

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 November 28, 2017.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Richard T. Andrias
Judith J. Gische
Cynthia S. Kern
Anil C. Singh, Justices.

-----X

Shane McMahon and Marissa McMahon,
Individually and as the Parents and
Natural Guardians of their Minor
Children, A. McM., B. McM., and
C. McM.,
Plaintiffs-Respondents-Appellants,

-against-

The Cobblestone Lofts Condominium
and The Andrews Organization, formerly
known as Andrews Building Corporation,
Defendants-Appellants-Respondents,

M-5233
Index No. 151136/14

-and-

Nova Restoration of NY, Inc., et al.,
Defendants,

-and-

7 Vestry LLC, et al.,
Cross Claim Defendants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 2, 2016; and plaintiffs having taken an appeal from the order of said Court, entered on or about April 25, 2017,

And plaintiffs having moved for an enlargement of time to perfect their appeal and cross 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 to perfect the appeal and cross appeal to the March 2018 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 November 28, 2017.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Richard T. Andrias
Judith J. Gische
Cynthia S. Kern
Anil C. Singh, Justices.

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

Jacquelin M.,
Petitioner-Appellant,

-against-

CONFIDENTIAL
M-5246
Docket Nos. V-613-14/10
V-618-19/10
IDV No. 203/10

Joseph M.,
Respondent-Respondent.

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

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

And Janet Neustaetter, Esq., court attorney for the subject child, having moved for dismissal of the aforesaid appeal,

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

It is ordered that the motion is granted, 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 November 28, 2017.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Richard T. Andrias
Judith J. Gische
Cynthia S. Kern
Anil C. Singh, Justices.

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

-against-

M-5368
Ind. No. 5988/06

Maurice Newton,
Defendant-Appellant.

-----X

The People having moved for dismissal of the perfected appeal taken from an order of the Supreme Court, New York County, entered on or about October 3, 2014, as abandoned,

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 perfected 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 November 28, 2017.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Judith J. Gische
Cynthia S. Kern
Anil C. Singh, Justices.

-----x

Rafael Flores,
Plaintiff-Appellant-Respondent,

-against-

M-4879

M-5000

Index No. 161735/14

Metropolitan Transportation Authority,
et al.,
Defendants-Respondents-Appellants.

-----x

Plaintiff-appellant-respondent 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 14, 2016 (M-4879),

And defendants-respondents-appellants having cross-moved for an enlargement of time to perfect its cross appeal from the aforesaid order (M-5000),

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

It is ordered that the motion and cross motion are granted to the extent of enlarging the time to perfect the appeal and cross appeal to the March 2018 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 November 28, 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,

CONFIDENTIAL

M-5354

-against-

Ind. No. 3011/03

Anderson Stuckey,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (R. L. Bruce, J.), entered on or about September 8, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 Bruce as yet not transcribed. The

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

ENTERED:

A handwritten signature in black ink, appearing to read "Christina Swarns". The signature is written in a cursive, flowing style.

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 November 28, 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-3013
Ind. No. 1321/92

Budha Tor, also known as Buddha Tor,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on March 16, 2000 (Appeal No. 2484), unanimously affirming a judgment of the Supreme Court, Bronx County (Ira Globerman, J.), rendered on July 1, 1993,

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 November 28, 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-596A
Ind. No. 6947/87

Ronald Dorsey,
Defendant-Appellant.

-----X

An order of a Justice of this Court having been entered on October 31, 2017 (M-596), granting defendant leave to appeal to this Court pursuant to CPL 460.15 from the order of the Supreme Court, New York County, entered on or about January 4, 2017,

And defendant-appellant having moved for leave to prosecute the appeal as a poor person, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant

for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 28, 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-5564
Ind. No. 353/16

Anthony Batista,

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 August 11, 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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 November 28, 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 Proceeding for
Custody/Visitation Under Article 6
of the Family Court Act.

- - - - -
Dianna A. P.,
Petitioner-Respondent,

-against-

CONFIDENTIAL
M-4967
Docket Nos. V-34873-12/16G
V-34873-12/16H
V-34873-12/16I

Damon V. B.-D.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, entered on or about August 29, 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, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NY 11598, Telephone No. 516-374-1962, 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant

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

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

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 November 28, 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 Proceeding for Custody/Visitation Under Article 6 of the Family Court Act.

Dianna A. P.,
Petitioner-Respondent,

-against-

CONFIDENTIAL

M-5042
Docket Nos. V-34873-12/16G
V-34873-12/16H
V-34873-12/16I

Damon V. B.-D.,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal from orders of the Family Court, New York County, entered on or about August 29, 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, Randall S. Carmel, Esq., 410 Jericho Turnpike, Suite #302, Jericho, NY 11753, Telephone No. 516-921-8800, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 28, 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

Cheron B., Jr.,

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

CONFIDENTIAL

M-5261

Docket No. NN-47963/16

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

Vanessa G.,
Respondent-Appellant,

Cheron B.,
Respondent-Respondent.

- - - - -
Hani M. Moskowitz, Esq.,
Attorney for the Child.

-----X

Vanessa J. Spears, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about August 4, 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, Hani M. Moskowitz, Esq., 225 Broadway, Suite #715, New York, NY 10007, Telephone No. 212-227-8208, as counsel for purposes of responding to the appeal; (2) permitting movant to respond

(M-5261)

-2-

November 28, 2017

to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 28, 2017.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
David Friedman
Troy K. Webber
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X

Brian M. DeLaurentis,
Plaintiff-Appellant,

-against-

Eric Malley, et al.,
Defendants-Respondents.

-----X

M-4273

M-4620

Index No. 114259/11

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 October 12, 2016 (M-4273),

And defendants-respondents having moved to dismiss the aforesaid appeal, for failure to timely perfect (M-4620),

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 is granted to the extent of enlarging the time to perfect the appeal to the March 2018 Term (M-4273). The motion to dismiss the appeal is granted unless the appeal is perfected for said March 2018 Term (M-4620).

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 November 28, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Troy K. Webber
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----x
Panagiotis Savlas,
Plaintiff-Respondent-Cross-Appellant,

-against-

The City of New York, Malcolm Pirnie, Inc., M-4571
URS Corporation-New York, and Index No. 309332/12
URS Corporation,
Defendants-Appellants-Cross-Respondents,

CSM Engineering, P.C.,
Defendants-Respondents.

- - - - -
[And a third-party action]

-----x
Appeals and a cross appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about December 2, 2016,

And defendants-appellants-respondents having moved for an enlargement of time to perfect their appeals,

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 and cross appeal to the March 2018 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 November 28, 2017.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Troy K. Webber
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----x
In the Matter of

Kayla C.,
Kylie D.,
Christian D.,
McKenzie G., and
Melanie G.,

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

M-4388
Docket Nos.
NA-32217/16
NA-32218/16
NA-32216/16
NA-31273/16
NA-31272/16

Administration for Children's Services,
Petitioner-Appellant,

Faith J. and Stephanie C.,
Respondents-Respondents.

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

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about August 9, 2017,

And petitioner-appellant having moved for a stay of execution of the order pending hearing and determination of the appeal taken therefrom,

And a Justice of this Court having entered an interim stay of the Family Court order on August 10, 2017 pending disposition of this 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, without prejudice to petitioner-appellant or any other party seeking further relief, such as leave to renew, at the conclusion of the hearing should the evidence warrants such relief. The interim relief granted by the order of a Justice of this Court, dated August 10, 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 November 28, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
In the Matter of the Application of
Richard Lee Bates,
Petitioner,

-against-

M-4440
Index No. 191/15

Justice Robert Stolz, et al.,
Respondents.

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court, for leave to prosecute same as a poor person, 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 and the petition dismissed, without prejudice to raising substantive arguments on the direct appeal of a judgment of conviction rendered on June 8, 2016.

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 November 28, 2017.

Present - Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Anil C. Singh
Peter H. Moulton, Justices.

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

Areli G.,
Petitioner-Respondent,

-against-

M-4579
Docket Nos. V-24667/15
V-04288/16
O-0411/16

Alexis S.,
Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about August 23, 2017, and for assignment of counsel, a free copy of the transcript, for a stay of the order appealed, 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 (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Leslie S. Lowenstein, Esq., 567 Sunset Drive, Woodmere, NEW YORK 11598, Telephone No. 516-374-1962, 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3)

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

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.** 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 November 28, 2017.

Present - Hon. Peter Tom, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

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

Juliya V.,
Petitioner-Appellant,

M-5188
Docket No. F-2830-10/13C

-against-

Aleksandr V.,
Respondent-Respondent.

-----X
Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about August 1, 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, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-883-1560, 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 therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant

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

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

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 November 28, 2017.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----x

Maria Hernandez,
Plaintiff-Appellant,

-against-

M-4379
Index No. 305348/11

Trevor Marcano, et al.,
Defendants-Respondents.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, Bronx County, entered on or about May 5, 2016 and June 23, 2017, respectively,

And defendants-respondents having moved for dismissal of the appeal from the order entered on or about May 5, 2016, for failure to timely prosecute,

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

Sua sponte, the appeals are consolidated, and plaintiff-appellant is permitted to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11, and it is further,

Ordered that the motion is granted to the extent of dismissing the consolidated appeals unless they are perfected for the March 2018 Term.

ENTERED:


CLERK

CORRECTED ORDER - September 19, 2018

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 November 28, 2017.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Jeffrey K. Oing
Anil C. Singh, Justices.

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

Respondent,

-against-

Anonymous,

Defendant-Appellant.
-----X

SEALED

M-4623

Ind. No. 4771/09

An order of this Court having been entered on April 22, 2014 (M-127) inter alia, substituting Robert S. Dean, Esq., Center For Appellate Litigation, as counsel to prosecute the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about September 12, 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, Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 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 November 28, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X
Suarna Mehulic, M.D.,
Plaintiff-Appellant,

-against-

M-5642
Index No. 103297/08

New York Downtown Hospital,
Defendant-Respondent.

-----X

Defendant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on September 12, 2017 (Appeal No. 4321),

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 November 28, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
James Daly,
Plaintiff-Respondent,

-against-

9 East 36th LLC,
Defendant-Appellant.

M-5424
Index No. 158991/14

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on September 5, 2017 (Appeal No. 4372),

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 November 28, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Peter H. Moulton, Justices.

-----x

Pedro Merino and Marcissa Artiaga,
Plaintiffs-Appellants-Respondents,

-against-

M-4494

M-5158

Index No. 158411/12

Continental Towers Condominium and
Rose Associates,
Defendants-Appellants-Respondents.

-----x

Appeals and a cross-appeal having been taken from an order of the Supreme Court New York County, entered on or about October 28, 2016 and a judgment rendered November 7, 2016 and October 28, 2016, respectively,

And defendants-appellants-respondents having moved for consolidation of the aforesaid appeals and an enlargement of time to appeal from the order entered October 28, 2016 (M-4944),

And plaintiffs-respondents-appellants having moved to stay trial pending hearing and determination of their respective appeal (M-4944),

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

It is ordered that the defendants' motion is granted to the extent of permitting defendants-appellants-respondents to prosecute the consolidated appeals upon 9 copies of one record and one set of points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect

(M-4944/M-5158)

-2-

November 28, 2017

the consolidated appeals is enlarged to the March 2018 Term (M-4944). The motion for stay of trial is granted on condition plaintiffs-respondents-appellants perfect their appeal on or before January 2, 2018 for said March 2018 Term (M-5158).

ENTERED: November 28, 2017

A handwritten signature in black ink, appearing to read "Susan R. [unclear]", written in a cursive style.

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 November 28, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
Antoine Samuels and Solomon Samuels,
Plaintiffs-Appellants,

-against-

M-5342
Index No. 154383/13

Spruyt E. Lee, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 2, 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 March 2018 Term, with no further enlargements to be granted.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 28, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Douglas Dyce,

Plaintiff-Appellant,

-against-

M-4410
Index No. 106930/11

276 West 135th Street Associates, LLP,
et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about October 18, 2016, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied, with leave to renew upon papers, including proof of service, upon defense counsel as listed on the Notice of Stay of Proceedings served and filed on May 22, 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 November 28, 2017.

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

-----X

In re Arlington Central
School District,
Petitioner-Respondent,

-against-

M-3112
Index No. 654339/15

Progressive Casualty Insurance
Company,
Respondent-Appellant.

-----X

Respondent-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on May 11, 2017 (Appeal No. 3972),

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 November 28, 2017.

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

-----X

Nina Tokhtaman, etc.,
Plaintiff-Respondent,

-against-

Human Care, LLC,
Defendant-Appellant,

M-4313
Index No. 151268/16

County Agency, Inc., etc., et al.,
Defendants.

-----X

A decision and order of this Court having been entered on April 11, 2017 (Appeal No. 3671), unanimously affirming the order of the Supreme Court, New York (Carol Edmead, J.), entered on August 23, 2016,

And an order of this Court having been entered on August 15, 2017 (M-2563/M-3200), inter alia, denying defendant-appellant's motion for reargument of or, in the alternative for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 11, 2017,

And the New York State Association of Health Care Providers having moved for leave to file a brief amicus curiae on the motion for reargument or leave to appeal to the Court of Appeals (M-4313),

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.

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 November 28, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
B.C.R.E. 90 West Street LLC,
Petitioner-Respondent,

-against-

M-4629
Index No. 63467/15

Patricia Hodge,
Respondent-Appellant.

-----X

A purported appeal having been taken from the order of the Appellate Term, First Department, entered on or about August 31, 2015,

And respondent-appellant having moved for leave to prosecute the appeal as a poor person, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is 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 November 28, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----x
Strategic Consulting Alliance, LLC,
doing business as Jassin Consulting
Group,
Petitioner-Respondent,

-against-

M-4675
Index No. 652612/17

S.D.C. Designs, LLC,
Respondent-Appellant.

-----x

Petitioner-respondent having moved for dismissal of the appeal from orders of the Supreme Court, New York County, entered on or about June 29, 2017 and July 21, 2017, respectively, for failure to file a timely record,

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 November 28, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Wyeth, Inc.,
Plaintiff-Tenant,

-against-

Liberty View Corporation,
Defendant-Landlord.

M-5645
Index No. 656505/17

-----X

Plaintiff having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, New York County, on or about October 24, 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 November 28, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Richard T. Andrias
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Danny Frias,
Plaintiff-Appellant,

-against-

M-5253
Index No. 305747/10

Andrew Gula, also known as
Andrzej Gula and Andrzej Gula,
Defendant-Respondent.

-----X

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 November 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 March 2018 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 November 28, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Richard T. Andrias
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----x
John Hon, et al.,
Plaintiffs-Respondents,

-against-

M-5406

Index No. 602236/04

Prince Development Company LLC, et al.,
Defendants,

-and-

Wang Real Property, et al.,
Non-Party Appellants.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 10, 2017,

And non-party appellants having moved for a stay of sale of a certain property pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 28, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Richard T. Andrias
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

-against-

M-5419
Ind. No. 2477/12

Jahson Holmes,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 3, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the April 2018 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 November 28, 2017.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Richard T. Andrias
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
Stephanie Yutkin, as Administratrix
of the goods, chattels and credits of
her daughter Rebecca Nicole Quatinetz,
Stephanie Yutkin, Individually, and
Paul Quatinetz,
Plaintiffs-Appellants-Respondents,

-against-

George A. Fielding, M.D., et al.,
Defendants-Respondents,

-and-

Susie Chung, M.D., and Yevgeny Fulman,
M.D.,
Defendants-Respondents-Appellants,

-and-

Sydney J. Mehl, M.D., et al.,
Defendants.

-----X

An appeal and cross appeals having been taken from an order of the Supreme Court, New York County, entered on or about January 5, 2017,

And plaintiffs-appellants-respondents having moved for an enlargement of to perfect its appeal from the aforesaid order (M-5464),

And defendant-respondent-appellant Fulman having moved for an enlargement of time to perfect its cross appeal from the aforesaid order (M-5465),

M-5464

M-5465

M-5466

Index No. 104384/10

And defendant-respondent-appellant Chung having moved for an enlargement of time to perfect its cross appeal from the aforesaid order (M-5466),

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the appeal and cross appeals to the March 2018 Term.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R.", written in a cursive style.

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 November 28, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Karla Moskowitz, Justices.

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

-against-

M-2474
Ind. No. 944/09

Keith Fagan,
Defendant-Appellant.

-----X

Defendant-appellant having moved to restore his request for a reduction in sentence to the calendar for a decision by 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 to restore is granted, the appeal restored and decided, (See Appeal No. 16250, 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 November 28, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Angela M. Mazzarelli
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Clephane B. Burgess, et al.,
Plaintiffs-Appellants,

-against-

M-5251
Index No. 308376/12

Avignon Taxi, LLC, et al.,
Defendants-Respondents.
-----X

Appeals having been taken from the judgment of the Supreme Court, Bronx County, entered on or about October 29, 2015, and from an order of the same Court and Justice entered on or about February 1, 2016,

And plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from the aforesaid judgment entered on or about October 29, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals from the order and judgment entered October 29, 2015 to the March 2018 Term, with no further enlargements to be granted.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 28, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Angela M. Mazzarelli
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Joy Ifill-Colon, et al.,
Plaintiffs-Respondents-Appellants,

-against-

M-5252
Index No. 300356/13

153 E. 149th Realty Corp., et al.,
Defendants-Appellants-Respondents.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 17, 2015,

And plaintiffs-respondents-appellants having moved for an enlargement of time to perfect their cross appeal taken from the aforesaid 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 granted to the extent of enlarging the time to perfect the cross appeal to the March 2018 Term, with no further enlargements to be granted.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 28, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Angela M. Mazzairelli
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X

In the Matter of the Application of

Richard Fields,
Petitioner-Appellant,

-against-

M-5361
Index No. 251186/16

Housing Preservation Department,
Respondent-Respondent.

-----X

Petitioner having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, Bronx County, entered on or about March 8, 2017, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is 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 November 28, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Angela M. Mazzarelli
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Dierdre O'Sullivan,
Plaintiff-Respondent,

-against-

M-5423
Index No. 316280/11

Kieran Bourke,
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 December 13, 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, on consent, to the extent of enlarging the time to perfect the appeal to the March 2018 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 November 28, 2017.

RESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Cynthia S. Kern, Justices.

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

Clinton M., Jr.,
Petitioner-Respondent,

-against-

CONFIDENTIAL
M-4708
Docket Nos. V-9737-02/12A-D
V-9737-02/13F

Marie C.,
Respondent-Respondent,

Tiane M.,
Child-Appellant.

Carol L. Kahn,
Attorney for the Child.

-----X
Carol L. Kahn, Esq., Family Court attorney for subject child Tiane M., having moved on said child's behalf to be relieved as counsel and to withdraw the appeal taken from an order of the Family Court, New York County, entered on or about March 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 to the extent of relieving Carol L. Kahn, Esq., as counsel for the subject child and 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 November 28, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----X

Accounting of
Nathan Davidovich, Charles H.
Hoppenstein and Ava Hoppenstein Shore,

as Trustees of the

Reuben Hoppenstein 2004 Insurance
Trust, under agreement dated
December 20, 2004.

-----X

M-4760
File No. 2015-2918/A

Respondent having moved to dismiss the appeal taken from the order of the Surrogate's Court, New York County, entered on or about March 31, 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 to dismiss the appeal is granted unless the appeal is perfected on or before January 29, 2018, for the April 2018 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 November 28, 2017.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----x
Royal Park Investments SA/NV,
Plaintiff-Appellant,

Action No. 1

-against-

M-4822
Index No. 652732/13

Deutsche Bank AG, et al.,
Defendants-Respondents.

-----x
Royal Park Investments SA/NV,
Plaintiff-Appellant,

Action No. 2

Index No. 653335/13

-against-

Credit Suisse AG, et al.,
Defendants-Respondents.

-----x
Royal Park Investments SA/NV,
Plaintiff-Appellant,

Action No. 3

Index No. 653695/13

-against-

Morgan Stanley, et al.,
Defendants-Respondents.

-----x
Royal Park Investments SA/NV,
Plaintiff-Appellant,

Action No. 4

Index No. 653901/13

-against-

UBS AG, et al.,
Defendants-Respondents.

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about April 14, 2017 [Action No. 1], from an order of the same Court and Justice,

entered on or about April 17, 2017 [Action No. 2], from an order (with memorandum decision) from the same Court and Justice entered on or about April 12, 2017 [Action No. 3] and from an order of the same Court and Justice entered on or about April 14, 2017 [Action No. 4], respectively,

And plaintiff having moved for consolidation of the aforesaid appeals, pursuant to a stipulation of the parties dated September 12, 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 to the extent of permitting appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant points covering the consolidated appeals.

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 November 28, 2017.

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

-----x

Sondra Neuschotz,
Plaintiff-Respondent,

CONFIDENTIAL

-against-

M-4654
Index No. 311514/09

Nilson Neuschotz,
Defendant-Appellant.

-----x

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about June 27, 2016 and from orders of the same Court and Justice entered on or about July 25, 2017, respectively,

And defendant-appellant having moved for consolidation of the aforesaid appeals, for an enlargement of time to perfect same and for leave to prosecute the appeals as a poor person,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The time to perfect the consolidated appeals is enlarged to the June 2018 Term. 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 November 28, 2017.

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

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

CONFIDENTIAL

- - - - -
Glenda D. C.
Petitioner-Respondent,

M-4775
Docket No. F4837-10/16G
F43837-10/10A, 12D

-against-

Wayne I. C.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about July 7, 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 denied.

ENTERED:



CLERK

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

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

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

M-4770
Ind. No. 1365/15
5319/15

-against-

CERTIFICATE
DENYING LEAVE

Erikson Sanchez

Defendant.

-----X

I, Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about August 2, 2017 is hereby denied.



Associate Justice

Dated: October 30, 2017
New York, New York

ENTERED:

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

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

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

M-5268
Ind. No. 1440/01

-against-

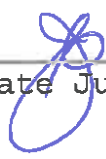
CERTIFICATE
DENYING LEAVE

Bernardo Martinaj

Defendant.

-----X

I, Judith J. Gische, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about August 2, 2017 is hereby denied.



Associate Justice

Dated: October 30, 2017
New York, New York

ENTERED:



STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Cynthia S. Kern
Justice of the Appellate Division

-----X

The People of the State of New York,

-against-

Kareem Jones,

Defendant.

-----X

M-4819
Ind. No. 2912/2016

ORDER DENYING ROR OR
BAIL PENDING APPEAL

An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, New York County, rendered on March 16, 2017, and defendant having moved, pursuant to CPL 460.50 and 530.50 for an order of recognizance or to be admitted to bail pending hearing and determination of the aforesaid appeal,

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

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

Dated: November 6, 2017
New York, New York

CSK
Justice of the Appellate Division

ENTERED:

CORRECTED ORDER – February 23, 2018

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 November 28, 2017.

Present - Hon. Richard T. Andrias, Justice Presiding,
Judith J. Gische
Cynthia S. Kern
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
MPEG LA, LLC,

Plaintiff-Respondent,

M-4262

M-5249

-against-

Index No. 654454/15

Samsung Electronics Co., Ltd.,

Defendant-Appellant.
-----X

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about November 28, 2016, **May 4, 2017 and August 25, 2017**, respectively,

And defendant-appellant having moved, by duplicate motions, for consolidation of the aforesaid appeals, and for an enlargement of time to perfect same,

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

It is ordered that the motions are granted to the extent of permitting appellant to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the March 2018 Term.

ENTERED:


CLERK

PRESENT: Hon. Angela M. Mazzarelli,
Richard T. Andrias
Judith J. Gische
Cynthia S. Kern
Anil C. Singh,

Justice Presiding,

Justices.

-----x
Liberty on Warren LLC, et al.,
Plaintiffs-Appellants,

-against-

Dragon Estates Condo, et al.,
Defendants-Respondents.

M-5150
Index No. 650530/15

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Appeals having been taken from an order of the Supreme Court New York County, entered on or about June 21, 2016 and from an order of the same Court and Justice entered on or about August 18, 2017, respectively,

And plaintiffs-appellants having moved for consolidation of the aforesaid appeals, and for an enlargement of time to perfect same,

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 appellant to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the March 2018 Term.

ENTERED: November 28, 2017



CLERK