

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 July 2, 2020.

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

-----x
Lisa A. Weinwurm,

Plaintiff-Respondent,

-against-

M-1351

The City of New York,
Defendant-Respondent,

Index No. 157474/14

-and-

Hugh L. Carrey Battery Park City
Authority,
Defendant-Appellant,

The New York City Department of Parks
and Recreation, et al.,
Defendants-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 17, 2019, and defendant-appellant having moved for a stay pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and the Stipulation to Withdraw Appeal dated March 30, 2020, and the correspondence from the attorney for defendant-appellant, and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn in accordance with the aforesaid Stipulation and correspondence.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 July 2, 2020.

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

-----X
Francesco Romano and Sandra Romano,
Plaintiffs-Respondents,

-against-

M-1491
Index No. 303911/15

One City Block, LLC, Google Inc. doing
business as "Google Delaware" and
Benchmark Builders, Inc.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 7, 2019,

Now, and upon reading and filing the correspondence from counsel for defendants-appellants, dated March 17, 2020, 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It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.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 July 2, 2020.

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

-----X
Stacey Widlitz,
Plaintiff-Respondent,

-against-

M-1492
Index No. 154689/16

Douglas Elliman, LLC,
Defendant-Appellant,

Godfrey Lee,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 21, 2019,

Now, and upon reading and filing the Stipulation of Discontinuance of the parties hereto, dated March 12, 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 July 2, 2020.

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

-----X
L.S., an infant by his mother and
natural guardian, Dariton Holland,,
Petitioner-Respondent,

-against-

M-1493
Index No.157451/18

City of New York,
Respondent-Appellant,

New York City Housing Authority,
Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 31, 2018,

Now, and upon reading and filing the Stipulation to Withdraw Appeal of the parties hereto, dated March 18, 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 July 2, 2020.

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

-----X

David Martinez-Alvarado,
Plaintiff-Respondent,

-against-

M-1494

Index No. 805086/17

Brian Mehling, M.D., et al.,
Defendants-Appellants.

-----X

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

Now, upon reading and filing the correspondence from counsel for defendants-appellants dated March 24, 2020, 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 July 2, 2020.

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

-----X
Elizabeth Higgins, as Executrix of
the Estate of Thomas M. Higgins, deceased
and Elizabeth Higgins, Individually.
Plaintiffs-Appellants,

-against-

M-1499
Index No. 805319/13

Evelyn H. Horn, M.D. et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 28, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiffs-appellants dated March 5, 2020, 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 July 2, 2020.

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

-----X

Rimylan Enterprises, LLC, Project
Applecourt, LLC, Tormima LLC and
Minino Productions,
Plaintiffs-Appellants,

M-1500

M-1502

-against-

Index No. 654512/18

No Labels, Inc., et al.,
Defendants-Respondents.

-----X

Appeals (Case Nos. 2019-3488 & 2019-3766) having been taken from orders of the Supreme Court, New York County, entered on or about July 19, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiffs-appellants dated March 10, 2020, 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 July 2, 2020.

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

-----X
Electron Trading LLC,
Plaintiff-Appellant,

-against-

M-1503
Index No. 652178/18

Perkins Coie LLP and Bracewell LLP,
Defendants-Respondents.
-----X

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

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant dated March 16, 2020, 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 July 2, 2020.

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

-----X
Samuel Danso,
Plaintiff-Respondent

-against-

M-1559X
Index No. 24893/16

BSR Management Corp.,
Defendant,

Bronx Phase III Housing Company, Inc.,
Bronx Phase III Preservation LLC,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 5, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 24, 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 July 2, 2020.

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

-----X
Miguelina Moscoso,
Plaintiff,

-against-

M-1560X
Index No. 23206/16E

Mei Chung Restaurant, Inc.,
Defendant-Appellant,

157 Realty Corp. and Lucky Nail Cai,
Inc.,
Defendants-Respondents.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 24, 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 July 2, 2020.

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

-----X
Pathfinder Strategic Credit LP and
BC Investment LLC,
Plaintiffs-Respondents,

-against-

M-1567X
Index No. 651304/17

Berau Capital Resources, PTE, Ltd.,
et al.,
Defendants-Appellants.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about August 8, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 14, 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 July 2, 2020.

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

-----X
Pathfinder Strategic Credit LP and
BC Investment LLC,
Plaintiffs-Respondents,

-against-

M-1568X
Index No. 651303/17

PT Berau Coal Energy, Tbk, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about August 8, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 14, 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 July 2, 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-1447
Ind. No. 2809/19

Danie Perino,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 10, 2020, 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 July 2, 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-1448
Ind. No. 1788/19

Michael Romero,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 25, 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 July 2, 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-1449
Ind. No. 1125/18

Kelvin Johnson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about January 22, 2020, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 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-1450
Ind. No. 2318/18

Justo Garcia, Jr.,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about November 13, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 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-1454
Ind. No. 3197/16

Tyrone Knowles,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about December 20, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 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-1469
Ind. No. 369/19

Tarriq 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, Bronx County, rendered on or about January 7, 2020, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 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-1803
Ind. No. 3817/09

-against-

Darrell Spencer,
Defendant-Appellant.

-----X

An order of this Court having been entered on or about March 21, 2019 (M-58) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 12, 2018, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of Robert S. Dean, Esq., as assigned counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the receipt of the complete record, whichever is later.

ENTERED:


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 July 2, 2020.

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

-----x

ACC Construction Corporation, 370
Seventh Avenue Associates, LLC. and
Comscore, Inc.,
Plaintiffs-Respondents,

M-1430
Index No. 654508/16

-against-

Merchants Mutual Insurance Company and
Premier Electric, Inc.,
Defendants-Appellants.

-----x

Defendants-appellants having moved for an extension of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about October 18, 2018,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2020.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-1474
Ind. No. 5031/14

Raynier Campana,
Defendant-Appellant.

-----X

Orders of this Court having been entered on May 25, 2017 (M-1995) and March 19, 2019 (M-6539) which, respectively, granted defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about October 13, 2015, and from a judgment of **resentence** of said Court, rendered on or about December 12, 2018, and assigning Christina Swarns, Esq., Office of the Appellate Defender, as counsel therefor,

And a motion having been made to relieve such counsel, or in the alternative, to dismiss the appeal,

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

It is ordered that the motion is granted to the extent of 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 July 2, 2020.

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

-----X

David Gerstenhaber,
Plaintiff-Appellant-Respondent,

-against-

Kelly Posner Gerstenhaber,
Defendant-Appellant-Respondent.

-----X

Confidential
M-1911

Index No. 350069/19

An appeal having been taken by the attorneys for the children from an order of the Supreme Court, New York County, entered on or about May 28, 2020,

And the attorneys for the children having moved for an order granting (a) a stay, pending the hearing and determination of the appeal, of certain aspects of the order requiring defendant to move out of the marital Hamptons home by June 1, 2020, and denying defendant's application for exclusive use and occupancy thereof; and (b) leave to appeal from such order;

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

It is ordered that the motion is denied and the interim relief granted by order of a Justice of this Court dated May 29, 2020 is vacated. The application for leave to appeal is denied as unnecessary, as the order is appealable as of right and a notice of appeal has been 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 July 2, 2020.

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

-----X
Medical Building Associates, Inc.,
Plaintiff-Appellant,

-against-

M-1691
Index No. 105724/11

Abner Properties Company,
Defendant-Respondent.
-----X

Defendant-Respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 11, 2020 (Appeal No. 10997N),

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 July 2, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Garfield Vaughan,
Plaintiff-Appellant,

-against-

M-1486
Index No. 22340/15E

The City of New York, et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 2, 2018,

And defendant-appellant having moved to vacate the dismissal of the appeal and, upon reinstatement, 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 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 July 2, 2020.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh
Lizbeth González, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Nigel Tetteh,
Defendant-Appellant.

-----X

CONFIDENTIAL

M-280

Ind. Nos. 41/18

1266/18

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 23, 2019,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2020.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh
Lizbeth González, Justices.

-----X

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

M-1263
Index No. 101854/12

-against-

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

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

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

-and-

East River Plaza, LLC,
Defendant.

-----X

Appeals having been taken by defendants-appellants from orders of the Supreme Court, New York County, entered on or about January 19, 2018 and May 9, 2019, and from a judgment of the same court entered on or about July 24, 2019, and the consolidated appeal having been perfected,

And defendant-respondent Target Corporation, having moved to dismiss the appeal insofar as it is adverse to Target, or in the alternative, to direct defendants-appellants to serve and file a supplemental appendix, and for an award of costs and attorney's fees and an extension of time to file a respondent's brief,

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

It is ordered that the branch of the motion seeking to dismiss the appeal is denied without prejudice to movant advancing its arguments in favor of dismissal in its respondent's brief. The branch of the motion seeking to direct defendants-appellants to file a supplemental appendix is granted to the extent that defendants-appellants are directed to file a supplemental appendix to include the movant's memoranda of law. The branch of the motion seeking costs and attorney's fees in relation to this 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 July 2, 2020.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

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

-against-

M-1197A
Ind. No. 2711/18

Bahrat Resheroop,
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 12, 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 terms of defendant's retainer agreement with trial counsel, the amount and sources of funds utilized for trial counsel's fee, and an explanation as to why similar funds are not available to prosecute this appeal. The order of this Court entered June 11, 2020 (M-1197), granting poor person relief and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel for defendant, is hereby recalled and 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 July 2, 2020.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1321
SCI No. 2480/17

Franklin Loving,
Defendant-Appellant.

-----X

Defendant having moved for an order deeming the moving papers a timely filed notice of appeal or, in the alternative, extending the time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about January 14, 2019,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

-----X

In the Matter of the Application of
Lamar Advertising of Penn, LLC,
Petitioner-Appellant,

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

M-1353
M-1414
Index Nos. 158537/18
100396/18

-against-

The City of New York, et al.,
Respondents-Respondents.

-----X

And an appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 7, 2019, under Index No. 158537/18 (Cal. No. 2019-5449),

And an Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about March 12, 2019, under Index No. 100396/18 (Cal. No. 2019-3412),

And petitioner having moved for an extension of time to perfect the aforesaid appeal (M-1353),

And petitioner having moved separately for an extension of time to perfect the transferred proceeding (M-1414),

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

(M-1353/M-1414)

-2-

July 2, 2020

It is ordered that the motions are granted to the extent of extending the time to perfect the appeal and the transferred proceeding to on or before September 8, 2020 for the November 2020 Term (M-1353/M-1414).

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 July 2, 2020.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

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

For a Judgment Pursuant to Article 78 M-1417
of the Civil Practice Law and Rules, Index No. 101237/18

-against-

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

Petitioner-appellant having moved for an extension of time to perfect the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 15, 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 November 2020 Term, with a filing deadline of September 8, 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 July 2, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

-----x
In the Matter of the Application of
Airbnb, Inc.,
Petitioner-Respondent-Appellant,

-against-

SEALED

M-1421

Index No. 157516/18

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

-----x
In the Matter of the Application of
The City of New York,
Petitioner-Appellant-Respondent,

-against-

M-1437

Index No. 451409/18

Airbnb, Inc.,
Respondent-Respondent-Appellant.

-----x
In the Matter of the Application of
Airbnb, Inc.,
Petitioner-Respondent-Appellant,

-against-

SEALED

M-1439

Index No. 157517/18

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

-----x
In the Matter of the Application of
The City of New York,
Petitioner-Appellant-Respondent,

-against-

M-1441

Index No. 451582/18

Airbnb, Inc.,
Respondent-Respondent-Appellant.

-----x
Appeals and cross appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about May 17, 2019,

And the City of New York having moved for an extension of time to perfect its appeals,

Now, upon reading and filing the papers with respect to the motions, and the Stipulations of Withdrawal of Appeal & Cross Appeal, dated May 26, 2020, and due deliberation having been had thereon,

It is ordered that the motions are denied as academic and the appeals and cross appeals are deemed withdrawn in accordance with the aforesaid stipulations.

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 July 2, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

-----x

Elliot Shalom, individually, and
derivatively on behalf of IEB
Associates, LLC, et al.,
Plaintiffs-Respondents-Appellants,

M-1518
Index No. 656326/16

-against-

Isaac Shalom, et al.,
Defendants-Appellants-Respondents.

-----x

An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about December 12, 2018,

And plaintiffs-respondents-appellants having moved for a further extension of time to perfect their cross appeal from the order entered on or about December 12, 2018,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal and cross appeal from the order entered December 12, 2018 to the December 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 July 2, 2020.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Ellen Gesmer
Anil C. Singh
Lizbeth González, Justices.

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

-against-

M-1602
Ind. No. 3975/14

Bryan Rogers,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 5, 2017 (M-4120), granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 4, 2017, and assigning Seymour W. James, Jr., Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal; said appeal having been perfected for the September 2020 Term of this Court,

And defendant-appellant, pro se, having moved for an order assigning new appellate counsel, and withdrawing his original appellant's brief,

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 July 2, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

Anny Vasquez,
Plaintiff-Appellant,

CONFIDENTIAL

M-1473

Index No. 304502/14

-against-

Lorenzo Vasquez,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 20, 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, and for a stay of the requirement that plaintiff vacate the marital premises,

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

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time to perfect the appeal is extended to the November 2020 Term of this Court. The requirement that plaintiff-appellant vacate the marital premises is stayed pending determination of the aforesaid 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 July 2, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Lukasz Gottwald, professionally known as
Dr. Luke, Kasz Money, Inc., and
Prescription Songs, LLC,
Plaintiffs-Respondents,

-against-

Confidential

Kesha Rose Sebert, professionally known
as Kesha,
Defendant-Appellant,

-and-

M-1525
Index No. 652118/14

Pebe Sebert, Vector Management, LLC
and Jack Rovner,
Defendants.

- - - - -

Kesha Rose Sebert, professionally known
as Kesha,
Counterclaim Plaintiff-Appellant,

-against-

Lukasz Gottwald, professionally known as
Dr. Luke, Kasz Money, Inc., Prescription Songs,
LLC, and Does 1-25, inclusive,
Counterclaim 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 February 6, 2020, and said appeal having been perfected,

And The Reporters Committee for Freedom of the Press and 16 media organizations having moved for leave to file a brief as amicus curiae in connection with the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of deeming the six copies of the proposed corrected amicus curiae brief submitted by movants herein with their reply papers, as filed. Sua Sponte, the appeal is adjourned to the November 2020 Term of this Court, with a filing deadline of October 7, 2020 for plaintiffs' respondents' brief, and October 16, 2020 for defendants' reply brief, in order to permit the parties to amend their responsive briefs to address the corrected amici curiae brief, if so advised.

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 July 2, 2020.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x

Jamal Chamlee,
Plaintiff-Respondent,

-against-

M-1526
M-1552
Index No. 161388/15

The City of New York, The New York City
Police Department, P.O. Ivan Rodriguez,
Detective Shannon Brooks, Detective Jorge
Tobon, Detective Angus Mackenze, P.O.
Winston Favis,
Defendants-Appellants.

-----x

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about April 2, 2019,

And plaintiff-respondent having moved (M-1526) to dismiss defendants-appellants' appeal,

And defendants-appellants having cross-moved (M-1552) for an order holding plaintiff-respondent's motion to dismiss the appeal in abeyance pending the resolution of defendant-appellants' motion for reargument currently pending before Supreme Court, or in the alternative, denying plaintiff-respondent's motion to dismiss, without prejudice to renew, upon the resolution of defendants-appellants' pending motion for reargument, and for related relief,

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

It is ordered that plaintiff-respondent's motion (M-1526) to dismiss the appeal is granted, and it is further

(M-1526/M-1552)

-2-

July 2, 2020

Ordered that defendants-appellants' cross-motion (M-1552) 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 July 2, 2020.

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

-----X
Ambase Corporation, 111 West 57th
Manager Funding LLC, and 111 West 57th
Investment LLC, on behalf of itself and
derivatively on behalf of 111 West 57th
Partners LLC,
Plaintiffs-Appellants,

-against-

M-404

Index No. 652301/16

111 West 57th Sponsor LLC, 111 West
57th JDS LLC, PMG West 57th Street LLC,
111 West 57th Control LLC, 111 West 57th
Developer LLC, 111 West 57th KM Equity
LLC, 111 West 57th KM Group LLC, Kevin
Maloney, Matthew Phillips, Michael Stern,
Ned White, 111 Construction Manager LLC,
Property Markets Group, Inc., JDS
Development LLC, and JDS Construction
Group LLC,
Defendants-Respondents,

111 West 57th Partners LLC,
Nominal Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an extension of time in which to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about January 29, 2018,

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

(M-404)

-2-

July 2, 2020

It is ordered that the motion is granted, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the October 2020 Term of this Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2020.

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

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

-against-

M-1119
Ind. No. 862/17

Hector Centeno,
Defendant-Appellant.

-----X

An order of this Court having been entered on February 18, 2020 (M-8162) granting defendant poor person relief and assigning Christina Swarns, Esq., Office of the Appellate Defender, as counsel for defendant to prosecute an appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 14, 2019, under Indictment No. 862/17,

And defendant having moved for an order relieving the Office of the Appellate Defender and substituting the Center for Appellate Litigation as assigned counsel for purposes of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of striking the designation of Christina Swarns, Esq., as assigned counsel to prosecute the aforesaid appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523 as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the receipt of the complete record, whichever is later.

ENTERED:


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 July 2, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

In the Matter of the Application of
133 17th Street, LLC,
Petitioner-Appellant,

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

M-1391
Index No. 158523/18

-against-

The City of New York, et al.,
Respondents-Respondents.

-----X

Petitioner-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, entered on or about June 7, 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 November 2020 Term of this Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2020.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

-against-

M-1453
Ind. No. 2948/15

Jonathan Halyard,
Defendant-Appellant.

-----X

An order of this Court having been entered on or about April 7, 2016 (M-1188), inter alia, assigning Steven Banks, Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute defendant's appeal from a judgment of the Supreme Court, New York County, rendered on or about November 17, 2015,

And assigned counsel having moved for an order abating the appeal by reason of appellant's death on October 8, 2017, and remanding the matter to the trial court to vacate the judgment of conviction, and to dismiss the indictment,

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

It is ordered that the motion is granted to the extent of dismissing the appeal due to appellant's death, and remanding the matter to the Supreme Court, New York County, for further proceedings.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 2, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Joseph Fisher,

Plaintiff-Respondent,

M-1517

Index No. 652246/19

-against-

Patrick Stone, formerly known as
Patrick O'Brien,
Defendant-Appellant.

-----X

Defendant-appellant 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 February 28, 2020, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, a free copy of the transcript, and for other relief,

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.

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 July 2, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1600
Ind. No. 3847/18

Bertrand Delisme,
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about April 17, 2019,

And an order of this Court having been entered on November 21, 2019 (M-7704), inter alia, granting defendant leave to prosecute said appeal as a poor person, and assigning Christina Swarns, Esq., Office of Appellate Defender, as counsel to prosecute the appeal;

And an order of this Court having been entered on March 5, 2020 (M-367), granting defendant the identical poor person relief, with the exception of assigning Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal,

And defendant-appellant having moved to vacate this Court's March 5, 2020 order of assignment (M-367),

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 this Court's order of assignment, entered March 5, 2020 (M-367), 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 July 2, 2020.

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

-----X

Bear Stern Asset-Backed Securities I
Trust 2006-IMI, etc., et al.,
Plaintiff-Appellant,

M-1831

Index No. 32709/16E

-against-

Eliman Ceesay,
Defendant-Respondent,

Saul Romero, et al.,
Defendants.

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 13, 2020 (Appeal No. 11027),

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