

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 20, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Angela M. Mazzairelli
Cynthia S. Kern
Anil C. Singh, Justices.

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

-against-

M-6767
Ind. No. 3285/09

John Rivera,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about January 5, 2010,

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 appellant's time to perfect the appeal is enlarged to the September 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 20, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Angela M. Mazzarelli
Anil C. Singh, Justices.

-----X
Cynthia Gomez,
Plaintiff-Respondent,

-against-

M-6755
Index No. 300630/14

One Sickles Street Company, LP and
One Sickles Street Company,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 8, 2017,

And defendants-appellants having moved for leave to file and serve a supplemental record on appeal,

Now, upon reading and filing the papers with respect to the motion, including correspondence from James M. Catterson, Esq., of counsel to defendants-appellants, dated January 24, 2018, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

-----x

Patricia Thompson-Shepard, as
Administratrix of the Estate of
William Shepard, deceased, and
Patricia Shepard,
Plaintiffs-Appellants,

-against-

M-6632
Index No. 153404/13

Lido Hall Condominiums and Veritas
Management,
Defendants-Respondents.

-----x

Plaintiffs-appellants having moved for a further enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 25, 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 20, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

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

-against-

M-6687
Ind. No. 2683/16

Hubert Cary,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about June 16, 2017, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Nicholas J., Jr.,
Plaintiff-Respondent,

-against-

CONFIDENTIAL
M-6706
Index No. 310847/11

Aloysee J.,
Defendant-Appellant.
-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, entered on or about October 30, 2017, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that 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 20, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X
Iykeland Ricketts, et al.,
Claimants-Appellants,

-against-

M-6714
Claim No. 124046

State of New York,
Defendant-Respondent.
-----X

Claimants having moved for a further enlargement of time to perfect the appeal from an order of the Court of Claims, entered on or about April 13, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the June 2018 Term, with no further enlargements to be granted.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

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

-----X

In the Matter of

Gabrielle, G.
Michael, G.

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

CONFIDENTIAL
M-6384
Docket Nos. B-46584/16
B-46585/16
B-18651/13

Administration for Children's Services,
Petitioner-Respondent,

-against-

Mike G.,
Respondent-Appellant.

-----X

In the Matter of

Gabrielle, G.
Michael, G.
Frank Enrique, S., Jr.

Children Under 18 Years of Age Alleged to be Neglected/Abused Under Article 10 of the Family Court Act. and/or Pursuant to §384-b of the Social Services Law of the State of New York
Respondents-Appellants.

CONFIDENTIAL

- - - - -	M-6362
Administration for Children's Services,	Docket Nos. B-18651/13
Petitioner-Respondent,	B-46584/16
	B-46585/16

-against-

Karina F.,	NN-15651/11
Mike, G.,	NN-40004/13
Respondents-Appellants.	NN-45208/14

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

-----X

An appeal having been taken by respondent-appellant Mike G. from an order of the Family Court, New York County, entered on or about February 4, 2015,

And a separate appeal having been taken by respondents-appellants Karina F. and Mike G. from an order of the Family Court, New York County, entered on or about May 15, 2017,

And respondent-appellant father Mike G. having moved to vacate orders terminating his parental rights to his two children Gabrielle and Michael G., (M-6384), terminated by the order of said Family Court on February 4, 2015,

And respondents-appellants mother Karina F. and father Mike G. having jointly moved to reinstate parental rights to Frank Enrique, S., Jr., Gabrielle and Michael G., terminated by the order of said Family Court entered on May 15, 2017 (M-6362),

Now, upon reading and filing the papers with respect to the instant motions to vacate the orders which terminated their parental rights, and to restore their parental rights to their three children, and due deliberation having been had thereon,

It is ordered that the motions are 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 20, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
Dina Mangiafridda and Vicent
Mangiafridda,
Plaintiffs-Appellants,

-against-

Masker Fruit Farms Inc.,
et al.,
Defendants-Respondents.

M-6666
Index No. 21098/15E

-----X

Plaintiffs-appellants having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about December 2, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 20, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Marcy L. Kahn
Anil C. Singh, Justices.

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

Respondent,

-against-

M-5530
Ind. No. 229/04

Joseph Watson,

Defendant-Appellant.
-----x

Defendant-appellant pro se 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 October 27, 2004,

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 20, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Richard T. Andrias
Barbara R. Kapnick
Peter H. Moulton, Justices.

-----x

John Hon, et al.,
Plaintiffs-Respondents,

-against-

M-6616

Index No. 602236/04

Prince Development Company LLC,
Defendant-Appellant,

-and-

888 Imperial Realty, Inc., et al.,
Defendants.

-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 8, 2017,

And defendant-appellant having moved for a stay of sale of a certain property pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-138
Ind. No. 3874/14

Jose Nunez,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 17, 2016,

And defendant-appellant having again moved for an order continuing the stay of execution of sentence and bail pending determination of the appeal, which stay was granted by orders of a Justice of this Court, dated July 1, 2016 and December 22, 2016,

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

Ordered that the motion is granted to the extent of enlarging appellant's time to perfect his appeal to the September 2018 Term, and extending the previously granted stay of execution of sentence and bail, under the original terms and conditions, and on further condition that appellant perfects said appeal for the September 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 20, 2018.

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

-----X

In the Matter of the Application
of Jack R. Franco, 32nd Street 99¢
Corp., 40th Street 99¢ Corp.,
RJF 110 Realty LLC and RJF 110
Realty Corp.,
Petitioners-Respondents,

M-221
Index No. 654589/16

-and-

Murray Dweck and Florence Dweck,
Respondents-Appellants,

for a judgment pursuant to CPLR 7510
confirming the award of the arbitrator
in the arbitration between

Jack R. Franco, 32nd Street 99¢ Corp.,
40th Street 99¢ Corp., RJF 110 Realty
LLC and RJF 110 Realty Corp., as
Respondents and Murray Dweck and
Florence Dweck as Claimants.

-----X

Appeals having been taken by respondents-appellants from an order of the Supreme Court, New York County, entered on or about November 4, 2016, and a judgment, same Court, both entered on or about November 9, 2016, and said appeals having been perfected,

And petitioners-respondents having moved to enlarge the record on appeal,

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

Ordered that the motion is granted to the extent of enlarging the record on appeal to include the Written Consent of the Class A Members of RJF Realty LLC (Mov. Ex. C), and the NYC Department of Finance Office of the City Register Recording Page, dated January 20 2017 (Mov. Ex. D). Petitioners-respondents are directed to file a supplemental record containing Mov. Exs. C and D, along with their respondents' brief, on or before March 21, 2018, for the May 2018 Term, to which Term the appeal is, sua sponte, adjourned.

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 20, 2018.

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

-----X
Prudential Insurance Company of America
and Prudential Retirement Insurance and
Annuity Company,

Plaintiffs-Respondents,

M-245
Index No. 656275/17

-against-

The Legal Coverage Group, LTD. and
Gary Frank,

Defendants-Appellants.
-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 16, 2018,

And defendants-appellants having moved to stay enforcement of the aforesaid order pending hearing and determination of the appeal taken therefrom,

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 20, 2018.

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

-----x
In the Matter of

Evanna S.,
Bella S.,

CONFIDENTIAL

M-6149

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

Docket Nos. NN-33402/15
NN-33403/15

- - - - -
Commissioner of Social Services
of the City of New York,
Petitioner-Respondent,

Omattee S.,
Respondent-Appellant,

Santiago D.,
Respondent-Appellant.

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

-----x
An appeal having been taken to this Court by respondent-appellant mother, Omattee S., from the order of the Family Court, New York County, entered on or about March 7, 2017,

And an appeal having been taken to this Court by respondent-appellant father, Santiago D., from the order of the Family Court, New York County, entered on or about April 5, 2017,

And respondent-appellant mother having moved for consolidation 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 granted to the extent of directing the respective respondent-appellants to perfect their appeals on or before March 19, 2018 for the June 2018 Term. The Clerk is directed to calendar the appeals for hearing together on the same date in said June 2018 Term, if so perfected.

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 20, 2018.

Present - Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices,

-----X
U.S. Bank N.A. etc.,
Plaintiff-Appellant,

-against-

M-6760
Index No. 381315/13

Diana Martinez, et al.,
Defendants-Respondents,

-and-

Rafael Badalov and Isaak Badalov,
Intervenors-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, Bronx County, entered on or about September 8, 2016 and July 13, 2017, and said appeals having been perfected,

And intervenors-respondents having moved (1) to strike plaintiff's record on appeal or in the alternative, to enlarge the record on appeal to include certain evidence, (2) to enlarge the record on appeal to include certain documents from an earlier motion and (3) for an enlargement of time to file a respondent's 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 ordering (1) that so much of intervenors-respondents' motion which seeks to strike the record for including an unsettled transcript is granted, with leave to resubmit a record which includes said transcript, unless, within 10 days of this order,

a stipulation is filed with this Court agreeing that the transcript in the current record is correct; (2) that so much of the motion which seeks to enlarge the record on appeal be granted to the extent of granting intervenors-respondents leave to file a supplemental record which will include Exhibits A, D and E, at their own expense; and (3) that the appeal is adjourned to the June 2018 Term, and otherwise denied.

ENTERED:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

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

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

-against-

M-6676
Ind. No. 2248/15

Jorge Rivera,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on July 7, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the judgment, of the Supreme Court, Bronx County, rendered on or about July 7, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

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

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

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour James, Jr.", written in a cursive style.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 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-

M-49
Ind. No. 3642/11

Ricaury Pena,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about July 10, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated December 19, 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 February 20, 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-

M-288
Ind. No. 669/16

Michael Boone,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 5, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated January 3, 2018, 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 February 22, 2018.

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

-----X
Proceeding by Marie-Luise Eglau-Petschek
pursuant to SCPA § 2102 to Compel Jay
Petschek, as Executor of the Estate of

Thomas H. Petschek, Deceased.
to Effectuate the Terms of an Agreement

- - - - -
Marie-Luise Eglau-Petschek,
Petitioner-Respondent,

Surrogate's Court

M-326

File No. 2010-04522/L

-against-

Jay Petschek,
Respondent-Appellant,

Carla Petschek, Robert Petschek and
Nicholas Petschek,
Respondents-Respondents.

-----X
An appeal having been taken from an order of the Surrogate's Court, New York County, entered on or about November 28, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated November 2, 2017, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 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-

M-327
Ind. No. 1209/14

Jeremiah Spruill,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 2, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated January 17, 2018, 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 February 20, 2018.

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

-----X
In the Matter of

Immanuel Dale W.,
also known as Emmanuel W.,
also known as Immanuel W.,

CONFIDENTIAL

M-126

Docket Nos. B-21145/12
B-21146/12
B-16265/14

Leroy Edward R., Jr.,
also known as Leroy R.,
also known as Baby Boy W.,

Starr Serenity W.,

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

- - - - -
Commissioner of Social Services,
Administration of Social Services,
Petitioners-Respondents,

Shaunette W.,
Respondent-Appellant.

- - - - -
Stacy Suckoo, Esq.,
Attorney for the Child,
Immanuel Dale W.,

Larry S. Bachner, Esq.,
Attorney for the Children
Starr Serenity W., and
Leroy Edward R., Jr.

-----X
Thomas J. Caruso, Esq., court attorney for the subject children Leroy Edward R., Jr. and Starr Serenity W., having moved

on the childrens behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about August 12, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Larry S. Bachner, Esq., c/o Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, NY 10006, Telephone No. 917-674-9516, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeal is adjourned 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 20, 2018.

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

-----X

In the Matter of

Eleanor W., also known as
Baby Girl P.,

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

- - - - -

Commissioner of Social Services of the
City of New York,
Petitioners-Respondents,

CONFIDENTIAL

M-6524

Docket No. NN-7089/17

Jacqueline P.,
Respondent-Appellant,

Alex W.,
Respondent-Respondent.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about November 16, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Aleza Ross, Esq., 31 Oak Street, Suite 26, Patchogue, NY 11772, Telephone No. 631-361-6900, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from

funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 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,

CONFIDENTIAL

M-130

-against-

Ind. No. 4933/07

Luis Garcia-Ponce,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Daniel Conviser, J.), entered on or about December 19, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Conviser as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 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-

M-6600
Ind. No. 2142/14

Serge Kakdiev,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 2, 2015, 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 February 20, 2018.

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

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

Respondent,

-against-

M-6611
Ind. Nos. 689/13
955/13

Marlon Lingo,

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 March 11, 2015, 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:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 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,

SEALED

M-6678

-against-

Ind. No. 1031/16

Robert M.,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on June 29, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the judgment, of the Supreme Court, Bronx County, rendered on or about June 29, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

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

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

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

ENTERED:

A handwritten signature in black ink, appearing to read "Seymour James, Jr.", written in a cursive style.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6682
Ind. No. 576/16

Iyundah Powell,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about June 27, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the judgment, of the Supreme Court, Bronx County, rendered on or about June 27, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 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-

M-6684
Ind. No. 2091/16

Alioune Ndiougue,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on August 14, 2017, inter alia, granting defendant poor person relief with respect to the appeal from the judgment, of the Supreme Court, Bronx County, rendered on or about August 10, 2017,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and which directed trial counsel to file a notice of appeal on defendant's behalf,

It is ordered that the appeal is permitted 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:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

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

-----x
Neelam Bhairji,

Plaintiff-Respondent,

-against-

M-5909
Index No. 306979/17

Rakesh Kumar,

Defendant-Appellant.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 4, 2017,

And defendant-appellant having moved for a stay of the aforesaid order pending hearing and determination of the appeal taken therefrom, or for other relief,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

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 20, 2018.

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

-----X

Lara S. T.,
Plaintiff-Respondent-Appellant,

-against-

CONFIDENTIAL
M-6256

Index No. 312168/15

Remy W. T.,
Defendant-Appellant-Respondent.

-----X

An appeal, and a subsequent amended appeal, having been taken by defendant from the order of the Supreme Court, New York County, entered on or about June 16, 2017, and from a second supplemental decision and order, same Court and Justice, entered on or about July 21, 2017,

And a cross appeal having been taken by plaintiff from the aforesaid order of the Supreme Court, entered on or about June 16, 2017,

And defendant having moved for consolidation of all of the aforesaid appeals and the cross appeal,

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

It is ordered that the motion is granted to the extent of directing defendant to perfect the consolidated appeals upon a single brief and record. The attention of the parties is directed to Rule 600.10(d) with respect to a joint record on appeal. The time to perfect the consolidated appeals, and cross appeal, 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 20, 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-6358
Ind. No. 3498N/14

James Gibson,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about April 24, 2017, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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 February 20, 2018.

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

-----x
Anthony Toxey,

Plaintiff-Appellant-Respondent,

-against-

M-6396
Index No. 400844/10

The City of New York,

Defendant-Respondent-Appellant.
-----x

Consolidated appeals and cross appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about March 25, 2014 and November 17, 2014,

And plaintiff-appellant-respondent having moved for an enlargement of time to perfect the consolidated 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 and, sua sponte, the consolidated appeals are 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 February 20, 2018.

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

-----x
Carlos Sampedro and Gina Sampedro,
Plaintiffs-Appellants,

Belarminio Ramirez,
Plaintiff-Appellant,

-against-

M-6397
M-6443
Index No. 307054/09

Elwood Realty LLC, et al.,
Defendants-Respondents.

- - - - -
[And a Third-Party Action]
-----x

Appeals having been taken by the above-named plaintiffs from an order of the Supreme Court, Bronx County, entered on or about October 4, 2016,

And plaintiffs-appellants, Carlos Sampedro and Gina Sampedro, having moved for an enlargement of time to perfect their appeal (M-6397),

And plaintiff-appellant, Belarminio Ramirez, having separately moved for the same relief (M-6443),

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 20, 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,

Appellant,

-against-

M-6450
Ind. No. 3826N/12

Marcus Culbert,

Defendant-Respondent.
-----x

The People having moved for an enlargement of time to perfect the appeal from the judgment of resentence of the Supreme Court, New York County, rendered on or about March 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 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 20, 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,

Appellant,

-against-

M-6432
Ind. No. 5117/08

Jason Lara,

Defendant-Respondent.
-----x

The People having moved for an enlargement of time to perfect the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about December 1, 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 20, 2018.

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

-----x
Bradley C. Aldrich, et al.,

Plaintiffs-Appellants,

-against-

M-6453

M-6674

Index No. 602803/07

Northern Leasing Systems, Inc.,
et al.,

Defendants-Respondents.
-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 23, 2016 (M-6453),

And defendants-respondents having cross-moved for dismissal of the aforesaid appeal (M-6674),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2018 Term, with no further enlargements to be granted (M-6453). The cross motion is granted to the extent of dismissing the appeal unless it is perfected for said September 2018 Term (M-6674).

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 20, 2018.

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

-----x
Koya Abe,
Plaintiff-Appellant,

-against-

M-6454
Index No. 157465/16

New York University and John Sexton,
Defendants-Respondents.

-----x
Koya Abe,
Plaintiff-Appellant,

-against-

Index No. 105985/10

New York University, David W. McLaughlin,
Nancy Barton, Ken Castronuovo, Joseph
Giovannelli, Roger Ho, Mary Brabeck,
Barbara Cardeli-Arroyo, and Cathleen Dawe
Defendants-Respondents.

-----x

Separate appeals having been taken to this Court by plaintiff-appellant from an order of the Supreme Court, New York County, entered on or about December 5, 2017, under Index Nos. 105985/10 and 157465/16, respectively,

And plaintiff-appellant having moved for leave to prosecute said appeals as a poor person, and to sever the appeal under Index No. 157465/16 from the appeal under Index No. 105985/10,

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

It is ordered that the motion to sever is denied and the time to perfect the consolidated appeals on a single brief and record is enlarged to the November 2018 Term; and

It is further ordered that the motion for civil poor person relief is denied, with leave to renew, upon submission of a notarized affidavit, executed by plaintiff, in compliance with CPLR 1101.

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 20, 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-6496
Ind. No. 2520/09

Steven Odaise, also known as Steven
Odiase,

Defendant-Appellant.
-----X

Assigned counsel for defendant having moved for an order dismissing defendant's appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about December 4, 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 deeming the appeal withdrawn.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

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

-----x

Kamco Supply Corp., etc.,
Plaintiff-Respondent,

-against-

M-6777

Index No. 651725/15

Nastasi & Associates, Inc.,
Defendant-Appellant,

-and-

J.T. Magen & Company, Inc., et al.,
Defendants.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 28, 2017,

And defendant-appellant having moved for a stay of the order pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court, dated December 8, 2017, which granted an interim stay with regard to the Franklin D. Nastasi Trust, is vacated.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

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

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

-against-

M-6644
Ind. No. 671/15

Selwyn Lee,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about January 25, 2017, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on February 20, 2018.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Richard T. Andrias
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
In the Matter of Amy R. Weissbrod
Gurvey,
Petitioner-Appellant,

-against-

State of NY, City of NY, First Dept.
Disciplinary Committee, Chief Counsel
Jorge Dopico, Thomas Cahill, Alan
Friedberg, Robert Tembeckjian, James
Shed, Naomi Goldstein, Sherry Cohen,
Raymond Vallejo, Orlando Reyes, Hearing
Panel IV, Lawrence Marks (Chief Counsel
of the NYS Office of Court Administration),
Richard Supple, Hal Lieberman and Hinshaw &
Culbertson, LLP,
Defendants-Respondents.

M-6696
M-69
M-37
Index No. 100163/15

-----X
Plaintiff-appellant having moved for reconsideration of, the decision and order of this Court, entered on November 16, 2017 [M-4247] (M-6696),

And, defendants-respondents Hinshaw & Culbertson, LLP, Richard Supple and Hal Lieberman having moved for a filing injunction against plaintiff-appellant (M-69),

And, defendants-respondents having moved to dismiss plaintiff's appeal from an order of the Supreme Court, New York County, entered on or about August 29, 2016, for failure to timely perfect (M-37),

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

It is ordered that the motion for reconsideration of this Court's order entered November 16, 2017 (M-6696) and the cross motion for a filing injunction against plaintiff-appellant (M-69) are denied. The motion to dismiss the appeal taken from the order entered on or about August 29, 2016 is granted and the appeal is dismissed. Sua sponte the appeal taken from an order of the same Court entered on January 18, 2017 is dismissed for failure to prosecute (M-37).

ENTERED:



CLERK