

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 May 31, 2011.

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

-----X

Pierre Leignadier,  
Plaintiff-Respondent-Appellant,

-against-

M-1575X  
Index No. 108374/08

Credit Agricole, S.A.,  
Defendant,

-and-

Calyon Commercial and Investment Bank,  
Defendant-Appellant-Respondent.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about November 16, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 30, 2011, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.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 May 31, 2011.

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

-----X  
Heyddi Suazo,

Plaintiff-Respondent,

-against-

M-1585X  
Index No. 20219/07

Edwin F. Brown,

Defendant,

-and-

Mitzy Transportation, Inc., et al.,

Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about April 23, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 1, 2011, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 May 31, 2011.

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

-----X

Crystal Ash, et al.,

Plaintiffs-Respondents,

-against-

M-1586X  
Index No. 24453/06

Hafiz Corporation, et al.,

Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about April 22, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 1, 2011, 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 May 31, 2011.

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

-----X  
Georgina Castillo, et al.,

Plaintiffs-Appellants,

-against-

M-1587X  
Index No. 17778/07

Danish Bissessar,

Defendant,

-and-

Ibrahima Tandia, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 16, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 1, 2011, 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 May 31, 2011.

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

-----X  
In the Matter of

Shequel J.-F.,

A Person Alleged to be a Juvenile  
Delinquent,

M-1589

Docket No. D-26614/09

Appellant.  
-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about February 16, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated April 1, 2011, 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 May 31, 2011.

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

-----X  
Sean M. Reynolds,

Plaintiff-Appellant,

-against-

Elizabeth L. Noback,

Defendant-Respondent.

M-1601X  
Index No. 3049/10

-----X  
An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 27, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 6, 2011, 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 May 31, 2011.

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

-----X  
Stanislaw Chrabasccz, also known as  
Stanislaw Chrabaszcz,  
Plaintiff-Respondent,

-against-

M-1756X  
Index No. 101599/08

Western Loft Equities, LLC,  
Defendant-Appellant,

-and-

R/GA Media Group, LLC,  
Defendant-Appellant.

-----X

Separate appeals having been taken from the order of the Supreme Court, New York County, entered on or about December 23, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 13, 2011, and due deliberation having been had thereon,

It is ordered that the appeals are 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 May 31, 2011.

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

-----X  
Maria Cognata,

Plaintiff-Respondent,

-against-

M-1567  
Index No. 602890/08

Next Management, LLC,

Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 6, 2010 (mot. seq. no. 006),

Now, upon reading and filing the stipulation of the parties hereto, filed April 1, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2011 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 May 31, 2011.

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

-----X  
Little Wing L.P., et al.,

Plaintiffs-Appellants,

-against-

Clean Fuels Technology, Inc., et al.,

Defendants-Respondents.  
-----X

M-1561  
M-1719X  
Index No. 602295/05

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 1, 2010 (mot. seq. no. 011),

And plaintiffs-appellants having moved for an enlargement of time to perfect the appeal (M-1561),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 11, 2011 (M-1719X), and due deliberation having been had thereon,

It is ordered that the motion (M-1561) and the appeal are 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 May 31, 2011.

Present - Hon. Luis A. Gonzalez,	Presiding Justice,
Peter Tom	
Richard T. Andrias	
Diane T. Renwick	
Sheila Abdus-Salaam,	Justices.

-----X

Yan Geron, etc.,

Plaintiff-Appellant,

-against-

M-1583

Index No. 101116/10

Vijay Amritraj,

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 March 1, 2011 (Appeal No. 4379),

Now, upon reading and filing the papers with respect to the motion, and the correspondence dated May 2, 1011 from Kestenbaum, Dannenberg & Klein, LLP (Jeffrey C. Dannenberg, of counsel), counsel for defendant-respondent, and due deliberation having been had thereon,

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

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 May 31, 2011.

Present - Hon. Luis A. Gonzalez,  
James M. Catterson  
Rosalyn H. Richter  
Sheila Abdus-Salaam  
Nelson S. Román,

Presiding Justice,  
  
Justices.

-----x  
In the Matter of

Luis F.,

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

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

M-695  
Docket No. NN51504/10

Awilda F.,  
Respondent-Appellant.

- - - - -  
Kao Pin Lew, Esq.,  
Attorney for the Child.

-----x  
An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about February 7, 2011,

And respondent-appellant having moved for a stay of the aforesaid order denying visitation rights,

Now, upon reading and filing the papers with respect to the motion, and the correspondence dated May 18, 2011 from The Center for Family Representation (Rebecca Horwitz, of counsel), counsel for respondent-appellant, and due deliberation having been had thereon,

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

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 May 31, 2011.

Present: Hon. Luis A. Gonzalez,	Presiding Justice,
Angela M. Mazzarelli	
John W. Sweeny, Jr.	
Rosalyn H. Richter	
Sallie Manzanet-Daniels,	Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-1365**

Ind. No. 4433/07

James Jimenez,  
Defendant-Appellant.

-----X

Defendant having renewed his motion 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 7, 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 May 31, 2011.

Present: Hon. Peter Tom, Justice Presiding  
Richard T. Andrias  
David Friedman  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

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

-against-

M-1398  
Ind. No. 1037/09

Rafael Cruz,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Renee A. White, J.) entered on or about February 3, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice White as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Steven Banks, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 May 31, 2011.

Present - Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Rolando T. Acosta  
Sheila Abdus-Salaam, Justices.

-----x  
In the Matter of

Virginia C.,

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

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

M-1781  
Docket No. NN12697/09

Sharri A.,  
Respondent-Appellant.

- - - - -  
Frederick P. Schneider, Esq.,  
Attorney for the Child.

-----x

Ellen Winter Mendelson, Esq., Family Court attorney for the subject child, having moved for leave to respond, as a poor person to the appeal from the order of the Family Court, Bronx County, entered on or about April 28, 2010, and for the assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of  
(1) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorneys for petitioner-appellant and 8 copies thereof are to be filed with this Court, and (2) assigning, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, Frederick P. Schneider, Esq., Gilman & Schneider, 40 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 646-512-5730, as counsel for purposes of responding to the appeal.

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 May 31, 2011.

Present - Hon. Peter Tom,	Justice Presiding,
David B. Saxe	
Karla Moskowitz	
Rolando T. Acosta	
Sheila Abdus-Salaam,	Justices.

-----x  
Elizabeth Gonzalez,

Plaintiff-Appellant,

-against-

M-1955  
Index No. 21178/04

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 of the Supreme  
Court, Bronx County, entered on or about August 13, 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 October  
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 May 31, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Rolando T. Acosta  
Sheila Abdus-Salaam, Justices.

-----X

Rosabel Oquendo,

Plaintiff-Appellant,

-against-

**M-1957**

Index No. 24564/05

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 of the Supreme Court, Bronx County, entered on or about August 13, 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 October 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 May 31, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Rolando T. Acosta  
Leland G. DeGrasse  
Nelson S. Román, Justices.

-----X

Rudolph C. Carryl,

Plaintiff-Appellant,

-against-

**M-1631**

Index No. 118999/06

Mackay Shields, 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 May 20, 2010 (mot. seq. no. 003),

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 November 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 May 31, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Rolando T. Acosta  
Helen E. Freedman  
Sheila Abdus-Salaam, Justices.

-----X

Norma White,  
Plaintiff-Respondent,

-against-

Carlos A. Diaz, et al., M-1977  
Defendants-Respondents, Index No. 6364/05

-and-

Manuel A. Nunez and Atlantic  
Paratransit,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of re-trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about April 18, 2011,

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

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 May 31, 2011.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
James M. Catterson  
Diane T. Renwick  
Sheila Abdus-Salaam, Justices.

-----X  
Thelen LLP,

Plaintiff-Appellant,

-against-

**M-455**

Index No. 107975/09

Omni Contracting Co., Inc.,

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 December 21, 2010 [corrected order January 14, 2011](Appeal No. 3950N),

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

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 May 31, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
JDF Realty, Inc.,  
Plaintiff-Appellant,

-against-

M-1267  
Index No. 117897/09

Scott Sartiano, 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 June 28, 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 October 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 May 31, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
James M. Catterson  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

-----X

David Hefter,  
Plaintiff-Appellant,

-against-

M-1054  
Index No. 117014/09

Citi Habitats, Inc., et al.,  
Defendants,

Jonathan E. Green, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of the decision and order of this Court entered on February 8, 2011 (Appeal Nos. 4212-4213),

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

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 May 31, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
James M. Catterson  
Diane T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
Rezu Enterprises, Inc., doing business  
as Coffee Beanery, et al.,

Plaintiffs-Appellants.

-against-

**M-554**  
Index No. 650156/09

Altaf Isani, et al.,

Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 4, 2011 (Appeal Nos. 3975-3975A),

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

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 May 31, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
James M. Catterson  
Sheila Abdus-Salaam, Justices.

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

Respondent,

-against-

M-6039  
Ind. No. 2210/04

Edgar Morales,

Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on November 9, 2010 (Appeal No. 1142),

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, upon reargument, the decision and order of this Court entered on November 9, 2010 (Appeal No. 1142) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 1142, decided simultaneously herewith.)

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 May 31, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding  
John W. Sweeny, Jr.  
James M. Catterson  
Dianne T. Renwick  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-1516  
Ind. No. 148/04

Malik Brown,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person,  
the appeal from a judgment of **resentence** of the Supreme Court, New  
York County, rendered on or about March 16, 2011, 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  
**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 May 31, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
James M. Catterson  
Diane T. Renwick  
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Yelissa A.,  
Justin A.,  
and Andrew A.,

**M-1453**

Docket Nos. NN18013/09  
NN18014/09  
NN18015/09

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

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

Jesus A.,  
Respondent-Appellant.

- - - - -  
Steven Banks, Esq., The Legal Aid  
Society, Juvenile Rights Division,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about March 8, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Richard L. Herzfeld, Esq., 61 Broadway, Suite #1900, New York, NY 10006, Telephone No. (212) 818-9019, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 31, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding  
John W. Sweeny, Jr.  
James M. Catterson  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of

Brandon M. and  
Matthew M.,

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

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

M-1628  
Docket Nos. NA-29150/09  
NA-29151/09

Luis M.,  
Respondent-Appellant.

-----X

Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about March 7, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, George E. Reed, Jr., Esq., 222 Mamaroneck Ave., White Plains, New York 10605, Telephone No. 914-946-5000, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA**

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

1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

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 May 31, 2011.

Present - Hon. Richard T. Andrias,	Justice Presiding,
David Friedman	
James M. Catterson	
Diane T. Renwick	
Leland G. DeGrasse,	Justices.

-----X

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

-----  
Shemeek D.,  
Petitioner-Respondent,

M-1952  
Docket Nos. V02554/08  
V07326/08

-against-

Teresa B.,  
Respondent-Appellant,

Keith T., et al.,  
Respondents.

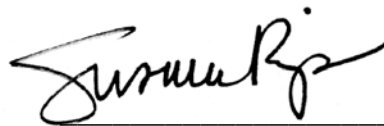
-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from an order of the Family Court, Bronx County, entered on or about February 22, 2010, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of  
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Joseph V. Moliterno, Esq., 670 White Plains Road, Suite 207, Scarsdale, NY 10583, Telephone No. 914-722-6922, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition one copy of such brief be served upon the attorney for appellant and 8 copies thereof are filed with this Court.

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 May 31, 2011.

Present - Hon. Richard T. Andrias,                      Justice Presiding,  
                 Helen E. Freedman  
                 James M. Catterson  
                 Diane T. Renwick  
                 Leland G. DeGrasse,                      Justices.

-----x

Zoran Milosevic,

Plaintiff-Appellant,

-against-

M-1862

Index No. 114612/09

Owen O'Donnell, 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 June 21, 2010 (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  
September 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 May 31, 2011.

PRESENT: Hon. Richard T. Andrias,  
David Friedman  
Helen E. Freedman  
Rosalyn H. Richter  
Nelson S. Román,

Justice Presiding

Justices.

-----X

In the Matter of the Application of  
Daniel Z. Rapoport and Richard Nadelman,  
executors of the Estate of Boris Lurie,  
Petitioners-Respondents,

for a determination as to the validity,  
construction and effect of the Last  
Will and Testament of

Surrogate's Court

M-1749

Index No. 666/08

Boris Lurie,  
Deceased,

American Friends of New Communities  
of Israel, Inc. (AFNCI), et al.,  
Proposed Intervenor-Appellants,

Attorney General of the State of  
New York,  
Respondent.

-----X

Appeals having been taken from a decree of the Surrogate's Court, New York County, entered on or about May 10, 2010,

And proposed intervenors-appellants having moved to enlarge the record on appeal to include certain documents appearing at Exhibit D to the Notice of Motion,

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



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 May 31, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

**M-1248**

Ind. No. 4512/02

Steven Darbasie,  
Defendant-Appellant.

-----X

An order of this Court having been entered on July 12, 2007 (M-3007), inter alia, granting defendant leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 12, 2003,

And defendant having once again moved for an extension of time in which to file his pro se supplemental 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 granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before July 11, 2011 for the September 2011 Term, to which Term the appeal is adjourned. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 May 31, 2011.

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

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

-against-

M-1426  
Ind. No. 3828/10

Jeremy M. Santiago,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to  
file a notice of appeal from a judgment of the Supreme Court, New York  
County, rendered on or about November 24, 2010, for leave to prosecute  
the appeal as a poor person upon the original record and a reproduced  
appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming  
the moving papers as a timely filed notice of appeal and permitting  
the appeal to be heard on the original record, except that a certified  
copy of the indictment(s) shall be substituted in place of the  
original indictment(s), and upon a reproduced appellant's brief, on  
condition that appellant serves one copy of such brief upon the  
District Attorney of said county and files 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, 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.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New  
York 10038, Telephone No. 212-577-3688, is assigned as counsel for  
defendant-appellant for purposes of the appeal. The time within which  
appellant shall perfect this appeal is hereby enlarged until 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 May 31, 2011.

Present: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----X

Ramona Romero,

Plaintiff-Appellant,

**M-1220**

-against-

Index No. 102231/03

Isabella Geriatric Center, Inc.,

Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about November 20, 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 and the appeal is dismissed.

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 May 31, 2011.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Nelson S. Román, Justices.

-----x  
PT Kertas Nusantara, etc.,  
Petitioner-Appellant,

-against-

M-1324  
Index No. 603190/09

Ekman & Co., A.B.,  
Respondent-Respondent.

-----x

Respondent-respondent having moved for dismissal of the appeal from the orders of the Supreme Court, New York County, entered on or about February 1, 2010 and March 10, 2010, respectively, for failure to timely perfect,

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

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

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 May 31, 2011.

Present: Hon. Leland G. DeGrasse, Justice Presiding,  
Helen E. Freedman  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

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

-against- M-1231  
Ind. No. 3441/09

Corey Williams,  
Defendant-Appellant.

-----X  
Defendant having renewed his motion for leave to prosecute,  
as a poor person, the appeal from the judgment of the Supreme Court,  
New York County, rendered on or about June 9, 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, 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, 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.

Steven M. Banks, Esq., 199 Water Street, 5th Floor, New York,  
New York 10038, Telephone No. (212)577-3688, is assigned as counsel  
for defendant-appellant for purposes of the appeal. The time within  
which appellant shall perfect this appeal is hereby enlarged until 120  
days from the date of filing of the record.

ENTER:

  
CLERK

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

BEFORE: Hon. Nelson S. Román  
Justice of the Appellate Division

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

M-740  
Ind. No. 12744/92

-against-

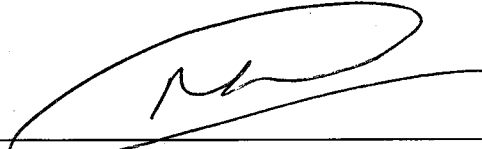
CERTIFICATE  
DENYING LEAVE

Nick Mends,

Defendant.

-----X

I, Nelson S. Román, 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, sections 450.15  
and 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 for reconsideration to appeal from the order of the  
Supreme Court, New York County, rendered on or about August 4,  
2010 is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated:  
New York, New York

ENTERED: **MAY 31 2011**

PM ORDERS  
ENTERED ON  
MAY 31, 2011

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 May 31, 2011.

Present - Hon. David B. Saxe, Justice Presiding,  
Rolando T. Acosta  
Leland G. DeGrasse  
Sheila Abdus-Salaam  
Sallie Manzanet-Daniels, Justices.

-----x  
Sheila Chestnut, as Executrix of the  
Estate of Doris Fulton, Deceased,

Plaintiff-Appellant,

-against-

M-2303  
Index No. 302997/08

Marion Bobb-McKoy, M.D., et al.,

Defendants-Respondents.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about March 17, 2011,

And plaintiff-appellant having moved, pursuant to CPLR 5519(c), for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted on condition plaintiff-appellant perfects the appeal on or before August 8, 2011 for the October 2011 Term.

ENTER:

  
CLERK