

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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----x

As Helios, LLC,
Plaintiff-Respondent,

-against-

M-6745
Index No. 850023/16

Pushpa Chauhan, et al.,
Defendants-Appellants,

-and-

M&T Bank also known as Manufacturers
and Traders Trust Company, et al.,
Defendants.

-----x

Separate appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 13, 2017, and from the order and judgment of said Court entered on or about July 24, 2017,

And defendant-appellant Pushpa Chauhan having moved to stay the foreclosure sale pending hearing and determination of the appeal taken from the order and judgment entered on or about July 24, 2017,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court, dated December 18, 2017, is vacated.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern, Justices.

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

Respondent,

-against-

M-1101
SCI No. 5359/11

Kevin McLean,

Defendant-Appellant.
-----X

Assigned counsel for defendant, the Office of the Appellate Defender, having moved for an order relieving the Office of the Appellate Defender as defendant's assigned counsel or, in the alternative, dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 15, 2013, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction 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It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.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 May 15, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern, Justices.

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

Respondent,

-against-

M-1102
Ind. No. 2474/14

Kevin McLean,

Defendant-Appellant.
-----X

Assigned counsel for defendant, the Office of the Appellate Defender, having moved for an order relieving the Office of the Appellate Defender as defendant's assigned counsel or, in the alternative, dismissing defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 5, 2015, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction 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 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 May 15, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern, Justices.

-----x

Michael Beloyianis, et al.,
Plaintiffs-Respondents-Appellants,

-against-

The New York and Presbyterian Hospital, M-1143
etc., et al., M-1124
Defendants-Appellants-Respondents, Index No. 14121/04

David Price Royee, Jr., M.D., et al.,
Defendants-Appellants-Respondents,

Craig Stanton Radnay, M.D., et al.,
Defendants.

-----x

Appeals and a cross appeal having been taken to this Court from an amended order of the Supreme Court, Bronx County, entered on or about May 18, 2017,

And plaintiffs-respondents-appellants having moved for an enlargement of time to perfect their cross appeal (M-1143),

And defendants-appellants-respondents The New York and Presbyterian Hospital, etc., et al., and defendants-appellants-respondents David Price Royee, Jr., M.D., et al. having jointly cross-moved for an enlargement of time to perfect their respective appeals (M-1124),

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

It is ordered that the motion and cross motion are granted to the extent of enlarging the time to perfect the respective appeals and cross 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 May 15, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzairelli
Marcy L. Kahn
Ellen Gesmer
Cynthia S. Kern, Justices.

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

-against-

M-1150
Ind. No. 2549/15

Shayne Lewis,
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 January 7, 2016,

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

It is ordered that the motion is granted to the extent of deeming the pro se supplemental brief annexed to the moving papers as timely filed for the September 2018 Term, to which Term the appeal is adjourned. The People are directed to serve and file their response, if any, on or before August 8, 2018 for said Term. Moreover, no pro se supplemental reply brief will be accepted by 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 May 15, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York
ex rel. Eric T. Schneiderman, Attorney
General of the State of New York,
Plaintiff-Respondent,

M-2289
M-2290
M-2292

-against-

Index No. 450318/17

Charter Communications, Inc. and
Spectrum Management Holding Company,
LLC, etc.,
Defendants-Appellants.

-----X

An appeal having been taken to this Court by the above-named defendants from the order of the Supreme Court, New York County, entered on or about February 16, 2018, and said appeal having been perfected,

And Public Knowledge (M-2289), the Center for Democracy & Technology (M-2290) and Consumers Union (M-2292) having separately moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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, and the respective sets of briefs amicus curiae submitted with the respective moving papers are deemed 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 May 15, 2018.

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

-----X

Noah Trading Co., Inc.,

Plaintiff-Respondent,

-against-

M-1672X

Index No. 655088/16

Robert Bell,

Defendant-Appellant.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 13, 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 May 15, 2018.

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

-----X
American Guarantee and Liability
Insurance Company,
Plaintiff-Respondent,

-against-

M-1673X
Index No. 652878/14

Bert Padell, et al.,
Defendants,

Air Energy Global, Inc.,
Defendant-Appellant.
-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about October 10, 2017 and November 29, 2017,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 29, 2018, and due deliberation having been had thereon,

It is ordered that the appeals are 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 May 15, 2018.

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

-----X
176 PM LLC,

Plaintiff-Appellant,

-against-

Heights Storage Garage, Inc.,

Defendant-Respondent.
-----X

M-1057
Index No. 107595/11

Defendant-respondent having moved for reargument of the decision and order of this Court, entered on January 11, 2018 (Appeal Nos. 5189, 5190, 5191, 5192),

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties hereto, dated March 29, 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 May 15, 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-1377
Ind. No. 2742/03

Jose A. Carrasco, also known as
Ruiz Jose A. Carrasco,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 18, 2008, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 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,

CONFIDENTIAL

M-1380

-against-

Ind. No. 52715C/08

Erasmus Delacruz,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Raymond Bruce, J.), entered on or about September 30, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, 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 May 15, 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,

CONFIDENTIAL

M-1381

-against-

Ind. No. 99051/15

Richard Leslie,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Efrain Alvarado, J.), entered on or about July 7, 2016, 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 Alvarado 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 May 15, 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,

CONFIDENTIAL

M-1382

-against-

Ind. No. 99009/15

Marc Santiago,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Efrain Alvarado, J.), entered on or about December 21, 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 Alvarado 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 May 15, 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,

CONFIDENTIAL

M-1421

-against-

Ind. No. 99050/14

Daniel Sittler,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Raymond Bruce, J.), entered on or about August 5, 2015, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, 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 May 15, 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-1441

-against-

Ind. No. 30191/17

Luis Bonnet,
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 (Thomas Farber, J.), entered on or about February 27, 2018, 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 Farber 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 May 15, 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,

CONFIDENTIAL

M-1442

-against-

Ind. No. 3357/09

William Thomas,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Raymond Bruce, J.), entered on or about August 29, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, 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 May 15, 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 a Proceeding for Custody and/or Visitation Under Article 6 of the Family Court Act.

Don B.,
Petitioner-Appellant,

-against-

Camilla E.,
Respondent-Respondent.

-----X

CONFIDENTIAL

M-1784
Docket Nos.
V-30141-14/14A
V-30142-14/14A
V-30141-12-14/14A

Respondent-respondent, having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about July 12, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Ave., Suite No. 576, Hastings on Hudson, New York, 10701, Telephone No. 914-439-4843, 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 petitioner-appellant and 8 copies thereof are filed with this Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 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 a Proceeding for
Custody/Visitation Under Article 6
of the Family Court Act.

- - - - -
Jarvis L.,
Petitioner-Respondent,

CONFIDENTIAL

M-1786
Docket No. V-11666/16

-against-

Jasmine L. L.,
Respondent-Appellant.

- - - - -
Kenneth M. Tuccillo, Esq.,
Attorney for the Child.

-----X
Nick M. Frisco, Esq., court attorney for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about June 27, 2017, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Ave., Suite No. 576, Hastings on Hudson, New York, 10701, Telephone No. 914-439-4843, as counsel for purposes of responding to the appeal; (2) permitting movant

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

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

-against-

M-1300
Ind. No. 587/15

Edwin Perez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about June 26, 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 setting forth his indigency in compliance with CPLR 1101, including the amount and sources of his income, his bank and savings accounts, the \$2,500 bail posted in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Union Mutual Fire Insurance Company,
Plaintiff-Respondent,

-against-

M-1345
Index No. 655979/16

Rudolf Klein, et al.,
Defendants-Respondents.

Arch Insurance Company,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about June 16, 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 December 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 May 15, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Sallie Manzanet-Daniels
Peter Tom
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Board of Managers of 141 Fifth
Avenue Condominium,
Plaintiff-Respondent-Appellant,

-against-

M-1527
Index No. 651426/13

141 Acquisition Associates, LLC,
et al.,
Defendants-Respondents,

J. Construction Company, LLC,
Defendant-Appellant-Respondent.

-----X
An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about July 16, 2015, and plaintiff-respondent-appellant appeals from an order, same Court and Justice, entered on or about August 12, 2015, and defendant-appellant-respondent appeals from an order, same Court and Justice, entered on or about July 18, 2016,

And defendant-appellant-respondent, J. Construction Company, LLC, having moved for an enlargement of time to perfect its appeal and plaintiff-respondent-appellant's cross appeal from the order entered on or about July 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 and cross appeal from the July 16, 2015 order to the November 2018 Term. Sua sponte, the time to perfect the appeal from the August 12, 2015 order is likewise enlarged to said November 2018 Term; and the Clerk is

(M-1527)

-2-

May 15, 2018

directed to calendar both the appeals and cross appeal to be heard on the same day for said November 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 May 15, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Barbara R. Kapnick
Troy K. Webber, Justices.

-----X
In the Matter of the Application of
Sgarlato & Sgarlato, PLLC,
Petitioner,

For a Judgment Pursuant to Article 78 M-1369
of the Civil Practice Law and Rules, Index No. 100779/05

-against-

Hon. Joan Madden, a Justice of the
Supreme Court of the State of New York,
New York County,
Respondent.

-----X

Petitioner having filed in this Court for relief in the nature of a Writ of Mandamus,

Now, upon reading and filing the correspondence from Michael D. Fitzgerald, Esq., of counsel, dated March 16, 2018, and due deliberation having been had thereon,

It is ordered that the petition is deemed withdrawn in accordance with the aforesaid correspondence.

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 May 15, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Barbara R. Kapnick
Troy K. Webber, Justices.

-----X
F.P.V., an infant by mother and natural guardian Maribel Ventura and Maribel Ventura, individually,

Plaintiffs-Respondents,

-against-

M-1214
Index No. 350127/13

City of New York, New York City Department of Education and New York City Board of Education,

Defendants-Appellants.
-----X

Defendants-appellants 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 April 20, 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 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 May 15, 2018.

Present: Hon. David Friedman, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Marcy L. Kahn
Cynthia S. Kern, Justices.

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

Respondent,

-against-

Anthony Williams,

Defendant-Appellant.
-----X

CONFIDENTIAL

M-1837

Ind. No. 337/11

Case No. 76699C/10

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about September 17, 2013, and from the judgments of resentence, same Court, rendered on or about April 19, 2014 and November 18, 2014,

And an order of this Court having been entered December 12, 2013 (M-5718), granting defendant leave to prosecute his appeal as a poor person, and assigning Steven Banks, Esq., predecessor to Seymour W. James, Jr., Esq., Legal Aid Society, as counsel to prosecute the appeal,

And orders of this Court having been entered on March 26, 2015 (M-626), amending the notice of appeal and order of assignment to include defendant's appeal taken from judgments of **resentence** rendered on or about April 19, 2014 and November 18, 2014; and on June 13, 2017 (M-2643 - DC #45) and January 2, 2018 (M-6064 - DC #57), granting, upon this Court's own motions, enlargements of time to perfect said appeals to the October 2017 Term of this Court and to the April 2018 Term of this Court, respectively,

And assigned counsel having perfected the aforesaid appeal for the September 2018 Term of this Court,

And defendant having now moved to relieve Seymour W. James, Jr., Esq., as counsel on the appeal and to have new counsel assigned to prosecute 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 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 May 15, 2018.

Present - Hon. David Friedman, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----x
936 Second Avenue L.P.,

Plaintiff-Appellant,

-against-

M-1696
Index No. 656401/16

Wilson Evans 50th LLC,

Defendant-Respondent.
-----x

An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 12, 2018,

And plaintiff-appellant having moved, pursuant to CPLR 5519(c), for a stay of the order and judgment pending hearing and determination of the aforesaid appeal; and pursuant to CPLR 5704, to toll the unexpired time on the notice to cure with respect to rent payments, as to which Supreme Court declined to sign an order to show cause on March 26, 2018,

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, the order and judgment are stayed pending hearing and determination of the appeal, and the unexpired time on the notice to cure is tolled, such relief granted on condition plaintiff-appellant complies with the stipulated interim agreement of the parties, and on further condition plaintiff-appellant perfects the 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 May 15, 2018.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer, Justices.

-----x

172 Van Duzer Realty Corp.,
Plaintiff-Appellant,

-against-

M-2059

Index No. 113137/09

Globe Alumni Student Assistance
Association, et al.,
Defendants,

878 Education, LLC,
Non-Party Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about April 6, 2017, and said appeal having been perfected,

And non-party respondent, 878 Education, LLC, having moved for leave to file a supplemental record on appeal, and for an extension 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, and movant is directed to file a supplemental record, at its own expense, by July 9th for the September 2018 Term, to which Term this appeal is adjourned, consisting of all motion papers and exhibits filed by both parties underlying this Court's orders dated June 15, 2017 and March 13, 2018. Non-party respondent is directed to file its respondent's brief on or before August 8, 2018, and plaintiff-respondent is directed to submit a reply supplemental

brief on or before August 17, 2018, for the September 2018 Term, in accordance with an order of a Justice of this Court dated April 16, 2018. The appeal in *172 Van Duzer Realty Corp. v 878 Education, LLC, et al.* (Index No. 653767/13) is sua sponte adjourned to the September 2018 Term, and the Clerk is directed to calendar the two appeals for hearing on the same day.

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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1216
Ind. No. 1039/14

Luis Vargas,

Defendant-Appellant.

-----X

Assigned counsel for defendant having moved for an order withdrawing defendant's appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 5, 2016, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction 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 to the extent of deeming the appeal withdrawn, and 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

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

-against-

M-1185
Ind. No. 3337/16

Bobby Eli,
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 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 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-1258
Ind. No. 235N/17

Juan Nieves,

Defendant-Appellant.
-----X

Defendant having moved for an extension of time to file an untimely notice of appeal and 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 20, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-1172
Ind. No. 1646/15

Ty Sumpster,

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 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 deeming the notice of appeal as timely 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

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

Respondent,

-against-

Terrell Bland,

M-1173
Ind. Nos. 2606/16
3330/15

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 May 9, 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 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-1184
Ind. No. 3737/16

Treyvon Hines,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 21, 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 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-1186
Ind. No. 3106/15

Alexey Sokolov,

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 May 10, 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 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-1187
Ind. No. 2696/13

Dionis Espinal,

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, Bronx County, rendered on or about May 19, 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 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-1188
Ind. No. 3547/16

Andre Pinnock,

Defendant-Appellant.
-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about May 2, 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 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-895
Ind. No. 3350/14

Juan F. Ramos,

Defendant-Appellant.
-----x

Defendant-appellant 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,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties hereto, dated February 22, 2018, 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 May 15, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Angela M. Mazzarelli
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
Herminia Rivera,

Plaintiff-Respondent,

-against-

M-1054
Index No. 308925/11

Home Depot U.S.A., Inc., Emtor
Services New York/New Jersey, Inc.,
Amawalk Landscaping & Snowplowing
Inc. and USM, Inc.,

Defendants-Appellants.
-----X

Separate appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about April 13, 2017,

And defendant-appellant Amawalk Landscaping & Snowplowing Inc. having moved for an enlargement of time to perfect their appeal from the aforesaid order,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the September 2018 Term. The Clerk of the Court is directed to calendar the appeals for hearing together on the same date for said 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 May 15, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

-----x

In the Matter of a Family Offense Proceeding Under Article 8 of the Family Court Act.

M-1212

- - - - -

Confidential
Action No. 1

Martin A.,
Petitioner-Appellant,

Docket No. O-37230/16

-against-

George Miguel A.,
Respondent-Respondent.

- - - - -

In the Matter of a Family Offense Proceeding Under Article 8 of the Family Court Act.

Confidential
Action No. 2

- - - - -

George Miguel A.,
Petitioner-Respondent,

Docket No. O-37818/16

-against-

Martin A.,
Respondent-Appellant.

-----x

Separate appeals having been taken by petitioner/respondent-appellant Martin A. from the orders of the Family Court, New York County, entered on or about July 12, 2016 (Docket No. O-37230/16) and July 21, 2016 (Docket No. O-37818/16), respectively,

And an order of this Court having been entered on January 9, 2018 (M-5037/M-5038), inter alia, denying dismissal of the appeal from the order entered on or about July 12, 2016 under Docket No. O-37230/16 in Action No. 1 and, sua sponte, relieving Tenille M. Tatum Evans, Esq., from representing petitioner/respondent-appellant Martin A. and substituting Steven N. Feinman, Esq., as counsel for the purposes of prosecuting that appeal. The stay of enforcement granted by the order of this Court, entered August 25, 2016 (M-3567) was continued, and the appeal taken from the

order entered on or about July 21, 2016 under Docket No. O-37818/16 in Action No. 2 was dismissed,

And Steven N. Feinman, Esq., counsel for petitioner-appellant Martin A., now having moved to withdraw the appeal from the order entered on or about July 12, 2016 under Docket No. O-37230/16 in Action No. 1, and to be relieved as counsel,

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

It is ordered that the motion is granted, Steven N. Feinman, Esq., is relieved as counsel, and the appeal in Action No. 1 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 May 15, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Troy K. Webber
Peter H. Moulton, Justices.

-----X
Phyllis Brown, as Administratrix for the
Estate of Harry E. Brown, and Phyllis
Brown, Individually,
Plaintiff-Appellant-Respondent,

-against-

M-1417
Index No. 190415/12

Bell & Gossett Company, et al.,
Defendants,

-and-

Consolidated Edison Company of New York,
Inc.,
Defendant-Respondent-Appellant.

-----X

An appeal having been taken by plaintiff from an order of the Supreme Court, New York County, entered on or about December 12, 2017 and an appeal and cross appeal having been taken from a judgment of the same Court and Justice, entered on or about December 19, 2017,

And plaintiff-appellant-respondent having moved for dismissal of the cross appeal taken from the aforesaid judgment entered on or about December 19, 2017, or in the alternative, limiting the cross appeal to any appealable matters arising following the entry of Supreme Court's August 29, 2014 order,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

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

BEFORE: Hon. John W. Sweeny, Jr.
Justice of the Appellate Division

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

M-1742
Ind. No. 4141/10

-against-

CERTIFICATE
DENYING LEAVE

Ryan Campbell,

Defendant.

-----X

I, John W. Sweeny, Jr., 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, dated on or about January 23, 2018 (Mark Dwyer, J.) is hereby denied.


Associate Justice

Dated: April 30, 2018
New York, New York

ENTERED: |v|\Y 1 5 2018