

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 December 7, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
John Curran,
Plaintiff-Respondent,

-against-

M-5434X
Index No. 102577/07

Chelsea/Village Associates, LLC,
Defendant-Appellant.
-----X

Chelsea/Village Associates, LLC,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 590455/07

Lucky 13, LLC,
Third-Party Defendant-Respondent.
-----X

(And another action)
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 22, 2010 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 28, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
King Kong Leather Ware, Ltd.,
Plaintiff-Respondent,

-against-

M-5444X
Index No. 601007/09

Me Too, L.L.C.,
Defendant-Appellant.

-----X

An appeal having been taken from the judgement of the Supreme Court, New York County, entered on or about April 7, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 1, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Lorraine Klein, et al.,
Plaintiffs-Respondents,

-against-

M-5448X
Index No. 111130/06

The Board of Managers of 420 Fifth
Avenue Condominium, a New York
Condominium Corporation, et al.,
Defendants-Appellants,

Harvard Maintenance, Inc.,
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 21, 2009,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 1, 2010, and due deliberation having been had thereon,

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

ENTER:


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 December 7, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Bradley Reifler,
Plaintiff-Respondent,

-against-

M-5672X
Index No. 100508/10

Derrelle Janey,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 29, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 10, 2010, and due deliberation having been had thereon,

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

ENTER:


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 December 7, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Sondra Neuschotz,
Plaintiff-Respondent,

-against-

M-5673X
Index No. 311514/09

Nilson Neuschotz,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 4, 2010 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 12, 2010, and due deliberation having been had thereon,

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

ENTER:


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 December 7, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Lynda Zimmerman,
Plaintiff-Appellant,

-against-

M-5512
Index No. 101492/07

Kips Bay Towers Associates, LP., et
al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 3, 2010,

Now, upon reading and filing the stipulation of the parties hereto, "so ordered" November 4, 2010, and due deliberation having been had thereon,

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

ENTER:


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 December 7, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Emanuel Badger,
Plaintiff-Respondent,

-against-

Montefiore Medical Center,
Defendant-Appellant.
-----X

M-5502
Index No. 13649/03

An appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about December 9, 2009,

Now, upon reading and filing the stipulation of the parties hereto, filed November 3, 2010, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2010 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Richard T. Andrias
Eugene Nardelli
Rosalyn H. Richter, Justices.

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

-against-

M-4805
Ind. No. 1779/09

Julio Cardova,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 17, 2010, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
Eugene Nardelli
James M. McGuire
Sheila Abdus-Salaam, Justices.

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

-against-

M-4626
Case No. 20137C/08

Walter Perez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 1, 2010, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:


CLERK

101

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 December 7, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

-against-

Steven Finkelstein,

M-5295
DC #20
Ind. No. 6095/06

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about August 22, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 28, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the May 2011 Term and counsel is directed to so perfect.

ENTER:


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 December 7, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

-against-

Cleveland Lovett,

Defendant-Appellant.
-----X

M-5274
DC #37
Ind. No. 6013/02

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about August 19, 2003,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 28, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the May 2011 Term and counsel is directed to so perfect.

ENTER:


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 December 7, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

-against-

Melville Powell,

Defendant-Appellant.
-----X

M-5322
DC #45
Ind. No. 1805/07

An appeal having been taken to this Court by defendant from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about October 22, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 28, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the May 2011 Term and counsel is directed to so perfect.

ENTER:


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 December 7, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

-against-

Eric Spivey,

M-5336
DC #59
Ind. No. 1937/92

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the order of the Supreme Court, New York County, entered on or about January 21, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 28, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the May 2011 Term and counsel is directed to so perfect.

ENTER:


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 December 7, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

-against-

Rovell Washington,

M-5343
DC #67
Ind. No. 7117/02

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 25, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 28, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the May 2011 Term and counsel is directed to so perfect.

ENTER:


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 December 7, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

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

Respondent,

-against-

Gerardo Yanayaco,

M-5348
DC #72
Ind. No. 2759/05

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about February 11, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 28, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the May 2011 Term and counsel is directed to so perfect.

ENTER:


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 December 7, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x
West One Twelve Holding Co. Inc.,

Plaintiff-Appellant,

-against-

M-5267

Index No. 103154/09

The City of New York,

Defendant-Respondent.
-----x

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County entered on or about November 24, 2009, and for other relief,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term, and the motion is otherwise denied.

ENTER:


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 December 7, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Richard T. Andrias
Eugene Nardelli
Rosalyn H. Richter, Justices.

-----x
K2 Investment Group, LLC, et al.,

Plaintiffs-Respondents-Appellants,

-against-

M-5161
Index No. 117902/09E

American Guarantee and Liability
Insurance Co.,

Defendant-Appellant-Respondent.
-----x

An appeal and cross appeal having been taken to this Court from the judgment of the Supreme Court, New York County entered on or about June 23, 2010, and said appeal and cross appeal having been perfected,

And plaintiffs-respondents-appellants having moved, pursuant to CPLR 5519(a)(2), for an order vacating the stay granted by the aforesaid judgment or, in the alternative, for an order requiring appellant to file an undertaking,

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 appellant is directed to file an undertaking in conformity with the statutory language contained in CPLR 5519(a)(2) within 15 days after the date of entry hereof.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
James M. Catterson
Karla Moskowitz
Rosalyn H. Richter, Justices.

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

-against-

M-4543
Case No. 48888C/05

Curtis Abraham,
Defendant-Appellant.

-----X

An order of this Court having been entered on July 1, 2010 (M-2392) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about April 22, 2010, and assigning Robert S. Dean, Esq., 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 assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 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 filing of the record, whichever is later.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
Eugene Nardelli
James M. McGuire
Sheila Abdus-Salaam, Justices.

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

-against-

M-4708
Ind. No. 4678/07

Jaime Quinones,
Defendant-Appellant.

-----X

An order of this Court having been entered on October 2, 2008 (M-4210) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about July 30, 2008, and assigning Steven Banks, Esq., 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 assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 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 filing of the record, whichever is later.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of

Jacelyn S. and Jonathan R.,

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

M-4755
Docket Nos. NN6863/08
NN6864/08

Commissioner of Social Services of
the City of New York,
Petitioner-Respondent,

Michelle S.,
Respondent-Appellant.

Steven Banks, Esq.,
Law Guardian for the Children.

-----X
Respondent-appellant mother having moved to withdraw the appeal from the order of the Family Court, New York County, entered on or about March 6, 2009,

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.

ENTER:


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 December 7, 2010.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Probate Proceeding, Will of
Ruth Tumpeer,
Deceased.

JPMorgan Chase Bank, N.A., as executor M-3605
of the Estate of Ruth Tumpeer, Surrogate's Court
Petitioner-Respondent, File No. 3326/2006

Patricia Mason, et al.,
Objectants-Appellants.

-----X
Petitioner-respondent having moved for dismissal of the appeal from the order of the Surrogate's Court, New York, County, entered on or about April 2, 2010,

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 unless the appeal is perfected on or before January 31, 2011 for the April 2011 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent serves a copy of this order upon appellant(s) within 10 days after the date of entry hereof.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

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

-against-

M-4694
Ind. No. 3190/08

Sharmelle Johnson, also known as
Samuel Johnson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 8, 2010, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 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 120 days from the date of filing of the record.

ENTER:


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 December 7, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Wings Manufacturing Corporation,
Plaintiff-Appellant,

-against-

M-5070
Index No. 602633/08

Great American Insurance Company
of New York,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about November 13, 2009 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


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 December 7, 2010.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----x
Solomon Rapoport,

Plaintiff-Appellant,

-against-

M-5122
Index No. 105141/06

Cambridge Development, LLC, etc.,
et al.,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about December 18, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the May 2011 Term.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

-against-

M-4653
Ind. No. 2684/06

Dominique Joseph,
Defendant-Appellant.

-----X


A decision and order of this Court having been entered on June 2, 2009 (Appeal No. 701), unanimously affirming a judgment of the Supreme Court, New York County (Michael Obus, J.), rendered on January 17, 2008,

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

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

It is ordered that said application is denied.

ENTER:


CLERK
of the Court

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 December 7, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
Daniel J. Savillo,
Plaintiff-Respondent, M-4874
M-5059
-against- Index No. 114418/07

Greenpoint Landing Associates, L.L.C.
and Greenpoint Storage Terminal, L.L.C.,
Defendants-Respondents.

Greenpoint Landing Associates, L.L.C.
and Greenpoint Storage Terminal, L.L.C.,
Third-Party Plaintiff-Respondent,
-against- Index No. 590014/08

All Safe Heights Contracting, Corp.,
Third-Party Defendant-Appellant.
-----X

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about September 15, 2009 (mot. seq. no. 001) and September 10, 2010 (mot. seq. no. 004), respectively,

And third-party defendant-appellant having moved (M-4874) for an enlargement of time in which to perfect the appeal taken from the order entered on or about September 15, 2009,


And plaintiff-respondent having cross-moved (M-5059) to dismiss said appeal,

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

Sua sponte, the appeal is consolidated with the appeal from the order of said Court entered on September 10, 2010. It is further ordered that the motion is granted to the extent of enlarging the time in which to perfect the consolidated appeals to the April 2011 Term (M-4874).

The cross motion to dismiss the appeal is granted unless appellant perfects the consolidated appeals for said Term (M-5059). Upon failure to so perfect, an order dismissing the consolidated appeals may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days from the date of entry hereof.

ENTER :


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 December 7, 2010.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----x
Claudia Evert,
Plaintiff-Appellant,

-against-

Park Avenue Chiropractic, et al.,
Defendants-Respondents.

M-4975
M-5062
Index No. 117760/04

-----x

Plaintiff-appellant having moved (M-4975) for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County entered on or about October 6, 2009,

And defendants-respondents having cross-moved (M-5062) for an order requiring plaintiff-appellant to conclude the entire trial transcript in the record on appeal,

Now, upon reading and filing the papers with respect to the motion and cross motion, and the stipulation of the parties dated October 4, 2010, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term (M-4975). The cross motion is denied, as unnecessary (M-5062).

ENTER:


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 December 7, 2010.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
IF Management, Inc.,

Petitioner-Respondent,

-against-

M-4953
Index No. 106731/09

Marysol Castro,

Respondent-Appellant.
-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County entered on or about December 3, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


CLERK

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 December 7, 2010.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----x
Kate Ade, et al.,

Plaintiffs-Respondents,

-against-

M-5056
Index No. 307909/09

Riverview Redevelopment Company, L.P.,
et al.,

Defendants-Appellants.


-----x

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about December 23, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


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 December 7, 2010.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----x
Allison Yusefa Hugh,

Plaintiff-Respondent,

-against-

M-5074
Index No. 20473/05

Ferdinand Ofodile, M.D.,

Defendant-Appellant.

-----x

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 5, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


CLERK

csk

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 December 7, 2010.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
James M. Catterson
Diane T. Renwick
Sallie Manzanet-Daniels, Justices.

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

Amilya Jayla S.,

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

M-4811

Docket No. B-10106/07

Abbott House, Inc., et al.,
Petitioners-Respondents,

Princess Debbie A.,
Respondent-Appellant.

Neal D. Futerfas, Esq.,
Law Guardian for the Child.

-----x
Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, New York County, entered on or about October 23, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


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 December 7, 2010.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
Edwin Diaz Vasquez,
Plaintiff-Respondent,

-against-

M-4942
Index No. 301052/08

Eugene R. Heghmann, et al.,
Defendants-Appellants.

-----X

Plaintiff-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 20, 2010,

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

It is ordered that the motion to dismiss the appeal is granted unless the appeal is perfected for the June 2011 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent serve a copy of this order upon the appellant(s) within 10 days after the date of entry hereof.

ENTER:


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 December 7, 2010.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
James M. McGuire
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

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

-against-

Eddie Badia,
Defendant-Appellant.

SEALED
M-5101
Ind. No. 7034/04

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about November 2, 2006, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief, and for other relief,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before January 31, 2011 for the April 2011 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned. The motion is otherwise denied.

ENTER:


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 December 7, 2010.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----x
James Coleman,

Plaintiff-Respondent,

-against-

M-4772
Index No. 24930/05

City of New York,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about December 8, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Leland G. DeGrasse
Nelson S. Román, Justices.

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

-against-

M-4738
Ind. No. 4115/03

Corey Stith,
Defendant-Appellant.

-----X

Assigned counsel having moved to dismiss the appeal from the judgement of **resentence** of the Supreme Court, New York County, rendered on or about December 12, 2008,

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

It is ordered that the motion is granted and the appeal is deemed withdrawn.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Leland G. DeGrasse
Nelson S. Román, Justices.

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

-against-

M-4769
Ind. No. 2469/97

Curtis Woods,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about August 25, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, 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 120 days from the date of filing of the record.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X

The People of the State of New York,
Appellant,

-against-

M-4746
Ind. No. 6738/02

Sean Austin,

Defendant-Respondent.

-----X

The People having moved for an enlargement of time in which to perfect the appeal from the **resentence** order of the Supreme Court, New York County, entered on or about March 23, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the June 2011 Term.

ENTER:


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 December 7, 2010.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Leland G. DeGrasse
Nelson S. Román, Justices.

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

-against-

M-4804
Ind. No. 294/08

Donald Perrington,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 10, 2009 (M-4731) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 16, 2009, and assigning Richard M. Greenberg Esq., as counsel to prosecute the appeal

And an order of this Court having been entered on January 14, 2010 (M-5544) granting defendant limited relief to prosecute, as a poor person, the appeal from the aforesaid judgement, and related relief; and a motion having been made to relieve Richard M. Greenberg, Esq., and to substitute retained counsel to prosecute 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 assigned counsel Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal. The motion to the extent substitution of retained counsel is sought is denied, as unnecessary. The limited 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 filing of the record, whichever is later.

ENTER:



CLERK

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 December 7, 2010.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X
Rose Group Park Avenue LLC, et al.,
Petitioners-Respondents,

-against-

M-4882
Index No. 117190/09

The New York State Liquor Authority,
Respondent-Appellant,

The Preservation Coalition and
George Davis,
Intervenors-Appellants.

-----X

Respondent-appellant, The New York State Liquor Authority, having moved for an enlargement of time in which to perfect the appeal from the judgement of the Supreme Court, New York County, entered on or about April 19, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


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 December 7, 2010.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Oscar Torres, an Infant by his Mother
and Natural Guardian, Claudia Aguirre,
Plaintiff-Appellant,

-against-

M-5188
Index No. 16105/07

New York City Health and Hospitals
Corporation (Lincoln Hospital),
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 19, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


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 December 7, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
In the Matter of the Application of
William Dement,
Petitioner-Appellant,

For a Judgment, etc.,

M-5205
Index No. 112762/09

-against-

Raymond Kelly, etc., et al.,
Respondents-Respondents.

-----x

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County entered on or about February 9, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


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 December 7, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

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

-against-

M-4680
Ind. No. 167/00

Javon Hoskins,
Defendant-Appellant.

-----X

Assigned counsel having moved to dismiss the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about April 3, 2009,

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

It is ordered that the motion is granted and the appeal is deemed withdrawn.

ENTER:


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 December 7, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

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

-against-

M-4681
Ind. No. 8000/98

Stanley Hall, also known as
Abu Shariff Al-Mamar,
Defendant-Appellant.

-----X

Assigned counsel having moved to dismiss the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about January 14, 2009,

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.

ENTER:


CLERK

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 December 7, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

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

-against-

M-4682
Ind. No. 2155/03

George Pantoja,
Defendant-Appellant.

-----X

Assigned counsel having moved to dismiss the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about December 1, 2008,

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.

ENTER:


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 December 7, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

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

-against-

M-4683
Ind. No. 2621/00

Michael Parker,
Defendant-Appellant.

-----X

Assigned counsel having moved to dismiss the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about September 22, 2009,

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

It is ordered that the motion is granted and the appeal is deemed withdrawn.

ENTER:


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 December 7, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
The People of the State of New York
ex rel. Ramon Aviles,
Petitioner-Appellant,

-against-

M-4797
Index No. 340859/09

Warden, Rikers Island Correctional
Facility, et al.,
Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about March 4, 2010, which dismissed a habeas corpus proceeding, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is denied.

ENTER:


CLERK

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 December 7, 2010.

Present - Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Virginia Surety Insurance Company,

Plaintiff-Appellant,

-against-

Harway Terrace, Inc., et al.,

M-4943
Index No. 110207/06

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County entered on or about October 1, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


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 December 7, 2010.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Diane T. Renwick
Nelson S. Román, Justices.

-----X
Jarred Weisfeld,

Plaintiff-Appellant,

-against-

M-4960
Index No. 102610/09

MacMillan Holdings, LLC, et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about December 10, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the April 2011 Term.

ENTER:


CLERK

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

BEFORE: Hon. Eugene L. Nardelli
Justice of the Appellate Division

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

M-4795
Ind. No. 3344/05

-against-

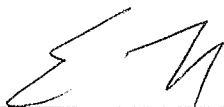
CERTIFICATE
DENYING LEAVE

Earl Reyes,

Defendant.

-----X

I, Eugene L. Nardelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about July 2, 2010, is hereby denied.



Associate Justice

Dated: **NOV 30 2010**
New York, New York

ENTERED DEC - 7 2010

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

BEFORE: Hon. James M. Catterson
Justice of the Appellate Division

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

SEALED
M-5684
Ind. No. 5730/08

-against-

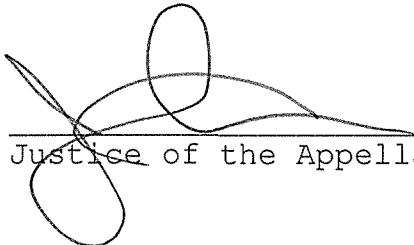
CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Jason Mack,
Defendant-Respondent

-----x

I, James M. Catterson, a 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 appellant to appeal to the Court of Appeals.


Justice of the Appellate Division

Dated: November 18, 2010
New York, New York

ENTERED: **DEC - 7 2010**

*Description of Order:

Supreme Court, New York County, entered on February 17, 2009.
App. Div., Appeal No. 2180, affirmed on September 21, 2010.

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.

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

BEFORE: Hon. KARLA MOSKOWITZ
Justice of the Appellate Division

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

M-4049
Ind. No. 1966/07

-against-

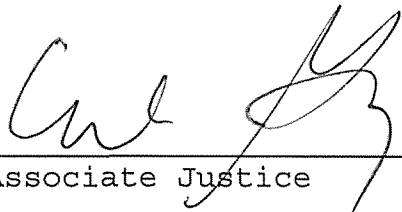
CERTIFICATE
DENYING LEAVE

Tony Clanton

Defendant.

-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the orders of the Supreme Court, New York County entered on or about March 10, 2009, and July 1, 2010 is hereby denied.



Associate Justice

Dated: NOV 30 , 2010
New York, New York

ENTERED: DEC - 7 2010

PM ORDERS

ENTERED

DECEMBER 2, 2010

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 December 2, 2010.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of
the Estate of Carl Levine

M-5758

Surrogate's Court
File No. 4620/04

Caren Stanley,
Respondent,

David Fink,
Non-Party Appellant.

-----X


Appeals having been taken from orders of the Surrogate's Court, New York County, entered on or about June 9, 2009 and on or about December 23, 2009, respectively, and said appeal from the order entered on or about June 9, 2009 having been perfected and placed on the February 2011 Term calendar of this Court,

And an order of this Court having been entered on September 30, 2010 (M-4097) dismissing the appeal taken from the order entered on or about December 23, 2009 unless perfected on or before December 6, 2010 for the aforesaid February 2011 Term,

And non-party appellant having moved to declare *void ab initio* the aforesaid orders of the Surrogate's Court, New York County, and for related relief, and to adjourn non-party appellant's perfected appeal taken from the order entered on June 9, 2009 to the June 2011 Term and enlarging the time in which to perfect the appeal from the order entered on December 23, 2009 to said Term,

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.

ENTER: 

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 December 2, 2010.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Choice Hotels International, Inc.,

Plaintiff,

-against-

M-5656
Index No. 112679/10

Sam Klein, et al.,

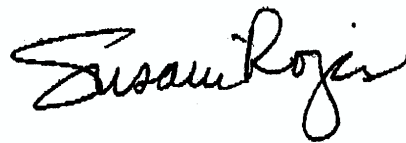
Defendants.
-----X

Plaintiff having moved, pursuant to CPLR 5704(a), for an order of this Court granting certain relief denied by a Justice of the Supreme Court, New York County, on or about November 10, 2010,

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.

ENTER:



Clerk.

PM ORDERS

ENTERED

DECEMBER 7, 2010

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 December 2, 2010.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Diane T. Renwick
Nelson S. Román,, Justices.

-----X
Cantor Fitzgerald Securities,
Petitioner-Respondent,

For a Judgment Pursuant to Article 75 M-5167
of the Civil Practice Law and Rules, Index No. 105354/10

-against-

Refco Securities, LLC,
Respondent-Appellant.
-----X
Refco Securities, LLC,
Petitioner-Appellant,

For a Judgment Pursuant to Article 75 Index No. 601057/10
of the Civil Practice Law and Rules,


-against-

Cantor Fitzgerald Securities,
Respondent-Respondent.
-----X

The respective and above-named parties having jointly moved for consolidation of the appeals taken by respondent/petitioner-appellant, Refco Securities, LLC, from the order and a judgment of the Supreme Court, New York County, entered on or about August 3, 2010 (mot. seq. no. 002) [Index No. 601057/10] and the order and judgment of the same Court and Justice entered on or about August 9, 2010 [Index No. 105354/10],

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 appellant to prosecute the consolidated appeals upon 8 copies of one record and of one set of appellant's points covering the appeals.

ENTER: 

Clerk.