

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 30, 2017.

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

-----X  
Wimbeldon Financing Master  
Fund, Ltd.,

Petitioner-Respondent,

-against-

M-5387  
Index No. 652771/16

The Wimbeledon Fund, SPC, etc.,  
et al.,

Respondents-Appellants.  
-----X

Respondents having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, New York County, entered on or about December 27, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time in which 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 30, 2017.

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

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

Respondent,

M-4754

Ind. No.4275/15

-against-

Tyrone Howard,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 22, 2017 (M-3781) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 3, 2017, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 30, 2017.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,  
Angela M. Mazzarelli  
Karla Moskowitz  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

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

-against-

M-4878  
Ind. No. 4178/15

Emil Goding,  
Defendant-Appellant.

-----X

An order of this Court having been entered on June 29, 2017 (M-2840) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 11, 2017, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel 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, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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 30, 2017.

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

-----X  
John McCabe,

Plaintiff-Appellant,

-against-

M-5359  
Index No. 101565/15

Consulate General of Canada,

Defendant-Respondent.  
-----X

Plaintiff having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, New York County, entered on or about January 23, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time in which 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 30, 2017.

Present - Hon. Richard T. Andrias, Justice Presiding,  
Judith J. Gische  
Cynthia S. Kern  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

Respondent,

M-4127

Ind. No. 3184/12

-against-

Terrell Jenkins,  
Defendant-Appellant.

-----X

An order of this Court having been entered on September 11, 2014 (M-3501) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 11, 2014, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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

CORRECTED ORDER – February 28, 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 30, 2017.

Present - Hon. Richard T. Andrias, Justice Presiding,  
Judith J. Gische  
Cynthia S. Kern  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

-against-

M-4264  
Ind. No. 2361/16

Frank Crisalli,  
Defendant-Appellant,  
-----X

An order of this Court having been entered on January 17, 2017 (M-5915) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 15, 2016, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 30, 2017.

Present - Hon. Richard T. Andrias, Justice Presiding,  
Judith J. Gische  
Cynthia S. Kern  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

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

Respondent,

M-4399

Ind. No. 5129/12

-against-

Shamakh Siddiqi,  
Defendant-Appellant.

-----X

An order of this Court having been entered on November 22, 2016 (M-5005) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 14, 2016, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 30, 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 and/or Visitation Under  
Article 6 of the Family Court Act.

M-5213

Docket Nos.

Tiffany H.-C.,  
Petitioner-Appellant-Respondent,

V-27584-6/08-15F

V-27585-6/08-15F

V-27585-6/08-15E

-against-

V-22045-7/08-15D

V-22045-7/08-15E

Martin B.,  
Respondent-Respondent-Appellant.

V-22045-7/08-15F

V-27584-08/15D-E

Administration for Children's Services,  
Respondent-Respondent.

-----X

An appeal and cross appeal having been taken from an order of the Family Court, Bronx County, entered on or about August 29, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated September 25, 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 November 30, 2017.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-5590  
Ind. Nos. 1209/14  
608/15

Paul Bernardo,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 28, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated October 16, 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 November 30, 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-5616  
Ind. No. 916/14

Dominic Iannacone,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 14, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated October 20, 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 November 30, 2017.

Present - Hon. Rolando T. Acosta,                    Presiding Justice,  
                 Peter Tom  
                 Troy K. Webber  
                 Ellen Gesmer  
                 Anil C. Singh,                    Justices.

-----x  
King J. A. El and Messiah Ali Bay,  
Plaintiffs-Appellants,

-against-

M-5452  
Index No. 305266/12

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

Defendant-respondent South Bronx Overall Economic Development Corp. having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about September 26, 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 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 30, 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-5617  
Ind. No. 580/14

Michael Roberts,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about January 14, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated October 30, 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 November 30, 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-5677  
Ind. No. 3739/15

Cory Reid,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 29, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated October 13, 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 November 30, 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-4597  
Ind. No. 9/2016

Jhon Bernabel,

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 June 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, 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.

Christina Swarns, 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 November 30, 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-5197

Ind. No. 1257N/2016

Raymond Downer,

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 November 10, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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



Christina Swarns, 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 November 30, 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-5200

Ind. No. 1924/2016

Anibel Quinones,

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 January 3, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Christina Swarns, 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 November 30, 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-5201

Ind. No. 3578/15

Marvin Jimenez,

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 October 19, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Christina Swarns, 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 November 30, 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-5202

Ind. No. 1930/2016

Adan Perez,

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 August 25, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Christina Swarns, 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 November 30, 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-5270  
Ind. No. 5019/15

Ikenna Pyndell,

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 2, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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



Christina Swarns, 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 November 30, 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-5271  
Ind. Nos. 4939/16  
2143/17

Howard Breedy,

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 July 24, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 November 30, 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-5272

Ind. No. 4701/12

Wilberto Hernandez,

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 April 12, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Christina Swarns, 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 November 30, 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-5408  
Ind. No. 143/14

Richard Ifill, also known as  
Dr. Richard Sunday Ifill,

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 July 27, 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, 28<sup>th</sup> 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 November 30, 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-4510  
Ind. No. 542/16

Erick Cruz,

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 10, 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, 28<sup>th</sup> 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 November 30, 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-5274  
Ind. No. 5264/16

Alexander Sanchez,

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 9, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 November 30, 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-5238  
Ind. Nos. 1430/14  
636/14

Christopher Baker,

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 March 28, 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, 28<sup>th</sup> 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 November 30, 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-5239  
Ind. Nos. 1679/15  
1102/16

Manuel Davila,

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 June 23, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 November 30, 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-4925  
Ind. No. 611/17

Marvin Smith,

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 23, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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



Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> 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 November 30, 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-4960  
Ind. No. 1690/17

Glenn Cruzado,

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 July 27, 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, 28<sup>th</sup> 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 November 30, 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-4962  
Ind. No. 4843/14

Glenn Cruzado,

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 July 27, 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, 28<sup>th</sup> 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 November 30, 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,

Appellant,

-against-

M-5520  
Ind. No. 6138/11

Thein Stewart,

Defendant-Respondent.

-----X

Defendant-respondent having moved for leave to respond, as a poor person, to the People's appeal from an order of the Supreme Court, New York County, entered on or about October 4, 2017, 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 (1) 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 the People and 9 copies thereof are filed with this Court, and (2) assigning, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, NY 10005, Telephone No. 212-577-2523, as counsel for purposes of responding to 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 November 30, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

-----X

Delores Canteen,

Plaintiff-Appellant,

-against-

M-4887

Index No. 300215/13

The New York City Housing Authority,

Defendant-Respondent.

-----X

Plaintiff having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, Bronx County, entered on or about November 30, 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 in which 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 30, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

-----X  
Marybeth DeF.,

Petitioner-Respondent,

-against-

Herbert C.,

Respondent-Appellant,  
-----X

**CONFIDENTIAL**

M-5184

Index No. F-09295-13/13A,B

Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from a decision and order of the Family Court, New York County, entered on or about January 7, 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 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 30, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Troy K. Webber  
Ellen Gesmer  
Anil C. Singh, Justices.

-----X

ID Beauty S.A.S.,

Plaintiff-Appellant,

-against-

M-5450

Index No. 651620/16

Coty Inc. Headquarters,

Defendant-Respondent.

-----X

Plaintiff having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, New York County, entered on or about December 27, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time in which 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 30, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick  
Cynthia S. Kern, Justices.

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

Respondent,

-against-

M-5087  
Ind. No. 8378/10

Jesus Alvarez,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 13, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the May 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 30, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Peter Tom  
Troy K. Webber  
Ellen Gesmer, Justices.

-----X  
Paul Condzal,

Petitioner-Appellant,

-against-

M-5278  
Index No. 150451/15

New York City Human Resources  
Administration, et al.,

Respondents-Respondents.  
-----X

Petitioner having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, New York County, 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 in which to perfect the appeal to the May 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 30, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Barbara R. Kapnick  
Marcy L. Kahn, Justices.

-----X

In re Gilberto Diaz,  
Petitioner,

-against-

Cyrus R. Vance, etc., et al.,  
Respondents.

M-5310  
Ind. Nos. 453/11  
89/16

-----X

Petitioner having moved for reargument of the decision and order of this Court, where he sought a writ of prohibition and poor person relief, entered on February 2, 2017 (Appeal No. 2990 [M-6367]), 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

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 30, 2017.

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

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

-against-

M-4714  
Ind. Nos. 3721/10  
1299/10

Ricky Moore,  
Defendant-Appellant.

-----X

An order of this Court having been entered on July 9, 2015 (M-2558) granting defendant 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 12, 2011, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel 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, Room 1601, New York, New York 10007, Telephone No. 212-402-4112, 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

CORRECTED ORDER - February 28, 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 30, 2017.

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

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

-against-

M-5069  
Ind. Nos. 1473/13  
3408/12

Lance Williams,  
Defendant-Appellant.

-----X

An order of this Court having been entered on September 19, 2017 (M-3796) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about April 15, 2015, and assigning **Robert S. Dean**, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel **Robert S. Dean**, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688 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 30, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X

Metro Foundation Contractors, Inc.,  
Plaintiff-Appellant,

-against-

M-5434  
Index No. 600520/09

Marco Martelli Associates, Inc.,  
Defendant-Respondent.

-----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 December 13, 2016 (Appeal Nos. 2452-2453),

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 30, 2017.

Present - Hon. David Friedman, Justice Presiding,  
Rosalyn H. Richter  
Richard T. Andrias  
Judith J. Gische  
Peter H. Moulton, Justices.

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

-against-

M-4918  
Ind. No. 4577/15

Mark Dwaileebe,  
Defendant-Appellant.

-----X

An order of this Court having been entered on March 16, 2017 (M-767) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about August 4, 2016, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 30, 2017.

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

-----X  
Sharlene Cangelosi, etc., et al.,

Plaintiffs-Appellants,

-against-

M-5326  
Index No. 401189/12

New York City Transit Authority,  
et al.,

Defendants-Respondents.  
-----X

Plaintiffs having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, New York County, entered on or about December 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 in which 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 30, 2017.

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

-----X  
Nationwide Recovery Systems, etc.,  
Plaintiff,

-against-

M-5151  
Index No. 650666/13

Aragon, LLC, et al.,  
Defendants.

-----X  
Kaback Enterprises, Inc.,  
Plaintiff,

-against-

Index No. 650407/13

Aragon, LLC, et al.,  
Defendants.

-----X  
J.P. Phillips, Inc.,  
Plaintiff-Appellant,

-against-

Index No. 159884/13

Aragon, LLC, et al.,  
Defendants-Respondents.

-----X  
Credit Suisse Securities (USA)  
LLC, et al.,  
Defendants/Interpleading  
Plaintiffs,

-against-

Index No. 159884/13

J. P. Phillips, Inc., et al.,  
Interpleading Defendants.

-----X

Plaintiff-appellant J.P. Phillips, Inc., having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, New York County, entered on or about November 30, 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 in which 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 30, 2017.

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

-----X  
Federal Insurance Company, as subrogee  
of Engel Burman Senior Housing at East  
Northport LLC,  
Plaintiff-Respondent,

-against-

M-5538  
Index No. 158256/14E

Lakeville Pace Mechanical Inc.,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about July 26, 2017,

And an interim stay of trial having been granted by a Justice of this Court on October 25, 2017, pending the decision on 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 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 30, 2017.

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

-----X

In re 322 West 47th Street HDFC,  
Petitioner-Respondent,

-against-

M-5187  
Index No. 570908/15

Margie Loo,  
Respondent-Appellant,

"John Doe,"  
Respondent.

-----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 September 5, 2017 (Appeal No. 4364),

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 30, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Troy K. Webber  
Judith J. Gische  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----X  
Thomas Caso,  
Plaintiff-Appellant,

-against-

M-5467  
Index No. 159192/15

Miranda Sambursky Sloane Sklarin  
Ver Veniotis LLP, et al.,  
Defendants-Respondents.

-----X

Defendants-respondents having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on May 4, 2017 (Appeal No. 3894-95),

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 30, 2017.

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

-----X  
New Cingular Wireless PCS, LLC,

Plaintiff-Respondent,

-against-

West Investors LLC,

Defendant-Appellant.  
-----X

M-5254  
Index No. 652926/15

Defendant having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, New York County, entered on or about April 7, 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 in which 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 30, 2017.

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

-----X  
Korea Resolution and Collection Corporation,

Plaintiff-Respondent,

-against-

M-5322  
Index No. 156487/15

Hyuk Kee Yoo, et al.,

Defendants-Appellants.  
-----X

Defendants having moved for an enlargement of time in which to perfect the appeal from order of the Supreme Court, New York County, entered on or about November 30, 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 in which to perfect the appeal to the May 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 30, 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-5286  
Ind. No. 6622/05

Donald Medard,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about November 21, 2006,

And an order of this Court entered on April 27, 2017 (M-761), granting the People's motion to dismiss the aforesaid appeal unless perfected for the September 2017 Term,

And defendant-appellant having moved for an enlargement of time to perfect 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 30, 2017.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Angela M. Mazzaelli  
Marcy L. Kahn  
Peter H. Moulton, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-5301

Ind. No. 580/13

Wellington Fullmore-Salvador,  
also known as Welington Salvador  
Furment Castila,

Defendant-Appellant.

-----X

Defendant having renewed the motion 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 October 18, 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, 28<sup>th</sup> 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

✓

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

BEFORE: **Hon. Angela M. Mazzarelli,**  
Justice of the Appellate Division

-----X

**The People of the State of New York,**

M-4828  
Ind. No. 0237/88

-against-

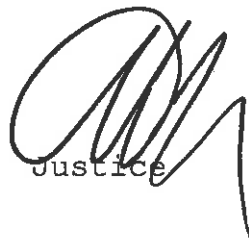
CERTIFICATE  
DENYING LEAVE

**Carlos Ruiz,**

Defendant.

-----X

I, Angela M. Mazzarelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County (Denis J. Boyle, J.), entered on or about August 18, 2017, is hereby denied.

  
Justice

11/13/17

Dated: New York, New York

**ENTERED**

NOV 30 2017

✓

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

BEFORE: Hon. Jeffrey K. Oing  
Justice of the Appellate Division

-----X  
THE PEOPLE OF THE STATE OF NEW YORK,

Respondent-Appellee,

-against-

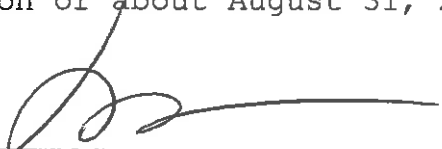
M-5267  
Ind. No. 2011BX000220  
2012BX044893

FRANKIE ALVARADO,

Defendant-Appellant.

-----X

I, Jeffrey K. Oing, 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, Busching, J., Bronx County, entered on or about August 31, 2017, is hereby denied.

  
\_\_\_\_\_  
Hon. Jeffrey K. Oing  
Associate Justice

Dated: November 6, 2017  
New York, New York

ENTERED: NOV 30 2017