

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 February 6, 2018.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Imovegreen, LLC, Imovegreen
Storage, LLC,
Plaintiffs-Respondents,

-against- M-6048
Index No. 300372/13

Frantic, LLC and Asaf D Ben Aroch,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about November 15, 2017,

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

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

It is ordered that the motion is denied.

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 February 6, 2018.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Deutsche Bank National Trust Company,
etc.,
Plaintiff-Respondent,

-against-

Michael Hanchard,
Defendant-Appellant,

M-6014
Index No. 380686/12

-and-

Velma Kerr-Sterling, et al.,
Defendants,

-----X

Defendant-appellant having moved for a stay of foreclosure proceedings pending hearing and determination of the appeal taken from the judgment of the Supreme Court, Bronx County, entered on or about April 27, 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 February 6, 2018.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Richard T. Andrias, Justices.

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

-against-

M-6498
Ind. No. 423/14

Carlos Torres,
Defendant-Appellant.

-----X

An order of this Court having been entered on November 12, 2015 (M-5058), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about July 13, 2015, under Indictment No. 423/14, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include the judgment of **resentence** of the same Court and Justice rendered November 22, 2017 under Bronx Indictment No. 423/14,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to reflect the judgment of **resentence** of said court under Bronx Indictment No. 423/14, and extending the poor person relief previously granted to cover same.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2018.

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

Justice Presiding,
Justices.

-----X
Tishman Construction Corp., et al.,
Plaintiffs-Respondents,

-against-

United Hispanic Construction Workers,
Inc.,
Defendant-Appellant.

M-6681
Index No. 150585/11

David Rodriguez,
Nonparty Appellant.
-----X

A decision and order of this Court having been entered on November 14, 2017 (Appeal Nos. 4960, 4961 and 4962N), affirming the order and judgment of the Supreme Court, New York County, entered on or about January 27, 2016,

And defendant-appellant and nonparty appellant having moved for clarification of the aforesaid decision and order of this Court,

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

It is ordered that the motion is granted, and the decision and order of this Court entered on November 14, 2017 (Appeal Nos. 4960, 4961 and 4962N), is recalled and vacated and a new decision and order is substituted therefor. (See Appeal Nos. 4960A, 4961A and 4962NA, 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 February 6, 2018.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Angela M. Mazzarelli
Barbara R. Kapnick
Troy K. Webber, Justices.

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

-against-

M-5623
Ind. No. 2684/11

Robert Adrian, also known as Arnaldo
Garcia,
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about August 1, 2014,

And defendant-appellant having moved for an order lifting protective orders issued by the trial court that resulted in redactions of the People's warrant applications and the Court's ex parte *Darden* hearing minutes,

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 directing that documents and transcriptions of the requested proceedings (i.e., the People's full warrant applications and the unredacted *Darden* hearing minutes) be provided to this Court for *in camera* review with the directive that the requested documents and transcripts not be disclosed to the defense.

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 February 6, 2018.

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

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

-against-

M-5330
Docket No. 2016BX006864

Grevelle Bartley,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about March 9, 2017,

And defendant-appellant having moved, through assigned counsel, for a continuation of the stay of execution of sentence and bail, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of continuing the stay of execution of sentence of bail granted by the order of a Justice of this Court, entered on March 13, 2017, upon the same terms and conditions, and upon further condition the appeal be perfected for the June 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 February 6, 2018.

Present - Hon. Judith J. Gische, Justice Presiding,
Barbara R. Kapnick
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X
Peter Arnold, et al.,
Plaintiffs-Respondents,

-against-

M-5659
Index No. 158541/13

4-6 Bleeker Street, LLC,
Defendant-Respondent,

316 Bowery Realty Corp., et al.,
Defendants-Appellants.

-----X

Appeals having been taken to this Court by defendant 316 Bowery Realty Corp., et al., from orders of the Supreme Court, New York County, entered on or about October 21, 2015, as amended by an order entered on or about November 18, 2015, September 22, 2016, May 31, 2017 and June 13, 2017, respectively,

And defendants-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 enlarging the time to perfect the appeal from the order entered on or about October 21, 2015, as amended by an order entered on or about November 18, 2016, and the order entered on or about September 22, 2016 to the June 2018 Term, with no further enlargements, and said appeals are consolidated with the appeals entered on or about May 31, 2017 and June 13, 2017. The parties are permitted 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 all the consolidated appeals is enlarged to the June 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 February 6, 2018.

PRESENT: Hon. Peter Tom, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Jeffrey K. Oing, Justices.

-----X
Tom Poss and Eliaz Poss,

Petitioners-Appellants,

-against-

M-6151
Index No. 500009/13

Monica Kipiniak,

Respondent-Respondent.

-----X

Petitioners-appellants, pro se, 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 January 11, 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 June 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 February 6, 2018.

PRESENT: Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton Justices,

-----X
Alan S. Ripka,
Plaintiff-Appellant,

-against-

M-6070
Index No. 157823/14

Seth R. Rotter,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect an appeal from the order of the Supreme Court, New York County, entered on or about March 16, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 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 February 6, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Michael Brooks and Monique Brooks,

Plaintiffs-Appellants,

-against-

Queens West Development Corporation,
et al.,

M-35X
Index No. 303261/13

Defendants-Respondents.
-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" January 4, 2018, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2018.

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

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

-against-

M-6434
Ind. No. 3748/16

Redron Cohen,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 15, 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 deeming the notice of appeal as timely served and filed.

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 February 6, 2018.

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

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

Respondent,

-against-

M-6414
Ind. No. 3350/14

Juan F. Ramos,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about May 6, 2015,

And the People having stipulated to the requested 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 enlarging the time to perfect the appeal to the June 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 February 6, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Peter Tom, Justices.

-----X
HSBC Bank USA, et al.,
Plaintiffs-Respondents,

-against-

Betty Lugo,
Defendant-Appellant,

M-6244
Index No. 381904/09

-and-

New Century Mortgage Corporation,
et al.,
Defendants.

-----X

Defendant-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 January 26, 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 June 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 February 6, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Peter Tom, Justices.

-----X
Sara R.B. Igtet
Plaintiff-Respondent,

-against-

Board of Managers of the Trump
International Hotel & Tower
Condominium,
Defendant-Appellant,

M-6421
Index No. 152552/15

-and-

Mintz, Levin, Cohn, Ferris,
Glovsky and Popeo, P.C., as
Escrow Agent,
Defendant.

-----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 November 15, 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 June 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 February 6, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Peter Tom, Justices.

-----X
Mitchell Elsner,

Plaintiff-Appellant.

-against-

M-6490
Index No. 153527/13

Boston Properties, Inc., et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 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 granted to the extent of enlarging the time to perfect the appeal to the June 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 February 6, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Peter Tom, Justices.

-----X
Virgilio M.,
Petitioner-Appellant,

-against-

Jasmin R.,
Respondent-Respondent.

-----X

CONFIDENTIAL

M-6380

Docket Nos. G-6891-2-14/14A
G-1643-4/14

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, Bronx County, entered on or about February 8, 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 June 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 February 6, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----x

The People of the State of New York,
Respondent,

-against-

SEALED
M-5331
Ind. No. 453/11

Gilberto D.,
Defendant-Appellant.

-----x

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 8, 2016,

And defendant-appellant, pro se, having moved for permission to proceed pro se on the appeal,

Now, upon reading and filing the papers with respect to the motion; and a letter having been issued by the Court to appellant on October 5, 2017, advising him of the consequences of proceeding pro se, and defendant having responded hereto on October 20, 2017; and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of allowing defendant-appellant to proceed pro se, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment shall be substituted in place of the original indictment and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the District Attorney of said county and file 8 reproduced copies of such brief, together with the original record, 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 is directed to forward to the Warden of the State Correctional Facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, the transcript to be made available to appellant, without charge, and returned by him to this Court when submitting his pro se appellate brief.

The time in which appellant shall perfect this appeal is enlarged until 120 days from the date of filing the record or the date of this order, whichever is later. Appellant is advised that the appeal will not be heard unless and until all material furnished to him has been returned to 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 February 6, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Peter Tom, Justices.

-----X
Carl J. Mayer, an individual,
Plaintiff-Appellant,

-against-

M-6489
Index No. 157590/16

Mathew W. Riordan and Arlene
Harris,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 3, 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 October 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 February 6, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Judith J. Gische
Peter Tom, Justices.

-----X

ID Beauty S.A.S.,

Plaintiff-Appellant,

-against-

Coty Inc. Headquarters,

Defendant-Respondent.

-----X

M-6455
Index No. 651620/16

Plaintiff having moved for an enlargement of time in which to perfect the appeals taken from orders of the Supreme Court, New York County, entered on or about December 29, 2016 and 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 granted to the extent of enlarging the time in which to perfect the appeals to on or before August 6, 2018 for the October 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 February 6, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
John W. Sweeny, Jr.
Judith J. Gische
Richard T. Andrias
Ellen Gesmer, Justices.

-----X
In the Matter of the Application of
EDJ Realty Inc.,
Petitioner-Appellant,

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

M-6258
Index No. 260015/17

-against-

New York State Division of Housing
and Community Renewal, et al.,
Respondents-Respondents.

-----X
EDJ Realty Inc.,
Plaintiff-Appellant,

-against-

Index No. 158552/16

New York State Division of Housing
and Community Renewal ("DHCR");
James S. Rubin as Commissioner
of the DHCR, et al.,
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about May 19, 2017 (under Index No. 260015/17) and from an order of the Supreme Court, New York County, entered on or about July 25, 2017 (under Index No. 158662/16),

And petitioner-plaintiff-appellant having moved to stay respondent from levying fines or otherwise penalizing appellant, pending hearing and determination of the aforesaid 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 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 February 6, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Anil C. Singh, Justices.

-----X
Omar Fuentes-Gil,
Plaintiff-Appellant,

-against-

M-5992
Index No. 301746/14

Zear LLC.,
Defendant-Respondent.

-----X

Zear LLC.,
Third-Party Plaintiff-
Respondent,

Third-Party
Index No. 84043/14

-against-

East Village 4th Street Café Inc.,
d/b/a Still Water Bar & Grill and
East Village 4th Street Rest Corp.
d/b/a Still Water Bar & Grill,
Third-Party Defendants-
Appellants.

-----X

Third-party defendant, East Village 4th Street Café Inc., d/b/a Still Water Bar & Grill, having moved to withdraw its appeals taken from orders of the Supreme Court, Bronx County, entered on or about January 9, 2017, and from the same Court and Justice, entered on or about July 18, 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 deeming the aforesaid appeals withdrawn. Third-party defendant is directed to notify all parties of said relief, individually.

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 February 6, 2018.

Present - Hon. David Friedman, Justice Presiding,
Peter Tom
Richard T. Andrias
Ellen Gesmer, Justices.

-----X
Sun Jackie Huh,
Plaintiff-Respondent-Appellant,

-against-

M-5634
Index No. 100648/12

Daniel Yi,
Defendant-Appellant-Respondent,

Dong Bang Acupuncture, Inc.,
Defendant.

-----X

Separate appeals having been taken to this Court by defendant Yi from the judgment of the Supreme Court, New York County, entered on or about September 2, 2016, and from the order of said Court entered on or about August 14, 2017,

And plaintiff having taken a cross appeal from the order entered on or about September 2, 2016,

And defendant Yi 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 consolidating the direct appeals, and defendant Yi is permitted to prosecute the consolidated appeals upon 9 copies of one record and one set of appellant's points covering the consolidated appeals on or before March 19, 2018 for the June 2018 Term. The attention of the parties is directed to 22 NYCRR § 600.11 with

respect to a joint record and costs thereof. Plaintiff Huh is directed to perfect the cross appeal on or before April 18, 2018 for said June 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 February 6, 2018.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Ellen Gesmer
Anil C. Singh, Justices.

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

- - - - -
Cynthia B. C.,
Petitioner-Appellant,

CONFIDENTIAL
M-102

Docket No. F-05607/09/14E

-against-

Peter T. C.,
Respondent-Respondent.

-----X

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

And petitioner-appellant having moved for a preference in respect to her appeal which is calendared for the March 2018 Term,

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 ordering that the appeal be maintained on this Court's calendar for 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 February 6, 2018.

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

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

-against-

Alfonso Rios,
Defendant-Appellant.

CONFIDENTIAL
M-4756
Ind. No. 1955/12

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, rendered on or about October 15, 2013,

And defendant-appellant having moved, through assigned counsel for summary reversal of the aforesaid judgment or, in the alternative, remanding this case to Supreme Court, Bronx County, for a reconstruction hearing regarding jury selection,

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

Ordered that the motion is granted to the extent of remanding the matter to Supreme Court, Bronx County, for a reconstruction hearing of the aforesaid proceedings. Defendant's counsel is directed to serve a copy of this order upon the Clerk of said Court and its Chief Court Reporter within 10 days from the date of entry hereof, and the Clerk is directed to have

the minutes of the proceedings transcribed and delivered to appellant's counsel for inclusion in the record within 30 days of the conclusion of said reconstruction hearing. 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 February 6, 2018.

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

-----X

Lender Collections LLC,
Plaintiff-Respondent,

-against-

M-5403
Index No. 653920/15

T3 Motion, Inc.,
Defendant-Appellant.

-----X

Appeals having been taken by defendant from orders of the Supreme Court, New York County, entered on or about December 19, 2016, January 20, 2017, March 17, 2017 and April 4, 2017, respectively,

And retained counsel for defendant-appellant, Mitchell Silberberg & Knupp LLP (David B. Gordon and Hannah Junkerman, of counsel), having moved for leave to withdraw as counsel for defendant-appellant, and for an enlargement of time to perfect the 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, retained counsel is granted leave to withdraw as counsel, and assigned counsel is directed to serve to defendant a copy of this motion at his last known address. Assigned counsel is directed to advise defendant that the deadline for perfecting the appeals is March 19, 2018, and that it should retain new counsel and serve the bankruptcy Trustee's counsel, Monica Y. Kim, Esq., with a copy of this

order. The time to perfect the appeals is enlarged to on or before March 19, 2018 for the June 2018 Term, with leave to seek further enlargements, if necessary.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-6129
Ind. No. 5080/08

Melvin Peters,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about June 7, 2011, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before March 21, 2018 for the May 2018 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 February 6, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Ellen Gesmer
Anil C. Singh, Justices.

-----x

Ayub Ahmed,
Plaintiff-Respondent,

-against-

Macy's, Inc.,
Defendant-Appellant,

M-6744
Index No. 103377/10

-and-

Thyssenkrupp Elevator Corporation,
Defendant.

-----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 August 29, 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.

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 February 6, 2018.

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

-----X

Suzanne Mangold Zacharius,

Plaintiff-Appellant,

-against-

M-6120

Index No. 652460/12

Kensington Publishing Corporation,
et al.,

Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about June 27, 2017, for failure to timely file a 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 February 6, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Richard T. Andrias, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-6527
Ind. No. 3532/12

Demari Greene,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 17, 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 June 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 February 6, 2018.

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

-----X
Cinthia Carolina Reyes Orellana and
Samya I. Moftah, etc.,
Plaintiffs-Respondents-Appellants,

-against-

M-5451
Index No. 453060/15

Macy's Retail Holdings, Inc., etc.,
Defendant-Appellant-Respondent,

-and-

Law Offices of Palmer, Reifler and
Associates, P.A.,
Defendant.

-----X

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 24, 2016,

And defendant-appellant-respondent having moved for an enlargement of time to perfect their appeal or, in the alternative, for an enlargement of time to perfect their appeal to the September 2018 Term, with permission to request further enlargements by letter application,

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 enlarging the time to perfect the appeal and cross appeal to

the September 2018 Term, with leave to seek further enlargements, if necessary by motion on notice. The motion is otherwise denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 6, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Richard T. Andrias, Justices.

-----X
Hamad Ali, Fateh Saleh and Monsour
Al-Kabualer,

Plaintiffs-Respondents,

-against-

M-6558
M-6559
Index No. 153074/13

Selim Zherka, Silas Metro Holdings
Corp., James G. Dibbini & Associates,
P.C. and James G. Dibbini,

Defendants-Appellants,

Signature Bank,
Defendant.

-----X

Defendants-appellants having separately moved for a second enlargement of time to perfect appeals taken from an order of the Supreme Court, New York County, entered on or about November 16, 2016,

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 appeals to the June 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 February 6, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Richard T. Andrias, Justices.

-----X
Norma Andrade and Vanessa Andrade,

Plaintiffs-Appellants,

-against-

M-6548
Ind. No. 306417/08

Agapito Perez and Elba Perez,

Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about December 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.

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 February 6, 2018.

Present: Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

-----X
John Amodio and Christine Amodio,
Plaintiffs-Respondents,

-against-

M-177

Index Nos. 105259/11
590177/12
590443/12

383 Madison LLC, JPMorgan Chase
& Co., JPMorgan Chase Bank, N.A.,
Turner Construction Company, Inc.
and Computer Floors, Inc.,
Defendants-Respondents-
Appellants,

-and-

Jacobson & Company, Inc.,
Defendant-Appellant-
Respondent.

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

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 21, 2017, and said appeal and cross appeal having been perfected,

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

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

It is ordered that the motion is denied.

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 February 6, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Richard T. Andrias, Justices.

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

-against-

Johnny Rodriguez,
Defendant-Appellant.

M-6501
Ind. Nos.3051/12
1009/12

-----X

Defendant having moved for an extension of time to return the original transcript to this Court for his appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 18, 2018 and an order of the Court entered on September 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 and the perfected appeal is adjourned to the June 2018 Term. Defendant-appellant is reminded that the appeal will not be heard until the record is returned.

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 February 6, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzarelli
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-5002
Ind. No. 1589/15

Decourcey Belle,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 8, 2017, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$10,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 February 6, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Richard T. Andrias, Justices.

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

-against-

M-6430
Ind. No. 2139/16

Joel Correa,
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 December 8, 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 denied, with leave to renew upon submission by defendant-appellant of an additional notarized affidavit of indigency, specifically explaining the source(s) of the \$7,500 cash bail posted below, the disposition thereof, as well as the source(s) of the payment, if any, for services of his attorney at trial, as well as an explanation why similar funds are not available for the costs of the appeal.

ENTERED:


CLERK

CORRECTED ORDER - February 14, 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 February 6, 2018.

Present: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

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

CONFIDENTIAL

M-5843

Julius K.,
Petitioner-Appellant,

Docket No. F-1505-91/14G

-against-

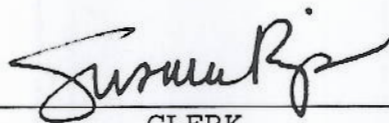
Ileana K.,
Respondent-Respondent.

-----X
An order of this Court having been entered on September 28, 2017, (M-3897), granting petitioner-appellant leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about March 6, 2015, and assigning Steven N. Feinman, Esq., One North Broadway, Suite #412, White Plains, New York 10601, Telephone No. (914) 949-8214, 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 appeal is granted to the extent of relieving Steven N. Feinman, Esq., as appellate counsel to petitioner, and deeming the purported appeal taken from the order entered March 6, 2015 withdrawn, and 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 February 6, 2018.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Unitrin Direct Insurance Company,
Plaintiff-Respondent,

-against-

A.C. Medical, P.C., Affinity Acupuncture Health Care, PLLC, Aris Diagnostic Medical, PLLC, Daily Medical Equipment Distribution Center, Inc., Empire State Medical, P.C., Fast Care Medical Diagnostics, PLLC, Integrity Psychology, P.C., Lenco Diagnostic Laboratory, Inc., also known as Lenco Diagnostic Laboratories, Inc., Longevity Medical Supply, Inc., Majestic Acupuncture, P.C., Manalapan Surgery Center, Moon Light PT, P.C., Ocean View Medical Care, P.C., Professional Chiropractic Care, P.C., Professional Medical Healthcare, P.C., Pugsley Medical Care, P.C., R.E. Chiropractic Services, PLLC, Rehab Medical & Diagnostic P.C., SGK Chiropractic, P.C., Therapeutic Chiropractic Services, P.C., Ultimed Health Care, P.C., Vital Chiropractic, P.C., York Acupuncture Health Care, P.C., Temel Clarke, Ralph Durandis, Shaneen Reid and Juneeva Ryan,
Defendants-Appellants.

M-6016
Index No. 161490/13

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 8, 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 February 6, 2018.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Hertz Vehicles, LLC,
Plaintiff-Respondent,

-against-

M-6015
Index No. 151486/16

Darren T. Mollo, D.C., Charles Deng
Acupuncture, P.C., Island Life Chiropractic
Pain Care, PLLC, Allay Medical Services,
P.C., Ksenia Pavlova, D.O., Jules Francois
Parisien, M.D., Quality Custom Medical
Supply, Inc., Middle Village Diagnostic
Imaging, P.C., New York Radiology, P.C.,
Quality Health Supply Corp., Philipp
Joseph, Dion Dickerson and Kimberly Battle,
Defendants-Appellants.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 6, 2017, as untimely taken,

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 February 6, 2018.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Michael J. Devereaux,
Plaintiff-Appellant,

-against-

Carolina E. Pascacio,
Defendant-Respondent.
-----X

CONFIDENTIAL

M-6135

Index No. 114428/09

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about May 26, 2016 and September 21, 2016,

And plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order entered May 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 to the extent of enlarging the time in which to perfect the appeals, which are, sua sponte, consolidated, to the June 2018 Term, with no further enlargements to be granted. Appellant is permitted to prosecute the appeals upon 9 copies of one record and one copy of appellant's points covering the aforesaid 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 February 6, 2018.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
GE Oil & Gas, LLC,
Plaintiff-Respondent,

-against-

Turbine Generation Services, L.L.C.,
and Michael B. Moreno,
Defendants-Appellants,

M-6047
Index No.652296/15

-----X
Turbine Generation Services, L.L.C.,
and Michael B. Moreno,
Third-Party Plaintiffs-
Appellants,

-against-

General Electric Company,
Third-Party Defendant-
Respondent.

-----X

Defendants/third-party plaintiffs-appellants having moved for an order enlarging the time in which to perfect the appeals from the orders of the Supreme Court, New York County, entered on or about February 10, 2017 and August 18, 2017, respectively,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeals, which are,

sua sponte, consolidated, to the June 2018 Term. Appellants are permitted to prosecute the appeals upon ten copies of one record and one copy of appellants' points covering the aforesaid 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 February 6, 2018.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Anil C. Singh
Peter H. Moulton, Justices.

-----X

In Re: New York City Asbestos Litigation

- - - - -
Kelly O'Connor, Personal Representative
of the Estate of Raymond Flood, Deceased,
Plaintiff-Respondent,

M-542
Index No. 190147/15

-against-

Pentair Water Pool and Spa, Inc.,
Defendant-Appellant.

-----X

In Re: New York City Asbestos Litigation

- - - - -
Mary Murphy-Clagett, as Temporary
Administrator for the Estate of
Pietro Macaluso,
Plaintiffs-Respondents,

Index No. 190311/15

-against-

A.O. Smith Corporation, et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 17, 2018,

And defendant-appellant having moved for an order to stay all proceedings in the above-titled (Flood/Macaluso) actions, pending determination of the aforesaid appeal,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court on February 1, 2018 is vacated.

ENTERED:



CLERK

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

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

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

M-6717
Ind. No. 32162C/2005

-against-

CERTIFICATE
DENYING LEAVE

Virgilio Samo
Defendant.

-----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, Bronx County, entered on or about November 27, 2017 is hereby denied.

Hon. Jeffrey K. Oing
Associate Justice

Dated: January 18, 2018
New York, New York

ENTERED: FEB 06 2018

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

M- 6736
Ind. No. 1097/16

-against-

CERTIFICATE
DENYING LEAVE

Ronit Blum,
Defendant.

-----X

I, Dianne T. Renwick, 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 October 16, 2017 is hereby denied.


Justice

Dated: January 18, 2018
New York, New York

ENTERED: FEB 06 2018

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

M- 6769
Ind. No. 1440/13

-against-

CERTIFICATE
DENYING LEAVE

Cornell McCloud,
Defendant.
-----X

I, Dianne T. Renwick, 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 October 27, 2017 is hereby denied.


Justice

Dated: January 18, 2018
New York, New York

ENTERED: FEB 06 2018