

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 5, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David B. Saxe  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
In the Matter of the Application of

Niki Rossakis,  
Petitioner-Respondent,

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

-against-

M-4637  
Index No. 401072/12

The New York State Board of Parole,  
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2013,

And petitioner having moved to vacate respondent's automatic stay or, in the alternative, to expedite the appeal,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from counsel for respondent-appellant, dated September 18, 2013, and due deliberation having been had thereon,

It is ordered that respondent's appeal is deemed withdrawn, and petitioner's motion is deemed withdrawn as moot.

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 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David Friedman, Justices.

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

Eric R.,  
Petitioner-Appellant,

M-4701  
Docket Nos. V-25157/12  
V-25158/12

-against-

Celena P.,  
Respondent-Respondent.

-----X  
Petitioner-appellant having moved for leave to prosecute, as a poor person, the purported appeals from the decisions and orders of the Family Court, Bronx County, entered on or about March 12, 2013 and July 15, 2013, respectively, and the appeal from the order of dismissal of said Court entered on or about September 6, 2013, 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., 104 West 40<sup>th</sup> Street, 20<sup>th</sup> Floor, New York, NY 10018, 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 December 5, 2013.

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

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

-against-

M-5581  
Ind. No. 2142/11

Raymond Alexander,  
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 August 13, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

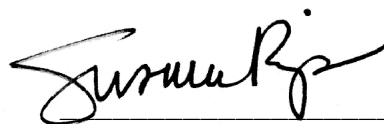
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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 December 5, 2013.

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

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

-against-

M-5582  
Ind. No. 2426/13

Michael A. Betances,  
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 October 3, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 5, 2013.

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

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

-against-

M-5584  
Ind. No. 4205/12

Jesus Diaz,  
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 18, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

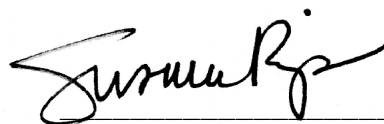
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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 December 5, 2013.

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

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

-against-

M-5585  
Ind. No. 3158N/13

Devron Boston,  
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 11, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 5, 2013.

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

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

-against-

Alexander Davis,  
Defendant-Appellant.

M-5586  
Ind. Nos. 301/12  
525/13  
Case Nos. 69199C/11  
2502C/13

-----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 27, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 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 5, 2013.

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

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

-against-

M-5587  
Ind. No. 5666/11

Chrisstena Dickson,  
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 18, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 5, 2013.

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

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

-against-

M-5588  
Ind. No. 3955/11

Francisco Fernandez,  
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 27, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 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 5, 2013.

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

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

-against-

M-5589  
Ind. No. 2431/13

Carrie Greene,  
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 October 2, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 5, 2013.

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

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

-against-

M-5590  
Ind. No. 4433/09

Rodney Harris,  
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 19, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 5, 2013.

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

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

-against-

M-5591  
Ind. No. 3645/12

Clinton King,  
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 30, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 5, 2013.

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

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

-against-

Timothy Newman,  
Defendant-Appellant.

M-5592  
Ind. No. 815/10  
Case No. 58815C/09

-----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 July 23, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 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 5, 2013.

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

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

-against-

M-5594  
Ind. No. 2355/10

Bruce Perkins,  
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 June 11, 2013, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

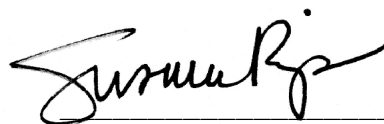
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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 5, 2013.

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

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

-against-

M-5595  
Ind. No. 5759/12

Charlene Richardson,  
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 25, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 5, 2013.

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

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

-against-

M-5596  
Ind. No. 1482/13

Wilson Ramirez,  
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 25, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 5, 2013.

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

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

-against-

M-5597  
Ind. No. 866/13

Renee Sampson,  
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 October 2, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 December 5, 2013.

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

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

-against-

M-5598  
Ind. No. 1902/03

Maxwell Rolon,  
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 August 19, 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 with this Court.

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

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 December 5, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Diana Joy Ingham derivatively on behalf  
of Cobalt Asset Management, L.P.,  
Plaintiff-Appellant,

-against-

M-5529  
Index No. 651145/10

Charles R. Thompson, et al.,  
Defendants-Respondents,

Mark M. Thompson, et al.,  
Defendants,

-and-

Cobalt Asset Management, L.P.,  
Nominal Defendant.

-----X

An appeal having been taken by plaintiff from the order of the Supreme Court, New York County, entered on or about June 11, 2013, and said appeal having been perfected for the January 2014 Term,

And defendants-respondents having moved for an order striking footnote #3 in appellant's reply 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 deeming the aforesaid footnote stricken.

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 5, 2013.

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

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

-against-

M-5600  
Ind. No. 1348/13

Gary Wade,  
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 19, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 5, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David B. Saxe  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X

In the Matter of the Application of  
John Pickering-George, also known as  
Robert Daley,  
Petitioner,

M-4847  
Index No. 402477/12

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

-against-

Matthew W. Wambua, etc.,  
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about April 9, 2013, to review a determination of respondent(s),

And petitioner, pro se, having moved for leave to prosecute the aforesaid proceeding as a poor person, and for leave to have the proceeding heard on the original record and upon a reproduced petitioner's brief, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for respondent(s) and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record. Sua sponte, the time to perfect said proceeding is enlarged to on or before January 27, 2013 for the April 2014 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 5, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Dianne T. Renwick  
Helen E. Freedman  
Darcel D. Clark, Justices.

-----X  
Esfir Kleyburg,  
Petitioner,

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

M-5407  
M-5634  
Index No. 107632/11

-against-

New York City Department of Housing  
Preservation and Development and  
Luna Park Housing Corporation,  
Respondents.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about January 14, 2013, to review a determination of respondents,

And petitioner having moved for an enlargement of time to perfect the aforesaid proceeding (M-5407),

And respondent landlord having cross-moved to dismiss said proceeding (M-5634),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the April 2014 Term (M-5407). The cross motion is granted to the extent of dismissing said proceeding unless perfected on or before January 27, 2014 for said April 2014 Term (M-5634).

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 5, 2013.

PRESENT: Hon. Luis A. Gonzalez, Justice Presiding,  
Peter Tom  
Dianne T. Renwick  
Helen E. Freedman  
Darcel D. Clark, Justices.

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

Respondent,

-against-

M-5514  
Ind. No. 3884/10

Hugues D. Akassay, also known as  
Hugues Denver Akassay,

Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about November 17, 2011,

And defendant-appellant, pro se, having moved for leave to enlarge the record on appeal, 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 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 5, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Rolando T. Acosta  
Karla Moskowitz  
Judith J. Gische, Justices.

-----X  
Madison 96th Associates, LLC,  
Plaintiff,

-against-

17 East Owners Corp.,  
Defendant.

-----X  
17 East 96th Owners Corp.,  
Plaintiff-Appellant,

-against-

Madison 96th Associates, LLC, and  
21 East 96th Street Condominium,  
Defendants-Respondents.

-----X  
Madison 96th Associates, LLC,  
Defendant/Third-Party Plaintiff,

-against-

Atlantic Demolition Corp.,  
Third-Party Defendant.

-----X  
Madison 96th Associates, LLC,  
Defendant/Third-Party Plaintiff,

-against-

Marson Contractig Co., Inc.,  
Third-Party Defendant.

-----X

M-5572  
Action No. 1  
Index No. 601386/03

Action No. 2  
Index No. 108695/04

Action No. 3  
Index No. 591088/05

Action No. 4  
Index No. 591089/05

-----X  
 Madison 96th Associates, LLC,  
 Defendant/Third-Party Plaintiff,

-against-

Action No. 5  
 Index No. 592585/07

Illinois Union Insurance Company,  
 Third-Party Defendant.

-----X  
 Madison 96th Associates, LLC,  
 Defendant/Third-Party Plaintiff,

-against-

Action No. 6  
 Index No. 590113/08

QBE Insurance Corporation,  
 Third-Party Defendant.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about May 29, 2013,

And plaintiff-appellant, 17 East 96th Owners Corp., having moved for a stay of enforcement of the aforesaid orders and 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, including the stipulation of the parties dated October 30, 2013, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 5, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Betsy S. Eisenberg,

Plaintiff-Appellant,

-against-

1035 Fifth Avenue Corporation,

Defendant-Respondent.  
-----X

M-4803  
Index No. 653999/12

Defendant-respondent having moved for dismissal of the appeal taken from an order and judgment of the Supreme Court, New York County, entered on or about August 6, 2013, for failure to timely perfect,

Now, upon reading and filing the papers with respect to the motion including the notice of withdrawal submitted by counsel for plaintiff-appellant, dated September 24, 2013, and due deliberation having been had thereon,

It is ordered that the defendant-respondent's motion is denied 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 5, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David Friedman  
Helen E. Freedman  
Darcel D. Clark, Justices.

-----X  
Diana Rodriguez,

Plaintiff-Appellant,

-against-

M-5087  
Index No. 108217/05

The Mount Sinai Hospital,

Defendant-Respondent.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about September 13, 2013 (mot. seq. no. 005), and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 December 5, 2013.

Present - Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
David B. Saxe  
Darcel D. Clark, Justices.

-----X  
Arc on 4<sup>th</sup> Street, Incorporated,  
Petitioner-Landlord-Respondent,

-against-

M-4894  
Index No. 570639/11

Tony Quesada,  
Respondent-Tenant-Appellant.

-----X

An order of this Court having been entered on February 26, 2013 (M-5531), inter alia, granting respondent-tenant leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about July 27, 2012, and said appeal having been heard (Appeal No. 10742),

And an order of this Court having been entered on April 16, 2013 (M-1670), denying respondent-tenant-appellant's motion for a stay of petitioner-landlord-respondent from re-letting the subject premises pending hearing and determination of the appeal,

And respondent-tenant-appellant having moved to strike a certain exhibit from the aforesaid motion (M-1670),

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

It is ordered that motion is denied. (See Appeal No. 10742 entered December 5, 2013.)

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 5, 2013.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Rolando T. Acosta  
Karla Moskowitz  
Judith J. Gische, Justices.

-----X

Greater New York Taxi Association,  
et al.,  
Petitioners-Respondents,

-against-

M-5837  
Index No. 101083/13

The New York City Taxi and Limousine  
Commission, etc., David Yassky, etc.,  
Respondents-Appellants.

-----

Nissan Taxi Marketing, N.A., LLC,  
and Nissan North America, Inc.,  
Respondents-Intervenors-  
Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 11, 2013,

And The Design Trust for Public Space, Bryant Park Corporation and 34<sup>th</sup> Street Partnership, Global Gateway Alliance, Paul Herzan, Sarah Holloway, Lily Auchincloss Foundation, Inc., Manhattan Chamber of Commerce, Eric Rothman, Elliot "Lee" Sander, John E. Sherman, M.D., Smart Design, and Transportation Alternatives having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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

Ordered that the motion is granted, and movants are directed to immediately file 9 copies of said brief amicus curiae.

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 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

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

**CONFIDENTIAL**

-against-

M-4874  
Ind. No. 1544/03

Marc Smith,  
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 May 11, 2005, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

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

**CONFIDENTIAL**

-against-

M-4875

Ind. No. 1544/03

Marc Smith,  
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 (Benitez, J.) entered on or about September 29, 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(b)(2) 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) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Benitez as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Richard M. Greenberg, Esq., 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 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Leland G. DeGrasse  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
In the Matter of the Application of  
Carl Squitieri,  
Petitioner-Appellant,

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

-against-

M-4954  
Index No. 113625/11

The New York City Police Department  
Legal Bureau, Civil Enforcement Unit,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, entered on or about February 20, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and 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 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X  
In the Matter of the Application of  
Gerald Douglas,  
Petitioner-Appellant,

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

-against-

M-5487  
Index No. 250544/13

DMV Board of Appeals,  
Defendant-Respondent.

-----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 September 13, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 December 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X

In the Matter of a Proceeding for Support Under Articles 4 and 5 of the Family Court Act.

**CONFIDENTIAL**

M-5319

Docket No. F-1303-02/11F

Alexis D. F.,  
Petitioner-Respondent,

-against-

Noelle P.,  
Respondent-Appellant.

-----X

An order of this Court having been entered on July 16, 2013 (M-2325), granting respondent-appellant leave to prosecute, as a poor person, the appeal from the decision and order of the Family Court, New York County, entered on or about March 15, 2013, and related relief,

And respondent-appellant pro se having renewed her motion for leave to prosecute, the aforesaid appeal, as a poor person, for an enlargement of time to perfect same, 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 so much of the motion that seeks an enlargement of time to perfect the appeal is granted to the April 2014 Term, and the motion, to the extent it seeks poor person relief, is denied as academic, said relief having been granted by the order of this Court entered on July 16, 2013 (M-2325). 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 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Helen E. Freedman  
Judith J. Gische, Justices.

-----X  
Jaelyn Jones, an infant under the age of 14 Years, by her mother and natural guardian, Jocelyn Doresey and Jocelyn Dorsey, individually,  
Plaintiffs-Respondents,

-against-

M-5617  
Index No. 350144/09

Advantage Entertainment Centers of New York, Inc.,  
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 February 7, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the April 2014 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 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X

In re Liberty Mutual Insurance  
Company,  
Petitioner-Appellant,

-against-

M-5134  
Index No. 18827/07

Surujdat Mohabir, et al.,  
Respondents,

Progressive Insurance Company, etc.,  
et al.,  
Proposed Additional Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 1, 2012, and said appeal having been perfected,

And petitioner-appellant having moved to supplement the record on appeal, or in the alternative for an order taking judicial notice of certain documents,

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 petitioner-appellant to file a supplemental record on appeal to include the documents annexed to their motion as exhibits A through H to the motion papers dated October 3, 2013, forthwith.

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 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
In the Matter of the Estate of

Eugene F. Martin, Jr.,  
Deceased,

M-4801  
Surrogates Court  
File No. 2006-0826/E

James Neville,

Petitioner-Appellant.  
-----X

An appeal having been taken to this Court from the order of the Surrogate's Court, New York County, entered on or about May 20, 2013,

And petitioner-appellant having moved for a stay of the aforesaid order pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

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 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Helen E. Freedman  
Judith J. Gische, Justices.

-----X

Willet Morris,

Plaintiff-Respondent,

-against-

M-5726  
Index No. 76395/12

Gayle Petrice Roberts,

Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 8, 2013,

And defendant-appellant, pro se, having moved for a stay of enforcement of the aforesaid order, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

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 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

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

-against-

**M-5504**  
Ind. No. 3772/09

Alty Adamson,  
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 3, 2011, having moved for leave to file a pro se supplemental 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before March 17, 2014 for the June 2014 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.

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 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
Rosemond Barney-Yeboah,  
Plaintiff-Appellant,

-against-

**M-5618**  
Index No. 103354/10

Metro North Commuter Railroad, doing  
business as MTA Metro-North Commuter  
Railroad (Metro North),  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about January 10, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the April 2014 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 5, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
Robert Solomon,

Plaintiff-Appellant,

-against-

**M-5614**  
Index No. 110152/11

Pepsi-Cola Bottling Company of New York,

Defendant-Respondent.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about January 18, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2014 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 5, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-5658  
Ind. No. 3808/06

Shawn Morrison,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, rendered on or about February 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 September 2014 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 5, 2013.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Diana Joy Ingham derivatively on behalf  
of Cobalt Asset Management, L.P.,  
Plaintiff-Appellant,

-against-

M-5529  
Index No. 651145/10

Charles R. Thompson, et al.,  
Defendants-Respondents,

Mark M. Thompson, et al.,  
Defendants,

-and-

Cobalt Asset Management, L.P.,  
Nominal Defendant.

-----X

An appeal having been taken by plaintiff from the order of the Supreme Court, New York County, entered on or about June 11, 2013, and said appeal having been perfected for the January 2014 Term,

And defendants-respondents having moved for an order striking footnote #3 in appellant's reply 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 deeming the aforesaid footnote stricken.

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 5, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Paul G. Feinman  
Darcel D. Clark, Justices.

-----X  
Paul Hsu and Cathy Huang,

Plaintiffs-Appellants,

-against-

M-4993  
Index No. 400781/12

Liu & Shields LLP, et al.,

Defendants-Respondents.  
-----X

Plaintiffs-appellants having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about February 8, 2013, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 December 5, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Dianne T. Renwick  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X  
Anthony Farmer,  
Plaintiff-Appellant,

-against-

M-4983  
Index No. 301959/10

Ventake, Inc., et al.,  
Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about November 27, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the March 2014 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 5, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Dianne T. Renwick  
Leland G. DeGrasse  
Judith J. Gische, Justices.

-----X

Karen Schein,

Petitioner-Appellant,

-against-

M-4990

Index No. 101682/12

New York City Department of  
Education and The City of New York,

Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 28, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 2014 Term.

ENTER:

  
CLERK

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

-against-

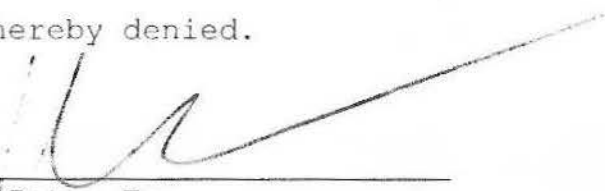
Michael Argentieri,

Defendant.  
-----X

M-4711  
Ind. No. 3466/00

CERTIFICATE  
DENYING LEAVE

I, Peter Tom, 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 to appeal from the order of the Supreme Court, New York County, entered on or about August 15, 2013 is hereby denied.

  
\_\_\_\_\_  
Hon. Peter Tom  
Associate Justice

Dated: November 18, 2013  
New York, New York

**ENTERED**

DEC 05 2013



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,  
  
-against-

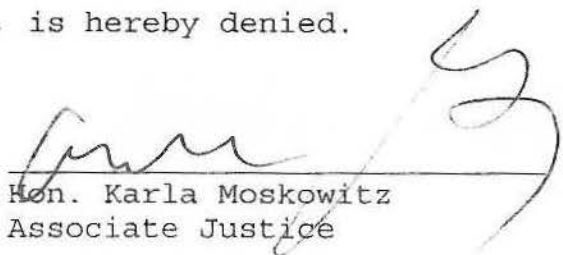
M-5031  
Ind. No. 2678/97

John Francis a/k/a Tyrone Lester a/k/a  
Alphonso Lester a/k/a Kevin Howard  
a/k/a Tyrone Ford

CERTIFICATE  
DENYING LEAVE

Defendant.  
-----X

I, Karla Moskowitz, 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 that 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 August 1, 2013, is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated: *November 12*, 2013  
New York, New York

ENTERED: DEC 05 2013

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,

-against-

John Francis a/k/a Tyrone Lester a/k/a  
Alphonso Lester a/k/a Kevin Howard  
a/k/a Tyrone Ford

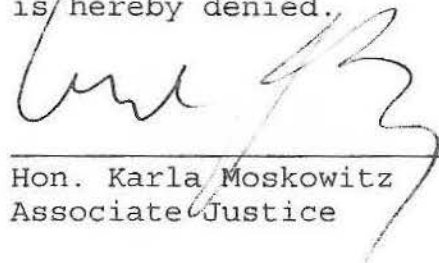
Defendant.

-----X

M-5185  
Ind. No. 10328/88

CERTIFICATE  
DENYING LEAVE

I, Karla Moskowitz, 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 that 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 12, 2013, is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated: *November 12*, 2013  
New York, New York

ENTERED: **DEC 05 2013**

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-5501  
Ind. No. 3024/03

-against-

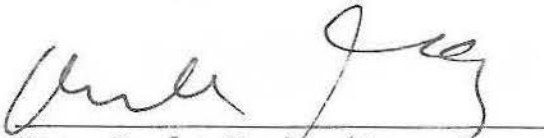
CERTIFICATE  
DENYING LEAVE

Edgar Ortega,

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 order of the Supreme Court, New York County, entered on or about June 19, 2013, is hereby denied.

  
Hon. Karla Moskowitz  
Associate Justice

Dated: *November 13, 2013*  
New York, New York

ENTERED: DEC 05 2013

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

BEFORE: Hon. Helen E. Freedman  
Justice of the Appellate Division

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

M-5913  
Ind. No. 3359/2011

-against-

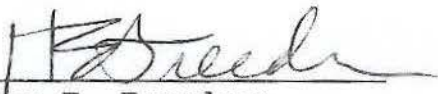
CERTIFICATE  
DENYING LEAVE

Edgar Walker,

Defendant.

-----X

I, Helen E. Freedman, 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, §§ 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 to appeal from the order of the Supreme Court, Bronx County, entered on or about September 20, 2013 is hereby denied.

  
\_\_\_\_\_  
Hon. Helen E. Freedman  
Associate Justice

Dated: November 15, 2013  
New York, New York

ENTERED: **DEC 05 2013**



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

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

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

M-5034  
Ind. No. 2794/07

-against-

CERTIFICATE  
DENYING LEAVE

Paul Alexander,

Defendant.

-----X

I, Sallie Manzanet-Daniels, 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 to appeal from the order of the Supreme Court, New York County, entered on or about July 17, 2013, is hereby denied.

  
Associate Justice

Dated: November 12, 2013  
New York, New York

ENTERED: **DEC 05 2013**

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

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

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

M-5512  
Ind. No. 5693/99

-against-

CERTIFICATE  
DENYING LEAVE

George Ramirez,

Defendant.  
-----X

I, Sallie Manzanet-Daniels, 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 to appeal from the order of the Supreme Court, New York County, entered on or about September 20, 2013, is hereby denied.

  
Associate Justice

Dated: November 12, 2013  
New York, New York

ENTERED: **DEC 05 2013**

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

BEFORE: Hon. Judith J. Gische  
Justice of the Appellate Division

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

M-5141  
Ind. No. 798-05


-against-

CERTIFICATE  
DENYING LEAVE

Barret Chandler,  
Defendant.

-----X

I, Judith J. Gische, 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 to appeal from the Interim and Amended order dated October 29, 2012 of the Supreme Court, New York County (Arlene D. Goldberg, J), and Order dated August 16, 2013, same court, each entered on or about August 26, 2013, is hereby denied.

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

Dated: November 7, 2013  
New York, New York

ENTERED: DEC 05 2013

P.M ORDERS  
FOR  
DECEMBER  
05, 2013



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 5, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
David B. Saxe  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----x  
HPF Capital Markets, LLC,

Petitioner-Appellant,

-against-

M-5945  
Index No. 653616/13

Jonah Engler, et al.,

Respondents-Respondents.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 13, 2013,

And petitioner-appellant having moved for relief in the nature of a preliminary appellate injunction 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 denied, and the interim relief granted by the order of a Justice of this Court dated November 15, 2013, is hereby vacated.

ENTER:

  
CLERK