

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 June 6, 2017.

Present: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
Sallie Manzanet-Daniels, Justices.

-----X

R.S. Raghavendra, also known as  
Randy S. Raghavendra, Founder, National  
Association for Clients Against Dishonest  
Attorneys,

Plaintiff-Appellant,

**M-1834**

Index No. 450287/16

-against-

Law Office of Louis D. Stober, et al.,  
Proskauer Rose, LLP, et al., and the  
Trustees of Columbia University, et al.,

Defendants-Respondents.

-----X

Separate appeals having been taken by plaintiff from four orders of the Supreme Court, New York County, all entered on or about December 2, 2016,

And, an order of this Court having been entered on April 27, 2017 (M-1056 and M-1109) dismissing all of plaintiff's aforesaid appeals,

And, an order having been entered January 5, 2017, enjoining plaintiff from filings of any kind, including but not limited to summonses and complaints, notices of appeal and motion papers, in any state court of the State of New York involving any of the defendants in this action or any of the prior actions involving the nucleus of operative facts at issue, without written permission of the Chief Judge, Presiding Justice, or Administrative Judge of the Court in which the filing is sought (M-3450 and M-5436),

And, plaintiff-appellant having nonetheless moved for an order (1) striking the aforesaid motions filed by defendants-respondents; (2) for sanctions against defendants' moving counsel; and (3) for disqualification of attorney Gregg Mashberg,

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 as academic. (See M-1056 and M-1109, entered April 27, 2017.)

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 June 6, 2017.

PRESENT - Hon. David Friedman, Justice Presiding,  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-2008  
Ind. No. 698/15

Jayquan Chambers,  
Defendant-Appellant.

-----X

An order of this Court having been entered on November 5, 2015 (M-4608) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about June 16, 2015, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such 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 the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 June 6, 2017.

Present:	Hon. David Friedman,	Justice Presiding,
	Richard T. Andrias	
	Karla Moskowitz	
	Judith J. Gische	
	Ellen Gesmer,	Justices.

-----X

Jessica Torres,

Plaintiff-Appellant,

-against-

**M-1054**

Index No. 24566/06

Irene G. Cernul, M.D., et al.,

Defendants-Respondents,

New York City Health and Hospitals Corporation, et al.,

Defendants.

-----X

Defendants-respondents 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 12, 2017 (Appeal No. 2064),

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

It is ordered that the motion, to the extent it seeks reargument, is denied. So much of the motion which seeks leave to appeal to the Court of Appeals is granted, and this Court, pursuant to CPLR 5713, certifies that

the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which reversed the order of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

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 June 6, 2017.

Present:	Hon. David Friedman,	Justice Presiding,
	Dianne T. Renwick	
	Karla Moskowitz	
	Rosalyn H. Richter	
	Barbara R. Kapnick,	Justices.

-----X

The People of the State of New York,  
Respondent,

**M-1077**

-against-

Ind. No. 5584/13

William Edwards,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 28, 2014 (M-3293), granting defendant poor person relief and assigning Seymour W. James, Jr., Esq., The Legal Aid Society, as counsel to prosecute defendant's appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 3, 2014,

And, an order of this Court having been entered on January 26, 2016 (M-5599), relieving assigned counsel and substituting Zachary Johnson, Esq., Galluzzo & Johnson, LLP, as appellate counsel to prosecute defendant's appeal; and said appeal having been perfected,

And, an order of this Court having been entered on February 2, 2017 (M-6339), striking Zachary Johnson, Esq., as counsel on defendant's appeal and substituting Marianne Karas, Esq., as such counsel and argued,

And, Mariane Karas, Esq., having moved to withdraw the brief filed by prior counsel, Zachary Johnson, Esq., and to substitute a new brief on defendant's behalf,

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 withdrawing the brief presently filed by defendant's prior counsel and allowing the substitution of a new brief by current counsel. The case should be calendared for oral argument before this Court on the new submissions papers.

ENTERED:

  
CLERK

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,  
Richard T. Andrias  
Paul G. Feinman  
Ellen Gesmer, Justices.

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 June 6, 2017.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Paul G. Feinman  
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1806  
Ind. No. 2118/10

Carlos Alvarez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 6, 2015, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for an extension of time to file a notice of appeal, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, 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 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript of the stenographic minutes of 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. That branch of defendant-appellant's motion which seeks an extension of time to file an untimely notice of appeal is denied as unnecessary.

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 June 6, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Paul G. Feinman  
Ellen Gesmer, Justices.

-----X

Jia Wang,

Plaintiff-Appellant,

-against-

**M-1606**

Index No. 104059/11

Chih Shien Kang, also known as  
Ed Kang and Min Tjia,

Defendants-Respondents,

Trigem Realty LLC,

Defendant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about December 22, 2016; and from an order and judgment (one paper) of said Court entered on or about January 9, 2017; and from an order of said Court entered on or about February 2, 2017,

And, defendants-respondents having moved to dismiss the aforesaid appeals or, in the alternative, dismiss said appeals unless they are perfected on or before October 2, 2017 for the December 2017 Term,

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

Ordered that plaintiff's appeal taken from the order entered on or about December 22, 2016 is dismissed; the appeal taken from the order and judgment (one paper) entered on or about January 9, 2017 and the appeal taken from the order entered on or about January 12, 2017 are dismissed unless perfected on or before October 2, 2017 for the December 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 June 6, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Angela M. Mazzairelli  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of  
Darren Gittens,  
Petitioner-Appellant,

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

M-2246  
Index No. 100890/13

-against-

State University of New York,  
et al.,  
Respondents-Respondents.

-----X  
Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from an order and judgment of the Supreme Court, New York County, entered on or about January 23, 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, as unnecessary.

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 June 6, 2017.

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

-----X

In the Matter of a Proceeding Under  
Article 70 of the CPLR for a Writ of  
Habeas Corpus,

**M-2025**

The Nonhuman Rights Project, Inc.,  
on behalf of Tommy,  
Petitioner-Appellant,

Index No. 162358/15

-against-

Patrick C. Lavery, individually and  
as an officer of Circle L. Trailers  
Sales, Inc., Diane Lavery, and Circle  
L. Trailer Sales, Inc.,  
Respondents-Respondents.

-----X

In the Matter of a Proceeding Under  
Article 70 of the CPLR for a Writ of  
Habeas Corpus,

The Nonhuman Rights Project, Inc.,  
On behalf of Kiko,  
Petitioner-Appellant,

**M-2026**

Index No. 150149/16

-against-

Carmen Presti, individually and as an  
officer and director of the Primate  
Sanctuary, Inc., Christie E. Presti,  
individually and as an officer and  
director of The Primate Sanctuary,  
Inc.,  
Respondents-Respondents.

-----X

An appeal having been perfected and argued before this Court on March 16, 2017 (Appeal Nos. 3648-3649), and said appeal is currently pending before this Court,

And, by separate motions, petitioner in each action having moved for leave to file a letter dated April 6, 2017 sent to Bryan Garner, editor in chief of Black's Law Dictionary, and his email response, and for other related relief (M-2025/M-2026),

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 both denied in their 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 June 6, 2017.

Present: Hon. Rosalyn H. Richter, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Paul G. Feinman, Justices.

-----X

Eli Cabinetry, Inc., Individually  
and on behalf of all other Lienors,  
Claimants or Creditors for work  
and/or materials due and owing in  
connection with the construction  
and improvement of certain real  
property described herein,  
Plaintiff-Respondent,

**M-1894**  
**M-2000**

-against-

Action No. 1  
Index No. 152751/14

P.C. Consulting Management Corp.,  
SP 103 E 86 LLC, Paul Gambino and  
"John Doe," said name being fictitious  
the name being unknown to the plaintiff  
person intended being an officer or  
director P.C. Consulting Management  
Corp.,  
Defendants-Appellants.

-----X

P.C. Consulting Management Corp.,  
Third-Party Plaintiff-Appellant,

-against-

Action No. 2  
Third-Party  
Index No. 650700/15

SP 103 E 86 LLC and The Guarantee  
Company of North America-USA,  
Third-Party Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 22, 2015,

And, defendants/third-party defendants-respondents, having moved to dismiss the aforesaid appeal (M-1894),

And, defendants/third-party plaintiffs-appellants, P.C. Consulting Management Corp. and Paul Gambino, having cross-moved to enlarge the time to perfect their appeal (M-2000),

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 direct motion to dismiss the appeal is granted unless appellants perfect their appeal on or before July 10, 2017 for the September 2017 Term (M-1894). The cross motion is granted and the time to perfect the appeal is enlarged to the September 2017 Term, under said conditions (M-2000).

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 June 6, 2017.

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

-----X

Joel Roth and Mary Roth,  
Plaintiffs-Appellants,

-against-

M-1908  
Index No. 151854/13

Lenox Terrace Associates, et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 17, 2015,

And defendants-respondents having moved for an order granting reargument, or in the alternative, leave to appeal to the Court of Appeals, from the order of this Court entered January 19, 2017 (Appeal No. 2797),

Now, upon reading and filing the stipulation of the parties hereto, dated April 24, 2017, and due deliberation having been had thereon,

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

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 June 6, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

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

-against-

M-2186  
Ind. No. 632/13

Freddy Sarez,  
Defendant-Appellant.

-----X

Assigned counsel for defendant-appellant having moved for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 10, 2014, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

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

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

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 June 6, 2017.

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

-----X

Barbara Silverstein,  
Plaintiff-Appellant,

-against-

M-1867  
Index No. 109486/06

Farr Nezhat, M.D., et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about June 1, 2016,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal,

Now, upon reading and filing the correspondence of Thomas Torto, Esq., counsel to plaintiff-appellant, dated April 17, 2017, and due deliberation having been had thereon,

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

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 June 6, 2017.

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

-----X  
Richard Ferguson,  
Plaintiff-Appellant,

-against-

M-1947  
Index No. 159376/15

Gregory F. Hauser, et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 2, 2016,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal,

Now, upon reading and filing the correspondence of Andrew Lavout Bluestone, Esq., counsel to plaintiff-appellant, dated April 6, 2017, and due deliberation having been had thereon,

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

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 June 6, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X

In the Matter of

Amir A.,

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

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

**CONFIDENTIAL**

M-2235

Docket No. NA-8293/16

Kristyle K.,  
Respondent-Appellant.

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

-----X

Respondent-appellant having moved to withdraw the appeal taken from an order of the Family Court, Bronx County, entered on or about October 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 deeming the appeal withdrawn, and relieving Thomas Villecco, Esq., as assigned appellate counsel

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 June 6, 2017.

PRESENT - Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Angela M. Mazzarelli  
Judith J. Gische  
Ellen Gesmer, Justices.

-----X

The People of the State of New York,  
ex rel. Lauren Gottesman, on behalf of  
Wilfredo Velazquez,  
Petitioner-Appellant,

M-1801  
Index No. 450883/17

-against-

Joseph Ponte, etc.,  
Respondent-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 31, 2017,

And, petitioner-appellant having moved for an order reducing bail pending hearing and determination of the appeal, for poor person relief, assignment of counsel, and other relief,

Now, upon reading and filing the stipulation of the parties hereto, filed April 17, 2017, and due deliberation having been had thereon,

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

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 June 6, 2017.

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

-----X

Philip H.,

Plaintiff-Respondent,

-against-

Belinda H.,

Defendant-Appellant.

-----X

**CONFIDENTIAL**

M-2458X

Index No. 315326/15

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 12, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 4, 2017, and due deliberation having been had thereon,

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

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 June 6, 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 the Application of

State Farm Fire and Casualty Company, M-1989  
Petitioner-Respondent, Index No. 260125/14

For an Order Pursuant to Article 75,  
Staying the Arbitration Demanded by

James W. Clark,  
Respondent,

Olga Leon-Lobello, et al.,  
Respondents,

21<sup>st</sup> Century Assurance Company,  
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 3, 2016,

And petitioner-respondent having moved for an order dismissing said appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated April 6, 2017, and due deliberation having been had thereon,

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

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 June 6, 2017.

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

-----X  
Silgan Containers Manufacturing Corp.,

Plaintiff-Respondent,

M-2153  
Index No. 651547/14

-against-

Rexam Inc., Rexam Beverage Can Company,

Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 5, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated March 17, 2017, and due deliberation having been had thereon,

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

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 June 6, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X  
Jacqueline S.,

Plaintiff-Respondent-Appellant,

-against-

Zarko S.,

Defendant-Appellant-Respondent.  
-----X

**CONFIDENTIAL**

M-2425

Index No. 312320/14

Plaintiff-respondent-appellant having moved for dismissal of the appeal taken from a judgment of divorce of the Supreme Court, New York County, entered on or about March 22, 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.

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 June 6, 2017.

PRESENT - Hon. Rolando T. Acosta, Presiding Justice,  
Angela M. Mazzarelli  
Judith J. Gische  
Ellen Gesmer, Justices.

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

-against-

M-1886  
Ind. No. 1320/11

Yenfri Ramirez,  
Defendant-Appellant.

-----x

Defendant having moved, via retained counsel, for leave to  
prosecute, as a poor person, the appeal from the judgment of the  
Supreme Court, Bronx County, rendered on or about May 29, 2014,  
for leave to have the appeal heard on the original record and  
upon a reproduced appellant's brief, for an enlargement of time  
in which to perfect the appeal, and for other relief,

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

It is ordered that the motion is 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 serve one copy  
of such brief upon the District Attorney of said county and file  
8 reproduced copies of such brief, together with the original  
record, with this Court.

The court reporter shall promptly make and file with the  
criminal court (CPL §460.70) one transcript of the stenographic  
minutes of 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. The time to perfect the appeal is enlarged 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 June 6, 2017.

PRESENT - Hon. Rolando T. Acosta, Presiding Justice,  
Angela M. Mazzarelli  
Judith J. Gische  
Ellen Gesmer, Justices.

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

-against-

M-1877  
Ind. No. 2394/13

Jairo Rosario,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 18, 2016 (M-2989) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 29, 2016, and assigning Richard M. Greenberg, Esq., predecessor counsel to Rosemary Herbert, Esq., Office of the Appellate Defender, as counsel to prosecute the appeal; and a motion having been made to relieve such 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 the motion is granted to the extent of striking the designation of assigned counsel Richard M. Greenberg, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center For Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. (212)577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 June 6, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-1907  
Ind. No. 2362N/16

Steven Baylor,  
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 November 16, 2016, 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 June 6, 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-2268  
Ind. Nos. 1338/15  
1842/16

Russell Hatwood,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 28, 2016, 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 June 6, 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-2281  
Ind. Nos. 249/14  
3732/14

Dominique Nobles,  
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 February 24, 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 June 6, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2016  
Ind. No. 3169/16

Randall Jordan,  
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 March 9, 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. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 June 6, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-1911  
Ind. No. 4672/16

Edwin Colon,  
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 March 22, 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. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 June 6, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-1912  
Ind. No. 2355/16

Edwin Colon,  
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 March 22, 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. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 June 6, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-1913  
Ind. No. 1642/16

Johnnell Muhammad,  
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 November 22, 2016, 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. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 June 6, 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

Nehemiah B.,  
and Aariah B.,

**CONFIDENTIAL**

M-2172

Docket Nos. B-40407/16  
B-40408/16

Children Under 18 Years of Age  
Pursuant to §384-b of the Social  
Services Law of the State of  
New York.

- - - - -  
The Children's Aid Society,  
Petitioner-Respondent,

Christina B.,  
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about March 28, 2017, 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, Neal D. Futerfas, Esq., 50 Main

Street, Suite #1000, White Plains, NY 10606, Telephone No. 914-552-6076, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

---

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



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 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-2099  
Ind. No. 3391/16

Luis Rodriguez,  
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 1, 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 June 6, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-2227  
Ind. No. 3050/15

Randy Ortiz,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 26, 2016, and the judgment of **resentence** of said Court, entered 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 upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 June 6, 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-2275  
Ind. No. 3763/14

Jesse Molina,  
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 9, 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 June 6, 2017.

PRESENT - Hon. Rolando T. Acosta, Presiding Justice,  
Angela M. Mazzarelli  
Judith J. Gische  
Ellen Gesmer, Justices.

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

-against-

M-1878  
Ind. No. 374/11

Jairo Rosario,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 11, 2015 (M-2559), relieving the Legal Aid Society as assigned counsel, substituting the Office of the Appellate Defender, and continuing the previously granted poor person relief to defendant to prosecute the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about April 18, 2013, and a motion having been made to relieve such 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 the motion is granted to the extent of striking the designation of assigned counsel Richard M. Greenberg, Esq., predecessor counsel to Rosemary Herbert, Esq., Office of the Appellate Defender, as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center For Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. (212)577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

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 June 6, 2017.

PRESENT - Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Angela M. Mazzarelli  
Judith J. Gische  
Ellen Gesmer, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Jose Panchana,  
Defendant-Appellant.

M-1514  
Ind. Nos. 3516/15  
5279/14

-----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 May 17, 2016, for  
leave to prosecute the appeal as a poor person, upon 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 only to the extent  
of deeming the notice of appeal timely filed.

The motion, insofar as it seeks poor person relief, is  
denied, with leave to renew upon defendant's submission of a  
notarized affidavit, pursuant to CPLR 1101(a), setting forth  
facts sufficient to establish that defendant has no funds or  
assets with which to prosecute the appeal, including the amount  
and sources of his income and listing his property with its  
value.

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 June 6, 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 Family Offense  
Proceeding Under Article 8 of the  
Family Court Act.

**CONFIDENTIAL**

**M-1553**

- - - - -  
Madeline N.,  
Petitioner-Respondent,

Docket No. O-18221/16

-against-

Frederick P., also known as  
Frederick P., Jr.,  
Respondent-Appellant.

- - - - -  
Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
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 January 18, 2017, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 374-1962, 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-2170, decided simultaneously herewith.)

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 June 6, 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 Family Offense  
Proceeding Under Article 8 of the  
Family Court Act.

**CONFIDENTIAL**

**M-2170**

-----  
Madeline N.,  
Petitioner-Respondent,

Docket No. O-18221/16

-against-

Frederick P., also known as  
Frederick P., Jr.,  
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about January 18, 2017, 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, Steven N. Feinman, Esq., One North Broadway, Suite #412, White Plains, NY 10601, Telephone No. (914) 949-8214, as counsel for purposes of prosecuting the

appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-1553, decided simultaneously herewith.)

ENTERED:

  
CLERK

---

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

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

Presiding Justice,  
  
  
  
Justices.

-----X  
In the Matter of

Orchid C.,  
and Romeo L.,

Dependent Children Under 18 Years of  
Age Pursuant to §384-b of the Social  
Services Law of the State of New York.

**CONFIDENTIAL**  
**M-2176**  
Docket Nos. B-34935/14  
B-36937/15

- - - - -  
New York Foundling Hospital,  
Petitioner-Respondent,

Tiffany C.,  
Respondent-Appellant.  
- - - - -

Doneth Gayle, Esq.,  
Lawyers for Children,  
Attorney for the Child,  
Orchid C.,

Dominick Sarna, Esq.,  
Attorney for the Child,  
Romeo L.

-----X

Respondent-appellant having moved for leave to prosecute,  
as a poor person, the appeal taken from an order of the Family  
Court, New York County, entered on or about January 23, 2017,  
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, Neal D. Futerfas, Esq., 50 Main Street, Suite # 1000, Telephone No. (914) 552-6076, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED: June 6, 2017

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 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 Family Offense  
Proceeding Under Article 8 of  
the Family Court Act.  
- - - - -

Militza L.,  
Petitioner-Respondent,  
  
-against-

**CONFIDENTIAL**  
**M-1552**  
Docket No. 0-10176/16

Ramon Luis C.,  
Respondent-Appellant.  
-----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 July 5, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. (516) 374-1962, 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. The appeal, currently calendared for the September 2017 Term of this Court (Cal. No. 2479) is, sua sponte, adjourned 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 June 6, 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

Juelz U.,

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

**CONFIDENTIAL**  
**M-2255**

Docket No. N-42400/16

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

Chantal Nicole C.-D.,  
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about March 27, 2017, 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, Neal D. Futerfas, Esq., 50 Main Street, Suite #1000, White Plains, NY 10606, Telephone No. (914) 552-6076, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 6, 2017.

Present:	Hon. Rolando T. Acosta,	Presiding Justice,
	Angela M. Mazzarelli	
	Sallie Manzanet-Daniels	
	Troy K. Webber,	Justices.

-----X

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

- - - - -

Manuel P. A.,  
Petitioner,

-against-

Emilie B.,  
Respondent.

-----X

**CONFIDENTIAL**

M-1387

M-1324

M-1545

Docket Nos.

V-43839-13/13A

Petitioner father having moved for leave to appeal to this Court from an interim order of a Justice of the Family Court, New York County, entered on or about January 15, 2016, and "all interim orders derivative therefrom," suspending visitation with subject child (M-1387),

And, petitioner father having moved for leave to appeal a corrected order appointing an attorney for subject child, entered on or about December 8, 2016, and for a stay of enforcement of same (M-1324),

And, petitioner-father having also moved for leave to appeal from a putative "sua sponte order", rendered from the bench on or about March 13, 2017, reappointing the attorney for the child, and staying enforcement of same (M-1545),

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 all denied in their entirety (M-1387/M-1324/M-1545).

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 June 6, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X

In the Matter of

Emran R.,

M-2234

Docket No. D-27959/15

A Person Alleged to Be a Juvenile  
Delinquent,

Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, Bronx County, entered on or about July 22, 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 June 6, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X  
Hitech Homes LLC,  
Plaintiff-Respondent,

-against-

M-2340  
Index No. 160469/15

Tanya J. Burke and Yon-Allyn Styles,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 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 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 June 6, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Richard T. Andrias  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X  
Judith Wilkinson,  
Plaintiff-Respondent,

-against-

M-2261  
Index No. 306043/11

Deboe Construction Corp.,  
Defendant-Appellant,

Valley Tree & Landscape Service,  
Inc., et al.,  
Defendants-Respondents.

-----X  
Deboe Construction Corp.,  
Third-Party Plaintiff-  
Appellant,

-against-

Third-Party  
Index No. 83881/13

Valley Tree & Landscape Service,  
Inc., et al.,  
Third-Party Defendants-  
Respondents.

-----X

Defendants/third-party plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about July 21, 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 June 6, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
Angela M. Mazzairelli  
Sallie Manzanet-Daniels  
Troy K. Webber, Justices.

-----X

Michael I. Knopf, Norma Knopf,  
and Delphi Capital Management LLC,  
Plaintiffs-Appellants,

**M-6045A**

**M-198A**

-against-

Index No. 113227/09

Michael Hayden Sanford, et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, both entered on or about November 3, 2016,

And an interim order of a Justice of this Court, entered November 28, 2016, having extended the preliminary injunction issued by this Court on March 24, 2016; and pursuant to an interim order of a Justice of this Court, dated **February 1, 2017**, the appeal was adjourned to the May 2017 Term, with the proviso that it was a final adjournment,

And plaintiffs having moved to extend a preliminary injunction granted by an order of a Justice of this Court on March 24, 2016 pending determination of the appeal or, alternatively, staying a hearing that was scheduled to commence on December 9, 2016 (M-6045),

And Dechert, LLP, **former** attorneys for defendants-respondents, having cross-moved **on their own behalf** for an order clarifying that no currently operative order of this Court or the trial Court restricts Dechert LLP from drawing down the balance of its fees from a security retainer agreement originally paid to Dechert LLP to retain it for legal services that it has since provided to defendants, and that Dechert LLP is thus authorized to withdraw from the agreed retainer (M-198),

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 continuing the aforesaid interim relief granted by orders of Justices of this Court on November 28, 2016 and on **February 1, 2017** and the preliminary injunction is continued pending determination of the appeal. The motion and cross motion are otherwise denied. (The order of this Court entered on May 9, 2017 [M-6045/M-198] is hereby recalled and 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 June 6, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Karla Moskowitz  
Sallie Manzanet-Daniels, Justices.

-----X

In re Ciro Dellaporte,  
Petitioner-Appellant,

**M-2065**

-against-

Index No. 111622/11

New York City Department of Buildings,  
et al.,  
Respondents-Respondents.

-----X

A decision and order of this Court having been entered on May 7, 2013 (Appeal No. 9993), unanimously reversing the judgment of the Supreme Court, New York County, entered on March 26, 2012,

And, petitioner having renewed his motion for an order of this Court affording him the "full relief" granted by this Court in its May 7, 2013 decision and order,

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

Ordered that the motion is 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 June 6, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Barbara R. Kapnick  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----X

In re Anthony S.,  
Petitioner-Respondent,

-against-

Monique T. B.,  
Respondent-Appellant.

- - - - -

In re Anthony S.,  
Petitioner-Respondent,

-against-

**CONFIDENTIAL**

M-1983

Docket No. F-06820-14

Monique T.B.,  
Respondent-Appellant.

- - - - -

In re Monique T.B.,  
Petitioner-Appellant,

-against-

Anthony S.,  
Respondent-Respondent.

-----X

Respondent-appellant having moved for reargument of the decision and order of this Court, entered on March 28, 2017 (Appeal Nos. 3417, 3418, 3419),

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 June 6, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Dianne T. Renwick  
Karla Moskowitz  
Paul G. Feinman  
Ellen Gesmer, Justices.

-----X

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

- - - - -

David B. and Jennifer B.,  
Petitioners-Respondents,

M-1426

M-1550

M-1682

-against-

Docket No. O-43873/14

Nekadam Y.,  
Respondent-Appellant.

-----X

Separate appeals having been taken to this Court by respondent-appellant from orders of the Family Court, New York County, entered on or about November 15, 2016 and January 31, 2017, respectively,

And, an appeal having been taken to this Court by non-party Family Court counsel to the birth mother, David Bellon, Esq., from the order of said Court entered on or about January 31, 2017,

And, petitioners-respondents having moved for a preference in hearing of the appeal from the order entered on or about November 15, 2016, and for other relief (M-1426),

And, petitioners-respondents having separately moved for consolidation of the appeals from the order entered January 31, 2017, and for preference in hearing the consolidated appeals (M-1550),

And, respondent-appellant having renewed her motion for poor person relief with respect to the appeal taken from the order entered on or about November 15, 2016 (M-1682),

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

It is ordered that the motion taken by petitioners-respondents for preference in hearing of the appeal from the order entered on or about November 15, 2016, and other relief, is denied (M-1426), and it is further,

Ordered that the motion taken by petitioners-respondents for consolidation of the aforesaid appeal is granted only to the extent that the Clerk is directed to calendar the appeals for hearing together (M-1550), and it is further,

Ordered that the motion for poor person relief is denied, with leave to renew upon submission of a detailed notarized affidavit, pursuant to CPLR 1101, addressing, in detail, the sources of respondent's income, as well as the Federal Income Tax returns for the years 2014-2016, and an affirmation from David Bellon, Esq., addressing the nature of his representation of respondent in Family Court (M-1682).

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 June 6, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Barbara R. Kapnick  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----X  
Tracey Hejailan-Amon,  
Plaintiff-Appellant,

-against-

**M-797**  
Index No. 161488/15

Maurice Alain Amon, et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 17, 2017,

And, plaintiff-appellant having moved to stay enforcement of the aforesaid order pending determination of the appeal,

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

Ordered that the motion is denied, and the interim stay granted by an order of a Justice of this Court, dated January 27, 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 June 6, 2017.

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

-----X  
In the Matter of

Fame Natasha S.,

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

**CONFIDENTIAL**  
**M-2374**  
Docket No. NN-45098/16

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

Natasha F.,  
Respondent-Appellant.  
- - - - -

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

An appeal having been taken from an order of the Family Court, New York County, entered on or about August 19, 2016,

And, respondent-appellant having moved for an order withdrawing the appeal as academic,

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

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

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 June 6, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X

Rose Welsh Dollard,  
Plaintiff-Respondent,

-against-

M-2375  
Index No. 117084/09

WB/Stellar IP Owner, LLC,  
Defendant-Appellant,

-and-

Duane Reade, Inc.,  
Defendant-Respondent.

-----  
(And third-party actions)

-----X

Second third-party defendant-respondent Friends of Greenwich  
Street, Inc. having moved to dismiss the appeal taken from the  
judgment of the Supreme Court, New York County, entered on or  
about August 9, 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  
dismissing the appeal unless it is perfected for the December  
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 June 6, 2017.

Present: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Sallie Manzanet-Daniels  
Troy K. Webber, Justices.

-----X

Thomas Trinajstic,  
Plaintiff-Respondent,

-against-

**M-1920**

Index No. 108341/10

ST Owner, LP and Tishman Speyer  
Properties,  
Defendants-Appellants,

L.P. and Insignia Residential Group,  
Inc.,  
Defendant.

-----X

St. Owners, LP and Tishman Speyer  
Properties, L.P.,  
Third-Party Plaintiffs-Respondents-  
Appellants,

Third-Party

Index No. 590198/13

-against-

Q's Marble & Stone Inc.,  
Third-Party Defendant,

Pat Pellegrini Flooring Corporation,  
Third-Party Defendant-Appellant-  
Respondent.

-----X

ST. Owner, LP and Tishman Speyer  
Properties, L.P.,  
Second Third-Party Plaintiffs,

Second Third-Party  
Index No. 590296/14

-against-

EAQ Construction Corp.,  
Second Third-Party Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 16, 2016, and said appeal having been perfected,

And, third-party defendant-appellant-respondent, Pat Pellegrini Flooring Corporation, having moved for a stay of trial pending determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated April 25, 2017, and due deliberation having been had thereon, it is

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

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 June 6, 2017.

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

-----x  
AQ Asset Management LLC (as Successor  
of Artist House Holdings, Inc.),  
et al.,  
Plaintiffs-Respondents,

-against-

Michael Levine (in his capacity as  
Escrow Agent),  
Defendant-Respondent-Appellant,

-and-

M-2391  
Index No. 652367/10

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

- - - - -  
Michael Levine, as Escrow Agent,  
Interpleader Counterclaimant,

-against-

AQ Asset Management LLC (as Successor  
of Artist House Holdings, Inc.),  
et al.,  
Interpleader-Claimants.

-----x  
An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 18, 2016, and said appeal and cross appeal having been perfected,

And defendants-appellants-respondents Osvaldo Patrizzi and Habsburg Holdings Ltd. having moved for dismissal of the cross appeal for failure to pay one-half of the cost of the joint record, or for alternative 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, with costs in connection with the printing of the record to abide the 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 June 6, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X  
In the Matter of

Gabriella N. N.,  
and Naomi N. T.,

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

M-2006  
Docket Nos. NN-3075/12  
NN-21860/12

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

Jacqueline N. T.,  
Respondent-Appellant,

Delroy N.,  
Respondent.

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

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, Bronx County, entered on or about February 24, 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

Order that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2017 Term, with leave to seek further enlargements if necessary.

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 June 6, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Barbara R. Kapnick  
Troy K. Webber, Justices.

-----X

Tribeca Lending Corp.,  
Plaintiff-Respondent,

-against-

M-2137  
Index No. 105275/07

Gregory M. Bartlett, formerly  
known as Gregory Hill,  
Defendant-Appellant,

NYS Department of Taxation &  
Finance, et al.,  
Defendants.

-----X

Defendant-appellant, pro se, having moved for a stay of foreclosure proceedings pending hearing and determination of the appeal taken from the an order of the Supreme Court, New York County, entered on or about November 1, 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 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 June 6, 2017.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Karla Moskowitz  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

Amit Patel,  
Defendant-Appellant.

M-2042  
Ind. Nos. 5125/12  
1483/13

-----X

An order of this Court having been entered on October 6, 2016 (M-3720) assigning Robert S. Dean, Esq., as counsel to prosecute defendant's appeal from the judgment of the Supreme Court, New York County, rendered on or about January 28, 2016; and a motion having been made to relieve such counsel, 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

CORRECTED ORDER - October 9, 2017

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 June 6, 2017.

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

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

-against- M-2017  
Ind. No. 1067/15

Shakeem White,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the **appeals taken** from a judgment of the Supreme Court, New York County, rendered on or about March 7, 2017, and **from a judgment of resentence, same Court, rendered on or about March 17, 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.

CORRECTED ORDER - October 9, 2017

M-2017

-2-

June 6, 2017

Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the **appeals**. The time within which appellant shall perfect **these appeals** is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:

  
CLERK