

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 January 29, 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-12
Ind. No. 3797N/10

Anthony Rodriguez,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about August 10, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated October 30, 2012, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 29, 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-13
Ind. No. 3335/10

Alberto Ward,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about January 10, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated December 20, 2012, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 29, 2013.

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

-----X
In the Matter of B.R.M. Concrete,
Inc.,
Plaintiff-Respondent,

On behalf of itself and as
representative for all others who
may be deemed beneficiaries of
certain Trust Created Pursuant to
Lien Law Article 3-A,

M-5934X
Index No. 604125/07

-against-

Portland Transit-Mix, Inc.,
Defendant,

Bedrock Concrete, Inc., et al.,
Defendants-Appellants.

-----X

Separate appeals having been taken from the judgment of the Supreme Court, New York County, entered on or about July 9, 2012, and from the post-trial decision and order of said Court entered on or about July 9, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 18, 2012, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 29, 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-5188
Ind. No. 7520/98

Eddie Diaz,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 22, 2003 (Appeal No. 877), unanimously affirming a judgment of the Supreme Court, Bronx County (Straus, J.), rendered on February 26, 2001,

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 including the correspondence from defendant-appellant dated August 18, 2012, and due deliberation having been had thereon,

It is ordered that said application 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 January 29, 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-5197
Ind. No. 7581/99

Sherman Adams,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about July 9, 2003, and a judgment of the same Court and Justice rendered on or about August 2, 2007, and said appeal having been perfected,

And counsel for defendant-appellant having moved for an enlargement of time to perfect the aforesaid appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion including the correspondence from Mark W. Zeno, Esq., and due deliberation having been had thereon,

It is ordered that the motion 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 January 29, 2013.

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

-----X
Volkan Akkurt,
Plaintiff-Appellant,

-against-

M-10
Index No. 102202/09

Cemusa, Inc., David Yagnesak
and Peter Piechocniski,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 26, 2011 (mot. seq. no. 002),

Now, upon reading and filing the stipulation of the parties hereto, dated December 26, 2012, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2012 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 29, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
David B. Saxe, Justices.

-----X
Bernarda Perez and Ivelisse Perez-Ali,
As Administrators of the Estate of
Victor Farfan,
Plaintiffs-Respondents,

-against-

Keith Edwards, M.D., Mount Vernon Hospital,
Defendants-Appellants.

M-5720
Index No. 105293/09

(And other actions)
-----X

Defendant-appellant Mount Vernon Hospital having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 22, 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 June 2013 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 January 29, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
David B. Saxe, Justices.

-----X
Marilyn Frank,
Plaintiff-Appellant,

-against-

M-5890
Index No. 108894/09

Animal Haven, 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 February 28, 2012 (mot. seq. no. 003),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2013 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 January 29, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Karla Moskowitz
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----X
Randi Larowitz,
Plaintiff-Respondent,

-against-

M-5914
Index No. 308985/11

Steven Lebetkin,
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, New York County, entered on or about February 29, 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 June 2013 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 January 29, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
David B. Saxe, Justices.

-----X
Racquel Schraub,

Plaintiff-Respondent,

-against-

Howard Schraub,

Defendant-Appellant.
-----X

M-5831

Index No. 310636/10

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 12, 2012,

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

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 that the appeal is perfected on or before March 18, 2013 for the June 2013 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that plaintiff-respondent serves a copy of this order upon defendant-appellant within 10 days after the date of entry hereof.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 29, 2013.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
Tenants Committee of 36 Gramercy Park,
Petitioner-Appellant,

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

-against-

New York State Division of Housing
and Community Renewal,
Respondent-Respondent,

M-6014
Index No. 116069/10

-and-

36 Gramercy Park Realty Associates,
LLC,
Respondent-Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 3, 2011,

And petitioner-appellant having moved for an order holding respondent landlord in contempt for failure to comply by certain conditions of the order of this Court entered on October 25, 2012 (M-3661),

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 January 29, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
David B. Saxe
Helen E. Freedman, Justices.

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

Sonia H.,
Petitioner-Appellant,

M-4793
Docket No. V10877-03/09E

-against-

Jonathan F.,
Respondent-Respondent.

Mike Moorman, Esq., Lawyers for
Children,
Attorney for the Child.
-----x

Counsel for petitioner-appellant having moved for leave to withdraw the appeal from the order of the Family Court, New York County, entered on or about March 9, 2010,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 29, 2013.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5895
Ind. Nos. 551/08
71851C/07

Yie Chen, also known as Yue Miao,
also known as Yue Maio, also known
as Yue Chan Miao, also known as Jie
Chen,

Defendant-Appellant.

-----X

An appeal having been taken from judgments of the Supreme Court, Bronx County, both rendered on or about September 16, 2009,

And an order of this Court having been entered on November 29, 2011 (M-4801), inter alia, granting defendant-appellant an enlargement of time to perfect the appeal, and directing the Clerk of the Supreme Court, Bronx County, to provide copies of the stenographic minutes of all proceedings,

And defendant-appellant having again moved for an enlargement the time in which to perfect the appeal, and to compel the Clerk of the Supreme Court, Bronx County, to make available a copy of all proceedings held therein to Stephen Shaiken, Esq., retained counsel for defendant or, in the alternative, for summary reversal,

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

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the June 2013 Term. The Clerk of Supreme Court, Bronx County, is directed to promptly transcribe and make available to defendant's counsel, within 30 days from the date of service upon the Clerk of a copy of this order, which counsel is directed to serve upon said Clerk and individual court reporter(s) within 10 days from the date of

entry hereof, a copy of the stenographic minutes of all proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. If these minutes are unavailable or do not exist, the Clerk of said Court is directed to provide a statement to that effect. The motion, to the extent it seeks summary reversal, 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 January 29, 2013.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Helen E. Freedman
Nelson S. Román
Judith J. Gische, Justices.

-----X

In the Matter of the Application of
the State of New York,
Petitioner-Respondent,

M-5514A
Index No. 30004/09

For Civil Management Pursuant to
Article 10 of the Mental Hygiene Law,

-against-

Heriberto T.,
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 9, 2012,

And respondent-appellant having moved, pursuant to Mental Hygiene Law §10.13[c], for leave to prosecute, as a poor person, the aforesaid appeal, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for the assignment of counsel,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the Attorney General of the State of New York and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

The court reporter shall promptly make and file with the Supreme Court two transcripts of the stenographic minutes of any proceedings related to the above-captioned matter. 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.

Marvin Bernstein, Esq., Director of Mental Hygiene Legal Services, 41 Madison Avenue, 26th Floor, New York, NY 10010, Telephone No. (646) 386-5891, is assigned as counsel for purposes of prosecuting the appeal on respondent's behalf. The time to perfect the appeal is enlarged to on or before July 8, 2013 for the September 2013 Term. The order of this Court entered on January 8, 2013 (M-5514) is hereby recalled and 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 January 29, 2013.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Karla Moskowitz
Sheila Abdus-Salaam
Judith J. Gische, Justices.

-----X
Windsor Owners Corp.,
Plaintiff-Respondent,

-against-

Frank Mazzocchi and Riley Smith,
Defendants-Appellants,

"John Doe" and "Jane Doe",
Defendants.

M-5771
M-5954
Index No. 110714/11

-----X
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 16, 2012,

And defendants-appellants having moved to stay all proceedings pending hearing and determination of the aforesaid appeal, (M-5771),

And plaintiff-respondent having cross-moved to compel defendants-appellants to perfect their appeal within a specific period of time, and for related relief (M-5954),

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 and cross motion are 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 January 29, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick, Justices.

-----X
VNB New York Corp.,
Plaintiff-Respondent,

-against-

M-5663
Index No. 381257/11

1139 Clay Avenue, LLC,
Defendant-Appellant,

-and-

Dora Khaykin, City of New York
Environmental Control Board,
Defendants.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 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 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 January 29, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X

Charles B. Udoh,
Plaintiff-Appellant,

-against-

M-4787
Index No. 403288/09

Charlene A. Udoh,
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 21, 2012 (mot. seq. no. 003), 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 ten 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 January 29, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick, Justices.

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

-against-

M-5782
Ind. No. 1487/10

Edison Garcia,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 23, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before March 18, 2013 for the June 2013 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 January 29, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick, Justices.

-----X
Veryln Derouen, As Administratrix
of the Estate of Mary Derouen,
Deceased,
Plaintiff-Respondent,

-against-

M-5309
Index No. 110244/08

Savoy Park Owner, L.L.C. and Column
Financial Inc.,
Defendants-Appellants.

-----X
Savoy Park Owner, L.L.C. and Column
Financial Inc.,
Third-Party Plaintiff,

-against

Guardzman Elevator Co., Inc.,
Third-Party Defendant.

-----X

Defendants/third-party plaintiffs-appellants 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, 2012 (mot. seq. no. 002),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2013 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 January 29, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
Mark Levinson,
Plaintiff-Respondent,

-against-

M-4271
Index No. 115438/10

Roger Bailey and Tony Guetti,
Defendants-Appellants.

-----X

Defendants-appellants 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 June 29, 2012 (mot. seq. no. 003),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before July 8, 2013 for the September 2013 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 January 29, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische
Darcel D. Clark, Justices.

-----x
In the Matter of the Application of
Le Cave LLC,
Petitioner,

For a Review Pursuant to Article 78
of the CPLR,

M-5941
Index No. 104327/12

-against-

New York State Liquor Authority,
Respondent.
-----x

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about December 12, 2012,

And an order of a Justice of this Court dated December 12, 2012 having granted an interim stay for 30 days upon certain conditions,

And petitioner having moved for a stay of revocation of its liquor licence pending hearing and determination of the aforesaid proceeding,

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 staying the proceeding, upon the same conditions and terms in the order of a Justice of this Court dated December 12, 2012, and upon condition the proceeding is perfected on or before March 18, 2013 for the June 2013 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 January 29, 2013.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----x

Anna Pezhman,

Plaintiff-Respondent,

-against-

M-5906

Index No. 402354/09

Department of Education of the
City of New York, et al.,

Defendants-Appellants.

-----x

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal from the order of the Supreme Court, New York County, entered on or about October 16, 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 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 January 29, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Ronald Alleva,
Plaintiff-Appellant,

-against-

M-3409

United Parcel Service, Inc.,
Defendant-Respondent,

Index No. 16510/03

Gary Callwood,
Defendant.

- - - - -

United Parcel Service, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Index No. 84226/04

Pitt Investigations, Inc.,
Third-Party Defendant-Respondent.

-----X

Third-party defendant-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 19, 2012 (Appeal Nos. 7965-7965A),

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

It is ordered that the motion, to the extent it seeks reargument, is granted and upon reargument, the decision and order of this Court entered on June 19, 2012 (Appeal Nos. 7965-7965A) is recalled and vacated and a new decision and order substituted therefor. (See Appeal Nos. 7965-7965A, decided simultaneously herewith.) The motion, to the extent it seeks leave to appeal to the Court of Appeals, 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 January 29, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Nelson S. Román, Justices.

-----X

Fredy Lopez,
Plaintiff-Respondent-Appellant,

-against-

Rafael Dagan, et al.,
Defendants-Appellants-Respondents,

M-4387
Index No. 108754/08

Goldstein & Associates,
Defendant-Respondent,

Olga Bakick, Architect,
Defendant.

-----X

Plaintiff-respondent-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 21, 2012 (Appeal Nos. 6685/6686/6687),

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 January 29, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
In re Jordan L.,

A Person Alleged to
be a Juvenile Delinquent,
Appellant.

M-4373
Docket No. D27932/09

- - - - -
Presentment Agency.

-----X

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 21, 2012 (Appeal No. 7452),

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 January 29, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische
Darcel D. Clark, Justices.

-----X
Ronny Lopez,

Plaintiff-Respondent-
Appellant/Respondent,

-against-

M-5947
Index No. 20120/06

Hudson Waterfront Company, "G", LLC,
Bovis Lend Lease, Inc., Trump/New
World Project MGMT.,
Defendants-Appellants-
Respondents/Appellants,

Schuman Lichtenstein Clamon & Efron,
Architects, et al.,
Defendants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 31, 2012 and an appeal having been taken by defendants-appellants from an order of the same Court entered on or about September 27, 2012,

And defendants-appellants having moved for an enlargement of time to perfect the appeal from the aforesaid order appealed entered on or about January 31, 2012,

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

It is ordered that, sua sponte, the appeal and cross appeal are consolidated with the appeal from the order entered on or about September 27, 2012, and appellant is permitted to prosecute the appeals upon 9 copies of one record and one set of appellant's points covering the same, with respondents-appellants to respond to both appeals and prosecute their cross appeal upon one set of respondent-appellant's points.

It is further ordered that the motion is granted to the extent of enlarging the time in which to perfect the consolidated appeals to the June 2013 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 January 29, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Derfner Management, Inc.,
Plaintiff-Respondent,

-against-

Lenhill Realty Corp., et al.,
Defendants-Appellants.
-----X

M-23
Index No. 650060/11

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order and judgment of the Supreme Court, New York County, entered on or about March 26, 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 perfect the appeal to the June 2013 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 January 29, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Ella Reid and Leroy Famous,
Plaintiffs-Respondents,

-against-

M-5763
Index No. 7844/07

Real Estate International, Ltd.,
et al.,
Defendants,

Frank Giordano, Esq.,
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 March 22, 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 June 2013 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 January 29, 2013.

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

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

-against-

M-5570
Ind. No. 1300/05

Jorge Zepeda,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Sonberg, J.) entered on or about September 12, 2012, 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

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 January 29, 2013.

PRESENT: Hon. David Friedman Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Nelson S. Román
Darcel D. Clark, Justices.

-----X
Antonio Flores,
Plaintiff-Appellant,

-against-

M-5945
Index No. 300976/11

Beechwood RB Shorehaven, LLC, 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 March 1, 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 June 2013 Term.

ENTER:



CLERK

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-4723
Ind. No. 7112/91

-against-

CERTIFICATE
DENYING LEAVE

David Ramos,

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 (Ruth Pickholz, J.), entered on or about January 3, 2012, is hereby denied.



Justice

Dated: New York, New York
January 3 , 2013

ENTERED

JAN 29 2013

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

M-4503
Ind. Nos.
9473/1994 and
2036/1984

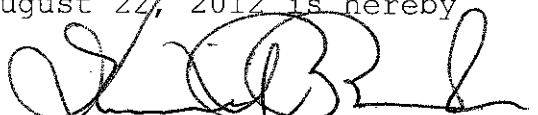
-against-

CERTIFICATE
DENYING LEAVE

Robert Johnson (a/k/a Ronald Boyd, Arthur
Blake, Steven Banks, et al.),
Defendant.

-----X

I, Hon. Dianne T. Renwick, 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 22, 2012 is hereby
denied.


Associate Justice

Dated: January 3, 2013
New York, New York

ENTERED: JAN 29 2013

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-4723
Ind. No. 7112/91

-against-

CERTIFICATE
DENYING LEAVE

David Ramos,

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 (Ruth Pickholz, J.), entered on or about January 3, 2012, is hereby denied.



Justice

Dated: New York, New York
January 3 , 2013

ENTERED

JAN 29 2013

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

M-4503
Ind. Nos.
9473/1994 and
2036/1984

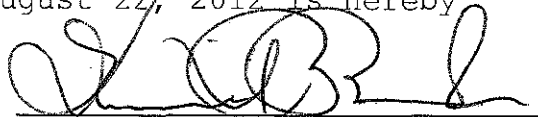
-against-

CERTIFICATE
DENYING LEAVE

Robert Johnson (a/k/a Ronald Boyd, Arthur
Blake, Steven Banks, et al.),
Defendant.

-----X

I, Hon. Dianne T. Renwick, 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 22, 2012 is hereby
denied.



Associate Justice

Dated: January 3, 2013
New York, New York

ENTERED: JAN 29 2013

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

BEFORE: Hon. Darcel D. Clark
Justice of the Appellate Division

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

M - 5176
Ind. No. 5291/98

-against-


CERTIFICATE
DENYING LEAVE

Curtis Van Stuyvesant,

Defendant.

-----X

I, Darcel D. Clark, 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 May 29, 2012 is denied. That portion of the motion seeking consolidation with the direct appeal is also denied.



Hon. Darcel D. Clark
Associate Justice

Dated: January 3, 2013
New York, New York

ENTERED: JAN 29 2013

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

BEFORE: Hon. Darcel D. Clark
Justice of the Appellate Division

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

M - 5176
Ind. No. 5291/98

-against-


CERTIFICATE
DENYING LEAVE

Curtis Van Stuyvesant,

Defendant.

-----X

I, Darcel D. Clark, 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 May 29, 2012 is denied. That portion of the motion seeking consolidation with the direct appeal is also denied.



Hon. Darcel D. Clark
Associate Justice

Dated: January 3, 2013
New York, New York

ENTERED: JAN 29 2013

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

BEFORE: Hon. Darcel D. Clark
Justice of the Appellate Division

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

M - 5375
Ind. No. 15385/90

-against-


CERTIFICATE
DENYING LEAVE

Wei Chen,

Defendant.

-----X

I, Darcel D. Clark, 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 December 15, 2011 is denied. That portion of the motion seeking consolidation with the direct appeal is also denied.


Hon. Darcel D. Clark
Associate Justice

Dated: January 3, 2013
New York, New York

ENTERED: **JAN 29 2013**

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

BEFORE: Hon. Darcel D. Clark
Justice of the Appellate Division

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

M - 5635
Ind. No. 6024/09

-against-


CERTIFICATE
DENYING LEAVE

Gary Williams,

Defendant.

-----X

I, Darcel D. Clark, 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 November 22, 2011 is denied. That portion of the motion seeking consolidation with the direct appeal is also denied.



Hon. Darcel D. Clark
Associate Justice

Dated: January 3, 2013
New York, New York

ENTERED: JAN 29 2013