

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 8, 2017.

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

-----X
Thembeni Buthelezi, as the Executrix
for the Estate of Nicholas Johnson,
and Thembeni Buthelezi, Individually,
Plaintiffs-Appellants,

-against-

M-1992
Index No. 22196/05

The Jewish Home and Hospital for
Aged,
Defendant-Respondent.

-----X

Defendant-respondent having moved to dismiss the appeal
taken from the order of the Supreme Court, Bronx County, entered
on or about November 23, 2015, for failure to timely perfect,

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

It is ordered that the motion is granted and the appeal is
dismissed.

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 8, 2017.

Present: Hon. Peter Tom,
Angela M. Mazzairelli
Sallie Manzanet-Daniels
Troy K. Webber,

Justice Presiding,
Justices.

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

-against-

Nelson M. Ferrer,

Defendant-Appellant.
-----X

M-2059

Ind. Nos. 2410/11
671/15

Case No. 35718C/11

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about June 13, 2016, for leave to prosecute the appeal as a poor person, on the original record and upon 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 only to the extent of deeming the moving papers a timely filed notice of appeal.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew, upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101, setting forth his indigency, 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 8, 2017.

Present - Hon. David Friedman,	Justice Presiding,
Dianne T. Renwick	
Paul G. Feinman	
Judith J. Gische	
Barbara R. Kapnick,	Justices.

-----X
Basis PAC-RIM Opportunity Fund
(Master), et al.,

Plaintiffs-Respondents,

M-1865

Index No. 654033/12

-against-

TCW Asset Management Company,

Defendant-Appellant.

-----X

Plaintiffs-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 March 2, 2017 (Appeal No. 2137),

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 8, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

-----X
Louis M. Atlas,
Plaintiff-Respondent,

-against-

M-2447
Index No. 301091/06

Frances Smily,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 27, 2017,

And, defendant-appellant having moved to stay enforcement of a certain order dated May 4, 2016, pending 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.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 8, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Judith J. Gische
Troy K. Webber, Justices.

-----X
IDT Corporation,
Plaintiff-Appellant,

-against-

M-2074
Index No. 603710/04

Morgan Stanley Dean Witter & Co.,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on March 15, 2017 (Appeal No. 3382),

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 8, 2017.

Present - Hon. David Friedman,	Justice Presiding,
Karla Moskowitz	
Paul G. Feinman	
Judith J. Gische	
Marcy L. Kahn,	Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2048
Ind. No. 3160/15

Hugo Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about November 29, 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.

June 8, 2017

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 June 8, 2017.

Present - Hon. David Friedman,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Marcy L. Kahn,

Justice Presiding,

Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2094

Ind. No. 4873/15

Peter Kapasakis,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about September 22, 2016, for leave to have the appeal heard on the original record and upon 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 denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit setting forth his indigency in compliance with CPLR 1101(a), including the precise amount of his savings account and an explanation why funds similar to those provided to post his \$25,000 bail in the Supreme Court are not available to prosecute 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 8, 2017.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2112

Ind. No. 4373/16

Taquan Anderson,
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 9, 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 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, NY 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 8, 2017.

Present: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Marcy L. Kahn, Justices.

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

-against-

M-2118
Ind. No. 3780/15

Kenneth Butler,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about August 12, 2016, for leave to have the appeal heard on the original record and upon 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 denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth his indigency including a statement detailing 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 8, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2119
Ind. No. 2556/12

Kenneth Rhymes,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which
to file a notice of appeal from the judgment of the Supreme
Court, Bronx County, rendered on or about March 3, 2017, 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 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.

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Tel. No. (212) 577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 8, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Marcy L. Kahn, Justices.

-----X
Mamadou Sylla,
Plaintiff-Appellant,

-against-

M-2001
Index No. 150705/12

90-100 Trinity Owner LLC, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant 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 June 6, 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 8, 2017.

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

Justice Presiding,

Justices.

-----X
The People of the State of New York
ex rel. Cory Reid,
Petitioner,

-against-

J. Brantley, Warden, NYC Department
of Corrections,
Respondent(s).

M-2080
Docket No. 2017NY006831

-----X
The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from 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 be and the same hereby is granted only to the extent of transferring the proceeding to and be heard before a Justice of the Supreme Court of the State of New York, New York County, forthwith (see CPLR 7002[b]), and

It is further ordered that service by mail of a copy of this writ of habeas corpus, petition and supporting papers, by the Clerk of this Court, contemporaneous with the entry hereof, upon the Warden at NYC Department of Corrections; the Attorney General of the State of New York, 120 Broadway, New York, New York 10271; and the District Attorney of New York County, be deemed due and sufficient notice. The motion is otherwise 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 8, 2017.

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

-----X

Tonyia B. Watson,
Claimant-Appellant,

M-2107

-against-

Claim No. 126836

The City of New York,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Court of Claims, entered on or about July 1, 2016,

And, claimant-appellant having moved for poor person relief, an enlargement of time to perfect the appeal and consolidation of Claim Nos. 126836, 125779 and 126184,

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 poor person relief and consolidation, is denied. So much of the motion which seeks an enlargement of time to perfect the appeals is denied as academic. (See the order of this Court entered May 4, 2017 [M-1443].)

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 8, 2017.

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

-----X

MFB Realty LLC, individually and
derivatively on behalf of T. Park
Central, LLC, and Joseph Lipari,
as Executor of the Estate of Jay
Furman, individually,

Plaintiffs-Appellants,

M-2355

Index No. 653549/14

-against-

Ian Bruce Eichner, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about June 29, 2016, and from the ensuing judgment, entered on or about August 19, 2016, 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 appeals 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 8, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Paul G. Feinman
Judith J. Gische
Marcy L. Kahn, Justices.

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

-against-

M-2020
Ind. No. 3518/13

Joshua Lopez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about February 9, 2016, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for permission allowing defendant to be represented by retained counsel Robert DiDio, Esq., on the appeal, and for an enlargement of time to perfect said 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 serve one copy of such brief upon the District Attorney of said county and file 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

Defendant-appellant's time in which to perfect the appeal is enlarged to the October 2017 Term. So much of the motion which seeks permission for retained counsel Robert DiDio, Esq., to represent defendant on the 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 8, 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-317
Ind. No. 5295/98

Anthony Ashley,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on July 11, 2002 (Appeal No. 1342), unanimously affirming a judgment of the Supreme Court, New York County (Dora Irizarry, J.), rendered on July 13, 2000,

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 June 8, 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,

M-2263

-against-

Ind. No. 842/16

Richard Porter,
 Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 14, 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 8, 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,

CONFIDENTIAL

M-2264

-against-

Ind. No. 2269/14

Shafik Hirji,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Farber, J.) entered on or about April 14, 2017, for leave to have the appeal heard upon the original record and upon 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 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 Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Farber as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to

be returned to this Court when appellant's brief is filed. 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 8, 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-2405

Ind. No. 5340/13

Karmik Grant-Byas,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 16, 2016, for leave to have the appeal heard on the original record and upon 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, NY 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 8, 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,

M-2408

-against-

Ind. No. 3011N/15

Ruben Obregon,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 14, 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 8, 2017.

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

-----X

BBCN Bank,
Plaintiff-Respondent,

-against-

M-2554X
Index No. 159706/14

Korea Buns on 32nd St Corp.,
et al.,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 29, 2016,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 9, 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 8, 2017.

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

-----X
Sylvia Davis,
Plaintiff-Respondent,

-against-

M-2555X
Index No. 100485/08

CPS I Realty GP LLC, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 6, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 9, 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 8, 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-2037
Ind. No. 3291/13

Princess Niles,
Defendant-Appellant.

-----X

Assigned counsel having moved to dismiss the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 12, 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 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 8, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Angela M. Mazzarelli
Richard T. Andrias
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Application of

Johanna Fernandez,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-2108
of the Civil Practice Law and Rules. Index No. 100820/14

-against-

The New York City Police Department,
et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time
to perfect the appeal from the judgment of the Supreme Court,
New York County, entered on or about May 31, 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 June 8, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Angela M. Mazzairelli
Richard T. Andrias
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Appellant,

-against-

M-2166
Ind. No. 1087/12

Denise Dennis, formerly known as
Andres Dennis,
Defendant-Respondent.

-----X

The People 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 and from the Judgment of **resentence** of same Court entered on or about July 28, 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 December 2017 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 8, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Angela M. Mazzarelli
Richard T. Andrias
Sallie Manzanet-Daniels, Justices.

-----X
WL Ross & Co., LLC, WLR Recovery
Associates II, LLC, and WLR
Recovery Associates III, LLC,
Plaintiffs-Respondents,

-against-

M-2184
Index No. 650107/16

David H. Storper,
Defendant-Appellant.

-----X

Defendant-appellant 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 7, 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 8, 2017.

PRESENT - Hon. Rolando T. Acosta, Presiding Justice,
Angela M. Mazzarelli
Richard T. Andrias
Sallie Manzanet-Daniels, Justices.

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

-against-

M-2134
Ind. No. 324/12

Albert Rivera,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which
to file a notice of appeal from the judgment of the Supreme
Court, Bronx County, rendered on or about September 26, 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 to the extent of
deeming the notice of appeal 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 June 8, 2017.

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

-----X

Alexander G.,
Petitioner-Respondent,

M-1741

-against-

Index No. 652641/15

Oleg D.,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 27, 2017,

And, respondent-appellant having moved for: (1) a stay pending determination of the appeal, pursuant to CPLR 5519(c); (2) to stay enforcement of said order directing respondent-appellant Oleg D., and non-party Michael Cherney to provide petitioner Alexander G. and non-party Moquinon, Ltd. with the pleadings they submitted in a London Court of International Arbitration (LCIA) which is pending between Oleg D. and Cherney; and (3) an order sealing all documents that refer to or discuss the confidential LCIA Arbitration, which request was made in the memorandum of law in support of the within motion,

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 academic. Sua sponte, the appeal is dismissed as academic. The order of a Justice of this Court, dated March 31, 2017, granting an interim stay, 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 8, 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. Jose Jerez,
Petitioner,

M-5584
Index No. 2408/11

-against-

Superintendent Colon, Fire Points
Correctional Facility, et al.,
Respondent(s).
-----X

The above-named petitioner having moved for a writ of habeas corpus to be issued from this Court, as well as poor person relief and the assignment of counsel,

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

It is ordered that the writ of habeas corpus is dismissed without prejudice to raising the arguments on the direct appeal from the judgment rendered on or about September 23, 2014; so much of the motion which seeks poor person relief and the assignment of counsel is denied as academic (See M-5895 [April 7, 2015]).

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 8, 2017.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-2160
Ind. No. 2524/13

Apolinar Izquierdo,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to file a
notice of appeal from the judgment of the Supreme Court, New York
County, rendered on or about December 23, 2013, 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 denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 8, 2017.

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

-----X

Patricia Atkins,
Petitioner-Appellant,

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

M-2199
Index No. 100006/16

-against-

New York State Office of Temporary and
Disability Assistance,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about May 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 aforesaid 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 8, 2017.

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

-----x
Robert Moskowitz as Trustee of the
Moskowitz Children Irrevocable Trust,
Plaintiff-Respondent,

-against-

Eileen Hickey,
Defendant-Appellant.
-----x

M-2290
M-2291
Index No. 155593/14

Defendant-appellant having moved to stay a certain inquest and/or, in the alternative, for preliminary injunctive relief, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about September 1, 2016 (M-2290), and said appeal having been perfected,

And plaintiff-respondent having cross moved for sanctions, and for related relief (M-2291),

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 and cross motion are denied (M-2290/M-2291).

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 8, 2017.

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

-----X
In the Matter of the Application of
Javar Corp.,
Petitioner,

M-2031

For a Review Pursuant to Article 78 Index No. 100275/17
of the Civil Practice Law and Rules,

-against-

New York State Liquor Authority,
Respondent.

-----X

Respondent having moved to vacate the current stay of its cancellation of petitioner's liquor license, granted by Supreme Court in the TRO contained in the order to show cause commencing this proceeding, which was transferred to this Court pursuant to CPLR 7804(g) by order of the Supreme Court, New York County, entered on or about April 6, 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 granted only to the extent of directing petitioner to perfect the proceeding on or before August 7, 2017 for the October 2017 Term, with no adjournments permitted, and otherwise 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 8, 2017.

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

Justice Presiding,

Justices.

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

- - - - -
Georgianna N.,
Petitioner-Appellant,

CONFIDENTIAL

M-1985

Docket Nos. V-43479/13
V-43480/13

-against-

Carmen V. and Ibon S.,
Respondents-Respondents.

- - - - -
John R. Eyerman, Esq.,
Attorney for the Child.

-----X
Petitioner-appellant grandmother, in connection with the appeal taken from an order of the Family Court, New York County, entered on or about April 15, 2015, having moved for an enlargement of time in which to perfect 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 enlarging the time in which to perfect the appeal to the September 2017 Term.

ENTERED:


CLERK