

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 31, 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-5789
Ind. No. 46181C/11

Jay Jay Teron,
Defendant-Appellant.

-----X

An order of this Court having been entered on September 4, 2012 (M-3141), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about April 12, 2012, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order to include the judgment of said Court rendered on or about January 17, 2012 under the same indictment number,

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

It is ordered that said motion is granted to the extent of amending the aforementioned order to include the judgment of said Court rendered on or about January 17, 2012 under the same indictment number, and extending the poor person relief previously granted to cover same.

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 31, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Diane T. Renwick
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
In the Matter of

Sebastion F
Yessibel F.,
and Emmanuel F.,

M-6136

Docket No. NN-27788/13
NN-27789/13
NN-27790/13

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,

Yessica S.,
Respondent-Appellant,

Steven Banks,
Attorney for the Children.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about dated November 26, 2013,

And respondent-appellant mother having moved for a stay of the aforesaid order,

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

Ordered that the motion is granted to the extent of continuing the terms and conditions of the order of a Justice of this Court dated November 26, 2013 pending hearing and determination of the aforesaid appeal, 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 31, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
 Peter Tom
 Dianne T. Renwick
 Sallie Manzanet-Daniels
 Paul G. Feinman, Justices.

-----x
Matthew Moorhouse,
 Plaintiff-Appellant,

-against-

M-5939
Index No. 112956/10

The Standard, New York, 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, New York County, entered on or about January 25, 2013 (mot. seq. no. 009),

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, with no further enlargements to be granted.

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 31, 2013.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Dianne T. Renwick
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----x
Mayling Gonzalez-Tirado,
Plaintiff-Appellant,

-against-

M-5875
Index No. 20684/05

Pacla Apartments, Inc., et al.,
Defendants-Respondents.
-----x

Defendants-respondents having moved for dismissal of the appeal from the order of the Supreme Court, Bronx County, entered on or about June 25, 2012, 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 December 31, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Dianne T. Renwick
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X

Brian K. Williams,
Plaintiff-Respondent,

-against-

M-6092
Index No. 8006/07

Irina Belova,
Defendant,

-and-

America's Wholesale Lender,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about April 6, 2012,

Now, upon reading and filing the papers with respect to the motion including the stipulation between the parties dated November 19, 2013, 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 31, 2013.

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

-----X

Ira Russack,
Plaintiff-Appellant,

-against-

Harvey Russack, et al.,
Defendants-Respondents,

M-6189
Index No. 653031/12

Sterling Real Estate Holding
Company, Inc.,
Defendant.

-----X

Defendants-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 31, 2013 (Appeal No. 10815),

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 31, 2013.

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

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

Respondent,

-against-

M-5852
Ind. No. 5819/10

Soma Sengupta,

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 March 27, 2013,

And defendant-appellant, through retained counsel, having moved for an order compelling the People to enlarge the record on appeal to include a supplemental appendix, including the entirety of the Grand Jury minutes, 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 31, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Helen E. Freedman
Roselyn H. Richter
Paul G. Feinman, Justices.

-----X
1504 Associates, L.P.,
Petitioner-Landlord-
Respondent-Appellant,

-against-

M-5203
Index No. 570130/12

Maria Concepcion Wescott,
Respondent-Tenant-
Appellant-Respondent.

-----X

Petitioner-landlord having moved for 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, entered on or about July 19, 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 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 31, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X

In the Matter of the Application of JPMorgan Chase Bank, N.A., as Trustee of the trust created by

Harry Edison,
Grantor,

M-5904
M-6108

Surrogate's Court
File Nos. 3676/10

for the benefit of Edna L. Edison.

-----X

In the Matter of the Application of JPMorgan Chase Bank, N.A., as Trustee of the trust created by

Harry Edison,
Grantor,

Surrogate's Court
File No. 3676A/10

for the benefit of Sidney J. Edison.

-----X

Claimant-appellant, pro se, Judith Abrams having moved for an enlargement of time to perfect the purported appeal taken from the order of the Surrogate's Court, New York County, entered on or about August 17, 2011 (M-5904),

And petitioner JPMorgan Chase Bank, N.A., having cross-moved to dismiss the aforesaid purported appeal (M-6108),

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

It is ordered that the motion for an enlargement of time to perfect the purported appeal is denied (M-5904). The cross motion is granted and the purported appeal is dismissed (M-6108).

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 31, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
Michelle Skinner,
Petitioner,

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

M-5925
Index No. 400470/12

-against-

New York City Housing Authority,
Respondent.

-----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 August 14, 2012, to review a determination of respondent,

And respondent-respondent having moved to dismiss the aforesaid transferred proceeding for failure to timely prosecute,

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 proceeding 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 December 31, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland DeGrasse
Rosalyn H. Richter, Justices.

-----X

In the Matter of the Claim of
Kellel B., an Infant Under the Age of 14
Years by his Mother and Natural Guardian,
Lomina Dixon,
Claimant-Respondent,

-against-

M-5962
Index No. 260844/11

New York City Health & Hospitals
Corporation,
Respondent-Appellant,

-----X

Respondent-appellant having moved for an enlargement to time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about January 8, 2013,

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 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 31, 2013.

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

-----X

Griffon V, LLC, Herald National Bank,
Plaintiffs,

-against-

11 East 36th LLC, et al.,
Defendants-Appellants,

M-5671
M-5866
Index No. 850023/11

-----X

11 East 36th LLC, Morgan Lofts, LLC,
Counterclaim/Cross-claim Plaintiffs-
Appellants,

-against-

ChinaTrust Bank (USA), et al.,
Cross-claim Defendants-Respondents.

-----X

Cross-claim defendants Financial One Corp., Grand Pacific Financial Corp., Robert Heinemann and Louise Varsos, having moved by separate motions for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about October 16, 2012 (mot. seq. no. 006) [M-5671/M-5866],

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

It is ordered that the motions are 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 December 31, 2013.

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

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

-against-

M-5757
Ind. No. 4512/02

Steve Darbasie,
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 June 12, 2003, 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 31, 2013.

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

-----X
Samaad Bishop,
Plaintiff-Appellant,

-against-

M-5756
Index No. 250742/11

Henry Modell & Company, Inc.,
et al.,
Defendants-Respondents,
-----X

Plaintiff-appellant, pro se, having moved for an enlargement to time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about July 23, 2012,

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 enlarging the time to perfect the appeal to on or before February 18, 2014 for 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 31, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Paul G. Feinman
Darcel D. Clark, Justices.

-----X
49 Terrace Corp.,
Petitioner-Landlord-Respondent,

-against-

M-5607
Index No. 92485/10

Curtis Richardson,
Respondent-Tenant-Appellant.

-----X

Petitioner-landlord having moved for 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, entered on or about August 9, 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 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 31, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Paul G. Feinman
Darcel D. Clark, Justices.

-----X

Adrianna Becerril,
Plaintiff-Appellant,

-against-

M-5958
Index No. 402611/08

City of New York Department of
Health and Mental Hygiene, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 17, 2013 (Appeal No. 10784),

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 31, 2013.

PRESENT: - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Judith J. Gische
Darcel D. Clark, Justices.

-----x

In the Matter of the Application of
The New York State Office of Mental
Health,

Petitioner,

M-6062
Index No. 530653/12

-against-

Ermelinda Weir,
Respondent,

For a Subsequent Retention Pursuant
to Criminal Procedure Law § 330.20.

-----x

A retention order having been issued by the Supreme Court, New York County, on November 12, 2013, directing transfer of defendant-respondent from a secure psychiatric facility to a non-secure facility,

And the Suffolk County District Attorney having moved for leave to appeal to this Court from the aforesaid retention order, and to stay said order pending hearing and determination of the appeal,

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

It is ordered that the motion is denied in its entirety, and the interim relief granted by a Justice of this Court on November 22, 2013 is vacated.

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 31, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Helen E. Freedman
Judith J. Gische, Justices.

-----X
Jeffrey Tobey, as Executor of the
Goods, Chattels and Credits of the
Estate of Jean Tobey, Deceased,
Plaintiff-Appellant,

M-5573

M-5743

-against-

Index No. 107965/08

The Mount Sinai Hospital and Mackenzie
Automatic Doors, Inc.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 21, 2012,

And defendants having moved by separate motions for dismissal of the aforesaid appeal for failure to timely prosecute (M-5573/M-5743),

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Wernick & Finger P.C., dated December 9, 2013, and due deliberation having been had thereon,

It is ordered that the motion of defendant-respondent Mount Sinai Hospital (M-5573) is withdrawn in accordance with the aforesaid correspondence, and sua sponte, the motion of defendant-respondent Mackenzie Automatic Doors (M-5743) is deemed withdrawn accordingly.

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 31, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
AQ Asset Management LLC, etc., et al.,
Plaintiffs-Respondents,

-against-

Michael Levine, etc.,
Defendant-Respondent,

Habsburg Holdings Ltd., et al.,
Defendants-Appellants.

- - - - -

Michael Levine, etc.,
Interpleader Counterclaimant-Respondent,

M-5738
Index No. 652367/10

-against-

AQ Asset Management LLC, etc., et al.,
Interpleader Defendants,

Habsburg Holdings Ltd., et al.,
Interpleader Defendants-Appellants.

- - - - -

Habsburg Holdings Ltd. et al.,
Fourth-Party Plaintiffs-Appellants,

-against-

Michael Levine, etc.,
Fourth-Party Defendant-Respondent.

[And a Fifth-Party Action]

-----X

Plaintiffs 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 October 3, 2013 (Appeal Nos. 10209N, 10210N, 10211N, and 10212N),

(M-5738)

-2-

December 31, 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 denied.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

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 31, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland DeGrasse
Helen E. Freedman
Judith J. Gische, Justices.

-----X
In the Matter of the Application of
Ralph Brannon,
Petitioner,

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

M-6074
Index No. 102203/12

-against-

New York City Office of Administrative
Trials and Hearings, New York City
Department of Housing Preservation
and Development, New York City
Conflict of Interest Board,
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 September 24, 2012, to review a determination of respondents,

And petitioner-appellant having moved for an enlargement of time to perfect the proceeding,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the proceeding to the May 2014 Term, with no further enlargements to be granted.

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 31, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland DeGrasse
Helen E. Freedman
Judith J. Gische, Justices.

-----X
Patrick Lyons and Alice Lyons,
Plaintiffs-Appellants,

-against-

M-6010
Index No. 305883/09

Richard DeNise, M.D., et al.,
Defendants-Respondents,

Jonathan Gordon, M.D.,
Defendant.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about February 25, 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 in the County of New York on December 31, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Eastern Saving Bank, FSB,
Plaintiff-Respondent,

-against-

M-6171

Index No. 380729/10

Said Harrati and Osama Harrati,
Defendants-Appellants,

Samira Secki, et al.,
Defendants

-----X

Defendants-appellants having moved for a stay of the order of the Supreme Court, Bronx County, entered on or about October 7, 2013, 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 31, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Aristides Giron,

Plaintiff-Respondent,

-against-

Mack-Cali Realty Corporation,

Defendant-Appellant.
-----X

M-6050
Index No. 302202/10

Defendant-appellant having moved for an enlargement of time in which to perfect an appeal from an order of the Supreme Court, Bronx County, entered on or about April 18, 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 in which 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 31, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Helen E. Freedman
Darcel D. Clark, Justices.

-----X
Board of Managers of 542 LaGuardia
Place Condominium, acting on behalf
of The Unit Owners of 542 LaGuardia
Place Condominium,
Plaintiff-Respondent,

M-5664
Index No. 106241/11

-against-

Defcofin LLC, also known as Decofin
LLC,
Defendant-Appellant,

Lucaricci, et al.,
Defendants.

-----X

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

And defendant-appellant having moved, inter alia, for an order compelling plaintiff to accept its tender of redemption moneys due pursuant to a judgment of foreclosure and post judgment orders,

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 31, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

-against-

M-2408
Ind. No. 3236/87

Tyrone Jackson,
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, 1987, or in the alternative, a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel,

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

It is ordered that the motion is denied.

ENTER:



CLERK

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 31, 2013.

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

-----X

71 Clinton Street Apartments LLC,
as assignee of People's United Bank,
as successor by merger to Bank of
Smithtown,

Plaintiff-Respondent,

-against-

Ilana Industrial LLC and 71 Clinton,
Inc.,

Defendants-Appellants,

Steven Rosenfeld, et al.,
Defendants.

-----X

An order of this Court having been entered on September 26, 2013 (M-4011), consolidating the appeals taken from orders of the Supreme Court, Bronx County, entered on or about January 19, 2012 and July 13, 2012, and subsequent appeals taken from an order of the Supreme Court, Bronx County, entered on or about September 20, 2012 and from a judgment of said Court, entered on or about February 28, 2013, and from an order and amended judgment of said Supreme Court entered on or about July 15, 2013,

And defendants-appellants having moved for an enlargement of time to perfect the aforesaid consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect same to the May 2014 Term, with leave to seek further enlargements, if necessary.

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 31, 2013.

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

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

-against-

M-3589
Ind. No. 7193/83

Cedric Partee,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 6, 1986 (Appeal No. 26724), unanimously affirming a judgment of the Supreme Court, New York County (Clifford Scott, J.), rendered on August 6, 1984,

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

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

It is ordered that said application is denied.

ENTER:



CLERK

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 31, 2013.

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

-----X
Patricia Maloney,

Plaintiff-Respondent,

-against-

M-5201

Index No. 109440/09

NYCTA, et al.,

Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about December 20, 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, with no further enlargements to be granted.

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 31, 2013.

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

-----X

Nathaniel Myers,
Plaintiff-Appellant,

-against-

M-5991
Index No. 101341/11

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

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 31, 2013 (Appeal No. 10942N),

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 31, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Leland G. DeGrasse, Justices.

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

-against-

Charles Sanders,
Defendant.

M-5137
Ind. No. 1198/87

-----X

Defendant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of trial counsel with respect to a judgment of the Supreme Court, Bronx County, rendered on or about December 15, 1998, 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 said application 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 31, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X

The People of the State of
New York by Andrew W. Cuomo, etc.,
Plaintiff-Appellant,

-against-

M-4987
Index No. 453388/09

Charles Schwab & Co., Inc.,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on August 27, 2013 (Appeal No. 9559),

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 31, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Yahaira Orellana,
Plaintiff-Appellant,

-against-

M-6175
Index No. 308832/10

Roboris Cab Corp. and Inta Radetsky,
Defendants-Respondents.

-----X

Defendants-respondents having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about January 3, 2013, 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 December 31, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Maria Antigua and Roberto J. Nunez,
Plaintiffs-Appellants,

-against-

M-6176
Index No. 309899/09

Kim Thoa Dao, et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal from the order of the Supreme Court, Bronx County, entered on or about April 20, 2012, 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 December 31, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Calcedo Construction Corporation,
Plaintiff-Appellant,

-against-

M-6109
Index No. 112185/09

Hartford Casualty Insurance Company,
et al.,
Defendants-Respondents/Appellants,

TDX Construction Corporation, et al.,
Defendants-Respondents.

-----X
Hartford Casualty Insurance Company,
et al.,
Third-Party Plaintiffs-Respondents/
Appellants,

-against-

Index No. 590376/10

QBE Insurance Corporation,
Third-Party Defendant-Appellant,

Travelers Property Casualty Company of
America, et al.,
Third-Party Defendants.

-----X

An order of this Court having been entered on November 12, 2013 (M-4970), consolidating the appeals taken by appellants from an order of the Supreme Court, New York County, entered on or about November 27, 2012, and from additional orders of said Court and Justice entered on or about November 27, 2012 (mot. seq. nos. 001-003), and enlarging the time to perfect same to the March 2014 Term,

And appellants having moved for an enlargement of time to perfect the aforesaid consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals 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 31, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
David B. Saxe
Darcel D. Clark, Justices.

-----X
In re Earl Muldrow,
Petitioner,

-against-

M-5676
Index No. 250510/12

New York State Department of
Corrections and Community Supervision,
Respondent.

-----X

Petitioner, pro se, having moved for reargument and/or reconsideration of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 1, 2013 (Appeal No. 10635),

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 31, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Utica Mutual Insurance Company,
as subrogee of Ferro Enterprises
NY LLC,
Plaintiff-Respondent,

-against-

M-5773
Index No. 303548/10

James McCorvey, Jr.,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of the subject inquest trial pending hearing and determination of the appeal taken from the an order of the Supreme Court, Bronx County, entered on or about April 17, 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 on condition the appeal is perfected on or before February 18, 2014 for the May 2014 Term, with no further enlargements to be granted.

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 31, 2013.

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

-----X

In the Matter of

Vivienne S.,
also known as
Vivienne Bobbi-Hadiya S.,

M-5730
Docket No. N-6061/11

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

Catholic Guardian Society and Home Bureau, et al.,
Petitioners-Respondents,

Makena Asanta Malika McK.,
Respondent-Appellant,

Charles Bernard S.,
Respondent-Appellant.

Margaret Tarvin, Esq., Lawyers for Children,
Attorney for the Child.

-----X

Respondent-appellant mother Makena Asanta Malika McK. having moved for leave to prosecute, as a poor person, appeals taken from orders of the Family Court, New York County, entered on or about November 4, 2011, August 1, 2012, and September 21, 2012, for assignment of counsel, a free copy of the transcript(s), and related relief,

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

Ordered that the respondent-appellant's mother's motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. (212) 233-0318, as counsel for purposes of prosecuting the appeals; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record(s) on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 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(s) from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record(s) upon receipt of this order;** and (4) appellant is directed to perfect the appeals, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** Sua sponte, the time in which the respondent-appellant father Charles Bernard S. is to perfect his appeal is enlarged to the June 2014 Term. If the appeals are both perfected, the Clerk of this Court is directed to place said appeals on the same day for hearing together in the June 2014 Term.

ENTER:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 31, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-5796
Ind. No. 3643/09

John T. Francis, also known as Alphonso
Lester, also known as Kevin Howard,
also known as Tyrone Howard,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reconsideration of the decision and order of this Court entered on October 30, 2001 (Appeal No. 4766),

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 31, 2013.

Present: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Paul G. Feinman
Judith J. Gische
Darcel D. Clark, Justices.

-----X

In the Matter of an Article 75 Proceeding:

Adhy Investments Properties, LLC, **M-6012**
Petitioner-Appellant, Index No. 652074/12

-against-

Garrison Lifestyle Pierce Hill, LLC
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 10, 2013,

And an order of this Court having been entered on August 27, 2013 (M-3731), denying petitioner-appellant's motion for a stay of arbitration, and vacating the interim relief granted by a Justice of this Court on July 16, 2013,

And petitioner-appellant having moved for clarification of the aforesaid order of this Court entered on June 10, 2013 (M-3731),

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 the attention of petitioner-appellant to the decision *Commerce and Industry Insurance Co. v Nester*, 90 NY2d 255 (1997) and 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 31, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Joanne Torchia and James Battista,
Plaintiffs-Respondents,

-against-

M-5745
Index No. 306233/10

Richard C. Garvey, M.D., Rick
Garvey, M.D., P.C. and Montefiore
Medical Center - Weiler Division,
Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 10, 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

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 31, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----x
In the Matter of the Application of
Howard E. Hallengren, et al.,
Petitioners-Respondents,

-against-

M-5772
Index No. 650617/12

Interventure 77 Hudson LLC, et al.,
Respondents-Appellants.

-----x

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 18, 2012 (mot. seq. nos. 001, 002),

And petitioner-respondent Howard E. Hallengren having moved to dismiss the aforesaid appeal for failure to timely prosecute,

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 December 31, 2013.

Present - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----x
Tiby J. Saunders-Gomez,
Petitioner-Appellant,

-against-

M-5937
Index No. 200450/10

New York City Tax Commission and
New York City Department of Finance,
Defendants-Respondents.

-----x

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 18, 2013, for certain sanctions to be imposed against respondents and to stay collection of tax arrears, and for other relief,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before February 18, 2014 for the May 2014 Term, and 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 31, 2013.

Present: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Diane T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5931

Ind. No. 4075/10

Thomas P. Olsen,
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 March 28, 2012, having moved for leave to file a pro se supplemental brief and for related relief, and said appeal having been perfected,

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 31, 2013.

PRESENT - Hon: David Friedman, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Echostar Satellite L.L.C.,
Plaintiff-Appellant,

-against-

M-6314
Index No. 600282/08

ESPN, Inc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about November 14, 2012,

And plaintiff-appellant and defendants-respondents having moved jointly for an order holding defendants-respondents' prior motion [M-5152] to strike plaintiff-appellant's brief and Note of Issue in abeyance until January 10, 2014 and adjourning said appeal to the May 2014 Term,

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

It is ordered that the motion is granted, the prior motion [M-5152] is so held, and the appeal is adjourned 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 31, 2013.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Sallie Manzanet-Daniels, Justices.

-----X
Stanley Cohen,
Plaintiff-Appellant-Respondent,

-against-

M-6210

Index No. 303123/09

Pauline Cohen,
Defendant-Respondent-Appellant.

-----X

Consolidated appeals and a cross appeal having been taken from orders of the Supreme Court, New York County, entered on or about April 16, 2012, April 30, 2012, May 9, 2012, June 14, 2012, August 14, 2012, respectively, and from the Judgment of Divorce of said Court entered on or about May 9, 2013; and an appeal having been taken by defendant from the Post Divorce Judgment of said Court, entered on or about May 30, 2013, and plaintiff having taken a cross appeal from said Post Divorce Judgment,

And defendant-respondent-appellant having moved for clarification and/or vacatur of this Court's order entered on November 26, 2013 (M-4731A), and for related relief,

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

Ordered that the motion is denied (See M-4731A entered November 26, 2013 and M-4405/M-4443 entered October 10, 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 31, 2013.

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

-----X

In re Grigorily Zaltsman,
Petitioner,

-against-

M-5628
Index No. 402178/12

New York City Housing Authority,
Respondent.

-----X

Petitioner, pro se, having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on October 24, 2013 (Appeal No. 10857),

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

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,

Respondent,
-against-

Lorenzo Martinez,

Defendant.
-----X

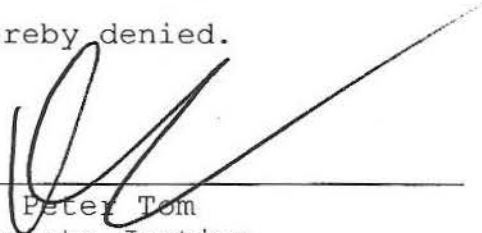
M-4647
Ind. No. 12131/91

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 June 25, 2013 is hereby denied.

ENTERED

DEC 31 2013



Hon. Peter Tom
Associate Justice

Dated: December 16, 2013
New York, New York

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

BEFORE: **Hon. Angela M. Mazzarelli,**
Justice of the Appellate Division

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

M-5499
Ind. No. 01780/06

-against-

CERTIFICATE
DENYING LEAVE

Freddy Medina,

Defendant.
-----X

I, Angela M. Mazzarelli, 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 (Marcy L. Kahn, J.), entered on or about July 2, 2013, is hereby denied.

ENTERED DEC 31 2013



Justice

Dated: New York, New York
DEC 31 , 2013

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

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

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

M-4194
Ind. No. 6512/90

-against-

CERTIFICATE
GRANTING LEAVE

Orosman Delsol
Defendant-Appellant.

-----X

I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, Bronx County, entered on or about July 18, 2013.¹

Dated: December 13, 2013
New York, New York



Hon. Rolando T. Acosta
Associate Justice

ENTERED

DEC 31 2013

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

P.M ORDERS
FOR
DECEMBER
31, 2013

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on December 31, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
David B. Saxe, Justices.

-----X

Darrell Bridgers, et al.,

Plaintiffs-Appellants,

-against-

M-6357

Index No. 654399/12

West 82nd Street Owners Corp., et al.,

Defendants-Respondents.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about April 26, 2013, and from an order of the same Court and Justice entered on or about July 11, 2013,

And plaintiffs-appellants having moved to stay trial, pending hearing and determination of the aforesaid appeals,

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

It is ordered that the motion is denied.

ENTER:



CLERK