

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
TBF Financial LLC, etc.,
Plaintiff-Respondent,

-against-

M-52X
Index No. 301198/10

Radheline Cosmetics, Inc. and Lwiding
Vasquez,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 7, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 6, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Interboro Insurance Company,
Plaintiff-Respondent,

-against-

M-1083X
Index No. 152395/13

Boris Kleyman Physician, P.C., et al.,
Defendants,

Love Chiropractic, P.C. and Progressive
Orthopedics, PLLC,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 31, 2013 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 26, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Douglas Park and Gnosh, Inc.,
Plaintiffs-Appellants,

-against-

Soho Room Group, LLC, et al.,
Defendants-Respondents.

M-1084X
Index No. 652561/11

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about September 13, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 26, 2014, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Lisa J. Weksler,
Petitioner-Appellant,

-against-

M-1085X
Index No. 652843/11

For the Judicial Dissolution of
Bruce Supply Corp.,
Respondent,

-and-

For Surcharge against Joseph Weksler
and Bruce Weksler,
Respondents-Respondents.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 28, 2014, 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 March 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
D'Andrea Benedetto,
Plaintiff-Respondent,

-against-

M-1723X
Index No. 313563/12

Kerri Fersel,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 4, 2013 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 7, 2014, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Hui Ping Huang,
Plaintiff,

-against-

M-2912X
Index No. 350098/08

Zeng Sui Liu,
Defendant.

-----X
Xiu M. Liu,
Plaintiff,

-against-

Hui Ping Huang,
Defendant.

-----X
Xiu Ming Liu,

-against-

Hui Ping Huang,
Defendant.

-----X
Xiu Ming Liu and Jin Gui Liu,
Plaintiffs-Appellants-Respondents,

-against-

Zeng Sui Liu and Hui Ping Huang,
Defendants-Respondents-Appellants,

Chun E. Wong, Esq., etc.,
Defendant.

-----X

-----X
Xiu Ming Liu,
Plaintiff,

-against-

Hui Ping Huang, et al.,
Defendants.
-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about July 29, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 21, 2013, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
William Gonzalez,
Plaintiff-Respondent,

-against-

M-6373
Index No. 304489/10

330 Madison Company LLC and Tishman
Interiors Corp.,
Defendants-Appellants.

-----X
330 Madison Company LLC and Tishman
Interiors Corp.,
Third-Party Plaintiffs-Appellants,

-against-

Third-Party
Index No. 84104/12

Universal Services Group, Ltd., et al.,
Third-Party Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about September 24, 2012, May 13, 2013 and June 21, 2013, respectively,

Now, upon reading and filing the stipulation of the parties hereto, dated December 12, 2013, and due deliberation having been had thereon,

It is ordered that the appeals, previously perfected for the September 2013 Term, are withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Joyce Strongbow,
Plaintiff-Respondent,

-against-

M-6508
Index No. 15578/06

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

Fordham Grand, LLC,
Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 22, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated December 12, 2013, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the October 2013 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

Luz Mero,
Plaintiff-Appellant,

-against-

M-6471
Index No. 307619/09

Bakere Aladjawe, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 10, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated December 16, 2013, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the January 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Castlepoint Insurance Company,
Plaintiff-Appellant,

-against-

M-1418
Index No. 151122/12

Horace Brissett, Maudlin Brissett
and Soroya Rhudd,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 18, 2013 (mot. seq. no. 004),

Now, upon reading and filing the stipulation of the parties hereto dated March 21, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the February 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Enid Serra and Ruben Serra, Sr.,
Plaintiffs-Respondents,

-against-

M-1360

Index No. 103053/10

9th Avenue Royal Deli and Titan 360,
Inc.,
Defendants-Respondents-Appellants,

-against-

Bongju Shim and Ann Hwa Shim,
Defendants-Appellants-Respondents.

-----X

Separate appeals having been taken from an order of the Supreme Court, New York County, entered on or about November 29, 2013 (mot. seq. no. 003),

Now, upon reading and filing the stipulation of the parties hereto, dated March 18, 2014, and due deliberation having been had thereon,

It is ordered that the appeals, previously perfected for the March 2014 Term, are withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Carter Ledyard & Milburn LLP,
Plaintiff-Appellant,

-against-

M-1444
Index No. 155872/13

Pearl Seas Cruises, LLC,
Defendant-Respondent.

-----X
Pearl Seas Cruises, LLC,
Counterclaim Plaintiff,

-against-

Carter Ledyard & Milburn LLP,
Counterclaim Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 9, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated March 19, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

Cindy Weasen,
Plaintiff-Respondent,

-against-

M-6305
Index No. 113830/10

Permanent Mission of Romania to the UN,
Romania,
Defendant-Appellant,

The City of New York,
Defendant.

-----X

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

And plaintiff-respondent having moved for an enlargement of time to file her opposition brief,

Now, upon reading and filing the stipulation of the parties hereto, dated December 27, 2013, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----x
Thomas A. Mike,
Plaintiff-Respondent,

-against-

M-559
Index No. 108385/10

Payson Owners Corp., and Cooper
Square Realty, Inc.,
Defendant-Appellants.

-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 5, 2013, and said appeal having been heard,

And an order of this Court having been entered on January 23, 2014 (M-6260), granting a stay of proceedings and trial and related relief, pending hearing and determination of the aforesaid appeal,

And plaintiff-respondent having moved for clarification of the aforesaid order of this Court entered on January 23, 2014 (M-6260) and/or to lift the stay granted by said order,

Now, upon reading and filing the papers with respect to the motion including the stipulation between the parties dated February 7, 2014, 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 May 8, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Dexter A.,
Petitioner-Appellant,

-against-

M-722

Docket Nos. V-27691-09/12A
V-27691-09/12B

Georgia G.,
Respondent-Respondent.

Jeffrey Colt, Esq.,
The Children's Law Center,
Attorney for the Child.
-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about August 31, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Thomas R. Villecco, Esq., 366 North Broadway, Suite #410, Jericho, NY 11753, Telephone No. (516) 942-4221, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

Jenny F.,
Petitioner-Respondent, **M-732**
Docket No. O-27347/12
-against-

Felix C.,
Respondent-Appellant.

Scott A. Rosenberg, Esq.,
Legal Aid Society,
Attorney for the Child.

-----X
Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about February 22, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 834-3053, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Dedon G.,
Petitioner-Respondent,

-against-

M-612
Docket Nos. V-5562/12
V-24272/12

Zenhia G.,
Respondent-Appellant.

Scott A. Rosenberg, Esq.,
The Legal Aid Society,
Attorney for the Child.

-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about January 8, 2014, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue #176, Larchmont, NY 10538, Telephone No. (914) 834-3053, as counsel for purposes of prosecuting the appeal;
(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the

City of New York from funds available therefor;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 from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-778, decided simultaneously herewith.)

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 May 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

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

Dedon G.,
Petitioner-Respondent,

-against-

M-778
Docket Nos. V-5562/12
V-24272/12

Zenhia G.,
Respondent-Appellant.

Scott A. Rosenberg, Esq.,
The Legal Aid Society,
Attorney for the Child.

-----X

Petitioner-respondent father having moved for leave to respond, as a poor person, to the appeal from an order of the Family Court, Bronx County, entered on or about January 8, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue, Suite 201, Jamaica, NY 11432, Telephone No. (718) 883-1560, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. (See M-612, decided simultaneously herewith).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

Danta P. C.,
Petitioner-Respondent,

M-441
Docket No. O-32406/11

-against-

Tyrell C.,
Respondent-Appellant.

Bruce A. Young, Esq.,
Attorney for the Child.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 24, 2013, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. (914) 949-8215, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have

transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;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 from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-447 and M-448, decided simultaneously herewith.)

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 May 8, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

Danta P. C.,
Petitioner-Respondent,

M-447
Docket No. O-32406/11

-against-

Tyrell C.,
Respondent-Appellant.

Bruce A. Young, Esq.,
Attorney for the Child.

-----X
Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about July 24, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 834-3053, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-441 and M-448, decided simultaneously herewith.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

Danta P. C.,
Petitioner-Respondent,

M-448
Docket No. O-32406/11

-against-

Tyrell C.,
Respondent-Appellant.

Bruce A. Young, Esq.,
Attorney for the Child.

-----X

William O'Hern, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about July 24, 2013, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Bruce A. Young, Esq., 181 Hudson Street, Suite 1A, New York, NY 10013, Telephone No. (212) 965-0050, as counsel for the subject child for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-441 and M-447, decided simultaneously herewith.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of

Madison M. and Haylie M.,

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

M-627

Docket Nos. NN-4593/13
NN-4594/13

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

Nathan M.,
Respondent-Appellant.

- - - - -
Scott A. Rosenberg, Esq.,
The Legal Aid Society,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, entered on or about October 11, 2013 and January 2, 2014, for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660, as counsel for purposes of prosecuting the

appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;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 from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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 May 8, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Karla Moskowitz
Roselyn H. Richter
Darcel D. Clark, Justices.

-----X
In the Matter of Platinum Towing, Inc.,
Petitioner-Appellant,

M-1481

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

Index No. 101141/13

-against-

New York City Department of Consumer
Affairs,
Respondent-Respondent.

-----X

An appeal having been taken from an order and judgement (one paper) of the Supreme Court, New York County, entered on or about March 11, 2014,

And petitioner-appellant having moved for a stay of enforcement of the aforesaid order, and for reinstatement of a certain preliminary injunction enjoining respondent from barring petitioner's participation in the Direct Accident Response Program ("DARP"), zones 10 and 24, pending hearing and determination of the aforesaid 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 denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Katie McNeill, as Proposed Administratrix
of the Estate of Yvonne McNeill and
Katie McNeill, Individually,
Plaintiff-Respondent,

-against-

M-1733
Index No. 150241/12

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

-----X

Defendants-appellants having moved for a declaration of an extant stay pursuant to CPLR 5519(a)(1) or for a discretionary stay of discovery pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about December 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 May 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Susan Angel,
Plaintiff-Appellant,

-against-

M-1251
Index No. 350072/05

Christopher O'Neill,
Defendant-Respondents.
-----X

Petitioner-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 February 13, 2014 (Appeal No. 11708-11708A),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5813
Ind. No. 1623/02

Hafiz Hayes,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 12, 2006 (Appeal No. 9225), unanimously affirming a judgment of the Supreme Court, New York County (Rane Uviller, J.), rendered on July 2, 2003,

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 May 8, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

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

-against-

M-6154
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 (Robert 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, 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 May 8, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Leland DeGrasse
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Application of
Tony Barrow,
Petitioner-Appellant,

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

M-1651
Index No. 402352/12

-against-

New York City Housing Authority,
Respondent-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 June 25, 2013, to review a determination of respondent,

And respondent having moved to dismiss the proceeding for failure to timely perfect,

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 dismissing the proceeding unless perfected for the October 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 May 8, 2014.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Judith J. Gische
Darcel D. Clark, Justices.

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

-against-
M-6549
M-6620
Ind. Nos. 6518/10
2357/10

Johansel Marte, also known as Johan
Marte, [NYSID No. 09841232P]
Defendant-Appellant.

-----X

Defendant having moved, by separate motions, 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 October 21, 2013 under Ind. No. 2357/10, and for leave to prosecute the appeal(s) from the aforesaid judgment, and the appeal from the judgment of said Court rendered on or about November 18, 2013 under Ind. No. 6518/10 as a poor person, upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motions are granted to the extent of deeming the moving papers from the judgment rendered on or about October 21, 2013 under Ind. No. 2357/10 as a timely filed notice of appeal, and permitting the appeal(s) to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall

furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Scott A. Rosenberg, 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(s). The time within which appellant shall perfect the appeals is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X

Paul Barnes,
Plaintiff-Appellant,

-against-

M-1189
Index No. 106057/08

Jewish Association Foundation,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 27, 2014 (Appeal No. 11832),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Leland DeGrasse
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X

In re New York City
Asbestos Litigation

- - - - -
Gail Herlihy, etc.,
Plaintiff-Respondent,

-against-

M-774
Index No. 190149/11

A.F. Supply Corp., et al.,
Defendants,

Munaco Packing & Rubber Co., Inc.,
of South Carolina,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 24, 2013 (Appeal No. 11198),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

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

-----X
Daisy Echevarria,
Plaintiff-Respondent,

-against-

158th St. Riverside Drive Housing
Co., Inc., et al.,
Defendants-Appellants.

M-877
Index Nos. 15891/02
83512/03
83809/12

- - - - -
158th St. Riverside Drive Housing
Co., Inc., et al.,
Third-Party Plaintiffs-Appellants,

-against-

Edwin Gould Foundation For Children,
Third-Party Defendant-Respondent.

- - - - -
[And a Second Third-Party Action]

-----X
Defendants/third-party plaintiffs-appellants 158th St. Riverside Drive Housing Co., Inc. and Riverside Terrace Apartments, Inc. having moved for reargument of the decision and order of this Court entered on January 21, 2014 (Appeal Nos. 11516-17),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

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

-----X
Stanley L. Ostarch,
Plaintiff-Appellant,

-against-

M-1578
Index No. 108643/09

MTA New York City Transit Authority,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 24, 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 October 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 May 8, 2014.

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

-----X
Kendra Cividanis,
Plaintiff-Appellant,

-against-

M-1613
Index No. 307309/10

New York City Health & Hospitals
Corporation,
Defendant-Respondent.

-----X

Plaintiff-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 July 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 to the extent of enlarging the time to perfect the appeal to the October 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 May 8, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Diane T. Renwick
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Zeljko Saric,
Plaintiff-Respondent,

-against-

M-1317
M-1700

Bayrock/Sapir Organization, LLC,
et al.,
Defendants,

Index No. 150009/11

F&I Trucking Corp. and Green Ball
Leasing Corp.,
Defendants-Appellants,

Patterson Woodworking, Inc.,
Defendant.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about April 4, 2013 and February 24, 2014, respectively,

And defendants-appellants having moved for consolidation of the aforesaid appeals, and to enlarge the time to perfect same (M-1317),

And plaintiff-respondent having cross-moved to dismiss the aforesaid appeals (M-1700),

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 is granted to the extent of consolidating the aforesaid appeals, and permitting defendants-appellants to prosecute the consolidated appeals upon 9 copies of one record and of one set of appellants' points covering said appeals. The time to perfect said consolidated appeals is enlarged to the October 2014 Term (M-1317). The cross motion is denied (M-1700).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland DeGrasse
Judith J. Gische, Justices.

-----X

B.D. Estate Planning Corp.,
Plaintiff-Respondent,

-against-

M-1183
Index No. 651006/11

Marcy Trachtenberg, as Trustee
of the Ellis Limquee Family
Insurance Trust,
Defendant,

Carolyn Limquee,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 11, 2014 (Appeal No. 11695),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,
Diane T. Renwick
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Patricia German, et al.,

Plaintiffs,

-against-

M-1309

Index No. 105539/11

S&P Associates of New York, LLC,
et al.,

Defendants.

-----X

Plaintiffs having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, New York County, on or about March 12, 2014,

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

Ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Judith J. Gische
Darcel D. Clark, Justices.

-----X
In the Matter of the Guardianship
of the Person and Custody of

Malik M. M.,

A Child Under 18 Years of Age
alleged to be Neglected Pursuant to
§ 384(b) of the Social Services
Law of State of New York.

M-991
Docket No. B-3915/11

Edwin Gould Services for Children
and Families,
Petitioner-Appellant,

Shaneque M.,
Respondent-Respondent.

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

-----X
Respondent-respondent having moved for dismissal of the appeal taken from order of the Family Court, New York County, entered on or about October 3, 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 May 8, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

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

-against-

M-940
Ind. No. 2013/10

Andre Walton,
Defendant.

-----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 July 5, 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 May 8, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Diane T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

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

-against-

M-208
Ind. No. 4793/12

Luis Bonilla,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 16, 2013, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 45 West 45th Street, Suite 706, New York, New York 10036, Telephone No. 212-719-0766, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X

In Re: Empire State Realty Trust Inc. **M-1328**
Investor Litigation Index No. 650607/12

- - - - -

Alan L. Kovacs, Trustee of Hilda Kovacs
Family Trust of 2000
Appellant,

Hope Ratner and Mark Esses,
Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 30, 2013, and said appeal having been perfected,

And appellants Hope Ratner and Mark Esses having moved for leave to file a single page brief adopting and incorporating by reference the appellant's brief filed by Alan L. Kovacs, Esq., as Trustee of the Hilda Kovacs Family Trust of 2000,

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 appellants Ratner and Esses to join in appellant Kovac's brief. Appellants Ratner and Esses are directed to file an amended cover page for said brief and record reflecting their appearance. The Law Office of Alan L. Kovacs is deemed to be the new attorney of record for appellants Ratner and Esses on this appeal.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Diane T. Renwick
David B. Saxe
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Esther Hephzibah,
Plaintiff-Appellant,

-against-

M-1712
Index No. 116481/10

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

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 30, 2013, and said appeal having been perfected,

And defendant-respondent, The City of New York, having moved for an adjournment of the aforesaid appeal,

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

Ordered that the motion is granted to the extent of adjourning the perfected appeal to the October 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 May 8, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
David B. Saxe
Karla Moskowitz
Judith J. Gische
Darcel D. Clark, Justices.

-----X

John R. Lucker, et al.,
Plaintiffs-Appellants,

-against-

Bayside Cemetery, et al.,
Defendants-Respondents,

Community Association for Jewish
At-Risk Cemeteries, Inc.,
Defendant.

M-779
Index No. 114818/09

- - - - -

Steven R. Leventhal, etc.,
Plaintiff-Appellant-Respondent,

-against-

Index No. 100530/11

Bayside Cemetery, et al.,
Defendants-Respondents-Appellants,

Community Association for Jewish
At-Risk Cemeteries, Inc.,
Defendant.

-----X

Plaintiffs-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 31, 2013 (Appeal Nos. 10244 & 10245),

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Karla Moskowitz
Leland DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
William Knox Martin,
Plaintiff-Appellant,

-against-

M-1308
Index No. 104752/07

Golnaz Moazami, M.D.,
Defendant-Respondent,

Edward S. Harkness Eye Institute,
et al.,
Defendants.

-----X

Defendant-respondent having moved for dismissal of the appeal taken from order of the Supreme Court, New York County, entered on or about January 31, 2013 (mot. seq. no. 003), and for certain costs,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated March 25, 2014, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. Diane T. Renwick, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
In the Matter of the Application of
Arco Iris Night Club Corp.,
Petitioner,

M-1216

For a Judgment Pursuant to Article 78 Index No. 100001/14
of the Civil Practice Law and Rules,

-against-

New York State Liquor 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 February 4, 2014, to review a determination of respondent,

And petitioner having moved to stay enforcement of a December 4, 2013 license revocation order, 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 staying enforcement, predicated on the December 4, 2013 license revocation order pertaining to charges relating to the use of the premises at 5002 3rd Avenue, Brooklyn, as to El Rogo Night Club and Rose Quartz Lounge, on condition that petitioner perfects the proceeding on or before July 7, 2014 for the September 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 May 8, 2014.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
The People of the State of New York
by Eric T. Schneiderman, Attorney
General of the State of New York,
Plaintiff-Appellant,

-against-

M-1690
Index No. 250795/13

Mujahid Pervez, also known as Peter
Pervez, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 22, 2014,

And plaintiff-appellant having moved for an order staying all proceedings pending hearing and determination of the aforesaid appeal,

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

Ordered that the motion is granted on condition the appeal is perfected on or before September 2, 2014 for the November 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 May 8, 2014.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark
Barbara R. Kapnick, Justices.

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

-against-

M-5511
Ind. No. 9834/90

Jamel Clark,

Defendant.

-----X

An order of this Court having been entered on March 24, 1998 (M-361), denying defendant's motion for an extension of time to file an untimely notice of appeal from a judgment of the Supreme Court, New York County (Juanita Bing Newton, J.), rendered on March 25, 1991, and for related relief,

And defendant-appellant pro se having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel in connection with the aforesaid judgment, 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

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

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

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

M-1456
Ind. No. 4395/2001

-against-

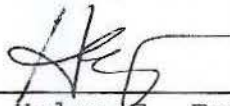
CERTIFICATE
DENYING LEAVE

Sean Salley,

Defendant.

-----X

I, Helen E. Freedman, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, §§ 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about November 6, 2013 is hereby denied.



Hon. Helen E. Freedman
Associate Justice

Dated: April 23, 2014
New York, New York

ENTERED: MAY 08 2014

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

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

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

M-687
Ind. No. 6026/04


-against-

CERTIFICATE
DENYING LEAVE

Luis Arroyo,

Defendant.
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about September 11, 2013, is hereby denied. In light of the above, defendant's request for poor person relief is denied as moot.


Associate Justice

Dated: April 7, 2014
New York, New York

ENTERED: MAY 08 2014

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

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

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

M-727
Ind. No. 5263/92

-against-

CERTIFICATE
DENYING LEAVE

Rasheed Rice,

Defendant,
-----X

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about September 18, 2013, is hereby denied.


Associate Justice

Dated: April 3, 2014
New York, New York

ENTERED: MAY 08 2014

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

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

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

M-1000
Ind. No. 1966/07

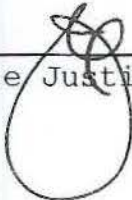
-against-

CERTIFICATE
DENYING LEAVE

Tony Clanton,
Defendant.

-----X

I, Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the Order dated January 27, 2014, of the Supreme Court, New York County (Bonnie Wittner, J.), is hereby denied.



Associate Justice

Dated: April 8, 2014
New York, New York

ENTERED: MAY 08 2014

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 - 1448
Ind. No. 3578/09

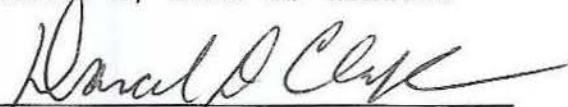
-against-

CERTIFICATE
DENYING LEAVE

Eric Shields,

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 1, 2013 is denied.



Hon. Darcel D. Clark
Associate Justice

Dated: April 15, 2014
New York, New York

ENTERED: MAY 08 2014

P.M ORDERS
FOR MAY 08,
2014

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 8, 2014.

Present: Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Helen E. Freedman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
David H.,
Petitioner-Appellant,

-against-

Joanna S.,
Respondent-Respondent.

-----X

M-1567

Docket Nos. V-31754/13
V-32048/13

An appeal having been taken from an order of the Family Court, New York County, entered on or about January 29, 2014,

And petitioner-appellant father having moved to stay enforcement of a portion of the aforesaid order and for related and other relief in connection therewith, pending hearing and determination of the aforesaid appeal,

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

Ordered that the motion is granted to the extent of directing that, if not already scheduled, and or the issue finally determined no later than 45 days of the date of entry of this order, a hearing be commenced in the aforesaid Family Court, New York County, regarding, but not limited to, the issues of custody and residence of the subject child, and that said hearing be completed and a decision issued within a reasonable time thereafter, 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 May 8, 2014.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Judith J. Gische
Darcel D. Clark, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1754

Ind. No. 4930/12

Vilma Bautista,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 13, 2014, and for continuation of bail set therein, 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 granted to the extent of continuing bail fixed by the Supreme Court, New York County, on or about January 13, 2014, on all of the same terms and conditions, and on the further condition that defendant-appellant perfects the appeal on or before September 2, 2014 for the November 2014 Term.

ENTER:


CLERK

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

-against-

Cheolsoon Ko,

Defendant-Appellant.
-----X

M-1871
Ind. No. 1825/2013

ORDER DENYING ROR OR
BAIL PENDING APPEAL

An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, New York County, rendered on March 12, 2014, and defendant having moved, pursuant to CPL 460.50 and 530.50 for an order of recognizance or to be admitted to bail pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion, and further papers filed in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied.

Dated: April 29, 2014
New York, New York


Justice of the Appellate Division

ENTERED: **MAY 08 2014**