

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 February 6, 2020.

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

-----X  
Delores Germania Hernandez,

Plaintiff-Respondent,

-against-

M-117

Index No. 20840/16E

Valente Equipment Leasing Corp.,  
et al.,

Defendants-Appellants.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about April 9, 2019,

Now, upon reading and filing the correspondence from counsel for defendants-appellants dated December 19, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020.

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

-----X  
Marcia Dunn, M.D.,

Plaintiff-Appellant,

-against-

M-118  
Index No. 102818/10

David M. Simpson, M.D., et al.,

Defendants-Respondents.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about May 30, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant dated December 23, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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 the Application by  
Express Scripts, Inc.,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

M-119  
Index No. 154379/19

-against-

Metropolitan Transit Authority,  
et al.,  
Respondents-Respondents.

-----X

An appeal having been taken from the orders of the Supreme Court, New York County, entered on or about May 7, 2019, and May 30, 2019,

Now, upon reading and filing the correspondence from counsel for petitioner-appellant dated December 20, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020

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

-----X  
Scott Cackett and Kateryna Bondaruk,  
Plaintiffs-Respondents-Appellants,

-against-

M-231  
Index No. 157267/14

Gladden Properties, LLC, Boston Properties,  
Inc., Structure Tone, Inc.,  
Kaye Scholer, LLP and KD Electric, Inc.,  
Defendants-Appellants-Respondents.

Forest Electric Corp., et al.,  
Defendants-Respondents.

-----X  
Gladden Properties, LLC, Boston Properties,  
Inc. and Structure Tone, Inc.,  
Third-Party Plaintiffs-Appellants,

-against-

Port Morris Tile & Marble Corporation  
and Weinstein & Holtzman,  
Third-Party Defendants-Respondents.

-----X  
Gladden Properties, LLC, Boston Properties,  
Inc. and Structure Tone, Inc.,  
Second Third-Party Plaintiffs-  
Appellants,

-against-

KD Electric, Inc.,  
Second Third-Party Defendant  
Respondent.

-----X

Appeals and a cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about January 8, 2019, and defendants/third-party plaintiffs/second third-party plaintiffs-appellants, Gladden

Properties, LLC, Boston Properties, Inc. and Structure Tone, Inc., and Kaye Scholer, having moved for an order granting a stay of trial pending the hearing and determination of their appeal,

Now, upon reading and filing the correspondence from counsel for the moving parties, dated January 14, 2020, and due deliberation having been had thereon,

It is ordered that the within motion for a stay of trial 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 February 6, 2020.

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

-----X  
Commissioners of the New York State  
Insurance Fund,

Plaintiff-Respondent,

M-263

Index No. 450150/14

-against-

Building Concepts, Inc.,

Defendant-Appellant.  
-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated November 4, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020.

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

-----X  
Brian Ashton, et al.,  
Plaintiffs-Respondents,

-against-

M-265  
Index No. 160232/14

Norfolk Southern Railway Company,  
et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 1, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated December 13, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020.

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

-----X  
The Bank of New York Mellon, etc.,  
Plaintiff-Appellant,

-against-

Beatrice Raulston,  
Defendant-Respondent,

M-306  
Index No. 381279/12

-and-

The City of New York, etc., et al.,  
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 15, 2017 (Case No. 2018-955),

Now, upon reading and filing the stipulation of the parties hereto, dated October 30, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020.

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

-----X  
The Bank of New York Mellon, etc.,  
Plaintiff-Appellant,

-against-

Beatrice Raulston,  
Defendant-Respondent,

M-308  
Index No. 381279/12

-and-

The City of New York, etc., et al.,  
Defendants.

-----X

An appeal having been taken from orders of the Supreme Court, Bronx County, entered on or about December 14, 2017 (Case Nos. 2019-3441 and 2019-3628),

Now, upon reading and filing the stipulation of the parties hereto, dated October 30, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020.

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

-----x  
Michael Lazar,  
Plaintiff-Respondent,

-against-

PR Newswire Association LLC,  
Defendant-Appellant-Respondent.

- - - - -  
PR Newswire Association LLC,  
Counterclaim-Plaintiff-Appellant,  
Respondent,

M-8835  
M-109  
Index No. 650801/17

-against-

Michael Lazar,  
Counterclaim-Defendant-Respondent,

-and-

Index No. 595347/17

S2 Filings LLC,  
Third-Party Defendant-Respondent-  
Appellant.

-----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 8, 2019,

And defendant/counterclaim-plaintiff-appellant-respondent having moved for an extension of time to perfect the appeal and cross appeal (M-8835),

Now, upon reading and filing the correspondence from counsel for defendant/counterclaim-plaintiff-appellant-respondent dated December 16, 2019, and the correspondence from counsel for third-party defendant-respondent-appellant S2 Filings, LLC, dated December 27, 2019 (M-109), and due deliberation having been had thereon,

(M-8835/M-109)

-2-

February 6, 2020

It is ordered that the motion (M-8835), the appeal and the cross appeal are 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 February 6, 2020.

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

-----X  
American Transit Insurance Company,  
Plaintiff-Appellant,

-against-

M-8863  
Index No. 651641/17

Lutheran Medical Center, as assignee of  
Michael Derobertis,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 28, 2019 and an amended order, same Court, entered on or about October 8, 2019, and plaintiff-appellant having moved, for a stay of all proceedings in Supreme Court, pending hearing and determination of the appeal,

Now, upon reading and filing the Stipulation Withdrawing Appeal Per Settlement of the parties hereto, dated January 9, 2020, and due deliberation having been had thereon,

It is ordered that the appeal and the within motion for a stay are withdrawn in accordance with the aforesaid Stipulation.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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 Family Offense Proceeding Under Article 8 of the Family Court Act

**CONFIDENTIAL**

**M-3**

Dale J. D.,  
Petitioner-Appellant,

Docket Nos. 0-13776-18  
0-13776-18/18A

-against-

Randi N. H.,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about December 13, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Jaye Ballard, Esq., dated December 23, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., 39 Broadway, Suite 1610, New York, New York 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;**

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<sup>1</sup>Service 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 February 6, 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

Tasmia S.,  
Syed S.,

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

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

**CONFIDENTIAL**

**M-4**

Docket Nos. NA-00502-17  
NA-00503-17

Fowzia A.,  
Respondent-Appellant,

Syed K.,  
Syed A. U.,  
Respondents,

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about December 11, 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 Lauren Mitchell, Esq., The Center for Family Representation, dated December 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 Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., 39 Broadway, Suite 1610, New York, New York 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:

  
CLERK

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



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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

Frederick T.,  
Casper P. T.,

**Confidential**  
**M-5**

Children Under the Age of Eighteen Docket Nos. B-23593/17  
Years Subject of a Termination of B-46535/16  
Parental Rights Petition

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

Maria T.,  
Respondent-Appellant.

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

-----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 December 3, 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 Morgan Shaffer, Esq., The Center for Family Representation, dated December 16, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., 39 Broadway, Suite 1610, New York, New York, 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:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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 Under Article 6 of the  
Family Court Act  
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Anthony A. N.,  
Petitioner-Appellant,

-against-

Doreen W.,  
Respondent-Respondent.

**CONFIDENTIAL**  
**M-42**

Docket Nos. V-30831-16  
V-04234-18  
V-30839-16/18A  
V-30839-16  
V-30831-16/18A

-----X

Respondent-respondent 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 November 14, 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 Carole M. Levy, Esq., dated January 3, 2020, and due deliberation having been had thereon, it is

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §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 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

(M-42)

-2-

February 6, 2020

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 February 6, 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

Jesiel C. V.,  
Noah C. V.,

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

**CONFIDENTIAL**  
M-127  
Docket No. NN-9542-3/19

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

-against-

Rosalie V.,  
Respondent-Appellant,

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

-----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 October 29, 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 Emma Connolly, Esq., dated January 3, 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, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8th Floor, New York, New York, 10016,

Telephone No. 212-818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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 Proceeding for Support Under Article 4 of the Family Court Act.

- - - - -  
Afia E.,  
Petitioner-Respondent,

**CONFIDENTIAL**  
M-131  
Docket No. F-268-07/18B

-against-

Japheth S.,  
Respondent-Appellant,

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about December 12, 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 Mina MacFarlane, Esq., dated December 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 Article 18b of the County Law and §1120 of the Family Court Act, Richard L. Herzfeld, Esq., 112 Madison Avenue, 8th Floor, New York, New York, 10016, Telephone No. 212-818-9019, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have

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

ENTERED:

  
CLERK

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



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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 Proceeding for Support Under Article 4 of the Family Court Act.

- - - - -

**CONFIDENTIAL**

Mary H.,  
Petitioner-Respondent,

M-133  
Docket No. F-3571-99/18J

-against-

B. Cedric R.,  
Respondent-Appellant,

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about December 13, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Mina MacFarlane, Esq., dated December 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 Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 153-03 Jamaica Avenue, Jamaica, New York, 11432, Telephone No. 718-883-1560, 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 the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

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

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

**CONFIDENTIAL**

M-134

Candice W.,  
Petitioner-Respondent,

Docket No. V-25094-18

-against-

Gary Y.,  
Respondent-Appellant.

Geoffrey Greenlees, Esq., Children's Law Center, Attorney for the Child.

-----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 November 13, 2019, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the certification of Enrique Benitez, II, Esq., dated November 29, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 153-03 Jamaica Avenue, Jamaica, New York, 11432, Telephone No. 718-883-1560, 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**

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

**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

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 February 6, 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 Family Offense  
Proceeding Under Article 8 of the  
Family Court Act.

**CONFIDENTIAL**

M-135

Melinda B.,  
Petitioner-Respondent,

Docket No. O-14051-17

-against-

Jonathan L. P.,  
Respondent-Appellant.

Rhonda Albright, Esq., Children's Law  
Center, Attorney for the Child.

-----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 October 22, 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 Rachel Seger Cobos, Esq., dated December 2, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Carol 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**

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

**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

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 February 6, 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 Guardianship Proceeding

Sandra D.,  
Petitioner-Respondent,

**Confidential**  
**M-167**

-against-

Docket Nos. G-38146/16  
G-38147/16

Clovis R. W.,  
Respondent-Appellant,

Sashiah C. C.,  
Respondent-Respondent.

- - - - -

Helene Bernstein, Esq.,  
Attorney for the Children.

-----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 December 9, 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 Karen A. Webb, Esq., dated December 17, 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) 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-169 and M-168, dated February 6, 2020, released simultaneously herewith.)

ENTERED:

  
CLERK

---

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



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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 Guardianship  
Proceeding

Sandra D.,  
Petitioner-Respondent,

**Confidential**  
**M-168**

-against-

Docket Nos. G-38146/16  
G-38147/16

Clovis R. W.,  
Respondent-Appellant,

Sashiah C. C.,  
Respondent-Respondent.

- - - - -

Helene Bernstein, Esq.,  
Attorney for the Children.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal taken from two orders of the Family Court, New York County, entered on or about December 9, 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 Lauren M. Friend, Esq., dated January 2, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, New York 11598, Telephone No. 516-374-1962 , as counsel for purposes of responding to the appeal; (2) permitting movant to respond to

(M-168)

-2-

February 6, 2020

the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9. (See, M-167 and M-169, dated February 6, 2020, released simultaneously herewith.)

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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 Guardianship Proceeding

Sandra D.,  
Petitioner-Respondent,

**Confidential**  
**M-169**

-against-

Docket Nos. G-38146/16  
G-38147/16

Clovis R. W.,  
Respondent-Appellant,

Sashiah C. C.,  
Respondent-Respondent.

- - - - -

Helene Bernstein, Esq.,  
Attorney for the Children.

-----X

Helene Bernstein, Esq., court attorney for the subject children, having moved on the children's behalf for leave to respond, as poor persons, to the appeal taken from two orders of the Family Court, New York County, entered on or about December 9, 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 Helene Bernstein, Esq., dated December 23, 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, Helene Bernstein, Esq., 44 Court Street, Suite 905, Brooklyn, New York 11201, Telephone No. 718-875-8705, as counsel for purposes of responding to the appeal;

(M-169)

-2-

February 6, 2020

(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9. (See, M-168 and M-167, dated February 6, 2020, released simultaneously herewith.)

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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

**Confidential**

**M-8905**

Clovis R. W.,  
Petitioner-Appellant,

Docket Nos. V-00976/17  
V-00977/17

-against-

Sandra D.,  
Respondent-Respondent,  
-----

Helene Bernstein, Esq.,  
Attorney for the Children.

-----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 December 9, 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 Karen A. Webb, Esq., dated December 17, 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) 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-8918, dated February 6, 2020, released simultaneously herewith.)

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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

**Confidential**

**M-8918**

Clovis R. W.,  
Petitioner-Appellant,

Docket Nos. V-00976/17  
V-00977/17

-against-

Sandra D.,  
Respondent-Respondent,  
-----

Helene Bernstein, Esq.,  
Attorney for the Children.

-----X

Helene Bernstein, Esq., court attorney for the subject children, having moved on the children's behalf for leave to respond, as a poor persons, to the appeal taken from the order of the Family Court, New York County, entered on or about December 9, 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 certificate of Helene Bernstein, Esq., dated December 23, 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, Helene Bernstein, Esq., 44 Court Street, Suite 905, Brooklyn, New York 11201, Telephone No. 917-748-9854, as counsel for purposes of responding to the appeal;

(M-8918)

-2-

February 6, 2020

(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this Court, pursuant to 22 NYCRR Section 1250.9. (See, M-8905, dated February 6, 2020, released simultaneously herewith.)

ENTERED:

  
CLERK



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

- - - - -

Tylaeya C.,  
Petitioner-Respondent,

**CONFIDENTIAL**  
**M-8923**  
Docket No. V-18987-17

-against-

Karl S.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about December 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 Gary Schultz, Esq., dated December 17, 2019, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco. Esq. 366 North Broadway, Suite 410, Jericho, New York, 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 therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order**

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

**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

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 February 6, 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-144

-against-

Ind. No. 3965/08

Joel Providence,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Dwyer, J.), entered on or about November 26, 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 Dwyer 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.

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 February 6, 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-

Edward Thomas,

Defendant-Appellant.  
-----X

M-180  
Ind. Nos. 1152/16  
1224/18  
3906/18

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 October 2, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on February 6, 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-  
Brandon Simmons,  
Defendant-Appellant.

M-220  
Ind. No. 2601/15

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about December 18, 2019, for leave to have the appeal heard upon 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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-8078  
Ind. No. 1593/17

Shaquana Carter,  
Defendant-Appellant.

-----X

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

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 February 6, 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-8088**

Ind. No. 20010/18

Enrique Clemente,  
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 22, 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.

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 February 6, 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-8095**  
Ind. No. 2238/18

Henry Gonzalez,  
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 April 10, 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.

(M-8095)

-2-

February 6, 2020

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 February 6, 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-8218  
Ind. No. 1501/18

Kenneth McRae,  
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 22, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 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-8260**

Ind. No. 240/19

Jarrold 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 June 17, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

(M-8260)

-2-

February 6, 2020

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 February 6, 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-8273**

Ind. No. 0005/19

Omar Rodriguez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 10, 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.

(M-8273)

-2-

February 6, 2020

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 February 6, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Lizbeth González, Justices.

-----X  
Landenburg Thalmann & Co., Inc.,  
Plaintiff-Respondent,

-against-

M-8009  
Index No. 151984/15

Arkin Kaplan Rice LLP in Dissolution,  
Defendant-Respondent,

Howard J. Kaplan and Michelle A. Rice,  
Non-Party Appellants.

-----X

Non-party appellants having moved for an extension of time in which to perfect the appeal taken from two orders of the Supreme Court, New York County, both entered on or about February 4, 2019,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the June 2020 Term of this Court, with leave to seek further extensions if deemed necessary.

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 February 6, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Lizbeth González, Justices.

-----X

Yi Sun,  
Plaintiff-Appellant,

-against-

M-8129  
Index No. 108013/10

Tsai Chung Chao, M.D. and Naturo-Medical  
Health Care, P.C.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an extension of time to perfect the consolidated appeals taken from a judgment of the Supreme Court, New York County, entered on or about October 1, 2019 and from an order, same Court, entered on or about January 17, 2019, and to supplement the Record on Appeal,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the consolidated appeals to the June 2020 Term of this Court, and 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 February 6, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Angela M. Mazzairelli  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Benjamin Dray,  
Defendant-Appellant.

-----X

**CONFIDENTIAL**

M-37

Ind. No. 4144/17

Defendant-appellant having moved for an extension of time in which to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about February 14, 2019,

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

It is ordered that the motion is granted and the time in which 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 February 6, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Angela M. Mazzairelli  
Peter H. Moulton, Justices.

-----X  
Younomics Private Student Loan  
Trust,  
Plaintiff-Respondent,

-against-

Mordechai Flam and Abraham Flam,  
Defendants-Appellants.

**M-48**  
Index No. 101732/12

-----X

Defendants-appellants having moved for an extension of time to perfect the appeal taken from three orders of the Supreme Court, New York County, one of which was entered on or about November 28, 2016 and two of which were entered on or about September 1, 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 denied, without prejudice to renew, upon proof of service of the within motion upon Rachel Kierych, Esq., P.O. Box 1455, New York, New York 10276, as counsel for plaintiff-respondent.

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 February 6, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Angela M. Mazzairelli  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-8828  
Ind. No. 1586/17

Dennis Jennings,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 11, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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 February 6, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Angela M. Mazzairelli  
Peter H. Moulton, Justices.

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

-against-

**M-8869**

SCI. No. 3176/19

Jose Rivas,  
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about October 30, 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 notice of appeal as timely filed.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Angela M. Mazzairelli  
Peter H. Moulton, Justices.

-----X  
Mary Giron,  
Plaintiff-Appellant,

-against-

New York City Housing Authority,  
Defendant-Respondent,

The City of New York,  
Defendant.

-----X

**M-8916**  
Index No. 22599/16E

Plaintiff-appellant having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 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 extending the time to perfect the appeal to the June 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 February 6, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Angela M. Mazzarelli  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

**Confidential**  
**M-8939**

-against-

Ind. No. 1052/17

Channing Parker,  
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 December 18, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

(M-8939)

-2-

February 6, 2020

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 February 6, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Angela M. Mazzarelli  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,  
Respondent,

**M-8946**

-against-

SCI. No. 616/17

Taykawon Anderson,  
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 February 8, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

(M-8946)

-2-

February 6, 2020

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 February 6, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Barbara R. Kapnick  
Angela M. Mazzarelli  
Peter H. Moulton, Justices.

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

-against-

M-8947  
Ind. No. 1474/17

Keith Shenery,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about May 29, 2019,

And an order of a Justice of this Court having been entered on June 10, 2019, inter alia, staying execution of the aforesaid judgment and releasing defendant on his own recognizance,

And order of this Court having been entered on October 1, 2019, (M-6913), inter alia, continuing the stay of enforcement of the aforementioned judgment, and the release of defendant on his own recognizance,

And defendant having moved for an order discontinuing the appeal as moot, in light of the fact that the judgment has been vacated and the indictment dismissed and sealed; and vacating the October 1, 2010 order of this Court which continued the stay of execution pending appeal,

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

(M-8947)

-2-

February 6, 2020

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn. The prior order of this Court, entered October 1, 2019, (M-6913), is hereby vacated.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Anil C. Singh  
Lizbeth González, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-23**

Ind. No. 562/18

Janac Girard,  
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 December 13, 2019, 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 denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, his indigency as well as the amount and sources of funds utilized to post the \$20,000 bail in the Supreme Court, the disposition of those funds, and an explanation as to why similar funds are not available to prosecute the 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 February 6, 2020.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Anil C. Singh  
Lizbeth González, Justices.

-----x

Shirley A. Brown and George A. Ford,

Plaintiffs-Appellants,

-against-

M-31

M-195

Index No. 101650/16

Steven Douenias, Esq.,  
Defendant-Respondent.

-----x

Plaintiff-appellant Shirley A. Brown having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County, entered on or about January 22, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief (M-31),

And defendant-respondent having cross-moved to dismiss the aforesaid appeal (M-195),

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 for poor person relief (M-31) is denied. The cross motion to dismiss the appeal (M-195) is denied as unnecessary (see, 22 NYCRR 1250.10[a]).

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 February 6, 2020.

Present - Hon. David Friedman, Justice Presiding,  
Troy K. Webber  
Cynthia S. Kern  
Lizbeth González, Justices.

-----X

In the Matter of the Application of  
Tiffany Keeby,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

M-8926  
Index No. 101237/18

-against-

Housing Preservation and Development (HPD),  
et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 13, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief; and for a stay of a related holdover proceeding and a warrant of eviction issued by Housing Court pending hearing and determination of the within appeal,

And a Justice of this Court, by order dated November 14, 2019, having granted, an interim stay of the holdover proceeding, provided the appeal was perfected within a certain time frame,

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

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

permitted to dispense with payment of the required fee for the subpoena and filing of the record. The motion, to the extent that it seeks a stay of proceedings, is denied, and the interim relief granted by the order of a Justice of this Court, dated November 14, 2019, is vacated.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020.

Present - Hon. David Friedman, Justice Presiding,  
Troy K. Webber  
Cynthia S. Kern  
Lizbeth González, Justices.

-----X  
Michael A. Johnson, II,  
Plaintiff-Respondent,

-against-

M-8927  
Index No. 22688/15E

The New York and Presbyterian Hospital,  
Weill Cornell Medical Center,  
Defendant-Appellant,

Richard Trinidad and Alex Rodriguez,  
Defendants.

-----X

Defendant-appellant having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 4, 2019,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the June 2020 Term of this Court, with leave to seek further extensions, if necessary.

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 February 6, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Cynthia S. Kern  
Jeffrey K. Oing  
Lizbeth González, Justices.

-----X

Gilbert Lau,  
Plaintiff-Appellant,

-against-

M-8852  
Index No. 100181/19

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

-----X

Plaintiff-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, entered on or about July 31, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for an extension of time to perfect same,

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

It is ordered that the motion is 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, 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.

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 February 6, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Jeffrey K. Oing  
Anil C. Singh  
Lizbeth González, Justices.

-----x

In the Matter of the Application for the Custody and Guardianship of

Caleb Marcel C., also known as  
Caleb C., and  
Nassir Jayden C., also known as  
Nassir C., also known as  
Baby Boy R.,

**CONFIDENTIAL**

M-8128

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

Docket Nos. B-8925/18  
B-19792/18

- - - - -

Sheltering Arms Children and Family  
Services,  
Petitioner-Respondent,

Ariel R.,  
Respondent-Appellant.

- - - - -

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

-----x

Petitioner-respondent having moved to dismiss the appeal taken from the orders of the Family Court, New York County, entered on or about August 22, 2019,

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

(M-8128)

-2-

February 6, 2020

It is ordered that the motion is granted to the extent of deeming the appeal 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 February 6, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Jeffrey K. Oing  
Anil C. Singh  
Lizbeth González, Justices.

-----X

The People of the State of New York,  
Respondent,

**CONFIDENTIAL**

M-8085

-against-

Ind. No. 3359/16

Anthony Charles,  
Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 15, 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.

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 February 6, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Judith J. Gische  
Angela M. Mazzarelli  
Ellen Gesmer, Justices.

-----X

In the Matter of  
Richard E. Stone,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules  
and Executive Law § 298

M-128  
Index No. 101820/18

-against-

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

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 8, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and related relief,

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

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

(M-128)

-2-

February 6, 2020

of the Appellate Division. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The motion 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 February 6, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Judith J. Gische  
Ellen Gesmer  
Cynthia S. Kern  
Lizbeth González, Justices.

-----x

Alceu Antimo Vezozzo Filho, et al.,  
Plaintiffs-Appellants,

-against-

M-324

Index No. 651935/18

Raquel Moura Borges, et al.,  
Defendants-Respondents.

-----x

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

And counsel for defendants-respondents having renewed their motion to withdraw as 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, counsel is permitted to withdraw, and the appeal is adjourned to the June 2020 Term of this Court, with no further adjournments to be granted.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,  
Jeffrey K. Oing  
Anil C. Singh  
Lizbeth González, Justices.

-----x

The People of the State of New York  
Respondent,

-against-

**SEALED**  
M-8248  
Ind. No. 4771/09

Anonymous,  
Defendant-Appellant.

-----x

An order of this Court having been entered on September 19, 2018 (M-4623) striking the designation of Robert S. Dean, Esq., Center of Appellate Litigation and substituting Christina Swarns, Esq., Office of the Appellate Defender, as assigned counsel to prosecute defendant's appeal from the judgment of the Supreme Court, Bronx County, rendered on or about September 12, 2013,

And defendant-appellant having moved to relieve the Christina Swarns, Esq. as assigned counsel for defendant, and to substitute retained 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 relieving Christina Swarns, Esq., The Office of the Appellate Defender, as counsel on the appeal. The motion, to the extent it seeks to appoint retained counsel on the appeal, is denied as unnecessary.

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 February 6, 2020.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Peter H. Moulton, Justices.

-----X

Laura Goldin,  
Plaintiff-Appellant,

-against-

Matthew Levy,  
Defendant-Respondent.

-----X

**CONFIDENTIAL**

M-184

Index No. 312727/08

An appeal having been taken from three orders of the Supreme Court, New York County, entered on or about November 13, 2019, and on or about November 15, 2019, and plaintiff-appellant having moved for a stay of all proceedings to enforce the aforesaid orders pending the 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:

  
\_\_\_\_\_  
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 February 6, 2020.

PRESENT: Hon. Judith J. Gische, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Peter H. Moulton, Justices.

-----X  
Phyllis Kossoff,  
Plaintiff-Respondent,

-against-

M-264  
Index No. 161513/18

910 Fifth Avenue Corp., Board of Directors  
of 910 Fifth Avenue, New York, New York  
10021 and Rudd Realty Management Corp.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 12, 2019, and defendants-appellants having moved for a stay of enforcement of the aforesaid order pending the 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:

  
\_\_\_\_\_  
CLERK

STATE OF NEW YORK  
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Sallie Manzanet-Daniels  
Justice of the Appellate Division

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

-against-

Kai Watkins,

Defendant.

M-8387  
Ind. No. 2233/13

ORDER DENYING BAIL  
AFTER APPEAL TAKEN

-----X

An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, Bronx County, rendered on January 4, 2018, and defendant having moved, pursuant to CPL 460.50 for a stay of execution of judgment pending hearing and determination of the aforesaid appeal, or, in the alternative, for an order releasing him on the fixing of 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.

Dated: January 27, 2020  
New York, New York

  
Justice of the Appellate Division

ENTERED: FEB 06 2020