

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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Angela M. Mazzarelli
Marcy L. Kahn, Justices.

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

-against- M-5945
Ind. No. 957/16
Alfred Albert,
Defendant.

-----x

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about December 15, 2016, and for poor person relief, assignment of counsel, and 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 (CPL 460.30[1]).

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Angela M. Mazzarelli
Marcy L. Kahn, Justices.

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

-against-
Christian Crispin,

M-5949
Ind. No. 2561/15

Defendant.
-----x

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 5, 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 denied (CPL 460.30[1]).

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Angela M. Mazzarelli
Troy K. Webber, Justices.

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

-against-
Erik White,
Defendant-Appellant.

M-5403
Ind No. 12/14

-----X

An order of this Court having been entered on April 14, 2016 (M-1435), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about December 4, 2015, and assigning the Richard M. Greenberg, Esq., predecessor counsel to Christina Swarns, Office of the Appellate Defender, as counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order to include an appeal from a judgment of **resentence** of the same court rendered on or about September 19, 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 to the extent of amending the aforementioned order of assignment (M-1435), to include the judgment of **resentence** under Indictment No. 12/14, and extending the poor person relief previously granted to cover same.

Christina Swarns, Esq., successor counsel to Richard M. Greenberg, 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.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a horizontal line underneath it.

DEPUTY 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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X
Norman Bergman,

Plaintiff-Appellant,

-against-

M-5665

Index No. 153348/16

The Bank of New York Mellon, etc.,
et al.,

Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about December 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 enlarging the time to perfect the appeal to the May 2019 Term.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X

Veg 83, LLC,

Plaintiff-Respondent,

-against-

M-5671

Index No. 158216/15

JTED83, Inc., and Ron Braverman,

Defendants-Appellants.

-----X

Defendants-appellants having moved to enlarge the record and to submit a second supplemental appendix for the appeals taken from a judgment of the Supreme Court, New York County, entered on or about September 29, 2016 and from orders of the same court, entered on or about May 4, 2016 and October 4, 2017,

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

It is ordered that the motion is denied.

ENTERED:



DEPUTY 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 January 29, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Peter Tom
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

-----x

Eve Tedeschi and Phil Tedeschi,
Plaintiffs-Appellants-Respondents,

-against-

Lillian Cohen, The New York and
Presbyterian Hospital Weill Cornell
Medical College,
Defendants-Appellants-Respondents,

M-5185
Index No. 805293/16

Quest Diagnostics,
Defendant-Respondent-Appellant.

-----x

Appeals and a cross appeal having been taken to this Court from orders of the Supreme Court, New York County, entered on or about September 29, 2017 and March 12, 2018, respectively,

And an order of this Court having been entered on September 13, 2018 (M-3480/M-4129) which, inter alia, enlarged the time of the Cohen defendants and plaintiffs to perfect their appeals from the order entered on or about September 29, 2017 to the January 2019 Term, consolidated plaintiffs' appeals from the orders entered September 29, 2017 and March 12, 2018, and directed the Clerk to calendar plaintiffs, the Cohen defendants, and defendant Quest Diagnostic's appeals to be heard together on the same date of the January 2019 Term,

And plaintiffs-appellants having moved for a further enlargement of time in which to perfect the appeals,

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 plaintiffs' time to perfect their consolidated appeals from the orders entered on or about September 29, 2017 and March 12, 2018, the Cohen defendants' time to perfect their appeal from the order entered on or about September 29, 2017, and defendant Quest Diagnostic's time to perfect its appeal from the order entered on or about March 12, 2018, are enlarged to the May 2019 Term.

The Clerk of the Court is directed to calendar the plaintiffs', the Cohen defendants', and defendant Quest Diagnostic's appeals to be heard together on the same date of the May 2019 Term. The attention of the parties is directed to 22 NYCRR 1250.9(f).

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Rosalyn H. Richter, Presiding Justice,
Sallie Manzanet-Daniels
Peter Tom
Marcy L. Kahn
Anil C. Singh, Justices.

-----x

Anna Lvovsky,
Plaintiff-Respondent,

-against-

Confidential

M-6641

Index No. 300055/14

Gennady Lvovsky,
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 November 28, 2018,

And defendant-appellant having moved for a stay of the 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:



DEPUTY 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 January 29, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Marcy L. Kahn
Anil C. Singh, Justices.

-----x

The People of the State of New York,
Respondent,

-against-

M-6745
Ind. No. 3339/16

Celia Dosamantes,
Defendant-Appellant

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about April 20, 2018,

And defendant-appellant having moved for an enlargement of time to perfect the appeal, and for an order continuing the stay of execution of sentence and bail, which stay was previously granted by an order of a Justice of this Court on April 20, 2018 (M-2066),

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

It is ordered that the motion is granted to the extent of continuing the stay of execution of sentence and bail previously set forth in the order of this Court entered April 20, 2018 (M-2066), upon the original terms and conditions, and upon the further condition that the appeal is perfected for the June 2019 Term of Court.

ENTERED:



DEPUTY 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 January 29, 2019.

PRESENT: Hon. Sallie Manzanet-Daniels, Justice Presiding,
Peter Tom
Angela M. Mazzaelli
Troy K. Webber Justices.

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

Respondent,

-against-

Bladimir Suazo,

Defendant-Appellant.
-----X

M-5877

Ind. Nos. 1273/15
1974/16
660/17

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 December 19, 2017, for leave to prosecute the appeal as a poor person, 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 granted to the extent of deeming the notice of appeal annexed to the moving papers as timely filed.

That branch of the motion which seeks poor person relief is denied, with leave to renew, upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), and in compliance with 22 NYCRR 1250.4(d)(1) and (4), setting forth his indigency, including the sources of funds to post bail in the Supreme Court, the disposition of these funds, and an explanation as to why similar funds are not available to prosecute this appeal.

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X

Stephanie O.,
Plaintiff-Respondent,

Confidential

M-5858

-against-

Index No. 350024/13

David O.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, Integrated Domestic Violence Part, entered on or about October 23, 2018,

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

Now, upon reading and filing the notice of withdrawal of the motion by the attorney for the defendant-appellant hereto, dated November 30, 2018, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid notice.

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X

Eagle Energy Brokers, LLC,
Plaintiff-Respondent,

-against-

M-6047
Index No. 652201/13

GA Global Markets, LLC and
John J. Stanton,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 24, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated November 5, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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 Archide Pierre,
Petitioner-Respondent,

-against-

M-6085
Index No. 29753/17E

Motor Vehicle Accident Indemnification
Corporation,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 22, 2018,

Now, upon reading and filing the correspondence from the attorney for respondent-appellant, dated October 30, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X
Monte G. Martin,

Plaintiff-Respondent,

M-6089

Index No. 25148/17E

-against-

Kamla D. Oodal,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 27, 2018,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant, dated October 19, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X

Daniel Pearson,
Plaintiff-Respondent,

M-6090
Index No. 22552/16

-against-

The City of New York,
Defendant,

Andrew Willie,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 15, 2018,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant, dated November 7, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X

Stephen Rushmore, et al.,
Plaintiffs-Appellants,

-against-

Park Regis Apartment Corp., et al.,
Defendants-Respondents,

M-6103
Index No. 650610/15

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 26, 2018,

Now, upon reading and filing the correspondence from plaintiffs-appellants' counsel, dated November 26, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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 the Application of

The Board of Education of the City School District of the City of New York, and Carmen Fariña, as Chancellor of the City School District of the City of New York,

Petitioners-Respondents,

M-6105
Index No. 453214/15

For a Judgment Pursuant to Article 75 of the Civil Practice Law and Rules

-against-

United Federation of Teachers, Local 2,
American Federation of Teachers, AFL-CIO,
Respondents-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 9, 2017,

Now, upon reading and filing the correspondence from the attorney for respondents-appellants, dated November 13, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X
Manuele Verdi, individually and in his official capacity as the Assistant Principal of Public School 24 ("P.S. 24"), a public school under the auspices of the New York City Department of Education,
Plaintiff-Respondent,

-against-

M-6106
Index No. 158747/16

Jeffrey Dinowitz, both individually and in his official capacities as Assembly Member of the 81st Assembly District,
Defendant,

Andrew Cohen,
NonParty-Appellant.

-----X
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 20, 2018, by nonparty appellant Andrew Cohen,

Now, upon reading and filing the correspondence from the attorney for nonparty-appellant, dated November 13, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X
Hollister C. Moore,
Plaintiff-Respondent,

-against-

Elite Plus Security, M-6109
Defendant, Index No. 156813/14

-and-

Nancy Anahi Angelone, et al.,
Defendants-Appellants.

Nancy Anahi Angelone, et al.
Third-Party Plaintiffs-Appellants Index No. 595372/15

-against-

Dereck Ethredge,
Third-Party Defendant-Respondent.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 11, 2018,

Now, upon reading and filing the correspondence from defendants/third-party-plaintiffs-appellants' counsel, dated November 15, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X

Ronnie S. Stangler,
Plaintiff-Appellant,

-against-

M-6110
Index No. 652163/17

449 Washington, LLC, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 25, 2018,

Now, upon reading and filing the notice of withdrawal of appeal from the attorneys for plaintiff-appellant dated November 20, 2018,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid notice.

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X
The Estate of Kyle Archibald, deceased,
by the Administrator Alexis Archibald,
father and natural guardian, Alexis
Archibald, individually and Bethsaid
Rosario Archibald, individually,
Plaintiffs,

-against-

M-6112
Index No. 21280/11E

The New York City Housing Department, The
City of New York, The New York City Police
Department, The New York City Fire
Department, The New York City Fire
Department Emergency Medical Services,
Emergency Medical Services, John Does "1-10",
and John Does "11-20",
Defendants,

The New York City Health and
Hospitals Corporation, sued herein as
New York City Health and Hospitals
Corporation, Lincoln Medical and
Mental Health Center,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 6, 2018,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant, dated November 20, 2018, and due deliberation having been had thereon,

(M-6112)

-2-

January 29, 2019

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

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a prominent initial "E".

DEPUTY 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 January 29, 2019.

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

-----X
SLD, an infant by Milagros Lora-Dudley,
Her Parent and Natural Guardian, and
Milagros Lora-Dudley, Individually,

Plaintiffs-Appellants,

M-6113

Index No. 350119/10

-against-

Sheri Nemerofsky, et al.,

Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 23, 2017,

Now, upon reading and filing the correspondence from plaintiffs-appellants' counsel, dated November 7, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X

Petra Vasquez,
Plaintiff-Respondent,

-against-

M-6114
Index No. 153937/14

Manhattan's Physician Group, et al.,
Defendants,

Advantagecare Physicians, P.C., sued
herein as Advantage Care Physicians,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 29, 2018,

Now, upon reading and filing the correspondence by the attorney for defendant-appellant, dated November 13, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X
205-215 Lexington Avenue Associates,
LLC,

Plaintiff-Respondent,

-against-

M-6115
Index No. 655529/17

201-203 Lexington Avenue Corp.,

Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 2, 2018,

Now, upon reading and filing the correspondence from defendant-appellant's counsel, dated November 20, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X
Mario A. Ruiz,
Plaintiff-Respondent,

-against-

M-6133X
Index No. 300616/14

Lowell Hotel Properties LLC,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 27, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 27, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X

NSB Advisors LLC,

Petitioner-Respondent,

-against-

M-6390

Index No. 657034/17

C.L. King & Associates, Inc.,

Respondent-Appellant.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about October 9, 2018,

Now, upon reading and filing the Notice of Withdrawal from respondent-appellant's counsel, dated November 19, 2018, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid notice.

ENTERED:



DEPUTY 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 January 29, 2019.

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

-----X
Jason Walker,
Plaintiff-Appellant,

-against-

M-6393
Index No. 652554/16

Urban Compass, Inc., doing business as
Compass,
Defendant-Respondent.

-----X

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

Now, upon reading and filing the Notice of withdrawal of appeal filed by the attorneys for plaintiff-appellant, dated November 9, 2018, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid notice.

ENTERED:



DEPUTY 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 January 29, 2019.

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-5683
Ind. No. 58/07

Andrew Blake,

Defendant-Appellant.

-----X

A certificate granting leave by a Justice of this Court having been entered on April 10, 2018 granting defendant leave to appeal from an order of the Supreme Court, New York County, entered on or about December 22, 2017,

And defendant having moved to proceed as a poor person and for assignment of counsel to prosecute the appeal,

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

It is ordered that the motion is 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:



DEPUTY 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 January 29, 2019.

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-5790

Ind. No. 3234/16

Juan Barreto,

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 21, 2017, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:

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

DEPUTY 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 January 29, 2019.

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-5836

-against-

Ind. No. 30149/18

Juan Velez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Hong, J.), entered on or about October 15, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The Clerk of the Supreme Court shall expeditiously make 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 Hong as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., The Legal Aid Society, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-5836)

-2-

January 29, 2019

The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in black ink, appearing to read "Eric Schuck". The signature is written in a cursive style with a long horizontal stroke at the end.

DEPUTY 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 January 29, 2019.

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-5795

Ind. No. 1174/15

Frank Ellis,

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 May 14, 2018, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:



DEPUTY 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 January 29, 2019.

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,

M-5997

-against-

Ind. No. 4521/17

Allen Proctor,
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on July 11, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgments of the Supreme Court, New York County, rendered on or about April 16, 2018 and June 26, 2018,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

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

DEPUTY 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 January 29, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Justin Montero,

Petitioner-Appellant,

-against-

The City of New York,

Respondent-Respondent.
-----X

M-5651

Index No. 101935/16

Petitioner-appellant having moved for a further enlargement of time to perfect the consolidated appeals from two orders of the Supreme Court, New York County, entered on or about January 23, 2017 and on or about June 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 enlarging the time in which to perfect the consolidated appeals to the May 2019 Term.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

-----X

Michael Bandler,
Plaintiff-Appellant,

-against-

M-5863

Index No. 162450/15

Gregory DeYonker and
Forte Management, LLC.,

Defendants-Respondents.

-----X

Plaintiff-appellant having moved, pro se, to vacate the dismissal of the appeal pursuant to 22 NYCRR 1250.10(c), and upon vacatur, for an additional enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about June 20, 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 reinstating the appeal and enlarging the time to perfect said appeal to the May 2019 Term, with no further enlargements to be granted.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

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

CONFIDENTIAL
M-5951

Julius K.,
Petitioner-Appellant,

Docket No. F-1505-91/17H

-against-

Ileana K.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved, pro se, for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about October 22, 2018, and for assignment of counsel, and related relief,

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

It is ordered that the motion is denied.

ENTERED:



DEPUTY 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 January 29, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

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

Respondent,

-against-

M-5673

Ind. No. 6252/17

Sabriel Lamberty,

Defendant-Appellant.

-----X

Defendant having moved for an order deeming the moving papers a timely filed 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 June 6, 2018, 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 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

January 29, 2019

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 180 days from the date of receipt of the complete record.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

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

Respondent,

-against-

Jose Luperon,

Defendant-Appellant.
-----X

M-5698
Ind. No. 4858/16

Defendant having moved to extend the time to file the notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 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 to the extent of deeming the moving papers a timely filed notice of appeal.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

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

Respondent,

-against-

M-5773
Ind. No. 3767/10

Lillian LaCart,

Defendant-Appellant.
-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about January 4, 2011,

And assigned counsel for defendant having moved to be relieved as counsel for defendant or, in the alternative, for dismissal of the aforesaid appeal, 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:



DEPUTY 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 January 29, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber
Marcy L. Kahn, Justices.

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

Appellant,

-against-

M-6002
Ind. No. 2863/17

Steven Espinal,

Defendant-Respondent.
-----X

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about May 8, 2018,

And defendant-respondent having moved for an order unsealing, and providing to appellate counsel, the grand jury minutes, which were submitted to this Court under seal by the People of the State of New York,

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

It is ordered that the motion is granted.

ENTERED:



DEPUTY 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 January 29, 2019

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Marcy L. Kahn
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X

In re Gabrielle G. (Anonymous),
and Another,

Confidential
M-6290

Dependant Children Under the Age of Docket Nos. B-46584/16
Eighteen Years, etc., B-46585/16

Mike G. (Anonymous)
Respondent-Appellant,

Catholic Guardian Services,
Petitioner-Respondent.


-----X

Respondent-appellant, pro se, having moved for reargument of the decision and order of this Court, entered on November 8, 2018 (Appeal Nos. 7551-7552),

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:



DEPUTY 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 January 29, 2019

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Marcy L. Kahn
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X

In re Gabrielle G. (Anonymous),
and Another,

Confidential

M-6431

Dependant Children Under the Age of Docket Nos. B-46584/16
Eighteen Years, etc., B-46585/16

Mike G. (Anonymous)
Respondent-Appellant,

Catholic Guardian Services,
Petitioner-Respondent.

-----X

Respondent-appellant, by assigned counsel, Larry S. Bachner, Esq., having moved for reargument of the decision and order of this Court, entered on November 8, 2018 (Appeal Nos. 7551-7552), insofar as it declined to consider the constitutional arguments raised by respondent-appellant,

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 for reargument is granted and, upon reargument, the decision and order of this Court entered on November 8, 2018 (Appeal Nos. 7551-7552) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 7551-7552, decided simultaneously herewith.)

ENTERED:



DEPUTY 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 January 29, 2019.

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

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

Respondent,

-against-

M-5609
Ind. No. 783/17

Anthony Della Tacoma,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 11, 2017, for leave to prosecute the appeal as a poor person and 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 granted to the extent of deeming the motion 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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, Suite 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 180 days from the date of receipt of the complete record.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X
Mireya Pena DeSuero,

Plaintiff-Respondent,

-against-

M-5680
Index No. 300633/14

1386 Associates, LLC, et al.,

Defendants-Appellants.
-----X

Defendants-appellants having moved for reargument of the decision and order of this Court, entered on October 11, 2018 (Appeal No. 7305),

Now, upon reading and filing the papers with respect to the motion, and the correspondence from the attorneys for the defendants-appellants dated January 7, 2019, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY 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 January 29, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

M-5659

-against-

Ind. No. 3857/16

Jefferson Bonifacio,
Defendant-Appellant.

-----X

Defendant having moved for leave to extend the time to file the notice of appeal and to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 22, 2018, 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 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

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

Respondent,

-against-

M-5692

Ind. No. 5358/16

Rosa E. Delrosario,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 14, 2018, for leave to prosecute the appeal as a poor person, 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 granted only to the extent of deeming the moving papers a timely filed notice of appeal.

That branch of the motion which seeks poor person relief is denied, with leave to renew, upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), and in compliance with 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, the amount and source of fees paid to retained trial counsel, Ted Delvalle, Esq., and an explanation as to why similar funds are not available to prosecute this appeal.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

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

-against-

Nathaniel W.,
Defendant-Appellant.

Sealed
M-5712

Ind. Nos. 3955/16
1948/16
5419/16

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 25, 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 to the extent of deeming the notice of appeal as timely filed.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Jeffrey K. Oing
Anil C. Singh
Peter H. Moulton, Justices.

-----x
Gale Davis,

Plaintiff-Appellant,

-against-

M-6026
Index No. 100357/18

New York State Office of the Attorney
General Eric T. Schneiderman,

Defendant-Respondent,
-----x

Plaintiff-appellant having moved, pro se, 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 September 20, 2018, and for related relief,

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

It is ordered that the motion is denied.

ENTERED:



DEPUTY 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 January 29, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----x
Artisanal 2015, LLC, **Action No. 1**
Plaintiff-Appellant, M-4663P
M-4664P

-against-

Index No. 650103/17

387 Park South, LLC,
Defendant-Respondent.

- - - - -
Artisanal 2015, LLC,
Plaintiff-Appellant,

-against-

Action No. 2
Index No. 653238/17

387 Park South, LLC,
Defendant-Respondent.

-----x
Separate appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about August 10, 2017, as amended, August 23, 2017 (Index No. 653238/17) and April 30, 2018 (Index No. 650103/17 and 653238/17),

And the Special Master having moved for an order withdrawing the appeals,

Now, upon reading and filing the correspondence from the Special Master dated December 31, 2018, and the order of this Court entered October 11, 2018 deeming the appeals withdrawn (M-3003, M-3199, M-3773), and due deliberation having been had thereon,

It is ordered that the motions are deemed withdrawn pursuant to the aforesaid correspondence.

ENTERED:

A handwritten signature in black ink, appearing to read "Erin Schuck". The signature is written in a cursive style with a large initial "E".

DEPUTY 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 January 29, 2019.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Ellen Gesmer
Jeffrey K. Oing
Peter H. Moulton, Justices.

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

-against-

M-5882
Ind. No. 588/15

Derick McLeod,

Defendant.

-----x

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 15, 2017,

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

It is ordered that the motion is denied (CPL 460.30[1]).

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

-against-

M-5654
Ind. No. 4730/16

Jeffrey Viera,

Defendant.

-----x

Defendant having moved for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 30, 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 (CPL 460.30[1]).

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

-against-

Devante Scott,
Defendant-Appellant.

M-5696
Ind. No. 1993/17

-----X

Defendant-appellant, having moved for leave to file a late appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 3, 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 to the extent of deeming the notice of appeal as timely filed.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rosalyn H. Richter
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

Margaret Michele W.S.,
Petitioner-Appellant,
Confidential
M-5993
Docket No. V-4110/18

-against-

Richard Allen M.,
Respondent-Respondent,

Janet E. Sabel, Esq.
The Legal Aid Society
Juvenile Rights Division,
Attorney for the Child.

-----X

Respondent-respondent having moved for an order dismissing petitioner-appellant's appeal taken from an order of the Family Court, New York County, entered on or about May 9, 2018, or alternatively, for consolidation of the aforesaid appeal with the perfected appeal, taken by petitioner, from an order of the same court, entered on or about January 15, 2018, under Docket No. V-34387-11/16,

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:



DEPUTY 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 January 29, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Marcy L. Kahn
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X
Anthony Higgs,

Plaintiff-Appellant,

-against-

M-5650

Index No. 20880/13

Desmond Williams, et al.,

Defendant-Respondent.

-----X

Plaintiff-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of appeal taken from an order of the Supreme Court, Bronx County, entered on or about February 8, 2018, and to enlarge the time to perfect said 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 vacating the dismissal of the appeal and enlarging the time to perfect same to the May 2019 Term.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Peter Tom
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----x
Nathaniel Myers,

Plaintiff-Respondent,

-against-

M-6534

Index No. 101341/11

The City of New York, et al.,

Defendants-Appellants.
-----x

Defendants-appellants having moved for a stay of trial herein pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about August 21, 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 on condition the appeal is perfected on or before February 19, 2019 for the May 2019 Term.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Peter Tom
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

-----x
Desiree Hooper-Lynch,

Plaintiff-Respondent,

-against-

M-6653
Index No. 190328/15

Colgate Palmolive Co., et al.,

Defendants-Appellants.
-----x

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about December 3, 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 denied, and the interim relief granted by the order of a Justice of this Court, dated December 24, 2018, is vacated.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzaelli
Marcy L. Kahn
Jeffrey K. Oing
Anil C. Singh, Justices.

-----X

Sara Hong Robert,
Plaintiff-Respondent-Appellant,

-against-

M-5923
Index No. 651800/18

Ringerjeans, LLC,
Defendant-Appellant-Respondent,

Gabriel Zeitouni,
Defendant-Respondent.

-----X

Plaintiff-respondent-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on October 30, 2018 (Appeal No. 7494),

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:



DEPUTY 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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Angela M. Mazzarelli
Marcy L. Kahn, Justices.

-----X

Francis Coleman and Siobhan Coleman,

Plaintiffs-Appellants,

M-5653

Index No. 156959/13

-against-

URS Corporation, URS Corporation-
New York URS Greiner Woodward-Clyde
Consultants, Inc., URS Group, Inc., and
Bechtel Infrastructure Group,

Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for a further enlargement of time to perfect the consolidated appeals from an order of the Supreme Court, New York County, entered July 20, 2017, and a judgment of the same court, entered October 5, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the consolidated appeals to the May 2019 Term.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Angela M. Mazzarelli
Marcy L. Kahn, Justices.

-----X
Michael Beloyianis and Virginia Beaton,
Co-Administrators of the Estate of
Edward Beloyianis,

Plaintiffs-Respondents-
Cross-Appellants

M-5655
Index No. 14121/04

-against-

The New York and Presbyterian Hospital
formerly known as The Presbyterian
Hospital in the City of New York, et al.

Defendants-Appellants-
Cross-Respondents.

-----X

An appeal and cross-appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about May 18, 2017,

And the parties having jointly moved for an enlargement of time to perfect their appeals,

Now, upon reading and filing the papers with respect to the motion and the stipulations of the parties hereto, dated November 14, 2018, and due deliberation having been had thereon,

It is ordered that the motion, appeal and cross appeal are deemed withdrawn in accordance with the aforesaid stipulations.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Angela M. Mazzarelli
Marcy L. Kahn, Justices.

-----X

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

CONFIDENTIAL
M-6045

Marjorie C.,
Petitioner-Appellant,

Docket No. V-11688-17/17B

-against-

Maurice C.,
Respondent-Respondent,

Shirim Nothenberg, Esq., Lawyers for Children,
Attorney for the child-appellant.

-----X

Counsel for the child-appellant, having moved to withdraw the child's appeal taken from an order of the Family Court, New York County, entered on or about May 17, 2018,

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

It is ordered that the motion is granted and the appeal taken by the child-appellant from the aforesaid order is deemed withdrawn.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Angela M. Mazzarelli
Marcy L. Kahn, Justices.

-----X
The Board of Managers of Atelier, on
behalf of all residential unit
owners,

Plaintiff-Appellant,

-against-

627 West 42nd LLC, Joseph Moinian,
and 605 West 42nd Owner LLC,

Defendants-Respondents.
-----X

M-6068

Index No. 151939/16

Plaintiff-appellant having moved pursuant to 22 NYCRR 1250.9(c) to vacate the dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about January 5, 2018, and to enlarge the time to perfect said 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 vacating the dismissal of the appeal and enlarging the time to perfect same to the May 2019 Term.

ENTERED:



DEPUTY 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 January 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Judith J. Gische
Angela M. Mazzarelli
Marcy L. Kahn, Justices.

-----X
In the Matter of the Application of
Raisa R. Chaudry,
Petitioner-Appellant,

For a Judgment under Article 75 of
the Civil Practice Law and Rules

M-6147
Index No. 652120/14

-against-

New York City Department of Education
and, Carmen Farina, as Chancellor,
Respondents-Respondents.

-----X
Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, 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 denied, and the appeal is dismissed.

ENTERED:



DEPUTY 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-5772
Ind. No.5143/2000

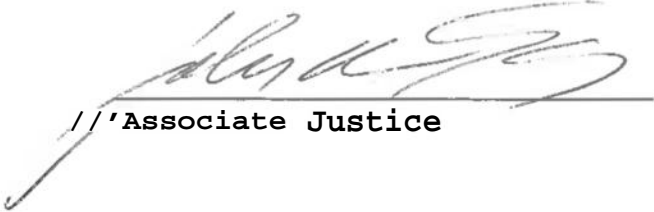
-against-

CERTIFICATE
DENYING LEAVE

Paul Watkins,

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, Bronx County, entered on or about July 12, 2017 (Jeanette Rodriguez-Morick, J.) is hereby denied.


// Associate Justice

Dated: January 14, 2019
New York, New York

ENTERED: JAN 29 2018