

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 14, 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-6299  
Ind. No. 3481N/17

Anthony Bautista,

Defendant-Appellant.  
-----x

Defendant-appellant having moved, through retained counsel, for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about February 8, 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 October 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 14, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Judith J. Gische  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----x

Gullivers Gate, LLC, et al.,

Plaintiffs-Appellants,

-against-

M-542

Index No. 162134/18

Elmwood NYT Owner LLC, 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 January 28, 2019,

And plaintiffs-appellants having moved, inter alia, for an order staying the summary holdover proceeding entitled *Times Square Associates LLC v Gullivers Gate, LLC, et al.*, commenced in the Civil Court of the City of New York, County of New York (L&T Index No. 51489/19) pending hearing and determination of the aforesaid appeal, and removing the holdover proceeding to the Supreme Court and consolidating it with other actions pending in that 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 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 14, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,  
Judith J. Gische  
Cynthia S. Kern  
Peter H. Moulton, Justices.

-----x  
McGraw-Hill Education, Inc.,  
Plaintiff-Appellant,

-against-

Illinois National Insurance Company, M-630  
Defendant-Respondent-Appellant, Index No. 655708/16

-and-

AIG Specialty Insurance Company, et al.,  
Defendants-Respondents.

-----x

An appeal having been taken to this Court by plaintiff McGraw-Hill Education, Inc. from orders of the Supreme Court, New York County, entered on or about January 10, 2019 and January 17, 2019 (Cal No. 2019-493),

And a cross appeal having been taken to this Court by defendant Illinois National Insurance Company from the order of the Supreme Court, New York County, entered on or about January 17, 2019 (Cal No. 2019-652),

And plaintiff-appellant having moved for a stay of the pre-trial conference and trial pending hearing and determination of its 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 on condition that the appeals are perfected for the September 2019 Term in accordance with the requirements of 22 NYCRR 1250.9(f).

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 14, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,  
Barbara R. Kapnick  
Troy K. Webber  
Cynthia S. Kern, Justices.

-----x  
Ricky Zegelstein, M.D., et al.,  
Plaintiffs-Appellants,

-against-

Michael J. Faust, M.D., et al.,  
Defendants-Respondents.  
-----x

M-66  
M-491  
Index No. 651198/14

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 12, 2017, and said appeal having been perfected,

And defendant-respondent Michael J. Faust, M.D. having moved for an order allowing respondents to supplement the record on appeal to add materials from a legal malpractice action brought by plaintiff-appellant against a former attorney regarding the issues involved in this case (M-66),

And plaintiff-appellant Ricky Zegelstein, M.D. having cross-moved for the imposition of sanctions against defendant-respondent, for a change of venue, and other relief (M-491),

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

It is ordered that the motion and cross motion are 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 14, 2019.

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

-----x  
Capital Enterprises Co.,  
Petitioner-Appellant,

-against-

Alvin Dworman, Respondent-Respondent, M-531  
M-692  
Index No. 653961/16

-and-

Sachs Investment Company, et al.,  
Non-Party Appellants.

-----x

An appeal having been taken by petitioner from an order of the Supreme Court, New York County, entered on or about January 16, 2019; and a separate appeal having been taken by non-party appellants from the order of said Court, entered on or about January 8, 2019; both appeals having been perfected,

And petitioner-appellant having moved for a preliminary appellate injunction and a stay of arbitration pending hearing and determination of their appeal (M-531),

And non-party appellants having separately moved for a preliminary appellate injunction and a stay of arbitration pending hearing and determination of the appeal (M-692),

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 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 14, 2019.

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

-----X

In the Matter of a Guardianship  
Proceeding of

Da'Shan L.  
Jacquan L.,

Respondents-Appellants.

- - - - -

Pearl L.,  
Petitioner-Respondent,

-against-

Administration for Children's  
Service-Bronx,  
Respondent-Respondent.

- - - - -

Janet E. Sabel, Esq.,  
The Legal Aid Society,  
Attorneys for the Children.

-----X

**CONFIDENTIAL**

M-568

Docket Nos. G-8087/14

G-8088/14

An appeal having been taken to this Court from an order of the Family Court, Bronx County, entered on or about May 14, 2018, and said appeal having been perfected,

And an order of this Court having been entered on January 22, 2019 (M-4356), inter alia, granting petitioner-respondent-grandmother, Pearl L., leave to respond to the appeal as a poor person, and assigning Carol L. Kahn, Esq., as counsel for purposes of responding to the appeal,

And assigned counsel for petitioner-respondent grandmother, Carol L. Kahn,, Esq., having moved to be relieved as assigned counsel in connection with the aforesaid appeal, and to substitute Proskauer Rose LP as counsel on 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 that Carol L. Kahn, Esq., is relieved as counsel to petitioner-respondent, and is otherwise denied as unnecessary. The appeal, sua sponte, 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 14, 2019.

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

-----X  
In the Matter of

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

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

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Administration for Children's Services,  
Catholic Guardian Services,  
Petitioners-Respondents,

**CONFIDENTIAL**  
**M-5172**  
Docket Nos. NN-15651/11  
NN-40004/13  
NN-45208/14

-against-

Karina Elizabeth F.,  
Respondent-Appellant,

Mike G., Sr.,  
Respondent-Appellant.

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

-----X  
Orders of this Court having been entered on September 27, 2018 (M-3501, M-3502, M-3503) denying the motions of respondent-appellant Karina Elizabeth F. for leave to prosecute, as a poor person, the appeals taken from orders of the Family Court, New York County entered on or about June 9, 2012, July 15, 2014 and August 13, 2015, assignment of counsel, and related relief,

And respondents-appellants having jointly moved for reconsideration of the aforesaid orders and other relief,



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

It is ordered that respondents-appellants' motion for reconsideration of the aforesaid orders of this Court entered on September 27, 2018 (M-3501, M-3502, M-3503) is denied, and

It is further ordered that insofar as the motion may be deemed a motion by respondent-appellant Karina Elizabeth F. for leave to prosecute, as a poor person, the appeals she has taken from other orders of the Family Court, New York County, it is denied, and

It is further ordered that insofar as the motion may be deemed to be a motion by respondent-appellant Mike G., Sr. for leave to prosecute, as a poor person, the appeals taken from orders of the Family Court, New York County entered on or about April 6, 2017 and May 15, 2017, it is denied, said relief having been granted by orders of this Court on August 22, 2017 (M-3719 and M-3727) and

It is further ordered that insofar as the motion may be deemed to be a motion by respondent-appellant Mike G., Sr. for leave to prosecute, as a poor person, the appeals he has taken from other orders of the Family Court, New York County which have not been perfected and/or dismissed, and for which counsel has not been assigned, it is denied, with leave to renew, upon submission of a copy of the notice of appeal and order appealed from, and an affidavit of indigency pursuant to CPLR 1101(a) and 22 NYCRR 1240.4(d)(1).

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 14, 2019.

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

-----X  
The Board of Managers of 150  
East 72nd Street Condominium,  
Plaintiff-Appellant-Respondent,

-against-

M-571  
Index No. 160831/16

Vitruvius Estates LLC and Harry Macklowe,  
Defendants-Respondents-Appellants.

-----X

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

And defendants-respondents-appellants having moved to withdraw the cross appeal,

Now, upon reading the correspondence from the attorney for defendants-respondents-appellants, dated January 15, 2019 and March 4, 2019, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid correspondence dated March 4, 2019 and the cross appeal reinstated.

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 14, 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

Shaquel Andrew M., also known as  
Shaquel M.,  
Joel Emanuel M., also known as  
Joel M., and  
Julius Jesus M., also known as  
Julius M.,

**CONFIDENTIAL**

M-5392A

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

Docket Nos. B-356/15  
B-357/15  
B-358/15

- - - - -  
St. Dominic's Home, et al.,  
Petitioners-Respondents,

Jamel M.,  
Respondent-Appellant.

- - - - -  
Larry S. Bachner, Esq.,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeals taken from three orders of the Family Court, Bronx County, entered on or about June 5, 2018, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew J. Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No.

212-233-0318, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 180 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court** (The order of this Court entered on January 17, 2019 (M-5392) is recalled and vacated.

ENTERED:

  
CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Marc Arnone and Catherine Arnone,  
Plaintiffs,

-against-

Weill Medical College of Cornell  
University and Tishman Construction  
Corporation of New York,  
Defendants-Appellants,

**M-6404**  
Index No. 156210/13

D'Aprile, Inc.,  
Defendant.

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Weill Medical College of Cornell  
University and Tishman Construction  
Corporation of New York,

Third-Party Plaintiffs-Appellants,

-against-

Allen Briteway Electrical  
Contractors, Inc.,

Third-Party Defendant-Respondent.

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Allen Briteway Electrical  
Contractors, Inc.,

Fourth-Party Plaintiff-Respondent,

-against-

D'Aprile, Inc.,

Fourth-Party Defendant.

-----X

Defendants/third-party plaintiffs-appellants having taken an appeal from an order of the Supreme Court, New York County, entered on or about March 31, 2017,

Now, upon reading and filing the correspondence from counsel for the defendants/third-party plaintiffs-appellant's, dated December 5, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Arga Capital, Inc., and Online Mortgage  
Group LLC, now known as Nue Resource  
Funding, LLC,  
Plaintiffs-Respondents,

**M-6559**  
Index No. 651649/14

-against-

Kreiner & Kreiner LLC,  
Defendant-Appellant.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated November 27, 2018, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 14, 2019.

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

-----X  
Tempositions Health Care Inc.,

Petitioner-Respondent,

-against-

New York City Administration for  
Children's Services, David A. Hansell,  
Commissioner of the New York City  
Administration for Children's Services,

Respondents,

Gotham Per Diem, Inc.,

Respondent-Appellant.  
-----X

**M-6563**

Index No. 152774/18

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 3, 2018,

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

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

ENTERED:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 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 Pursuant to Section 7701 of the Civil Practice Law and Rules for the Construction of that Certain Michael A. Lorig Revocable Trust, u/a/d June 22, 2014,

**M-6570**  
Index No. 153674/17

By Caroline Berthet, As Successor  
Trustee and Beneficiary,  
Petitioner-Appellant,

-against-

Matthew Brian Lorig,  
Andrew Michael Lorig, Elizabeth Daly,  
Respondents-Respondents

Bank of New York Mellon,  
Respondent.

-----X  
An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 18, 2018,

Now, upon reading and filing petitioner-appellant's notice of withdrawal of appeal, dated December 17, 2018, and due deliberation having been had thereon,

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

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 14, 2019.

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

-----X

Talia Management Co., doing business as  
Greenwich Realty Co.,

Plaintiff-Respondent,

**M-6578**

Index No. 160067/15

-against-

James P. Delaney and Sean Barrett,

Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 18, 2018,

Now, upon reading and filing the correspondence from counsel for defendants-appellants hereto, dated December 12, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Nomura Home Equity Loan, Inc., etc.,  
Plaintiff,

-against-

Nomura Credit and Capital, Inc.,  
Defendant,

**M-6574**  
Index No. 651124/13

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Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant-Appellant,

Ocwen Loan Servicing, LLC.,  
Third-Party Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 7, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
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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 14, 2019.

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

-----X  
Nomura Home Equity Loan, Inc., etc.,  
Plaintiff,

-against-

Nomura Credit and Capital, Inc.,  
Defendant,

**M-6588**  
Index No. 651124/13

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Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant,

Ocwen Loan Servicing, LLC.,  
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 10, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Nomura Home Equity Loan, Inc., etc.  
Plaintiff,

-against-

Nomura Credit and Capital, Inc.,  
Defendant,

**M-6589**  
Index No. 650337/13

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Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant,

Ocwen Loan Servicing, LLC.,  
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 10, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
-----  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Nomura Home Equity Loan, Inc., etc.,  
Plaintiff,

-against-

Nomura Credit and Capital, Inc.,  
Defendant,

**M-6590**  
Index No. 653783/12

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Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant,

Ocwen Loan Servicing, LLC.,  
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 10, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
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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 14, 2019.

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

-----X  
Nomura Asset Acceptance Corporation, etc.,  
Plaintiff,

-against-

Nomura Credit and Capital, Inc.,  
Defendant,

**M-6591**  
Index No. 652619/12

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Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant,

Ocwen Loan Servicing, LLC.,  
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 10, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
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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 14, 2019.

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

-----X  
Nomura Asset Acceptance Corporation, etc.,  
Plaintiff,

-against-

Nomura Credit and Capital, Inc.,  
Defendant,

**M-6592**  
Index No. 653390/12

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Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant,

Ocwen Loan Servicing, LLC.,  
Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 10, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
-----  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Nomura Home Equity Loan, Inc., etc.,  
Plaintiff,

-against-

Nomura Credit and Capital, Inc.,  
Defendant,

**M-6594**  
Index No. 650337/13

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Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant-Appellant,

Ocwen Loan Servicing, LLC.,  
Third-Party Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 7, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
-----  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Nomura Asset Acceptance Corporation, etc.,  
Plaintiff,

-against-

Nomura Credit and Capital, Inc.,  
Defendant,

**M-6595**  
Index No. 653390/12

-----  
Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant-Appellant,

Ocwen Loan Servicing, LLC.,  
Third-Party Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 7, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
-----  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Nomura Asset Acceptance Corporation, etc.,  
Plaintiff,

-against-

Nomura Credit and Capital, Inc., Index No. 652619/12  
Defendant, **M-6596**

-----  
Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant-Appellant,

Ocwen Loan Servicing, Inc.,  
Third-Party Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 7, 2018, and due deliberation having been had thereon,

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

ENTER:

  
\_\_\_\_\_  
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 14, 2019.

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

-----X  
Nomura Home Equity Loan, Inc., etc.,  
Plaintiff,

-against-

Nomura Credit and Capital, Inc.,  
Defendant,

**M-6597**  
Index No. 653783/12

-----  
Nomura Credit and Capital, Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,  
Third-Party Defendant-Appellant,

Ocwen Loan Servicing, LLC.,  
Third-Party Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 7, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
-----  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Nomura Asset Acceptance Corporation, etc.,

Plaintiff,

-against-

Nomura Credit and Capital, Inc.,

**M-6599**

Index No. 652614/12

Defendant,

-----  
Nomura Credit and Capital, Inc.,

Third-Party Plaintiff-Respondent,

-against-

Wells Fargo Bank, N.A.,

Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 14, 2018,

Now, upon reading and filing the correspondence from the attorneys for third-party defendant-appellant, dated December 7, 2018, and due deliberation having been had thereon,

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

ENTERED:

  
-----  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 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-2  
Ind. No. 2402/17

Patrick Francis,

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 October 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 14, 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-3

Ind. No. 3218/17

Robert 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 October 4, 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 14, 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-

Manuel Perez,  
Defendant-Appellant.

M-4

Ind. Nos. 1430/18  
1431/18  
4640/17  
14065C/18

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeals taken from judgments of the Supreme Court, New York County, rendered on or about October 3, 2018, for leave to have the appeals 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 appeals 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.

March 14, 2019

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 the appeals 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 14, 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-7  
Ind. No. 1093/17

Omar Berraho,

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 21, 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 14, 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-47  
Ind. No. 3322/16

Mikhail Bobbett,

Defendant-Appellant.

-----X

Defendant-appellant 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 5, 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 14, 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-54  
Ind. Nos. 1872/18  
4174/17

Juan Estella,

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 31, 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 14, 2019.

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

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

Respondent,

**SEALED**

M-56

-against-

Ind. No. 2320/16

Kevin R.,  
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 11, 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 14, 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-67

Ind. No. 3525/16

Tidelle Sanford,

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 April 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.

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 14, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-147  
Ind. No. 2328/16

Craig Barclay,  
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 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 14, 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-148  
Ind. No. 1174/16

Craig Barclay,  
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 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 14, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-170  
Ind. No. 2032/17

Danny Genao,  
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 April 16, 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 14, 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-193  
Ind. No. 77/17

David Talbott-Smith,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 13, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about August 21, 2018,

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

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

(M-193)

-2-

March 14, 2019

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:

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

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-214  
Ind. No. 3342/16

Daikwan Carter,  
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 October 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, 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 14, 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-294  
Ind. No. 227/17

Bryan Abreu,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 24, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 23, 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:

  
\_\_\_\_\_  
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 14, 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-295  
Ind. No. 2412/17

James Clark,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about November 2, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about November 2, 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:

  
\_\_\_\_\_  
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 14, 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,

**SEALED**

M-296

-against-

Ind. No. 1475/17

SCI. No. 2181/17

Ramel B.,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 30, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 30, 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:

  
\_\_\_\_\_  
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 14, 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-297  
Ind. Nos. 057/18  
17793/18

Frank Diaz,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 23, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 23, 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:

  
\_\_\_\_\_  
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 14, 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-298  
Ind. No. 2238/17

Anthony High,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 23, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 23, 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:

  
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 14, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

M-300  
Ind. No. 601/18

Jose Rivera,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 18, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 18, 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:

  
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 14, 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,

**SEALED**

M-302

-against-

Ind. No. 802/17

Marquise M.,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about October 19, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about October 19, 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:

  
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 14, 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-304  
Ind. No. 3548/18

Damian Velez,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 30, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 30, 2018,

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

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

(M-304)

-2-

March 14, 2019

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 "Susan R. Jones", written in a cursive style.

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 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-305  
Ind. No. 1433/17

Kimani A. Stephenson,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 9, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 9, 2018,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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 "Susan R. Jones", written in a cursive style.

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 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-306  
Ind. No. 382/18

Adam Chatwin,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 29, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 29, 2018,

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

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

(M-306)

-2-

March 14, 2019

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 "Susan R. Jones", written in a cursive style.

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 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-307  
Ind. No. 4287/17

Demel Jennings,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 13, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 9, 2018,

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

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

(M-307)

-2-

March 14, 2019

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:

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

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 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-309  
Ind. No. 389/18

Carlos Garcia,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about November 29, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about November 26, 2018,

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

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

(M-309)

-2-

March 14, 2019

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 "Susan R. Jones", written in a cursive style.

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 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-326  
Ind. No. 2107/17

Marianne Benjamin-Williams,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about January 14, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about January 14, 2019,

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

It is ordered that the appeal is permitted to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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:

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

---

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

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

Respondent,

-against-

**M-5792**

Ind. No. 3380/16

Patrick Johnson,

Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about March 7, 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, 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 14, 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-6181**

-against-

Ind. No. 1788/17

Mohammed Jaffar,  
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 16, 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 14, 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-6470**

-against-

Ind. No. 4473/17

Darnell Hardware,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 7, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about September 7, 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.

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 14, 2019.

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

-----X

The People of the State of New York,  
Respondent,

-against-

**M-6472**

Ind. Nos. 4874/17  
740/18

Noel Lao,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 12, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgement of the Supreme Court, New York County, rendered on or about September 12, 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.



(M-6472)

-2-

March 14, 2019

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 14, 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-6474**

-against-

Ind. No. 839/18

Jose Otero,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 13, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about September 13, 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.

(M-6474)

-2-

March 14, 2019

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 14, 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-6475**

Ind. No. 2598/17

Patrick McDowell,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 13, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about September 6, 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.

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 14, 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-6477**

-against-

Ind. No. 378/18

John Sandino,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 7, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about September 7, 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.

(M-6477)

-2-

March 14, 2019

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 14, 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-6482**  
Ind. No. 4504N/17

Juan Rodriguez,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 5, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about September 5, 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:

  
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 14, 2019.

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

-----X

The People of the State of New York,  
Respondent,

**M-6483**

-against-

Ind. No. 2887/17

Jean-Pierre Hernandez,  
Defendant-Appellant.

-----X

An order of the Supreme Court, New York County, having been entered on or about September 6, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about August 27, 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.

(M-6483)

-2-

March 14, 2019

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 14, 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-6486**

Ind. No. 1702/17

Kenneth Parker,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about August 14, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about August 14, 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:

  
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 14, 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-6487**

SCI. No. 1705/17

Joshua Lopez,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about August 6, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about August 6, 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.

(M-6487)

-2-

Moarch 14, 2019

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 14, 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-6488**

-against-

Ind. No. 299/18

James Kelly,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about August 9, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about August 9, 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:

  
\_\_\_\_\_  
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 14, 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-6492**  
Ind. No. 2659/15

Santrice Green,  
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about July 30, 2018, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about July 30, 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:

  
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 14, 2019.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
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-6044**

Ind. No. 2043/15

Wanya Young,  
Defendant-Appellant.

-----X

Defendant having moved for leave to file a late notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about November 29, 2017, and to prosecute said appeal as a poor person, 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, 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.

(M-6044)

-2-

March 14, 2019

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 14, 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-

Santino Boderick,

M-6064  
Ind. Nos. 39/15  
4369N/15

Defendant-Appellant.  
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeals taken from judgments of the Supreme Court, New York County, rendered on or about January 18, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the 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 14, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Peter Tom  
Peter H. Moulton, Justices.

-----x

In the Matter of the Application of  
Dimitrious Filipidis,

Petitioner-Respondent,

-against-

M-110  
Index No. 159365/18

Liberty Court Condominium,

Respondent-Appellant.

-----x

Respondent-appellant having moved for a stay of enforcement of the order of the Supreme Court, New York County, entered on or about December 4, 2018, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X

Adelson Galleries, Inc.  
Plaintiff-Appellant,

-against-

M-627  
Index No. 651610/18

730 Fifth Upper, LLC.,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an order enjoining defendant-respondent, its members, agents, employees and contractors acting on its behalf from interfering or impeding twenty-four hour access to the premises in a manner expeditious to the health and safety of plaintiff, its customers and employees, pending hearing and determination of the appeal taken from two orders of the Supreme Court, New York County, entered on or about December 7, 2018 and December 12, 2018,

And interim relief having been denied by an order of a Justice of this Court, dated January 30, 2019,

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 14, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,  
Rosalyn H. Richter  
Peter Tom  
Cynthia S. Kern  
Anil C. Singh, Justices.

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

-against-

M-5492  
Ind. No. 3423/15

Damon Geer,  
Defendant-Appellant.

-----X

An order of this Court having been entered on August 29, 2017 (M-3108), inter alia, granting defendant poor person relief and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute defendant's appeal from a judgment of the Supreme Court, New York County, rendered on or about December 19, 2016,

And assigned counsel, having moved for an order withdrawing the appeal as abandoned,

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 as withdrawn.

ENTERED:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 14, 2019.

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

-----X  
Arthur E. Rondeau,

Plaintiff-Appellant,

**M-6636**  
Index No. 153727/16

-against-

David Bargman, Esq.,

Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 25, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated November 26, 2018, and due deliberation having been had thereon,

It is ordered that the perfected appeal is deemed 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 14, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Angela M. Mazzairelli  
Troy K. Webber  
Cynthia S. Kern, Justices.

-----x  
Terraine Hodges  
Plaintiff-Appellant,

Kasheif McMillan,  
Plaintiff,

-against-

**M-6680**  
Index. No. 101566/16

Department of Homeless Services,  
  
Defendant-Respondent.

-----x

An appeal having been taken to this Court by plaintiff-appellant from an order of the Supreme Court, New York County, entered on or about August 1, 2018,

And plaintiff-appellant having moved, pro se, for leave to prosecute said appeal as a poor person, 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 in its entirety.

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 14, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Peter Tom  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----x  
In the Matter of the Application of  
ELCO Administrative Services to Stay  
Arbitration,  
Petitioner-Respondent,

-against-

Marlene Bones-Rojos, et al., Respondents, M-695  
Index No. 20046/17E

-and-

MGA Insurance Company, Inc.,  
Respondent-Appellant.

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

And respondent-appellant having moved for a stay of the Framed Issue hearing ordered by Supreme Court, pending hearing and determination of the appeal taken from the December 5, 2018 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.

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 14, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Sallie Manzanet-Daniels  
Peter Tom  
Marcy L. Kahn  
Ellen Gesmer, Justices.

-----x

Landmark Ventures, Inc., and Landmark  
Ventures (USA) Inc.,  
Plaintiffs-Appellants,

-against-

**SEALED**  
**ACTION NO. 1**

M-734

Index No. 653761/16

Insightec, Ltd., et al.,  
Defendants-Respondents.

-----

Landmark Ventures, Inc., and Landmark  
Ventures (USA) Inc.,  
Plaintiffs-Appellants,

-against-

**SEALED**  
**ACTION NO. 2**

M-735

Index No. 655089/17

Kreisberg & Maitland, LLP, et al.,  
Defendants-Respondents.

-----x

Appeals having been taken by plaintiffs in Action No. 1 from orders of the Supreme Court, New York County, both entered on or about April 4, 2017, and said appeals having been perfected,

And an appeal having been taken by plaintiffs in Action No. 2, from an order of the same court, entered on or about June 6, 2018,

And an order of this Court having been entered on October 25, 2018 (M-4966) which, inter alia, directed plaintiffs-appellants in Action No.1 to supplement the record to include certain exhibits,

And plaintiffs-appellants having moved in Action No. 1 to include in the supplemental record to be filed pursuant to the aforesaid order of this Court entered on October 25, 2018 (M-4966) additional documents, which were submitted to Supreme Court for in camera review, and to enlarge the time to file the supplemental record,

And plaintiffs-appellants having separately moved, in Action No. 2, for an enlargement of time to perfect the appeal from the June 6, 2018 order (M-735),

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 in Action No. 1 (M-734) is granted to the extent of enlarging plaintiff's time to comply with this Court's October 25, 2018 order (M-4966) to July 8, 2019, with leave to include in the supplemental record the papers referred to in paragraph 2 of the parties' February 7, 2019 stipulation. Plaintiffs are directed to the perfect the appeal in Action No.1 for this Court's September 2019 Term, and it is further

Ordered that the time to perfect the appeal from the June 6, 2018 order in Action No. 2 is enlarged to said September 2019 Term (M-735).

ENTERED:

  
CLERK

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

BEFORE: Hon. Ellen Gesmer  
Justice of the Appellate Division

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

M-259  
Ind. No. 3190/15

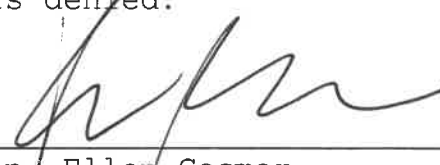
-against-

CERTIFICATE  
DENYING LEAVE

John Walden,

Defendant.

-----X  
I, Ellen Gesmer, a Justice of the Appellate Division, First Judicial Department, certify that, upon the application of the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about August 10, 2018 is denied.

  
\_\_\_\_\_  
Hon. Ellen Gesmer  
Associate Justice

Dated: February 26, 2019  
New York, New York

ENTERED: **MAR 14 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,

M-286  
Ind. No. 448/14

-against-

CERTIFICATE  
GRANTING LEAVE

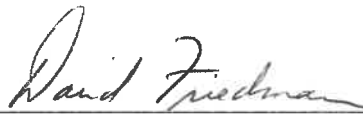
Gary Dubois,  
Defendant-Appellant.

-----X  
I, DAVID FRIEDMAN, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the Order of the Supreme Court, New York County, entered on or about December 17, 2018.<sup>1</sup>

Dated: New York, New York  
February 25, 2018

ENTERED

MAR 14 2018

  
\_\_\_\_\_  
DAVID FRIEDMAN  
Justice of the Appellate Division

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

\_\_\_\_\_  
<sup>1</sup>In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.