

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

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

-against-

M-1428
Ind. No. 741/17

Anthony Tirado,
Defendant-Appellant.

-----X

Defendant, pro se, having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 11 2018, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
The City of New York,
Plaintiff-Appellant,

-against-

M-1504
Index No. 450230/15

B Green Construction Corp.,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about December 6, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 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 May 30, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Diane Sacchetti,
Plaintiff-Respondent,

-against-

The City of New York,
Defendant-Appellant,

M-1506
Index No. 155993/13

-and-

Cardella Trucking Co., et al.,
Defendants.

-----X

Defendant-appellant having moved for further enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about October 25, 2017,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 May 30, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Jeffrey K. Oing Justices.
Peter H. Moulton,

-----X
In the Matter of a Proceeding Under
Article 6 of the Family Court Act

In re Kayo I.,

Petitioner-Respondent,

-against-

Eddie W.,
Respondent-Appellant.

In re Eddie W.,
Petitioner-Appellant,

-against-

Kayo I.,
Respondent-Respondent.

Confidential

M-1467

Docket Nos. V-1887-08

V-1887-08/14B

V-1887-08/15C

V-1887-08/15D

V-1887-08/15E

V-1887-08/15F

V-22546-09/15B

V-22546-09/15C

V-22546-09/15D

V-22546-09/15E

-----X

Appellant-Father having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 14, 2019 (Appeal No. 8380),

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 all respects.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Anil C. Singh, Justices.

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

-against-

Ronald De Los Santos,
Defendant-Appellant.

CONFIDENTIAL

M-1245
Ind. No. 618/17

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about May 16, 2017, and an order of this Court having been entered on June 14, 2018 (Appeal No. 6881), holding the appeal in abeyance, and remitting the matter for further proceedings in accordance therewith,

And assigned counsel for defendant-appellant having moved to dismiss the appeal as withdrawn, or in the alternative 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 withdrawn and is otherwise denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Troy K. Webber
Anil C. Singh, Justices.

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

-against-

M-1332
Ind. No. 775/18

Michael Vasquez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about January 28, 2019, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Troy K. Webber
Anil C. Singh, Justices.

-----X
Wells Fargo Bank, N.A., As Trustee for
the MLMI Trust Series 2006-WMC1, 14523
S.W. Millickan Way, Suite 200,
Beaverton, OR 97005,
Plaintiff-Respondent,

-against-

M-1379
Index No. 380873/07

Isreal P. Javier also known as
Israel Javier,
Defendant-Appellant,

Mortgage Electronic Registration
Systems, Inc., etc., et al.,
Defendants.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about May 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 deemed to include a request to vacate the automatic dismissal of the appeal is granted, the appeal reinstated and the time to perfect said appeal is enlarged to the October 2019 Term (see 22 NYCRR 1250.10).

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Troy K. Webber
Anil C. Singh, Justices.

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

Donnell C. S., **CONFIDENTIAL**
Petitioner-Appellant, M-1392
Docket No. F-3614-02/17K

-against-

Commissioner of Social Services,
on behalf of Amy A.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about January 30, 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) permitting appellant to prosecute the appeal on the original record and reproduced brief, (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** and (3) permitting appellant to dispense with any fee for the transfer of

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

the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order.** Appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Appellant is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** The motion, to the extent it seeks the assignment of counsel, is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X
In re a claim to a \$20 million account
balance with Beogradska Banka A.D. New York
Agency,

Stone Column Trading House Limited, M-1502
Claimant-Respondent, Index No. 650228/13

-against-

Beogradska Banka A.D. in Bankruptcy,
Claimant-Appellant,

-against-

Stone Column Trading House Limited,
Claimant-Respondent.

-----X

An appeal having been taken to this Court from a judgment of the Supreme Court, New York County, entered on or about October 1, 2018,

And claimant-respondent, Stone Column Trading House Limited, having moved for an order 1) dismissing this appeal as untimely pursuant to CPLR 5513 and Uniform Rule 202.5-b(h)(2), or alternatively, 2) dismissing certain branches of this appeal, pursuant to CPLR 5511, because claimant-appellant Beogradska Banka A.D., in bankruptcy, is not an aggrieved party,

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

It is ordered that that branch of the motion seeking to dismiss the appeal as untimely is denied; and that branch of the motion seeking to dismiss portions of the appeal, pursuant to CPLR 5511, based on lack of aggrievement is denied, without prejudice to addressing the arguments on the direct appeal.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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 a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Leida N.,
Petitioner-Respondent,

CONFIDENTIAL
M-1055
Docket No. O-30545/17

-against-

Harry R.,
Respondent-Appellant.

-----X

Petitioner-respondent having moved for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, Bronx County, entered on or about June 19, 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 the certification of Veronica H. Mandel, Esq., dated January 30, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Steven P. Forbes, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-791-8444, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the

appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X
Yosef Allen,
Plaintiff-Respondent-Appellant,

-against-

M-1469
Index No. 158794/13

Manhattan Center Studios, Inc. and
Manhattan Center Productions, Inc.,
individually and doing business as
Manhattan Center Hammerstein Ballroom,
The Holy Spirt Association for the
Unification of World Christianity,
Defendants-Respondents-Appellants,

International Protective Service Agency,
a division of International Protective
Group, LLC,
Defendant-Respondent,

Strike Force Protective Services Company,
Inc., and "John Doe",
Defendants,

The Bowery Presents, LLC,
Defendant-Appellant-Respondent.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about March 12, 2018,

And defendant-appellant-respondent, The Bowery Presents, LLC, having moved this Court for an order staying the trial in this action pending the hearing and determination of the appeals

Now, upon reading and filing the correspondence from counsel for defendant-appellant-respondent, The Bowery Presents, LLC, hereto, dated April 5, 2019, and due deliberation having been had thereon,

(M-1469)

-2-

May 30, 2019

It is ordered that the motion 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 May 30, 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
Panayiotis Konstantopoulos and
New York Taxi Workers Alliance,

Petitioners-Appellants,

M-1582
Index No. 100043/17

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules

-against-

The New York City Taxi and Limousine
Commission and Meera Joshi, as Commissioner
and Chair of the New York City Taxi &
Limousine Commission,

Respondents-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 3, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated March 5, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X

GZA Geoenvironmental of New York, Inc.,
and GZA Geoenvironmental, Inc.,

Plaintiffs-Appellants,

M-1586

Index No. 656317/16

-against-

KNIC Properties, L.P., and KNIC LLC.,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 30, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated February 28, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X
Charles Bumbar And Victoria Hanor, etc.

Plaintiffs-Appellants,

-against-

M-1589X
Index No. 651152/18

Bulson Management LLC, et al.,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 8, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 14, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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 a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Ivan S., Confidential
Petitioner-Respondent, M-1602
Docket No. O-2495-17/18A

-against-

Zuleika O.,
Respondent-Appellant.
-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about August 22, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated March 6, 2019, 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 May 30, 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 Guardianship and
Commitment of

Madissyn W.
Peighton W.,

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

- - - - -
Sheltering Arms Children & Family,
Services,
Petitioner-Respondent,

CONFIDENTIAL

M-1730
Docket No. B-44164-5/15
G-42996-7/14

Esprit L.,
Respondent-Appellant.

- - - - -
Michael Moorman, Esq.,
Attorney for the Children.

-----X
Respondent-appellant mother, having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about February 11, 2019, 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 the certification of Lauren Mitchell, Esq., dated March 8, 2019, 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, Larry S. Bachner, P.C. C/O Bachner & Associates, P.C., 39 Broadway, Suite 1610, New York, New York 10006, Telephone No. 917-674-9516, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family

Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X

Domingo Camilo And Maria Camilo,
Plaintiffs-Respondents,

-against-

M-1746X
Index No. 303203/12

Yesenia Nunez,
Defendant,

American United Transportation, Inc.,
and Nana Yaw KumanKuman,

Defendants-Appellants.

-----X

Appeals having been taken from a judgment of the Supreme Court, Bronx County, entered on or about August 14, 2018, and from an amended judgment, same court, entered on or about September 20, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 25, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X

Athanasios Gousgounis and Maro
Gousgounis,

Plaintiffs-Respondents,

M-1791

Index No. 805288/13

-against-

Daniel Wang, M.D.,
Defendant-Appellant,

Brijesh Malkani, M.D., Albert Favate, M.D.,
Lia Ernst, M.D., Nekee Pandya, M.D.,
Bellevue Hospital Center
and New York City Health and Hospitals
Corporation,

Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 16, 2018,

Now, upon reading and filing the stipulation of discontinuance, dated March 15, 2019, and the correspondence received from counsel for defendant-appellant dated March 27, 2019, 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 May 30, 2019.

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

-----X

ESRT 250 West 57th St., L.L.C.,
Plaintiff-Respondent,

-against-

13D/West 57th LLC and Kenneth Squire,
Defendants-Appellants.

M-1793
Index No. 158006/15

13D/West 57th LLC,
Counterclaim-Plaintiff-Appellant,

-against-

ESRT 250 West 57th St., L.L.C., Fisk
Building Associates L.L.C., and
Empire State Realty Trust, Inc.,
Counterclaim-Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 7, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated March 27, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X
Eastside Floor Supplies Ltd., Eastside
Floor Services LTD., 1807-1811 Park
Avenue Development Corp., and Temple
Boy Dev. Corp.,

Plaintiffs-Appellants,

M-1795
Index No. 157938/18

-against-

Maria Torres-Springer, Commissioner,
Department of Housing Preservation and
Development of The City of New York,
DEPARTMENT OF HOUSING PRESERVATION AND
DEVELOPMENT OF THE CITY OF NEW YORK, and
The Fortune Society Inc.,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 21, 2018,

Now, upon reading and filing the Notice of Withdrawal of Notice of Appeal received from counsel for plaintiffs-appellants, dated March 14, 2019, 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 May 30, 2019.

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

-----X

ARTHUR DECARLO, JR., Personal
Representative on behalf of the Estate
of his father, ARTHUR DECARLO, SR. in
his individual capacity, and on behalf
of his father's heirs and next of kin,
Plaintiff-Respondent,

M-1798
Index No. 161644/15

-against-

National Football League,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 9, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated March 1, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X
Accounting By

Robert J. Rubenstein,
As the Executor of the Estate of,

William C. Etra, also known as,
William Etra, William Charles Etra,
Deceased.

SURROGATE'S COURT
M-1799
File No. 2008-992/B

-----X
Robert J. Rubenstein,
Petitioner-Appellant,

-against-

Donald Packer,
Respondent-Respondent,

-and-

Altagracia Mejia, Lydia Visser, Barbara
Rosenthal and Vivian Rosenthal,
Respondents.

-----X

An appeal having been taken from an order of the Surrogate's Court, Bronx County, entered on or about October 6, 2017, and the appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated February 27, 2019, and due deliberation having been had thereon,

(M-1799)

-2-

May 30, 2019

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X

Gem Equities LLC,
Plaintiff-Respondent,

-against-

M-1800
Index No. 28395/16E

The Children's Aid Society,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 12, 2017,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X
Guillermo Bautista,
Plaintiff,

-against-

J&K Seafood Inc., Five Star Seafood Inc.,
Jeffrey Sabbatino, The New Fulton Fish
Market Cooperative at Hunt's Point Inc.,
et al.,
Defendants.

The New Fulton Fish Market Cooperative
at Hunt's Point Inc., and The New Fulton
Fish Market,
Third-Party Plaintiffs,

-against-

M-1806
Index No. 305509/11

Emerald Seafood, Inc.,
Third-Party Defendant.

J&K Seafood, Inc and Jeffrey Sabbatino,
Second Third-Party Plaintiffs,

-against-

Emerald Seafood, Inc.,
Second Third-Party Defendant.

The New Fulton Fish Market Cooperative
at Hunts Point Inc. and The New Fulton
Fish Market,
Third Third-Party Plaintiffs-Respondents

-against-

Five Star Seafood, Inc.,
Third Third-Party Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 17, 2017, and said appeals having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated January 10, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X
In the Matter of the Application of

ICD INTERNATIONAL CENTER FOR THE
DISABLED, INC.,

Petitioner,

M-1815
Index No. 152314/17

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules,

-against-

NEW YORK STATE DEPARTMENT OF HEALTH,
STATE OF NEW YORK OFFICE OF THE MEDICAID
INSPECTOR GENERAL, DENNIS ROSEN, et al.,

Respondents.

-----X

An Article 78 proceeding having been transferred to this Court by order of the Supreme Court, New York County, entered on or about May 9, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated February 26, 2019, and due deliberation having been had thereon,

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X

Elsa Jerez,
Plaintiff-Respondent,

-against-

M-1850
Index No. 156629/14

SDG Management Corp. and 191 Realty
Associates, L.P.,
Defendants-Appellants.

-----X

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

Now, upon reading and filing the stipulation of the parties hereto, dated April 4, 2019, and due deliberation having been had thereon,

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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-1400
Ind. No. 24/12

Jamal McLeod,
Defendant-Appellant.

-----X

An appeal having been taken to this Court from an judgment of the Supreme Court, New York County, entered on or about December 2, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated March 8, 2019, 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 May 30, 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-1483

-against-

SCI. No. 3752N/18

Marcos Cruceta Castillo,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 15, 2019, 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 May 30, 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-1709
SCI. No. 3937/18

Jamal McLeod,
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 November 19, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-1732

-against-

Ind. No. 30202/18

Francisco Lino,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Merchan, J.), entered on or about March 4, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Merchan as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., 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 May 30, 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-1739
Ind. No. 2896N/18

Noel Urena,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 22, 2019, 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 May 30, 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-1783
Ind. No. 704/18

James Walker,
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 8, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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-1784
Ind. No. 4346/15

Marcus Thompson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 13, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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-1785
Ind. No. 4048/17

Anthony Hernandez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 8, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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-1796
Ind. No. 2320/18

Heriberto Zayas, also known as
Reezko Bliss,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 21, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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-1797
Ind. No. 1927/18

Heriberto Zayas, also known as
Reezko Bliss,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 21, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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-1801
Ind. No. 886/18

Ruben Burgos,
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 14, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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-1824
Ind. No. 1144/15

Dimitris Manley,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about October 26, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated March 9, 2019, 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 May 30, 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-1710
Ind. No. 2579/15

Justine Dorsey,
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 March 9, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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,

CONFIDENTIAL

M-1728

-against-

Ind. No. 966/91

Angel Lopez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about March 8, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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,

CONFIDENTIAL

M-1864

-against-

Ind. No. 1818/13

Joseph Jenkins,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about February 15, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

(M-1864)

-2-

May 30, 2019

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

Corey Allen, also known as Isaac
Dozier, also known as
Joe Doe/John Doe,
Defendant-Appellant.

M-1729
Ind. Nos. 1178/16
2604/16

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from judgments of the Supreme Court, New York County, rendered on or about January 31, 2019, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-1758
Ind. No. 4375/16

Richard Magliore,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about January 16, 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 granted to the extent of deeming the moving papers a timely filed notice of appeal.

ENTERED:


CLERK

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

-----X
In the Matter of Vadim Babyrev, a Patient
at Kirby Forensic Psychiatric Center,
Petitioner-Appellant,

For a Writ of Habeas Corpus Pursuant M-6532
to Article 70 of the Civil Practice Law Index No. 530280/08
and Rules,

-against-

Commissioner of Mental Health, et al.,
Respondent-Respondent.

-----X
Petitioner-appellant having moved for leave to prosecute, as
a poor person, the appeal taken from the order of the Supreme
Court, New York County, entered on or about November 14, 2018,
and for leave to have the appeal heard on the original record and
upon a reproduced appellant's brief, and for other relief,

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

Ordered that the motion for poor person relief is granted to
the extent of permitting the appeal to be heard on the original
record and upon a reproduced appellant's brief, on condition that
appellant serves one copy of such brief upon the attorney for
respondent 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. Appellant is permitted
to dispense with payment of the required fee for the subpoena and
filing of the record. The motion, to the extent it seeks the
assignment of appellate counsel, is denied.

ENTERED: May 30, 2019


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Peter H. Moulton, Justices.

-----X
Hong Zhang,
Petitioner-Appellant,

-against-

M-1492
Index No. 153061/17

Chinatown Apartments, Inc.,
Respondent-Respondent,

New York City Department of
Housing Preservation and Development,
Respondent-Respondent.

-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from a judgment (denominated an order) of the Supreme Court, New York County, entered on or about August 1, 2017,

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

It is ordered that the motion is denied without prejudice to a motion by petitioner-appellant for an order vacating the dismissal of the appeal pursuant to 22 NYCRR 1250.10(c), with proof of service upon the attorneys for respondents, and corporation counsel.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Peter Tom
Peter H. Moulton, Justices.

-----X
Anastasia Xenias,
Plaintiff-Appellant,

-against-

M-1367
Index No. 800014/15

The Roosevelt Hospital doing business
as Mount Sinai West, The St. Luke's
Roosevelt Hospital Center, Mount Sinai
Health System Inc.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect three appeals taken from two orders of the Supreme Court, New York County, entered on or about June 6, 2018 and on or about December 13, 2018, and one judgment of the same Court, rendered on or about August 10, 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 appeals 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 May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Peter Tom
Peter H. Moulton, Justices.

-----x
Michael Schwartzbard,
Plaintiff-Appellant,

-against-

M-1374
Index No. 161674/13

Marshall S. Cogan,
Defendant-Respondent.
-----x

An appeal and cross appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 26, 2017,

And plaintiff-appellant having moved for a further enlargement of time to perfect the cross appeal, and

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

It is ordered that the cross appeal is deemed the direct appeal, defendant-respondent's appeal having been dismissed by order of this Court dated February 8, 2019 (M-4317/M4570), and

It is further ordered that plaintiff's instant motion is deemed one seeking to vacate the dismissal of the appeal and, as such, is granted, and the time to perfect said appeal is enlarged to the October 2019 Term, (see, 22 NYCRR 1250.10).

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Peter Tom
Peter H. Moulton, Justices.

-----x
In the Matter of a Support Proceeding
Pursuant to Article 4 of the Family
Court Act.

- - - - -
Monique J.,
Petitioner-Respondent,

CONFIDENTIAL
M-1449
Docket No. F-6771-18

-against-

Keith S.,
Respondent-Appellant.

-----x

Respondent-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about July 23, 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 permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file 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. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record, and

It is further ordered that respondent-appellant's time to perfect the appeal is, sua sponte, enlarged to the October 2019 Term. The motion is otherwise denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Peter Tom
Peter H. Moulton, Justices.

-----X
In the Matter of the Application of
John McLeod,

Petitioner-Appellant,

-against-

M-1511
Index No. 101065/17

Department of Sanitation,

Respondent-Respondent.
-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 28, 2017, which denied petitioner's claim and dismissed the petition,

And petitioner-appellant having moved for an order enlarging the record on appeal,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

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

-against-
CONFIDENTIAL
M-806(1)
Ind. No. 185/17

Axel Barahona,
Defendant-Appellant.
-----X

An order of this Court having been entered on November 16, 2017 (M-5263) granting defendant leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County, entered on or about August 23, 2017 (Konviser, J.), and assigning Seymour W. James, Jr., Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal, and a motion having been made to relieve such counsel, 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 striking the designation of Janet E. Sabel, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523 as such counsel.

The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the complete record, whichever is later.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Troy K. Webber
Marcy L. Kahn
Cynthia S. Kern, Justices.

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

-against-
CONFIDENTIAL
M-806(2)
Ind. No. 185/17

Axel Barahona,
Defendant-Appellant.
-----X

An an order of this Court having been entered on December 14, 2017 (M-4686) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about July 10, 2017, and assigning Seymour W. James, Jr., Esq., predecessor counsel to Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal, and a motion having been made to relieve such counsel, 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 striking the designation of Janet E. Sabel, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523 as such counsel.

The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the complete record, whichever is later.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Peter Tom
Troy K. Webber
Ellen Gesmer, Justices.

-----X

New York Dangerous LLC and Leon Feingold,
Plaintiffs-Appellants,

-against-

M-1913
Index No. 655839/17

Adam Librot,
Defendant-Respondent.

-----X

Appeals having been taken to this Court from orders of the Supreme Court New York County, entered on or about July 11, 2018, September 21, 2018, November 14, 2018, and March 12, 2019, and said appeals having been perfected,

And plaintiffs-appellants having moved for a stay of all lower court proceedings pending hearing and determination of all four aforementioned appeals,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzairelli
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----X

In re Yvonne Porter, et al.,
Petitioners,

M-2231
Index No. 100546/16

-against-

New York City Housing Authority
Respondent.

-----X

Respondent having moved for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 14, 2019 (Appeal No. 6049),

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.

All concur except Friedman, J.P., who concurs separately as follows:

Friedman, J.P. (concurring)

I adhere to the views expressed in my dissent, namely, that the existing administrative record is sufficient for this Court to render a final determination of this proceeding under CPLR article 78, and that, inasmuch as that record contains substantial evidence supporting respondent's determination, that determination should have been confirmed. Nonetheless, as the proceeding has not yet been finally determined under the terms of the majority's decision (which directs respondent to make additional findings on the existing record), granting leave to appeal to the Court of Appeals would be inappropriate at this juncture. I therefore concur in the denial of the present motion.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer, Justices.

-----x
Roberto Lebron,

Plaintiff-Appellant,

-against-

M-1026

M-1775

Index No. 157727/13

Frieze Art Inc., Frieze Events, Inc.,
Karl's Event Services and Karl's
Event Rental Incorporated,
Defendants-Respondents.

(And third-party actions.)
-----x

Defendants-respondents Karl's Event Services and Karl's Event Rental Incorporated (M-1026) and Frieze Art Inc. and Frieze Events, Inc. (M-1775), having separately moved to dismiss the appeal taken from the judgment of the Supreme Court, New York County, entered on or about December 17, 2018, as untimely taken,

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

It is ordered that the motions are granted and the appeal is dismissed.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

-against-

M-1465
Ind. No. 455/17

Aneury Diaz Matos,

Defendant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about November 28, 2017, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied. (CPL 460.30[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 May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X
In the Matter of the Application of

Magdy Ghaly,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules,

M-1505
Index No. 101137/16

-against-

Columbia University and the Trustees of
Columbia University in the City of
New York,
Respondents-Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Supreme Court, New York County, entered on or about October 2, 2018, which dismissed his Article 78 petition in the nature of mandamus, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

-----X
In the Matter of the Application of

Pedro Endara-Caicedo,
Petitioner-Appellant,

For an Order and Judgment Pursuant to Article 78 of the New York Practice Law and Rules.

-against-

New York State Department of Motor Vehicles, et al.,
Respondents-Respondents.

M-1596
Index No. 250444/17

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about January 22, 2019, inter-alia, dismissing petitioner's Article 78 petition,

And petitioner-appellant, by assigned trial counsel, having moved, for leave to prosecute his appeal as a poor person, upon the original record and a reproduced brief, and for assignment of appellate counsel,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for the respondent 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. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The application for assignment of counsel is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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

- - - - -
Amara H. H., **CONFIDENTIAL**
Petitioner-Appellant, M-1696
Docket No. F-3551-18/18A

-against-

Julian B.,
Respondent-Respondent.
-----x

An order of this Court having been entered on February 28, 2019 (M-6286), inter alia, denying petitioner-appellant's motion for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about September 17, 2018, with leave to renew, upon petitioner's compliance with CPLR 1101 and 22 NYCRR 1250.4(d)(1)and(3),

And petitioner-appellant having renewed her motion for poor person and related relief,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Peter H. Moulton, Justices.

-----x

The Church of Jesus Christ of
Latter-Day Saints, Servant: Xiu Jian
Sun, The Spiritual Adam,
Plaintiff-Appellant,

-against-

M-2179
Index No. 101013/17

Lawyers: Charles F. Sanders, State of
New York Office of The Attorney General,
Eric T. Schneiderman; State of New York
Office of The Attorney General, D. Stan
O'Loughlin; Attorney General's Office of
Eric T. Schneiderman, Attorney General
of State of New York, XXX (Women), David
Lawrence, III; Office of The Attorney
General Division of Appeals & Opinions;
New York State Office of The Attorney
General, Demidchik Law Firm, P.L.L.C.,
Stephen Mullkoff, Esq.,
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 February 26, 2018, and said appeal having been perfected,

And the state defendants-respondents having moved for summary affirmance of the lower Court's order, or in the alternative, for dismissal of the aforesaid appeal, and for sanctions,

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 without prejudice to the State defendants-respondents raising the arguments regarding summary affirmance or dismissal in their respondent's brief on the appeal.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Peter H. Moulton, Justices.

-----x
The Church of Jesus Christ of
Latter-Day Saints, Servant: Xiu Jian
Sun, The Spiritual Adam,
Plaintiff-Appellant,

-against-

M-2180
Index No. 100603/17

Oren L. Zeve, State of New York Office
of the Attorney General,
Defendant-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 28, 2018, and said appeal having been perfected,

And defendant-respondent having moved for summary affirmance of the lower Court's order, or in the alternative, for dismissal of the aforesaid appeal, and for sanctions,

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 without prejudice to defendant-respondent raising the arguments regarding summary affirmance or dismissal in respondent's brief on the appeal.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Judith J. Gische
Troy K. Webber
Cynthia S. Kern
Jeffrey K. Oing, Justices.

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

-against-

M-1413
Ind. No. 3577/15

Keenan Lewis,

Defendant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 10, 2017, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied. (CPL 460.30[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 May 30, 2019.

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

-----X
In re Frank Enrique S., And Others,

Dependent Children Under Eighteen
Years, etc.

- - - - -

Karina Elizabeth F.,
Respondent-Appellant,

Catholic Guardian Services,
Petitioner-Respondent,

Mike G., Sr.
Respondent.

CONFIDENTIAL
M-1036
Docket Nos. B-18651/13
B-46584/16
B-46585/16
NN-40004/13
NN-45208/14
N-15651/11
V-11486/17
V-11492/17
V-11493/17

-----X

Respondent-appellant mother, Karina Elizabeth F., pro se, having moved for reargument of the decision and order of this Court, entered on January 22, 2019 (Appeal No. 8143, 8143A, 8149B, 8149C, 8149D, 8149E, 8149G, 8149H, 8149I), (M-1036),

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

It is ordered that the motion for reargument is denied (M-1036).

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X
In the Matter of the Guardianship of
the Person and Custody of

CONFIDENTIAL
M-1087

Michael G. and Gabrielle G., Docket Nos. B-18651/13
B-46584/16
Dependent Children Under 18 Years of Age B-46585/16
Pursuant to § 384-B of the Social NN-40004/13
Services Law of the State of New York. NN-45208/14
N-15651/11

Catholic Guardian Services, V-11486/17
Petitioner-Respondent, V-11493/17

Karina Elizabeth F.,
Respondent-Appellant,
Mike G., Sr.,
Respondent-Appellant.

-----X
In the Matter of

Gabrielle G.

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

Administration for Children's Services,
Petitioner-Respondent,

-against-

Karina Elizabeth F.,
Respondent-Appellant,
Mike G., Sr.,
Respondent-Appellant.

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

An order of this Court having been entered on March 13, 2018 (M-5243), inter alia, assigning Kenneth M. Tuccillo, Esq., as counsel to prosecute respondent-appellant Karen Elizabeth F.'s appeals under the above referenced docket numbers, taken from orders of the Family Court, New York County entered on or about January 30, 2012, July 26, 2012, July 9, 2014, October 9, 2014, October 31, 2014, March 9, 2015, August 12, 2015, April 6, 2017, February 4, 2015 May 15, 2017, and July 10, 2017,

And the appeals under the above referenced docket numbers having been perfected and decided by decision and order of this Court, entered on January 22, 2019 (Appeal No. 8143, 8143A, 8149B, 8149C, 8149D, 8149E, 8149G, 8149H, 8149I)

And Kenneth M. Tuccillo, Esq., having moved to be relieved as assigned counsel for respondent-appellant Karen Elizabeth F., who has advised him of her intent to continue to file pro-se motions related to the Family Court proceedings,

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

It is ordered that the motion is granted and Kenneth M. Tuccillo, Esq., is relieved as assigned counsel for respondent-appellant Karen Elizabeth 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 May 30, 2019.

Present - Hon. David Friedman, Justice Presiding,
Troy K. Webber
Marcy L. Kahn
Ellen Gesmer, Justices.

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

Respondent,

-against-

M-4544
Ind. No. 4151/96

Allen Wiggins,

Defendant-Appellant.
-----X

A decision and order of this Court having been entered on April 1, 2003 (Appeal No. 672), unanimously modifying a judgment of the Supreme Court, Bronx County (Alexander Hunter, J.), rendered on February 10, 1999,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, 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 said application is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----x
Kevin Wilson,
Plaintiff-Appellant,

-against-

M-1100
Index No. 20652/12

SAT Car Inc. and Jose Rodriguez,
Defendants-Respondents.

-----x

Defendants-respondents having moved to dismiss the appeal taken from an order of the Supreme Court, Bronx County, entered on or about January 26, 2018,

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Peter Tom
Barbara R. Kapnick
Jeffrey K. Oing, Justices.

-----X

In the Matter of a Family Offense Proceeding

Doreen W.,
Petitioner-Respondent,

On behalf of,
Nailah N.,

-against-

Anthony N.,
Respondent-Appellant.

-----X

Confidential

M-1994

Docket Nos. O-4281-17
V-4234-18
V-30839-16
V-30831-16

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from a temporary order of protection and temporary order of visitation, both issued from the Family Court, Bronx County, and entered on or about November 15, 2018 and a subsequent temporary order of protection, same court, entered on or about January 16, 2019, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, 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 said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 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. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 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-1128
Ind. No. 90071/05

Robert Rivera,

Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on January 22, 2019 (Appeal No. 8170),

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X
James W. Thomas II,
Plaintiff-Respondent,

-against-

M-1275
Index No. 650779/16

Karen's Body Beautiful LLC, Rafiq
Kalam Id-Din, Damani Saunderson and
Karen Tappin,
Defendants-Appellants.

-----X

Defendants-appellants having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 15, 2019 (Appeal No. 8116N),

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Peter Tom
Barbara R. Kapnick
Peter H. Moulton, Justices.

-----x

Dana Escoffier,
Plaintiff-Appellant,

-against-

M-1485
Index No. 151487/14

Amalgamated Bank,
Defendant-Respondent.

- - - - -
[And a third-party action.]

-----x

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

And an order of this Court having been entered on September 13, 2018 (M-3727), inter alia, denying plaintiff-appellant's motion for poor person relief, and granting an enlargement of time to perfect the appeal to the January 2019 Term,

And an order of this Court having been entered on November 27, 2018 (M-4843), denying plaintiff-appellant's motion for reconsideration of the order entered on September 13, 2018, and denying a further enlargement of time to perfect the appeal,

And plaintiff-appellant having moved to vacate the dismissal of the appeal, and for a further enlargement of time to perfect same,

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

It is ordered that the motion is 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 May 30, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1534
Ind. No. 112/17

Terrell Dupree,
Defendant-Appellant.

-----X

An order of this Court having been entered on January 22, 2019 (M-5940), inter alia granting defendant's motion for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 16, 2018, under Indictment No. 112/17, and assigning Janet E. Sabel, Esq., The Legal Aid Society, as counsel therefor,

And defendant having moved for an enlargement of time in which to file a late notice of appeal from a judgment of resentence of the Supreme Court, New York County, rendered on or about November 20, 2018, and to amend the order of assignment of this Court (M-5940), entered January 22, 2019, to include the judgment of resentence,

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

(M-1534)

-2-

May 30, 2019

It is ordered that the motion is granted to the extent that the moving papers are deemed a timely filed notice of appeal from the judgment of resentence. The motion is otherwise denied as unnecessary (see order [M-414] entered April 9, 2019, amending the order of assignment entered January 22, 2019, to include the judgment of resentence rendered November 20, 2018).

ENTERED: May 30, 2019


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Judith J. Gische
Troy K. Webber
Marcy L. Kahn
Peter H. Moulton, Justices.

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

-against-

M-1679
Ind. No. 699/15

Jason Gordineer,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about December 17, 2015,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the 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 May 30, 2019.

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

-----X

Kamran Hakim, et al.,
Plaintiffs-Appellants,

-against-

M-1271

Index No. 160687/16

Letitia James in Her Official
Capacity as the Public Advocate, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on February 7, 2019 (Appeal Nos. 8374-8375N),

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

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

-----X

Gansett One, et al.,

Plaintiffs-Appellants,

M-1196

Index No. 651097/15

-against-

Husch Blackell, LLP, et al.,

Defendants-Respondents.

Robert Ham, et al.,

Defendants.

-----X

Defendants-respondents Husch Blackwell LLP and Diane T. Carter, having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 24, 2019 (Appeal No. 8196-8197),

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern, Justices.

-----x
Sualithy Rosario,

Plaintiff-Appellant,

-against-

M-1723
Index No. 24102/16E

Dauda F. Bility, et al.,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 19, 2018,

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

It is ordered that the motion is granted to the extent of 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 May 30, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1353
Ind. No. 3840/16

David Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about March 26, 2018,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 30, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1418
Ind. No. 1602/16

Gustavo Rodriguez,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 30, 2018,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal timely filed.

ENTERED:


CLERK

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-1365
Ind. No. 6043/08

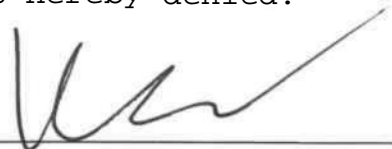
Respondent,
-against-

Jason Mercado,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about October 9, 2018 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: May 30, 2019
New York, New York

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-1365
Ind. No. 6043/08

Respondent,
-against-

Jason Mercado,

CERTIFICATE
DENYING LEAVE

Defendant.
----- X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about October 9, 2018 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: May 30, 2019
New York, New York

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Troy K. Webber
Justice of the Appellate Division

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

M-1004
Ind. No. 2853/17

-against-

ORDER DENYING ROR OR
BAIL PENDING APPEAL

Jamine Traylor,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, New York County (Abraham Clott, J.), rendered on November 8, 2018, and defendant having moved, pursuant to CPL 460.50 and 530.50 for an order staying execution of the judgment and for release on recognizance or bail pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion, and further papers filed in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied.

Dated: April 5, 2019
New York, New York


Justice of the Appellate Division