 2020 (Appeal No. 10712),

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 hereby held in abeyance pending the resolution of the related bankruptcy proceeding.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Shondel Ferguson, et al.,
Plaintiffs-Appellants,

-against-

M-799
Index No. 161274/14

Durst Pyramid, LLC, et al.,
Defendants-Respondents,

The Durst Corporation, Inc.,
Defendant.

-----X

Defendants-respondents having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on December 26, 2019 (Appeal No. 10667), and for other relief,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. David Friedman, Justice Presiding,
Troy K. Webber
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Joseph Motta,
Plaintiff-Respondent,

-against-

Jacqueline Motta,
Defendant-Appellant.
-----x

CONFIDENTIAL

M-782

Index No. 3360/11

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

And an order of this Court having been entered on October 31, 2019 (M-7388), inter alia, denying defendant-appellant's motion to vacate the dismissal of the appeal pursuant to 22 NYCRR 1250.10(c); and an order of this Court having been entered on January 7, 2020 (M-8434), denying defendant-appellant's application for reconsideration of dismissal of the appeal,

And defendant-appellant having again moved for reconsideration of the order of this Court entered on October 31, 2019 (M-7388), and for other relief,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Troy K. Webber
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Jacqueline Motta,
Plaintiff-Appellant,

-against-

Acting Judge Diane Kiesel,
etc., et al.,
Defendants-Respondents,

Joseph Motta, et al.,
Defendants.

Confidential

M-818

Index No. 101040/17

-----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 January 7, 2020 (Appeal No. 10702),

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Sallie Manzanet-Daniels
Ellen Gesmer
Lizbeth González, Justices.

-----X
Gilbert Lau,
Plaintiff-Appellant,

-against- M-540
Index No. 100181/19

NYSARC Trust Service, Inc., et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 6, 2019, which granted defendant's motion to consolidate an action filed in Civil Court of the City of New York with the instant action,

And plaintiff-appellant, pro se, having moved to stay consolidation of the actions pending hearing and determination of the aforesaid appeal, for leave to prosecute the appeal as a poor person, 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 branch of the motion seeking a stay is denied. That branch of the motion seeking poor person relief 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) and (2), setting forth, inter alia, the merits of the appeal and plaintiff's indigency and an explanation as to why the funds in plaintiff's trust are not available to pay for the costs and fees associated with the appeal, as set forth in the order of this Court entered on February 6, 2020 (M-8852).

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Angela M. Mazzairelli
Troy K. Webber
Anil C. Singh, Justices.

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

-against-

M-764
Ind. No. 3190/15

John Walden,
Defendant-Appellant.

-----X

Assigned counsel for defendant having moved for an order relieving it as counsel, or in the alternative, dismissing defendant's appeal which was taken from a judgment of the Supreme Court, New York County, rendered on or about December 1, 2017, without prejudice to reinstatement,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzaelli
Anil C. Singh, Justices.

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

-against-

Edwin Colon,
Defendant-Appellant.

M-908
M-909
Ind. Nos. 2355/16
4672/16

-----X

Appeals having been taken to this Court from judgments of the Supreme Court, New York County, rendered on or about March 22, 2017,

And assigned counsel for defendant having moved by separate motions (M-908 and M-909), for an order relieving them as counsel or, in the alternative, dismissing defendant's appeals without prejudice to reinstatement,

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

It is ordered that the motions (M-908 and M-909) are granted to the extent of deeming the appeals withdrawn.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

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

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

CONFIDENTIAL

- - - - -
Rasbel H.,
Petitioner-Respondent,

M-1043
Docket No. O-156-19

-against-
Victor T.,
Respondent-Appellant.

- - - - -
Christina Monzano, Esq., Lawyers for
Children,
Attorney for the Children.
-----x

An appeal having been taken from an order of the Family Court, New York County, entered on or about March 20, 2019,

And assigned counsel for respondent-appellant having moved to withdraw the unperfected 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 deemed withdrawn, and Bruce A. Young, Esq., is relieved as counsel for respondent-appellant.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

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

-----x
Ruben Elberg, etc., et al.,
Plaintiffs-Appellants,

-against-

Crabapple Corp., et al.,
Defendants-Respondents,

M-927
M-1264
Index No. 653373/16

-and-

Royal One Real Estate, LLC, et al.,
Nominal Defendants.

-----x

Plaintiffs-appellants having moved to extend their time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about December 5, 2018 (M-927),

And defendants-respondents having cross-moved to dismiss the aforesaid appeal for failure to timely perfect (M-1264),

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

It is ordered that the motion, deemed to include a request to vacate the dismissal of the appeal pursuant to 22 NYCRR 1250.10(c), is granted, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the September 2020 Term (M-927). The cross motion for dismissal of the appeal is denied (M-1264).

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Probate Proceedings, Estate of

Joseph Kronik,

Helena Kronik Bartash and Lieb Kuziniec, M-1086
Objectants-Appellants, M-1173
File Nos. 2009-2812.1
2009-2812.A

-against-

Marek Rozen,
Petitioner-Respondent.

-----x

Objectants-appellants having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeals taken from the orders of the Surrogate's Court, New York County, entered on or about January 28, 2019 and July 31, 2019 and, upon vacatur, for an extension of time to perfect the appeals (M-1086),

And petitioner-respondent having cross-moved to dismiss the appeal taken from the order entered on July 31, 2019, and for an award of certain costs and attorney fees incurred in connection with the motion by objectants (M-1173),

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

It is ordered that the motion is granted, the dismissals vacated, the appeals reinstated, and the time to perfect the appeals is extended to the September 2020 Term (M-1086). The cross motion is denied in its entirety (M-1173).

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

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

-----x
Board of Managers of 405 Greenwich
Street Condominium,

Plaintiff-Appellant,

M-1212
Index No. 158810/17

-against-

403 Greenwich Enterprises LLC,

Defendant-Respondent.
-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 15, 2019,

And plaintiff-appellant having moved for an extension of time to perfect the appeal,

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

It is ordered that the motion is granted and the time to perfect the appeal is extended to the October 2020 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Bison Capital Corporation,
Plaintiff-Appellant,

-against-

Hunton & Williams LLP.,
Defendant-Respondent.
-----X

M-1035
M-1245
Index No. 153793/15

Plaintiff-appellant having moved to extend the time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 25, 2019 (M-1035),

And defendant-respondent having cross-moved to dismiss the aforementioned appeal (M-1245),

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

It is ordered that plaintiff-appellant's motion is granted to the extent of extending the time to perfect the appeal to the September 2020 Term, with no further extensions to be granted (M-1035). Defendant-respondent's cross motion to dismiss is denied (M-1245).

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzarelli
Anil C. Singh, Justices.

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

-against-

M-649
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

Appeals having been taken from duplicate orders of the Supreme Court, Bronx County, entered on or about September 17, 2018 and from an order, same Court, entered on or about December 16, 2019,

And plaintiff-appellant having moved for an extension of time in which to perfect the appeal taken from the duplicate orders entered on or about September 17, 2018, and to consolidate said appeal with plaintiff's appeal from the December 16, 2019 order,

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

It is ordered that the motion is granted to the extent of extending the time in which to perfect the appeals to the October 2020 Term. That branch of the motion seeking consolidation is denied as unnecessary (see, 22 NYCRR 1250.9[f]).

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzarelli
Anil C. Singh, Justices.

| | |
|--------------------------------------|--------------------|
| -----X | |
| The People of the State of New York, | M-923 |
| Respondent, | Index Nos. 1382/16 |
| | 1384/16 |
| -against- | 1385/16 |
| | 1984/16 |
| Anonymous, | 2002/16 |
| Defendant-Appellant. | 2506/16 |
| -----X | 2744/16 |

Defendant-appellant having moved for an order granting anonymity of the records in connection with an appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 10, 2018, sealing this application and all further filings in this case, and other relief,

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

It is ordered that the motion is granted to the extent that the record on appeal and brief and all future filings on appeal are sealed. The Clerk is directed to calendar the appeal under *People v Anonymous*.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

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

-----X
In the Matter of

Jane Doe,
Petitioner-Appellant,

SEALED
M-1185
Index No. 158505/18

-against-

John Doe,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 23, 2019 which denied petitioner's motion to vacate the prior order of said Court entered on February 22, 2019, which directed the Clerk of the Court to seal the file in this action in its entirety,

And petitioner-appellant having moved to modify the aforesaid order entered on February 22, 2019 to the extent of allowing certain potential amici curiae to access 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, with leave to renew, after the appeal has been perfected.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

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

-----X

Bank of America N.A., successor by merger, BAC Home Loan Servicing, LP, formerly known as, Countrywide Home Loans Servicing, LP,
Plaintiff-Respondent,

M-878
Index No. 850340/14

-against-

Rodney Fabor, et al.,
Defendant-Appellant.

-----X

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

And defendant-appellant having moved to stay the foreclosure sale of the subject real property, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied, with leave to renew, upon the termination of the bankruptcy proceedings.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Anil C. Singh
Peter H. Moulton, Justices.

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

-against-

Anthony C.,
Defendant-Appellant.

SEALED
M-489
M-603
Ind. No. 2055/13

-----X

A certificate of a Justice of this Court having been entered on April 11, 2019 (M-1214), granting defendant leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about January 18, 2019, which denied his motion pursuant to CPL 440.10,

And an order of this Court having been entered on May 23, 2019 (M-962), which, inter alia, dismissed the purported appeal taken by defendant from an interlocutory evidentiary order of the Supreme Court, Bronx County, entered on or about August 7, 2018,

And an order of this Court having been entered on November 26, 2019, extending defendant-appellant's time to perfect the appeal taken from the January 18, 2019 order to the March 2020 Term and permitting defendant to file an oversized brief, and defendant having failed to perfect for said Term,

And defendant-appellant, pro se, having moved for an order enlarging the record on appeal to include certain exhibits annexed to his moving papers (M-489),

And defendant-appellant, via counsel, having moved for an order vacating the dismissal of both appeals and, upon reinstatement, extending the time to perfect same (M-603),

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

It is ordered that that branch of the motion (M-603) seeking to vacate dismissal of the appeal taken from the January 18, 2019 order is granted, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the September 2020 Term of this Court. The motion is otherwise denied, and

It is further ordered that the motion (M-489) is granted to the extent of enlarging the record on appeal to include the exhibits annexed to the moving papers.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Judith J. Gische, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-643
Ind. No. 1908/18

Sean Brown,

Defendant-Appellant.
-----X

Defendant, pro se, having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 25, 2019,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Judith J. Gische, Justice Presiding,
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-88
Ind. No. 2415/18

Damien Clark,

Defendant-Appellant.
-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 25, 2019,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on April 23, 2020.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Ellen Gesmer
Lizbeth González, Justices.

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

-against-

M-8694
Ind. No. 3730/15

Alejandro Campiz,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about September 5, 2018, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:



CLERK