

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 11, 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

Samiyah H.
Trinity H.

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

Administration for Children's Services,
Petitioner-Respondent,

CONFIDENTIAL

M-70

Docket Nos. NN-17209/19
NN-17210/19

-against-

Shanae B.,
Respondent-Appellant,
Sammie H.,
Respondent-Appellant,

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

-----X
Respondent-appellant Shanae B., 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 17, 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 Melinda Oliver, Esq., dated December 31, 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, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, New York, 10007, Telephone No. 212-233-0318, as counsel for purposes of prosecuting the appeal;

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, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, New York, 10007, Telephone No. 212-233-0318, as counsel for purposes of prosecuting the appeal for Shanae B.; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) 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.** (See M-137 dated February 11, 2020, released simultaneously herewith.)

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 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

Samiyah H.
Trinity H.

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

CONFIDENTIAL

M-137

Docket Nos. NN-17209/19

NN-17210/19

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

-against-

Sammie H.,
Respondent-Appellant,
Shanae B.,
Respondent-Appellant,
- - - - -

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

-----X

Respondent-appellant Sammie H., 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 17, 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 Janae' R. Hunte, Esq., 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, Steven P. Forbes, Esq. 155-03 Jamaica Avenue, Jamaica, New York, 11432, Telephone No. 718-791-8444, as counsel for purposes of prosecuting the appeal for Sammie H.,;

February 11, 2020

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) 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.** (See M-70 dated February 11, 2020, released simultaneously herewith.)

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

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

-----X

National Casualty Company, et al.,
Plaintiffs-Respondents,

-against-

Utica First Insurance Company,
Defendant-Appellant,

M-115
Index No. 654376/15

Altin Bundo and Fatbarda Bundo,
Defendants-Respondents.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about November 14, 2018, and from the order and judgment (one paper) of said Court entered on or about March 5, 2019,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 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 of
Aaron Ferrera,

for leave to file a late notice of claim

Petitioner-Respondent,

-against-

M-120

Index No. 21246/19

The City of New York,
Respondent-Appellant,

New York City Housing Authority,
Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about June 20, 2019,

Now, upon reading and filing the stipulation of the parties hereto, 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 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 11, 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 of
Nagee Dubose,

for leave to file a late notice of claim

Petitioner-Respondent,

-against-

M-121

Index No. 33280/18E

The City of New York,
Respondent-Appellant,

The New York City Housing Authority,
Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 20, 2019,

Now, upon reading and filing the stipulation of the parties hereto, 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 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 11, 2020.

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

-----X

Vesselin Dittrich,
Petitioner-Appellant,

-against-

M-122

Index No. 100862/19

New York State Unified Court System,
John Phelps and Karen Perlman,
Respondents-Respondents.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 11, 2019,

Now, upon reading and filing the correspondence from petitioner, pro se, filed December 26, 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 11, 2020.

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

-----X
Citibank, N.A., as Trustee for
Structured Asset Mortgage Investment II
Trust 2007-AR7, Mortgage Pass-Through
Certificates, Series 2007-AR7,
Plaintiff-Appellant,

-against-

M-123

Index No. 380048/13

Alba I. Gutierrez,
Defendant-Respondent,

Christopher E. Finger a/k/a
Christopher Finger, City of New York
Environmental Control Board, City of
New York Department of Transportation, et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 19, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated November 11, 2019, and the correspondence from counsel for plaintiff-appellant 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 stipulation and correspondence.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 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

Nathan G. C.,

A Child/Children Under Eighteen Years
of Age Alleged to Be Abused/Neglected by,

Confidential
M-124

Docket No. NA-31336-19

Janeiry C.,
Cesar G.,
Respondents-Respondents,

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

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

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about October 30, 2019,

Now, upon reading and filing the correspondence from counsel for petitioner-appellant dated December 30, 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 11, 2020.

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

-----X
Brenda Hernandez,
Plaintiff-Appellant,

-against-

M-211
Index No. 21923/18E

1133-399 Westchester Avenue, LLC, RPW
Group, Newmark Grubb Knight Frank, and
Energy Paving,
Defendants-Respondents.

-----X

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

And defendant-respondent Newmark Grubb Knight Frank ("NGKF") having moved for an order dismissing the aforesaid appeal and imposing sanctions upon plaintiff and her counsel,

Now, upon reading and filing the stipulation entered into by plaintiff-appellant and defendant-respondent NGKF, dated January 16, 2020, and due deliberation having been had thereon,

It is ordered that the appeal and defendant-respondent's motion are deemed 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 11, 2020.

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

-----X
Louis E. Lee,
Plaintiff-Appellant,

-against-

M-272

Index No. 305715/13

Jamar T. Bush and Amadou Aly Diakite,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 3, 2018, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated December 18, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 11, 2020.

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

-----X
Arrowhead Capital Finance, LTD,
Plaintiff-Respondent.

-against-

M-273
Index No. 651962/14

Cheyne Specialty Finance Fund L.P.,
Defendant-Appellant,
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 27, 2019, and said appeal having been perfected,

Now, upon reading and filing the Stipulation of Dismissal of the parties hereto, dated January 7, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 11, 2020.

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

-----X

Universal Communications Network, Inc.,
Plaintiff-Respondent,

-against-

M-293

Index No. 653406/18

Wells Fargo Bank, N.A.,
Defendant-Appellant.

-----X

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

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

It is ordered that the appeal is deemed 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 11, 2020.

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

-----X
Antonio Pedoto,
Plaintiff-Respondent,

-against-

M-295
Index No. 307183/11

The City of New York,
Defendant-Respondent,

Denville Line Painting, Inc.,
Defendant-Appellant.

-----X
The City of New York,
Third-Party Plaintiff-Respondent,

-against-

Denville Line Painting, Inc.,
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 29, 2018, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated December 3, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 11, 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 of

Timothy Naftali, as Guardian of the
person of Gloria Naftali,
Petitioner-Respondent,

Confidential
M-297

Index No. 150722/19

-against-

The Raymond & Gloria Naftali
Foundation,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 11, 2019, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, 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 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 13, 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-8576

Ind. Nos. 4511/18
3901/18

Tevin Conway,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about August 6, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about August 13, 2019,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

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

-----X

Reverend Keith Fennessy,
Plaintiff-Respondent,

-against-

M-326
Index No. 154648/17

Archdiocese of New York, Catholic
New York, Timothy Cardinal Dolan and
Joseph Zwilling,
Defendants-Appellants.

-----X

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

Now, upon reading and filing the Stipulation of Withdrawal of Appeal of the parties hereto, dated July 10, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 11, 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-315
Ind. No. 316/18

Nelson Ruiz,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about May 31, 2018,

Now, upon reading and filing the Stipulation of the parties hereto, dated January 2, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 11, 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,

M-8098

-against-

Ind. Nos. 2349/02
2769/02
346/02

Jerry Anderson,
Defendant-Appellant.

-----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 May 18, 2012, 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-8098)

-2-

February 11, 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 extended 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 11, 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,

M-8280

-against-

Ind. No. 2537/18

Joshua Garcia,
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 27, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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-8280)

-2-

February 11, 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 11, 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,

M-8284

-against-

Ind. No. 3036/15

Dashawn Dixon,
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 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-8284)

-2-

January 2, 2020

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 11, 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-8829A

Ind. No. 1844/18

Kelvin Arzu,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about August 6, 2019,

And an order of this Court having been entered on January 23, 2020, granting poor person relief and appointing Robert S. Dean, Esq., Center for Appellate Litigation, as counsel for prosecuting the appeal,

Now upon the Court's own motion,

It is ordered that the designation of Robert S. Dean, Esq., Center for Appellate Litigation, as counsel for the purposes of prosecuting the aforesaid appeal is stricken, and the order of assignment, entered January 23, 2020 (M-8829) is recalled and vacated. (See Order, M-8217, entered January 9, 2020).

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 11, 2020.

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

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

-against- M-316
Ind. No. 5122N/15

Jorge Soriano,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about November 22, 2016,

Now, upon reading and filing the Stipulation Withdrawing Appeal of the parties hereto, dated December 30, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 11, 2020.

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

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

-against-

M-318
Ind. No. 2997/14

Jorge Soriano,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about November 17, 2016,

Now, upon reading and filing the Stipulation Withdrawing Appeal of the parties hereto, dated December 30, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

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

-----X

In the Matter of the Application of
the State of New York,
Petitioner-Respondent,

Confidential

M-20

Index No. 250391/17

For Civil Management Pursuant to
Article 10 of the Mental Hygiene Law,

-against-

Paul F.,
Respondent-Appellant.

-----X

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

And respondent-appellant having moved, pursuant to Mental Hygiene Law §10.13(c), for leave to prosecute the appeal as a poor person and for the assignment of counsel 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 upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The court reporter shall promptly make and file with the Supreme Court one transcript of the stenographic minutes of any proceedings in this matter, and the Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

Robert S. Dean, Esq., The Center of Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 10006, Telephone No. 212-577-2523, is assigned as counsel for purposes of prosecuting the appeal on appellant's behalf.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 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-26

Ind. No. 4541/18

Evette Ortiz,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file an untimely notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 17, 2019, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted only to the extent of deeming the notice of appeal as timely filed.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew, upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a) and 22NYCRR 1250.4 (1) and (4), setting forth, inter alia, defendant's indigency and the amount and sources of funds utilized to post bail in the Supreme Court, the disposition of those funds, and an explanation as to why similar funds are not available to prosecute this 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 11, 2020.

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

-----X
Josefina Cruz,
Plaintiff-Appellant,

M-32
Index No. 100362/18

-against-

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

-----X
Josefina Cruz,
Plaintiff-Appellant,

Index No. 100956/18

-against-

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

-----X

Consolidated appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about October 26, 2018 and April 5, 2019,

And defendants-respondents having moved to (i) dismiss the consolidated appeals or, in the alternative, to direct plaintiff-appellant to file an appendix which complies with the CPLR and the rules of this Court, and extend defendants-respondents time to file their respondent's briefs or, (ii) in the alternative, to extend defendants-respondents time to file their respondent's brief,

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

(M-32)

-2-

February 11, 2020

It is ordered that the motion is granted to the extent of dismissing the consolidated appeals and striking them from the Court's calendar.

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 11, 2020.

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

-----X
In the Matter of a Family Offense
Proceeding

Giovanni De M.,
Petitioner-Respondent,

-against-

Confidential
M-45

Docket No. 0-33422/14

Nick W.,
Respondent-Appellant.

-----X

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

And respondent-appellant having moved for an extension of time to perfect said appeal,

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

It is ordered that the motion is granted to the extent of 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 11, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Clephane B. Burgess, et al.,
Plaintiffs-Appellants,

-against-

M-185

Index No. 308376/12

Avignon Taxi, LLC, et al.,
Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for a further enlargement of time to perfect the appeals taken from two orders of the Supreme Court, Bronx County, entered on or about October 29, 2015, and January 28, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the September 2020 Term, with leave to seek further enlargements if the bankruptcy stay in question has not been lifted.

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 11, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Michael Benny,
Plaintiff-Appellant,

-against-

M-192
Index No. 150119/12

Concord Partners 46th Street LLC,
Tintol LLC, doing business as
Clubhouse Café, Havana Central NY
2 LLC doing business as Havana Central
Restaurant & Café and ELO Equity, LLC,
Defendants-Respondents.
-----X

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

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

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

It is ordered that the motion is granted, the dismissal is vacated, the appeal reinstated and the time in which to perfect said appeal is extended 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 11, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Cynthia S. Kern Justices.
Jeffrey K. Oing,

-----X
Center for Independence of the
Disabled, New York, etc., et al.,
Plaintiffs-Respondents,

-against-

M-230
Index No. 153765/17

Metropolitan Transportation Authority,
etc., et al.,
Defendants-Appellants,

-and-

The City of New York,
Defendant-Appellant.

-----X

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

And 504 Democratic Club, Advocates for Justice, Community Access, Lenox Hill Neighborhood House, National Center for Law and Economic Justice, and New York Lawyers for the Public Interest having moved for leave to file a brief amici curiae in connection with the aforesaid appeals,

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

It is ordered that the motion is granted, and the proposed amici curiae briefs submitted with the moving papers are deemed 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 11, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

Respondent,

-against-

M-8768
Ind. No. 3723/17

Oscar Gutierrez,
Defendant-Appellant.

-----X

Defendant having moved, pro-se, for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 14, 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, pursuant to CPLR 1101 and 22NYCRR 1250.4(d)(1) and (4), setting forth his indigency and detailing the amount and sources of funds utilized to pay his trial counsel, Barry Weinstein, Esq., and an explanation as to why similar funds are not available to prosecute this 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 11, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern, Justices.

-----X
U.S. Bank National Association, etc.,
Plaintiff-Appellant,

-against-

M-8830

Index No. 850240/14

Elizabeth Hazan, et al.,
Defendants-Respondents,

Mortgage Electronic Registration Systems,
Inc., etc., et al.,
Defendants.

- - - - -
1 East 62nd Street Apt 1A LLC.,
Intervenor-Respondent.

-----X

Intervenor-respondent having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on October 31, 2019 (Appeal No. 10244, M-6830),

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 11, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Jeffrey Weinstein,
Plaintiff-Respondent,

-against-

M-114
Index No. 652365/14

W.W.W. Associates, LLC, et al.,
Defendants-Appellants.
-----X

Defendants-appellants having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on December 10, 2019 (Appeal No. 10527),

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 11, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Peter H. Moulton
Lizbeth González, Justices.

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

-against-

Prince Backman,
Defendant-Appellant.

M-1341
M-6900
Ind. No. 8809/91

-----X

A decision and order of this Court having been entered on March 10, 1998 (Appeal No. 458), unanimously affirming a judgment of the Supreme Court, Bronx County (John Collins, J.), rendered on September 14, 1993,

And defendant-appellant having moved, by separate motions in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for a default judgment based on the District Attorney's allegedly unreasonable delays in responding to the application, and for related relief (M-1341/M-6900),

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

It is ordered that the motions are 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 11, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X
R&R Capital LLC, et al.,
Plaintiffs-Respondents,

M-7929
M-8410
Index No. 604080/05

-against-

Linda Merritt, also known as Lyn
Merritt,
Defendant-Appellant.

-----X

Defendant-Appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on September 26, 2019 (M-2830), which dismissed the appeal taken from a judgment of the Supreme Court, New York County, entered on or about January 28, 2019 (M-7929),

And plaintiffs-respondents having cross-moved for sanctions against defendant-appellant (M-8410),

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 and cross motion are denied in their entirety.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----x
Magna Equities II, LLC, et al.,
Plaintiffs-Respondents,

-against-

M-72
Index No. 653808/16

Writ Media Group Inc., et al.,
Defendants-Appellants.
-----x

Defendants-appellants having moved to withdraw, without prejudice, the appeal taken from an order of the Supreme Court, New York County, entered on or about October 11, 2017, pending the outcome of proceedings below or, in the alternative, for an extension of time to perfect said appeal,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----X

In the Matter of the Application of
James Rizzo,
Petitioner-Appellant,

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

-against-

M-210
Ind. No. 101208/19

Cyrus Vance, New York County
District Attorney,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 13, 2019, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of 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 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 11, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----X
Tompkins 183 LLC,
Petitioner-Respondent,

-against-

Marsha Frankel,
Respondent-Appellant.

M-262
Index No. 159644/19

-----X

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

And respondent-appellant having moved to stay enforcement of the aforementioned order pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated December 19, 2019, is hereby vacated.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Ellen Gesmer
Anil C. Singh, Justices.

-----X
Wells Fargo Bank, N.A.,
Plaintiff-Respondent,

-against-

Obioma Nwakanma and Onyinyechi Nwakanma,
Defendants-Appellants,

M-8974
Index No. 35304/13E

-and-

"John Doe" and "Jane Doe" the last two names being fictitious, said parties intended being tenants or occupants, if any, having or claiming an interest in, or lien upon the premises described in the complaint,
Defendants.

-----X

Plaintiff-respondent having moved to dismiss the appeal taken from an order of the Supreme Court, Bronx County, entered on or about August 29, 2019, as untimely taken,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

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

-----x
Eugene Tenenbaum,
Petitioner-Appellant,

M-8064

M-8795

M-8825

For a Judgment Pursuant to § 87(b)
of the Private Housing Finance Law,

Case Nos. 2019-3522
2019-3874

-against-

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

-----x

An appeal having been taken, by notice of appeal dated August 26, 2017 [sic] and amended notice of appeal dated September 11, 2017 [sic], from an order of the Commissioner of Housing and Community Renewal, dated July 23, 2019,

And petitioner-appellant having moved, by separate motions, to stay enforcement of the aforesaid order, pending hearing and determination of the appeal taken therefrom (M-8064 and M-8795), and for an order directing the respondent, inter alia, to require the building owner to hold meetings chaired by petitioner, to discuss the lawsuit and to provide information on all contract bids to the tenants, and for other relief (M-8795),

And respondent-respondent having cross-moved to dismiss the appeal (M-8825),

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

(M-8064 & M-8795 & M-8825)

-2-

February 11, 2020

It is ordered that petitioner's motions for a stay and other relief are denied (M-8064 and M-8795), and respondent's cross motion is granted, and the appeal is dismissed (M-8825).

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R.", is written over a horizontal dashed line.

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 11, 2020.

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

-----X

Susan A.,
Petitioner-Respondent,

Confidential

M-8956

-against-

Docket No. F-44460-10/16L

Christopher O.,
Respondent-Appellant.

-----X

Respondent-appellant having taken appeals from an order and order of commitment of the Family Court, New York County, both entered on or about December 10, 2019, and from orders of the same court entered on or about May 23, 2019 and April 10, 2019,

And respondent-appellant having moved to stay, pending the hearing and determination of the appeal taken therefrom, enforcement of the order and order of commitment entered on or about December 10, 2019, insofar as they directed that he be committed to jail for a term of six (6) months or, in the alternative, reducing the term thereof to time served and immediately releasing him from incarceration, and reducing or eliminating any requirement that he pay any amount as a condition of release,

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 11, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Rashan Anthony,
Plaintiff-Appellant,

-against-

NYSE,
Defendant-Respondent.

M-8976
Index No. 101382/17

-----X

Plaintiff-appellant, pro se, having moved to vacate the dismissal of the appeal taken from a judgment of the Supreme Court, New York County, entered on or about October 23, 2018, and for leave to prosecute the appeal as a poor person, to have the appeal heard on the original record and upon a reproduced appellant's brief, and an extension of time in which to perfect said appeal,

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

It is ordered that the motion is denied in its entirety.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Anil C. Singh
Peter H. Moulton
Lizbeth González, Justices.

-----X
In the Matter of a Custody/Visitation
Proceeding

Confidential
M-8841
Kendra E.,
Petitioner-Respondent, Docket No. V-26864-18
V-23579-18
-against-

Jared T.,
Respondent-Appellant,

Alexandra Roisman, 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 21, 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 Eric Reimer, 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, 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;

February 11, 2020

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

ENTERED:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

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

-----X
In the Matter of the Guardianship of the Person and Custody of

McKayla Trinity J.,

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

**CONFIDENTIAL
M-7094A
Docket No. B-24974/18**

- - - - -
Edwin Gould Services for Children and Families,
Petitioner-Respondent,

Faith Jolanda J.,
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 **May 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 due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Larry S. Bachner, Esq., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as counsel for purposes of prosecuting the appeal;

February 11, 2019

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

The order of this Court entered October 22, 2019 (M-7094), under the caption "In the Matter of Wisdom J., etc." Docket No. NN-6868/19, is hereby recalled and vacated.

ENTERED:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 11, 2020.

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

-----X
Jack Jaffa and Associates,
Petitioner-Appellant,

For a Judgment pursuant to
CPLR Article 78, CPLR Article 30 and
42 USC § 1983,

M-171
Index No. 158061/18

-against-

The City of New York and The New York
City Office of Administrative Trials
and Hearings,
Respondents-Respondents.
-----X

Petitioner-appellant having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 26, 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.

ENTERED:



CLERK

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

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

The People of the State of New York,

M-563
Ind. No. 2411/19
Case No. 2020-00846

-against-

Christopher Andrews,

Defendant.
-----X


An application having been made by defendant pursuant to CPL 245.70(6) for expedited review of a ruling of a Justice of the Supreme Court, New York County (Melissa Jackson, J.), dated January 27, 2020, which granted the People's motion for a protective order;

Now, upon review of the papers filed with respect to the application; it is

Ordered that the application is denied in its entirety, the court having providently exercised its discretion in delaying production of the materials.

Defense counsel shall keep confidential that portion of the People's affirmation that was unwittingly unredacted (§ 26); the People shall furnish defense counsel with a new affirmation with the proper redactions.

Ordered that the papers submitted by the People under seal shall be sealed by the Clerk of the Court.


Associate Justice

Dated: February 4, 2020
New York, New York

ENTERED: FEB 11 2020

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

BEFORE: Hon. TROY K. WEBBER
Associate Justice of the Appellate Division

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

-against-

M-598
Ind. No. 3350/19
Case No. 2020/873

RAHKEEM WILLIAMS
Defendant.

-----X

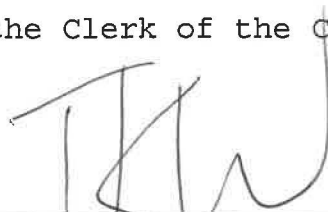
An application having been made by defendant, pursuant to CPL 245.70(6), for expedited review of a ruling of a Justice of the Supreme Court, New York County (Althea Drysdale, J.), as set forth in a protective order of that court, dated January 28, 2020, and, upon review, to vacate or modify the ruling,

Now, upon reading and filing the papers with respect to the motion, it is

Ordered that the application is denied, and it is further

Ordered that the papers submitted in connection with the application which were sealed by the motion court and/or which disclose matters which were sealed, shall continue to be sealed. The un-redacted affirmation and memorandum of law submitted by the People shall be sealed by the Clerk of the Court.

Dated: February 5, 2020
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED

FEB 11 2020

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

BEFORE: Hon. TROY K. WEBBER
Associate Justice of the Appellate Division

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

-against-

M-623
Ind. No. 2174/19
Case No. 2020-919

GIAN VERDELLI,
Defendant.

-----X

An application having been made by defendant, pursuant to CPL 245.70(6), for expedited review of a ruling of a Justice of the Supreme Court, New York County (Althea Drysdale, J.), as set forth in a protective order of that court, dated January 28, 2020, and, upon review, to vacate or modify the ruling,

Now, upon reading and filing the papers with respect to the motion, it is

Ordered that the application is denied, and it is further

Ordered that the papers submitted in connection with the application which were sealed by the motion court and/or which disclose matters which were sealed, shall continue to be sealed. The un-redacted affirmation and memorandum of law submitted by the People shall be sealed by the Clerk of the Court.

Dated: February 5, 2020
New York, New York



Hon. Troy K. Webber
Associate Justice

ENTERED
FEB 11 2020

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

BEFORE: Hon. David Friedman
Associate Justice of the Appellate Division

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

ORDER
M-633

-against-

Ind. No. 1852/2019
Case No. 2020-00932

Michael Gerard

Defendant.


-----X

An application having been made by defendant, pursuant to CPL 245.70(6), for expedited review of a ruling of a Justice of the Supreme Court, New York County (Jackson, J.), as set forth in an order of that court, dated January 30, 2020, which granted in part the People's motion for a protective order, and, upon review, to vacate or modify the ruling to the extent that it (1) authorized the People to delay disclosure of the names, contact information, and identifying information of six witnesses to defendant or his counsel; and (2) restricted the dissemination of the names, contact information and identifying information of six additional witnesses to defendant's counsel's eyes only,

Now, upon reading and filing the papers with respect to the application, it is

Ordered that the application is denied, and it is further

Ordered that the papers submitted in connection with the application are deemed to be filed under seal and shall continue to be sealed.


Hon. David Friedman
Associate Justice

Dated: February 6, 2020
New York, New York

ENTERED: FEB 11 2020

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

BEFORE: Hon. Anil C. Singh
Associate Justice of the Appellate Division

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

-against-

M-644
Ind. No. 3650/2019

Margaret Payano,
Defendant.

-----X

An application having been made by the defendant, pursuant to CPL 245.70(6), for expedited review of a ruling of a Justice of the Supreme Court, New York County (Thomas Farber, J.), as set forth in an order of that court, dated January 16, 2020, as revised after hearing on January 30, 2020, which granted the People's motion for a protective order denying certain disclosure for a period of 60 days,

Now, upon reading and filing the papers with respect to the motion, it is

Ordered that the application to vacate the ruling is denied in its entirety, and it is further

Ordered that the papers submitted in connection with the application which were sealed by the motion court and/or which disclose matters which were sealed, shall continue to be sealed. The un-redacted affirmation and memorandum of law submitted by the People shall be sealed by the Clerk of the Court.

Dated: February 7, 2020
New York, New York

Hon. Anil C. Singh
Associate Justice

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

BEFORE: Hon. Rolando T. Acosta
Presiding Justice of the Appellate Division

-----x M - 8973
The People of the State of New York,

Respondent, Ind. No.: 1563/15

-against-

Anthony Lora,

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Defendant-Appellant.
-----x

I, Rolando T. Acosta, Presiding Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named defendant to appeal to the Court of Appeals.



Presiding Justice

Dated: January 27, 2020
New York, New York

ENTERED:

*Description of Order:

Supreme Court, Bronx County, entered on or about December 6, 2017. App. Div., First Dept., Appeal No. 10135, revd on November 21, 2019.

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.