

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 March 7, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----X  
Thomas Kehoe, Jr. and Patricia Kehoe,  
Plaintiffs-Appellants-Respondents,

-against-

61 Broadway Owner LLC, Broad Street  
Development LLC and Heyman Properties LLC,  
Defendants-Respondents-Appellants.

-----X M-6360  
61 Broadway Owner LLC, Broad Street Index No. 153920/13  
Development LLC and Heyman Properties LLC,  
Third-Party Plaintiffs-  
Respondents-Appellants,

-against-

P.S. Marcato Elevator Company INC. and  
CEMD Elevator Corp. d/b/a City Elevator  
Company,  
Third-Party Defendants-Respondents.

-----x

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 9, 2018,

And plaintiffs-appellants-respondents having moved for a further enlargement of time to perfect their appeal taken 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 appeal and cross appeal to the September 2019 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 March 7, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----X  
Namdor Inc., doing business as  
Gristede's Supermarkets,  
Plaintiff-Respondent,

-against-

Boulevard Retail LLC,  
Defendant-Appellant,

M-6580  
Index No. 650773/18

-and-

The Board of Managers of the  
Boulevard Condominium,  
Defendant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about March 27, 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 enlarging the time to perfect the appeal to the September 2019 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 March 7, 2019.

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

-----x  
Tax Equity Now NY LLC,  
Plaintiff-Appellant, M-20  
-against- M-247  
M-250  
Index No. 153759/17  
City of New York, et al.,  
Defendants-Respondents.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 4, 2018, and said appeal having been perfected,

And plaintiff-appellant having moved for a preference in the hearing of the appeal (M-20),

And defendants-respondents the City of New York and New York City Department of Finance (M-247), and defendants-respondents the State of New York and the New York Office of Real Property Tax Services (M-250) having separately cross-moved to dismiss the aforesaid appeal,

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

It is ordered that the motion (M-20) for a preference in hearing of the appeal is denied and, sua sponte, the perfected appeal is adjourned to the June 2019 Term. Defendants-respondents are directed to file a respondent's brief on or before April 17, 2019 for said June 2019 Term, and

It is further ordered that the cross motions (M-247/M-250) are denied, without prejudice to either of the movants raising the issue of appealability in their respondents' brief.

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 March 7, 2019.

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

-----x  
Nimer Diaz,  
Plaintiff-Appellant,

-against-

Raveh Realty, LLC,  
Defendant-Respondent,

M-6357  
Index No. 26890/15

-and-

Jerusalem Carting Inc.,  
Defendant.

-----x

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about February 28, 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 enlarging the time to perfect the appeal to the September 2019 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 March 7, 2019.

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

-----X  
Marina Getts, individually and on  
behalf of all other persons  
similarly situated who were  
employed by Premier Home Health  
Care Services, Inc.,  
Plaintiff-Respondent,

M-6655  
Index No. 155081/16

-against-

Premier Home Health Care Services,  
Inc.,  
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 March 2, 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 enlarging the time to perfect the appeal to the September 2019 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 March 7, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----x  
In the Matter of

Matthew C.,  
Xavier C.,  
Mia L., and  
Cecily J.,

**CONFIDENTIAL**  
M-602  
Docket Nos.  
NN-17182-85/15

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

- - - - -  
Administration for Children's Services,  
Petitioner-Respondent,

Joshua L.,  
Respondent-Appellant.

- - - - -  
Randall Carmel, Esq.,  
Attorney for the Children.

-----x

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about March 7, 2017, and said appeal having been perfected,

And an order of this Court having been entered on August 9, 2018 (M-3301), substituting Randall Carmel, Esq., as counsel for the subject children, and adjourning the appeal to the January 2019 Term,

And an order of this Court having been entered on October 13, 2018 (M-4173), substituting Jo Ann Douglas, Esq., as counsel for the children Matthew C. and Xavier C., and Aleza Ross, Esq, as counsel for the child Mila L., and adjourning the appeal to the February 2019 Term,



And Randall Carmel, Esq., having moved to be relieved as counsel for the subject child Cecily J. in connection with the aforesaid appeal,

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

It is ordered that the motion is denied, with leave to renew upon proof of service of the moving papers upon the subject child Cecily J., at her last known address. Sua sponte, the appeal is adjourned to the September 2019 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 March 7, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,  
Troy K. Webber  
Cynthia S. Kern  
Anil C. Singh, Justices.

-----x  
In the Matter of the Application for  
a Stay of Arbitration of

Progressive Insurance Company, M-738  
Petitioner-Appellant, Index No. 652286/18

-against-

Fern Bartner and Clay Bartner,  
Respondents-Respondents.

-----x

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about November 5, 2018, and said appeal having been perfected,

And petitioner-appellant having moved for a stay of arbitration, scheduled for March 25, 2019, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2019.

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

-----X  
11 East 68th Street LLC,  
Plaintiff-Appellant,

-against-

M-129  
Index No. 650771/14

Madison 68 Realty 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 December 7, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated August 14, 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 March 7, 2019.

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

-----X

Madison 68 Realty LLC, et al.,  
Plaintiffs-Respondents,

-against-

M-130  
Index No. 650752/14

11 East 68<sup>th</sup> Street LLC, as successor  
to VNO 11 East 68<sup>th</sup> Street LLC,  
Defendant-Appellant,

-and-

Royal Abstract of New York LLC,  
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 6, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated August 14, 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 March 7, 2019.

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

-----X  
Angeline Brown,  
Plaintiff-Respondent,

-against-

M-327  
Index No. 300573/13

ABC Laundromat, LLC and 1975 White  
Plains Road Realty Corp.,  
Defendants-Appellants.

-----X  
(And a third-party action)  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 30, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated January 16, 2019, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2019.

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

-----X  
Gloria Doomes, etc., et al.,  
Plaintiffs-Appellants,

-against-

M-6772X  
Index No. 16893/94

Best Transit Corp., et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about July 24, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 31, 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 March 7, 2019.

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

-----X  
Anibal Nieves,  
Plaintiff-Respondent,

-against-

M-6792X  
Index No. 303583/09

Dionicio Ramirez and Maximo  
Delrosario,  
Defendants-Appellants.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about March 13, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 19, 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 March 7, 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-8  
Ind. No. 4515/17

David Caraballo,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 10, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 March 7, 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-9  
Ind. No. 882/17

Hector Centeno,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 3, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 March 7, 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-49  
Ind. No. 717/18

Anthony Burgess,  
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 September 13, 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.

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:

  
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 March 7, 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-61  
SCI. No. 1170/18

Luis Estremera, also known as  
Luis Estremes,  
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 July 17, 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.

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:

  
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 March 7, 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-6662  
Ind. No. 843/17

Robert Goodwin,  
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 September 12, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 March 7, 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-6682  
Ind. No. 2128/17

Keith Barner,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 15, 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, 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:

  
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 March 7, 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-6685  
Ind. No. 179/05

Adolf Gutt,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 29, 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, 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:

  
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 March 7, 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-6723  
SCI. No. 2025/18

Leron Clarke,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 28, 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, 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:

  
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 March 7, 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-6727  
Ind. No. 1577/17

George Jones,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 28, 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, 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:

  
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 March 7, 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-6728  
Ind. No. 1826/18

Luis Gonzalez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 8, 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, 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:

  
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 March 7, 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-6729  
Ind. No. 409/17

Angel Ortiz,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 9, 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, 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:

  
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 March 7, 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-6732  
Ind. No. 870/17

Michael Murphy,  
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 May 29, 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, 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:

  
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 March 7, 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-6735  
Ind. No. 3457/16

Andre Holmes,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 19, 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, 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:

  
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 March 7, 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-6736  
Ind. No. 5403/15

Charles Patterson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 3, 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, 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:

  
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 March 7, 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-6737  
Ind. No. 2243/16

Mitchell Carrington,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 19, 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, 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:

  
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 March 7, 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-6740  
Ind. No. 109/18

Jermaine Boynton,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 29, 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, 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:

  
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 March 7, 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-6741  
Ind. No. 5075/16

Barshon Jamison, also known as  
Tremaine Jamison,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 24, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 March 7, 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-6743  
Ind. No. 689/17

Ron Credle,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 March 7, 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-6744  
Ind. No. 2382/15

Rahbu Behlin,  
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 16, 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, 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:

  
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 March 7, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
David Friedman  
Sallie Manzanet-Daniels  
Troy K. Webber  
Anil C. Singh, Justices.

-----X  
Emmanuel Seventh Day Church Ministries,  
Inc.,  
Plaintiff-Respondent,

-against-

M-6646  
Index No. 260535/11

Ivan C. Plummer, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 22, 2017,

And defendants-appellants having moved for leave to renew their motion for an enlargement of time to perfect the aforesaid appeal (See M-4601, M-4858, M-4979, decided December 11, 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.

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 March 7, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

Neal W.,  
Petitioner,

-against-

Jacklyn R.,  
Respondent,

-----  
Shirim Nothenberg, Esq., Lawyers  
for Children, Inc., Attorney for  
the Child.

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

Jacklyn R.,  
Petitioner-Appellant,

-against-

Neal W.,  
Respondent-Respondent,

-----  
Shirim Nothenberg, Esq., Lawyers  
for Children, Inc., Attorney for  
the Child.

-----X  
[Caption Continued]

**CONFIDENTIAL**

M-4287

M-5693

Docket Nos. V-22412-17  
O-22515-17

Docket Nos. V-22520-17  
O-22518-17

-----X

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

- - - - -

Johnny R.,  
Petitioner,

Docket No. V-12195-18

-against-

Jacklyn R.  
Neal W.,  
Respondents,

- - - - -  
Shirim Nothenberg, Esq., Lawyers  
for Children, Inc., Attorney for  
the Child.

-----X

Respondent-father, Neal W., having moved for an order granting him leave to appeal to this Court from the order of the Family Court, New York County, entered on or about August 2, 2018, which granted temporary custody of the child to the maternal grandfather, petitioner Johnny R. (M-4287), and

Respondent-father, Neal W., having moved to vacate the interim order of a Justice of this Court, dated October 12, 2018, which stayed the order of the Family Court, New York County, entered on or about October 11, 2018, which granted temporary custody of the child to respondent-father, pending a hearing on the issue in the Family Court, New York County, then scheduled for October 18, 2018 (M-5693),

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

It is ordered that the motion for leave to appeal to this Court from the order of the Family Court, New York County, entered on or about August 2, 2018, which granted temporary custody of the child to the maternal grandfather, petitioner Johnny R. (M-4287), is denied, and



It is further ordered that the motion to vacate the interim order of a Justice of this Court, dated October 12, 2018, which stayed the order of the Family Court, New York County, entered on or about October 11, 2018 (M-5693), 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 March 7, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

-against- **M-6055**  
Ind. No. 3146/07

James Miller,  
Defendant-Appellant.

-----X

Defendant having moved, pro se, for leave to file a late notice of appeal and to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 15, 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 notice of appeal 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 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 March 7, 2019,

Present - Hon. Rolando T. Acosta, Presiding Justice,  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----x

Craig South,  
Plaintiff-Appellant,

-against-

**M-6213**

Index No. 23369/13E

Metropolitan Transportation Authority,  
New York City Transit Authority,  
Defendants-Respondents.

-----

Wayne Gavinovich,  
Plaintiff-Appellant

-against-

Index No. 23370/13E

Metropolitan Transportation Authority,  
New York City Transit Authority,  
Defendants-Respondents.

-----x

Appeals having been taken to this Court by both plaintiffs-appellants in two separate actions from two orders of the Supreme Court, Bronx County, entered on or about July 30, 2018, issued in the respective actions,

And plaintiffs-appellants having jointly moved for consolidation of the aforesaid appeals, and if granted, for the consolidated appeals to be heard on one set of briefs and record, and for an enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of consolidating the aforementioned appeals and enlarging the time to perfect said consolidated appeals, to the September 2019 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 March 7, 2019.

Present: Hon. Rolando T. Acosta, Presiding Justice,  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Marcy L. Kahn  
Jeffrey K. Oing, Justices.

-----X

Gerald A. Niznick, et al.,  
Plaintiffs-Appellants,

M-864  
Index No. 650726/18

-against-

Sybron Canada Holdings, Inc., et al.  
Defendants-Respondents.

-----X

Consolidated appeals having been taken from orders of the Supreme Court, New York County, entered on or about July 2, 2018 and entered on or about January 8, 2019, and said consolidated appeals having been perfected,

And petitioner-appellant having moved for a preference in the calendaring and hearing of the consolidated appeals,

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

It is ordered that the motion is granted and the Clerk is directed to calendar the consolidated appeals for hearing in the first week of the April 2019 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 March 7, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer  
Anil C. Singh, Justices.

-----X  
Entech Engineering, P.C.,  
Plaintiff-Respondent,

-against-

M-6718  
Index No. 651219/14

Leon D. DeMatteis Construction Corp.,  
Defendant-Appellant,

Travelers Casualty and Surety Company  
of America and New York City School  
Construction Authority,  
Defendants.

-----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 March 29, 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 enlarging the time to perfect the appeal to the September 2019 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 March 7, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Jeffrey K. Oing  
Peter H. Moulton, Justices.

-----x  
In the Matter of

Janiya P., and  
Jaloni G.,

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

**CONFIDENTIAL**

M-380

Docket Nos. NN-26042/17  
NN-26043/17

-----  
Administration for Children's Services,  
Petitioner-Appellant,

Scott G.,  
Respondent-Respondent.

-----  
Janet E. Sabel, Esq., The Legal Aid  
Society,  
Attorney for the Children-  
Appellants.

-----x  
Appeals having been taken to this Court from the order of the Family Court, New York County, entered on or about December 5, 2018, dismissing the child protective proceedings against respondent Scott G.,

And the attorney for the children having moved to stay the aforesaid order, and to reinstate and continue the prior temporary orders of protection issued in the proceeding,

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 March 7, 2019.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Peter Tom  
Angela M. Mazzarelli, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-6233  
Ind. No. 4465/15

Rakeem Douglas,  
Defendant-Appellant.

-----X

Defendant-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 5, 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, is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101 and 22 NYCRR 1250.4(d)(1) and (4), setting forth defendant's indigency, the amount and sources of monies used to retain trial counsel and to post the \$50,000 bail in the Supreme Court, the disposition of those funds, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2019.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Peter Tom  
Angela M. Mazzarelli, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-6252  
Ind. No. 162/17

David Thompson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 2, 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, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 March 7, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Peter Tom  
Angela M. Mazzarelli, Justices.

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

-against-

**M-6253**  
Ind. No. 547/17

Kenneth Adams,  
Defendant-Appellant.

-----X

Defendant having moved, pro se, for an enlargement of time to file a 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 December 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 deeming the notice of appeal 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 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:

  
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 March 7, 2019.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Peter Tom  
Angela M. Mazzarelli, Justices.

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

-against-

M-6277  
Ind. No. 95/16

Chancy Johnson,  
Defendant-Appellant.

-----X

Defendant-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 4, 2018, 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, in compliance with CPLR 1101 and 22 NYCRR 1250.4(d)(1) and (4), setting forth the amount and sources of funds used to retain trial counsel and post the \$25,000 bail in the Supreme Court, the disposition of those funds, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2019.

Present - Hon. David Friedman, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Peter Tom  
Angela M. Mazzarelli, Justices.

-----X  
Kenny Compres,  
Plaintiff-Respondent,

-against-

Lawrence H. Loeb, D.D.S., et al.,  
Defendants,

**M-6426**  
Index No. 21455/14E

Victor G. Troncoso, D.D.S.,  
Defendant-Appellant.

-----  
Svetlana Ponomareva, D.D.S., etc., et al.,  
Third-Party Plaintiffs,

-against-

Dana Kapparova, D.D.S., et al.,  
Third-Party Defendants.

-----X

Defendant-appellant having moved to reinstate the notice of appeal and for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about January 9, 2018,

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

It is ordered that that branch of the motion which seeks to reinstate the notice of appeal is deemed to be a motion to vacate dismissal of the appeal, which is granted and, upon reinstatement, the time to perfect the appeal is enlarged to the September 2019 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 March 7, 2019.

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

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

-----  
Carlos C.,  
Petitioner-Respondent,

-against-

Anastasia T.,  
Respondent-Appellant.

**CONFIDENTIAL**  
M-6651  
Docket Nos. V-46306/16  
V-49294/16

-----X  
Respondent-appellant having renewed her motion for assignment of appellate counsel to prosecute the appeal taken from an order of the Family Court, New York County, entered on or about May 12, 2017,

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

It is ordered that the motion is denied.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2019.

Present - Hon. David Friedman, Justice Presiding,  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer  
Cynthia S. Kern, Justices.

-----x  
Finance of America Mortgage LLC,  
Petitioner-Respondent,

-against-

Olympia Capital Group, et al., M-6397  
Respondent-Appellant. Index No. 653804/18

- - - - -  
Olympia Capital Group,  
Plaintiff-Appellant,

-against-

Finance of America Mortgage LLC, M-6422  
Defendant-Respondent. Index No. 654012/18

-----x

Separate appeals having been taken to this Court from orders of the Supreme Court, New York County, both entered on or about October 23, 2018,

And appellants having moved to consolidate the aforesaid appeals, and for a stay of the order compelling arbitration, pending hearing and determination of the consolidated appeals,

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

It is ordered that the motions are granted to the extent of consolidating the aforesaid appeals, and appellants are permitted to prosecute the consolidated appeals upon an original, five hard

copies and, if represented by counsel, one digital copy of one record and one set of appellant's points covering the consolidated appeals, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division. The motions, to the extent that they seek a stay of arbitration, are denied. The interim relief granted by the order of a Justice of this Court, dated December 12, 2018, 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 March 7, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,  
Angela M. Mazzarelli  
Troy K. Webber  
Cynthia S. Kern  
Jeffrey K. Oing, Justices.

-----X  
Richard Wolodin and Crystal Wolodin,  
Plaintiffs-Respondents,

-against-

M-6710  
Index No. 154020/12

Lehr Construction Corp. and  
450 Partners, LLC,  
Defendants-Appellants.

-----X

Defendants-appellants 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 July 31, 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 2019 Term, with no further enlargements to be granted.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Judith J. Gische  
Marcy L. Kahn  
Cynthia S. Kern, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-284  
Ind. No. 1869/17

Gioriver Thomas,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the perfected appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 30, 2018, 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.

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 March 7, 2019.

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

-----X

Stevenson Petit,  
Plaintiff-Appellant,

-against-

M-23

Index No. 155523/16

The Department of Education of The  
City of New York,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 1, 2017,

And plaintiff-appellant having moved for an order vacating the dismissal of the appeal pursuant to 22 NYCRR 1250.10(c), and, upon vacatur, for an enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the aforesaid appeal, and enlarging the time to perfect same to the September 2019 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 March 7, 2019.

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

-----X  
Ivan Pena,  
Plaintiff-Appellant,

-against-

M-6766  
Index No. 162616/14

Pinnacle Associates II NY, et al.,  
Defendants-Respondents.

-----X  
(And a third-party action)  
-----X

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

And plaintiff-appellant having moved for an order vacating the dismissal of the appeal pursuant to 22 NYCRR 1250.10(c), and, upon vacatur, for an enlargement of time to perfect same,

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the aforesaid appeal, and enlarging the time to perfect same to the September 2019 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 March 7, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Peter Tom  
Jeffrey K. Oing  
Anil C. Singh, Justices.

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

-against-

M-6043  
Ind. No. 1029/17

Reynaldo Andino,  
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 February 27, 2018, for leave to prosecute the aforesaid appeal as a poor person, 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 granted to the extent of deeming the notice of appeal as timely filed. So much of the motion seeking poor person relief is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101 and 22 NYCRR 1250.4(d)(1) and (4), setting forth the defendant's indigency, the amount and sources of monies used to post the \$20,000 bail in the Supreme Court, the disposition of those funds, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 7, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Troy K. Webber  
Cynthia S. Kern, Justices.

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

-against-

M-6500  
Ind. No. 3500/16

Felix Tapia,  
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 29, 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 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 March 7, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzarelli  
Troy K. Webber  
Cynthia S. Kern, Justices.

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

-against-

M-6504  
Ind. No. 3621/16

Marina Zosya,  
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 5, 2018, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete 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 March 7, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer  
Peter H. Moulton, Justices.

-----X  
Abdullah Ileiwat,  
Plaintiff-Appellant,

-against-

M-6343  
Index No. 150343/10

PS Marcato Elevator Co., Inc.,  
et al.,  
Defendants-Respondents.

- - - - -  
[And third-party actions]

-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about December 8, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2019 Term.

ENTERED:

  
CLERK

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

BEFORE: Hon. Marcy L. Kahn  
Justice of the Appellate Division

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

M-82  
Indictment No.  
2991/15

-against-

CERTIFICATE  
DENYING LEAVE

Matthew Mulcahy,  
Defendant.

-----X  
I, Marcy L. Kahn, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed 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 (Hon. Robert M. Mandelbaum), entered on or about September 18, 2018, is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: February 8, 2019  
New York, New York

ENTERED:  
MAR - 7 2018

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

-against-

M-6135  
Ind. No. 5353/79

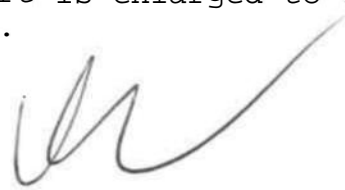
Stephen Azzollini,  
Defendant-Appellant.  
-----X

Defendant having moved for an enlargement of time in which to seek a certificate granting leave to appeal to the Appellate Division pursuant to CPL 460.15 and CPL 450.15 subd. 2 with respect to the order of the Supreme Court, New York County (Antignani, J.), entered on or about August 24, 2018, which denied defendant's application pursuant to CPL 440.10 and 440.30,

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

Ordered that defendant's time in which to seek a certificate granting leave to appeal to this Court is enlarged to 30 days from the date of entry of this Order.

Dated: February 8, 2019



\_\_\_\_\_  
Hon. Peter Tom  
Associate Justice

Entered: **MARCH - 7 2018**

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

BEFORE: Hon. David Friedman  
Justice of the Appellate Division

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

-against-

M-6236  
Ind. No. 2763/01

Trevis L. Funches,  
Defendant-Appellant.

-----X  
Defendant having moved for an enlargement of time in which to seek a certificate granting leave to appeal to the Appellate Division pursuant to CPL 460.15 and CPL 450.15 subd. 2 with respect to the order of the Supreme Court, New York County (Bartley, J.), entered on or about June 4, 2018, which denied defendant's application pursuant to CPL 440.10 and 440.20,

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.

Date: February 1, 2019



Hon. David Friedman  
Associate Justice

Entered: **MAR - 7 2019**