

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 July 13, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Karla Moskowitz
Judith J. Gische, Justices.

-----X
Mulberry Development LLC,

Plaintiff-Respondent,

-against-

M-2250
Index No. 155548/16

Peak Performance NYC, LLC, et al.,

Defendants-Appellants.
-----X

Defendants-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 March 23, 2017 (Appeal No. 2575),

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.

ENTERED:



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 July 13, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
Leroy Frazier,

Plaintiff-Appellant,

-against-

The City of New York,

Defendant-Respondent.
-----X

M-1372
NY County Clerk's No.
570700/16

Plaintiff having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about December 14, 2016, and for poor person 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 in its entirety.

ENTERED:



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 July 13, 2017.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber, Justices.

-----X
Frank Kelly and Katherine Kelly,
Plaintiffs-Respondents,

-against-

M-3155

Index No. 152540/14

Roza 14W LLC., and Roza 14W MGR LLC.,
Defendants-Appellants,

CRP/Capstone 14W, L.L.C., et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 18, 2017, and said appeal having been perfected,

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

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

Ordered that the motion is granted.

ENTERED:


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 July 13, 2017.

Present - Hon. Dianne T. Renwick,
Rosalyn H. Richter
Judith J. Gische
Marcy L. Kahn,

Justice Presiding,

Justices.

-----X
Sondra N.,

Plaintiff-Respondent,

-against-

Nilson N.,

Defendant-Appellant.
-----X

CONFIDENTIAL

M-2279

Index No. 311514/09

Defendant-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 June 27, 2016,

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 November 2017 Term.

ENTERED:



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 July 13, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber, Justices.

-----X
In the Matter of a Proceeding for
Custody and/or Visitation Under
Article 7 of the Family Court Act.

Jacquelin M.,
Petitioner-Appellant,

-against-

CONFIDENTIAL
M-3057
Docket Nos. V-613-14/10
V-618-19/10
IDV No. 203/10

Joseph M.,
Respondent-Respondent.

Janet Neustaetter, Esq.,
The Children's Law Center,
Attorney for the Children.
-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about May 20, 2015, and said appeal having been perfected,

And, petitioner-appellant having moved for poor person relief to the extent of directing the Clerk of the Family Court, Bronx County, to have transcribed all remaining transcripts to be filed for inclusion in the record on appeal, with the costs to be charged to the City of New York,

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.

ENTERED:



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 July 13, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber, Justices.

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

Respondent,

-against-

M-3115
Ind. No. 201/14

Daniel Mallo,

Defendant-Appellant.
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about November 16, 2016,

And defendant-appellant having moved for an enlargement of time to perfect the appeal, and for a continuation of bail pursuant to CPL §§460.50 and 530.50,

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 November 2017 Term, with no further enlargements to be granted. The bail granted by the order of a Justice of the Supreme Court, New York County, entered on or about January 13, 2017, is continued pending hearing and determination of the aforesaid appeal.

ENTERED:



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 July 13, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber, Justices.

-----x
The People of the State of New York
ex rel., David J. Goldstein, Esq.,
on behalf of Hector Taveras,
Petitioner-Appellant,

-against-

M-2471
Index No. 260163/17

Warden, etc.,
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about April 18, 2017, which denied petitioner-appellant's application for a writ of habeas corpus,

And petitioner-appellant having moved for an order admitting him to bail pending the determination of said appeal,

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

It is ordered that the motion is denied.

ENTERED:


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 July 13, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber, Justices.

-----X
Howard Wexler,

Plaintiff-Respondent,

-against-

M-3054
Index No. 151058/14

Ogden Cap Properties, LLC, et al.,

Defendants-Appellants.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 13, 2017, and said appeal having been perfected,

And defendants-appellants having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:



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 July 13, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber, Justices.

-----X
Pauline Crisafulli,

Plaintiff-Appellant,

-against-

M-2757
Index No. 160450/16

Southbridge Towers, Inc.,

Defendant-Respondent.
-----X

Plaintiff-appellant having moved for a stay of eviction pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 5, 2017,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court, dated May 22, 2017, is vacated.

ENTERED:



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 July 13, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz
Troy K. Webber, Justices.

-----X
Phyllis Algernon,
Plaintiff-Appellant,

-against-

M-2911
Index No. 21018/14E

Frank Watkins, M.D.,
Defendant-Respondent,

St. Barnabas Hospital, et al.,
Defendants.

-----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 August 4, 2016,

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 2017 Term.

ENTERED:



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 July 13, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2898

Ind. No. 2796/15

Augusto Collado,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about January 26, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 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.

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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.

ENTERED:


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 July 13, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-2965
Ind. No. 130/16

Russell Smith,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 19, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:


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 July 13, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-2980
Ind. No. 3337/15

Wilson Galarza,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 3, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:


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 July 13, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----X
In the Matter of

Jace T.,
and Isabella S.,

CONFIDENTIAL
M-2800

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

Docket Nos. NN-29269/15
NN-29270/15

- - - - -
Commissioner of Social Services
of the City of New York,
Petitioner-Appellant,

Robert T.,
Respondent-Respondent.

- - - - -
Seymour W. James, Jr., Esq.,
Attorney for the Children.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about May 31, 2016, 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 §1120 of the Family Court Act, Randall S. Carmel, Esq., 53 Jackson Avenue, Syosset, New York, Telephone No. (516) 921-8800, 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.

ENTERED:


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 July 13, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

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

- - - - -
Diane K.,
Petitioner-Respondent,

CONFIDENTIAL
M-3156
Docket No. V-13660/13

-against-

Yasmin Q.,
Respondent-Appellant.

- - - - -
Andrew J. Baer, Esq.,
Attorney for the Child.

-----X
Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about May 31, 2016, 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 §1120 of the Family Court Act, Anne Reiniger, Esq., 801 Second Avenue, 10th Fl., New York, NY 10017, Telephone No. (646) 627-8875, 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.

ENTERED:



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 July 13, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
In the Matter of

Mason B.,
and Carter B.,

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

CONFIDENTIAL
M-2415
Docket Nos. NN-9320/17
NN-9321/17

- - - - -
Commissioner of Children's Services
of the City of New York,
Petitioner-Appellant,

Naquana N.,
Respondent-Respondent.

- - - - -
Seymour W. James, Jr., Esq.,
The Legal Aid Society, Juvenile
Rights Division,
Attorney for the Children.

-----X

Appeals having been taken to this Court from orders of the Family Court, Bronx County, entered on or about April 26, 2017,

And petitioner-appellant having moved for an order, pursuant to FCA 1027, removing the children and remanding them to the Administration for Children's Services, and for other relief,

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

It is ordered that the motion is denied.

ENTERED:



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 July 13, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Damary Guzman,
Plaintiff-Respondent,

-against-

M-2585
Index No. 308820/08

Promesa Foundation, Inc., et al.,
Defendants-Appellants,

-and-

Michael Angelo Torres,
Defendant.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 11, 2016,

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 2017 Term.

ENTERED:


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 July 13, 2017.

Present - Hon. Rolando T. Acosta,
Rosalyn H. Richter
Troy K. Webber
Marcy L. Kahn,

Presiding Justice,

Justices.

-----X
In the Matter of

Yadiells G.,

A Person Alleged to be a Juvenile
Delinquent,

Respondent-Appellant.
-----X

CONFIDENTIAL

M-1994

Docket No. D-29236/13

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the Order of Fact-Finding and the Order of Disposition of the Family Court, Bronx County, entered on or about November 2, 2015 and December 11, 2015, respectively,

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 November 2017 Term.

ENTERED:



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 July 13, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2801
Ind. No. 5056/89

David Rosario,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on October 27, 1992 (Appeal No. 46968), unanimously affirming a judgment of the Supreme Court, New York County (Snyder, J.), rendered on March 7, 1991,

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.

ENTERED:


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 July 13, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
Rosalyn H. Richter
Sallie Manzanet-Daniels
Marcy L. Kahn, Justices.

-----X

In re Grazyna S.-G.,

Petitioner-Appellant,

-against-

Evelina G.,

Respondent-Respondent.
-----X

CONFIDENTIAL

M-2328

Docket No. O-44072/13

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 March 16, 2017 (Appeal No. 3274),

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.

ENTERED:


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 July 13, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
Rosalyn H. Richter
Sallie Manzanet-Daniels
Marcy L. Kahn, Justices.

-----X

Prince Fashions, Inc.,
Plaintiff-Appellant,

-against-

60G 542 Broadway Owner, LLC,
Defendant-Respondent.

M-2351

M-2414

Index No. 651255/16

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on April 18, 2017 (Appeal No. 3298N) [M-2351],

And, by separate motion, plaintiff-appellant having moved for a stay pending determination of motion M-2351 [M-2414],

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

It is ordered that plaintiff-appellant's motion for reargument or leave to appeal to the Court of Appeals [M-2351] is denied in its entirety. Plaintiff-appellant's motion for a stay of execution is granted only to the extent that the execution of our decision and order, entered April 18, 2017 (Appeal No. 3298N), is stayed for 15 days from the entry of this order [M-2414].

ENTERED:


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 July 13, 2017.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Richard T. Andrias
Karla Moskowitz, Justices.

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

- - - - -
Administration for Children's Services,
et al.,
Respondent-Respondent,

Elizabeth R.,
Petitioner-Appellant,

Renzo H.,
Respondent-Respondent,

Brenda P.-H.,
Respondent-Appellant.

- - - - -
Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Children.

-----X

CONFIDENTIAL
M-1952

Docket Nos. G-46395/14
V-21152/12

Respondent-appellant Brenda P.-H. having moved for leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, New York County, entered on or about February 24, 2017, and for assignment of counsel, a free copy of the transcript(s), and for related relief [M-1952},

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 [M-1952] is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Neal D. Futerfas, Esq., 50 Main Street, Suite #1000, White Plains, NY 10606, Telephone No. (914) 522-6076, as counsel for purposes of prosecuting the appeal for respondent-appellant Brenda P.-H.; (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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-2146, M-2147 and M-2362, decided simultaneously herewith.)

ENTERED:


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 July 13, 2017.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Richard T. Andrias
Karla Moskowitz, Justices.

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

- - - - -
Administration for Children's Services,
et al.,
Petitioner-Respondent,

CONFIDENTIAL
M-2146
M-2147
M-2362

Elizabeth R.,
Petitioner-Appellant-Respondent,

Docket Nos. G-46395/14
V-21152/12

Renzo H.,
Respondent-Respondent,

Brenda P.-H.,
Respondent-Appellant.

- - - - -
Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Children.

-----X

Petitioner-appellant Elizabeth R., having moved for leave to prosecute, as a poor person, two appeals taken from two orders of the Family Court, New York County (Docket Nos. G-46395/14 and V-21152/12), both entered on or about February 24, 2017, and for assignment of counsel, a free copy of the transcript(s), and for related relief [M-2146 and M-2147]; and for leave to respond, as a poor person, to the appeal taken by respondent-appellant Brenda P.-H., under Docket No. G-46395/14 [M-2362],

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

Ordered that the motions are granted to the extent of (1) assigning, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660), pursuant to Article 18b of the County Law and §1120 of the Family Court Act, as counsel for purposes of prosecuting the appeals for petitioner-appellant Elizabeth R. [M-2146, M-2147]; and for leave to respond to the respondent's appeal under Docket No. G-46395/14; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record(s) on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-1952, decided simultaneously herewith.)

ENTERED:


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 July 13, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

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

Peggy M.,
Petitioner-Appellant,

-against-

CONFIDENTIAL
M-3081
Docket No. V-712-06/14X

Michael O'L.,
Respondent-Respondent.

Larry S. Bachner, P.C.,
Attorney for the Child.

-----X

Monica Eskin, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Supreme Court, Bronx County, entered on or about December 16, 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 §1120 of the Family Court Act, Larry S. Bachner, P.C., C/O Bachner & Associates, P.C., 39 Broadway - Suite #1610, New York, NY 10006, Telephone No. (917) 674-9516, as counsel for purposes of responding to the appeal on the child's

behalf; (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.

ENTERED:


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 July 13, 2017.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Richard T. Andrias
Karla Moskowitz, Justices.

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

-against-

M-2262
Ind. No. 3043/14

Richard Porter,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about June 2, 2016, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers 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 8 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:


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 July 13, 2017.

Present - Hon. Peter Tom, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Judith J. Gische, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2832
Ind. No. 5343N/16

Edwin Reyes,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about February 23, 2017, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed 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 8 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:


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 July 13, 2017.

Present - Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Tishman Construction Corp. of
New York,
Plaintiff-Respondent,

-against-

M-2462
Index No. 157609/14

Scottsdale Insurance Company,
Defendant-Appellant,

Ornamental Installation Specialists,
Inc.,
Defendant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 12, 2016,

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 November 2017 Term.

ENTERED:


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 July 13, 2017.

Present - Hon. Peter Tom, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Judith J. Gische, Justices.

-----X
680 East Fordham Road Realty Corp.,
et al.,

Plaintiffs-Appellants,

M-2936
Index No. 303006/14

-against-

Mario L. DeMarco,

Defendant-Respondent.
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about December 3, 2015,

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 November 2017 Term.

ENTERED:


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 July 13, 2017.

Present - Hon. Peter Tom,
Rosalyn H. Richter
Judith J. Gische
Ellen Gesmer,

Justice Presiding,

Justices.

-----X

Donato Realty, LLC, et al.,
Plaintiffs-Respondents,

-against-

M-742

Index No. 152419/12

Utica First Insurance Company,
Defendant-Appellant.

-----X

Defendant-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 January 10, 2017 (Appeal No. 2689),

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

It is ordered that the motion is denied in its entirety.

ENTERED:



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 July 13, 2017.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
John Pirraglia,

Plaintiff-Respondent,

M-2350

Index No. 23247/15E

-against-

Jofsen, Inc., et al.,

Defendants-Appellants.
-----X

Defendants-appellants having moved for reargument of the decision and order of this Court, entered on March 30, 2017 (Appeal Nos. 3566-3568),

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.

ENTERED:



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 July 13, 2017.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Troy K. Webber, Justices.

-----x
Mascis Investment Partnership, et al.,

Plaintiffs-Appellants,

-against-

M-2217
Index No. 654981/16

SG Capital Corporation,

Defendant-Respondent.
-----x

Plaintiffs-appellants having moved for a stay of enforcement of the orders of the Supreme Court, New York County, entered on or about April 21, 2017, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied. The stay granted by an order of a Justice of this Court, entered on April 24, 2017, is vacated.

ENTERED:


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 July 13, 2017.

Present: Hon. David Friedman, Justice Presiding,
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X

Raghida Hejazien,
Plaintiff-Appellant,

-against-

M-2402

Index No. 306475/14

Eddie Malouf,
Defendant-Respondent,

Jose Santiago,
Defendant,

Global Liberty Insurance Company,
Proposed Additional Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 13, 2016, and said appeal having been perfected,

And proposed additional respondent, Global Liberty Insurance Company, having moved for leave to appear as a respondent and submit an additional respondent's brief, or in the alternative, to dismiss 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 permitting Global Liberty Insurance Company to appear as a respondent on the appeal, and respondent is directed to serve and file 8 copies of a respondent's brief on or before September 6,

2017 for the October 2017 Term, to which Term the appeal is, sua sponte, adjourned. So much of Global Liberty Insurance Company's motion seeking to dismiss the appeal is denied without prejudice to raising substantive arguments in its respondent's brief.

ENTERED:


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 July 13, 2017.

Present - Hon. David Friedman,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz
Ellen Gesmer,

Justice Presiding,

Justices.

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

-against-

Salvatore Rinaldi,
Defendant-Appellant.
-----X

M-2872
Ind. Nos. 3634/14
5582/13

An order of this Court having been entered on December 13, 2016 (M-5378), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 14, 2015, under Indictment Nos. 3634/14 and 5582/13, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order of assignment to include the judgment of **resentence** of said Court, rendered on or about May 25, 2017, under the same indictment numbers,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order of assignment to include the judgment of **resentence** rendered on or about May 25, 2017 under the same indictment numbers, and extending the poor person relief previously granted to cover same.

ENTERED:


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 July 13, 2017.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

Margaret McGowan,

Plaintiff-Respondent,

-against-

M-2307

Index No. 151958/12

Metropolitan Transportation Authority
Bus Company, et al.,

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 July 18, 2016,

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 2017 Term.

ENTERED:


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 July 13, 2017.

Present - Hon. David Friedman,
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern,

Justice Presiding,

Justices.

-----X
Harry Mohinani, et al.,

Plaintiffs-Respondents,

-against-

M-2729
Index No. 653229/12

Tzlila Charney, etc., et al.,

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 March 14, 2016,

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 November 2017 Term.

ENTERED:



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 July 13, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Karla Moskowitz
Judith J. Gische, Justices.

-----X
In the Matter of a Support Proceeding
Under Article 4 of the Family Court
Act.

- - - - -

Latoya P.,
Petitioner-Appellant,

-against-

CONFIDENTIAL

M-2688
Docket No. F-14362-15/15D

William B.,

Respondent-Respondent.

-----X

An appeal having been taken from an order of the Family Court, Bronx County, entered on or about February 10, 2017,

And, respondent-respondent having moved for dismissal 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 respondent-respondent's motion is granted and the appeal is dismissed.

ENTERED:


CLERK

✓

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

M-2421
Ind. No. 1080/98

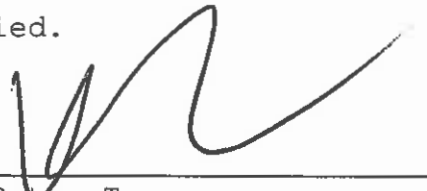
-against-

Michael Wilson,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about March 27, 2017 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: June 13, 2017
New York, New York

ENTERED

JUL 13 2017

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-2021
Ind. Nos. 3880/12
1214/12

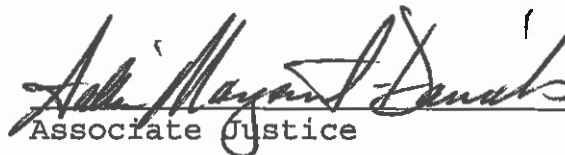
-against-

CERTIFICATE
DENYING LEAVE

Morgan Greenburger,

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 May 26, 2016, is hereby denied.


Associate Justice

Dated: June 19, 2017
New York, New York

ENTERED: JUL 13 2017

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-2370
Ind. No. 1751/10

-against-

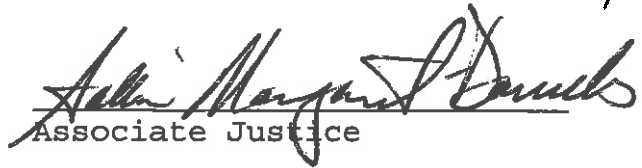
CERTIFICATE
DENYING LEAVE

Randolph Maxwell,

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 March 2, 2017, is hereby denied.


Associate Justice

Dated: June 19, 2017
New York, New York

ENTERED: JUL 13 2017

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-2767
Ind. Nos. 10386/96

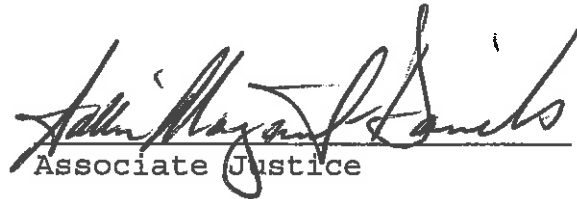
-against-

CERTIFICATE
DENYING LEAVE

Claudio Young,

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 January 4, 2017, is hereby denied.


Associate Justice

Dated: June 19, 2017
New York, New York

ENTERED: JUL 13 2017

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-2007
Ind. No. 11101/92

-against-

CERTIFICATE
DENYING LEAVE

Timothy Dixon,

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 (Felicia A. Mennin, J.), entered on or about February 15, 2017, is hereby denied.


Justice

Dated: June 15, 2017
New York, New York

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,
Respondent,

M-2867
Ind. No. 2975/14

-against-

CERTIFICATE
GRANTING LEAVE

Ricky Alston
Defendant-Appellant.

-----X
I, Judith J. Gische, a Justice of the Appellate Division, First
Judicial Department, do hereby certify that in the proceedings herein
questions of law or fact are involved which ought to be reviewed by
the Appellate Division, First Judicial Department, and, pursuant to
Section 460.15 of the Criminal Procedure Law, permission is hereby
granted to the above-named defendant to appeal to the Appellate
Division, First Judicial Department, from the order of the Supreme
Court, New York County, entered on or about May 4, 2017.¹

Dated: June 15, 2017
New York, New York

ENTERED

JUL 13 2017



Hon. Judith J. Gische
Associate Justice

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

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

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-2067
Ind. Nos. 3362/14
2734/14
2279/14

-against-

CERTIFICATE
DENYING LEAVE

Adam Palacios

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 People seeking a certificate
pursuant to Civil Practice Law and Rules 5701(c) and upon the
record and proceedings herein, there is no right of appeal and 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 March 17, 2017 is hereby denied.'



Associate Justice

Dated: June 15, 2017
New York, New York

ENTERED: JUL 13 2017

Present - Hon. Rolando T. Acosta,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick,

Presiding Justice,

Justices.

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

Respondent,

-against-

M-2469
Ind. No. 2612/16

Matthew Hilton,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 4, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Steven A. Feldman, Esq., 626 EAB Plaza, West Tower, 6th Floor Uniondale, NY 11556, Telephone No. (516) 522-2828, 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.

ENTERED: July 13, 2017


CLERK

Present - Hon. Rolando T. Acosta,
Peter Tom
David Friedman
John W. Sweeny, Jr.,

Presiding Justice,

Justices.

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

Respondent,

-against-

Raymond Talavera,

Defendant-Appellant.
-----X

M-2752
Ind. No. 39/17

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 16, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

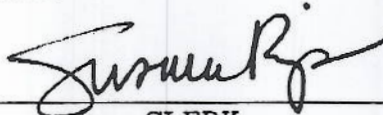
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation,
120 Wall Street, 28th Floor, New York, New York 10005, Telephone
No. 212-577-2523, is assigned as counsel for defendant-appellant
for purposes of the appeal. The time within which appellant
shall perfect this appeal is hereby enlarged until 120 days from
the date of filing of the record.

ENTERED: July 13, 2017


CLERK

Present - Hon. Rolando T. Acosta,
Peter Tom
David Friedman
John W. Sweeny, Jr.,

Presiding Justice,

Justices.

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

Respondent,

-against-

M-2744
Ind. No. 396/14

Michael Cole,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about January 26, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

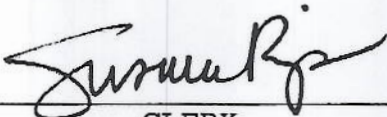
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation,
120 Wall Street, 28th Floor, New York, New York 10005, Telephone
No. 212-577-2523, is assigned as counsel for defendant-appellant
for purposes of the appeal. The time within which appellant
shall perfect this appeal is hereby enlarged until 120 days from
the date of filing of the record.

ENTERED: July 13, 2017


CLERK

Present - Hon. Rolando T. Acosta,
Peter Tom
David Friedman
John W. Sweeny, Jr.,

Presiding Justice,

Justices.

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

Respondent,

-against-

M-2750
Ind. No. 31/17

Daniel Martin,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 23, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

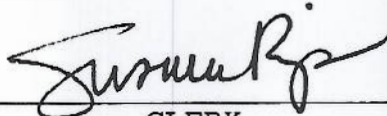
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation,
120 Wall Street, 28th Floor, New York, New York 10005, Telephone
No. 212-577-2523, is assigned as counsel for defendant-appellant
for purposes of the appeal. The time within which appellant
shall perfect this appeal is hereby enlarged until 120 days from
the date of filing of the record.

ENTERED: July 13, 2017


CLERK

Present - Hon. Rolando T. Acosta,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick,

Presiding Justice,

Justices.

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

Respondent,

-against-

M-2763
Ind. No. 261/17

Julio Carias,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 12, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

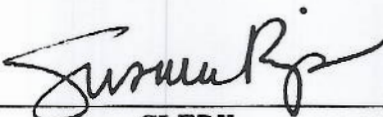
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation,
120 Wall Street, 28th Floor, New York, New York 10005, Telephone
No. 212-577-2523, is assigned as counsel for defendant-appellant
for purposes of the appeal. The time within which appellant
shall perfect this appeal is hereby enlarged until 120 days from
the date of filing of the record.

ENTERED: July 13, 2017


CLERK

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-2765
Ind. No. 206/17

Jemel Brown,

Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 2, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

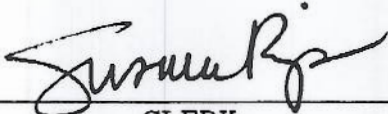
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation,
120 Wall Street, 28th Floor, New York, New York 10005, Telephone
No. 212-577-2523, is assigned as counsel for defendant-appellant
for purposes of the appeal. The time within which appellant
shall perfect this appeal is hereby enlarged until 120 days from
the date of filing of the record.

ENTERED: July 13, 2017


CLERK

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.

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 28, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

-----X
Defendant-Appellant.

Angel Rivera,

-against-

M-2762
SCI No. 452/17

Respondent,

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

Present - Hon. Rolando T. Acosta,
Peter Tom
David Friedman
John W. Sweeney, Jr.,
Justices.
Presiding Justice,

Rosemary Herbert, Esq., Office of the Appellate Defender,
11 Park Place, Room 1601, New York, New York 10007, Telephone No.
212-402-4112, 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.

ENTERED: July 13, 2017



CLERK

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.

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this court.

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

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 16, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

-----X
Defendant-Appellant.

Darnell Riddles,

-against-

M-2692
Ind. No. 1285/16

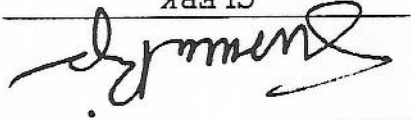
Respondent,

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

Present - Hon. Rolando T. Acosta,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick,
Justices.
Presiding Justice,

Rosemary Herbert, Esq., Office of the Appellate Defender,
11 Park Place, Room 1601, New York, New York 10007, Telephone No.
212-402-4112, 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.

ENTERED: July 13, 2017


CLERK

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.

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 27, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

-----X
Defendant-Appellant.

Jose A. Feliciano,
-against-
Ind. Nos. 26/16
59745C/15
59746C/15
M-2764

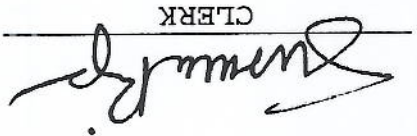
Respondent,

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

Present - Hon. Rolando T. Acosta,
Peter Tom
David Friedman
John W. Sweeny, Jr.,
Justices.
Presiding Justice,

Rosemary Herbert, Esq., Office of the Appellate Defender,
11 Park Place, Room 1601, New York, New York 10007, Telephone No.
212-402-4112, 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.

ENTERED: July 13, 2017


CLERK

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.

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this court.

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

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 13, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

-----X
Defendant-Appellant.

John Bernabel,

-against-

Respondent,

The People of the State of New York,

-----X

John W. Sweeny, Jr.,
David Friedman
Peter Tom

Present - Hon. Rolando T. Acosta,

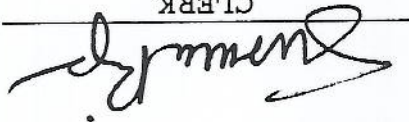
Presiding Justice,

Justices.

M-2756
Ind. No. 1997/15

Rosemary Herbert, Esq., Office of the Appellate Defender,
11 Park Place, Room 1601, New York, New York, Telephone No.
212-402-4112, 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.

ENTERED: July 13, 2017


CLERK

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

BEFORE: Hon. Marcy L. Kahn
Justice of the Appellate Division

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

M-2478
Indictment No.
8030/95

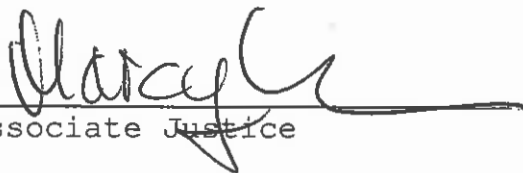
-against-

CERTIFICATE
DENYING LEAVE

Angel Romero,
Defendant.

-----X

I, Marcy L. Kahn, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented 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 (Hon. Margaret L. Clancy), entered on or about April 11, 2017, is hereby denied.


Associate Justice

Dated: June 14, 2017
New York, New York

ENTERED: **JUL 13 2017**