

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----x

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

Mamadou O.,
Petitioner-Respondent,

-against-

Jeanine H.,
Respondent-Appellant,

-----x

CONFIDENTIAL

M-3055A
Docket Nos. V-21579-15
V-21579-15/16A
V-22037-15
V-22037-15/16A

Respondent-appellant mother, 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 January 12, 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 denied, the relief having been granted by order of this Court entered July 5, 2018 (M-1787). The order of this Court entered on September 3, 2019 (M-3055) is recalled and vacated and the designation of Thomas R. Villecco, Esq. as counsel for the appellant is stricken.

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 October 29, 2019.

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

-----X

US Bank National Association, etc.,
Plaintiff-Respondent,

-against-

M-7322

Index No. 380003/10

Moises R. Merino,
Defendant-Appellant,

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

-----X

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

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated September 16, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 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

Yeovanny R., and
Ashlynn R.,

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

Administration for Children's Services,
Petitioner-Respondent,

CONFIDENTIAL
M-7330
Docket Nos. NA-42584/16
NA-42585/16

-against-

Yeovanny R.,
Respondent-Appellant,

Maria R.,
Respondent.

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

-----X
An appeal having been taken to this Court from an order of the Family Court, New York County, entered on or about August 12, 2019,

Now, upon reading and filing the correspondence from counsel for respondent-appellant dated September 20, 2019, and due deliberation having been had thereon,

(M-7330)

-2-

October 29, 2019

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

Joseph Silicato and Joy Silicato,
Plaintiffs-Respondents-Appellants,

-against-

M-7340

Index No. 101637/11

Malcolm Pirnie, Inc., CH2M Hill, Inc.
and CH2M Hill New York, Inc.,
Defendants-Appellants-Respondents,

-----X

Malcolm Pirnie, Inc., CH2M Hill, Inc.
and CH2M Hill New York, Inc.,
Third-Party Plaintiffs-
Appellants-Respondents,

-against-

Index No. 590412/12

Welsbach Electric Corp.,
Third-Party Defendant-
Appellant-Respondent.

-----X

Appeals 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 September 20, 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 October 29, 2019.

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

-----X

Latoyia Sillah,
Plaintiff-Respondent,

-against-

M-7353X
M-7355
Index No. 303135/15

New York City Transit Authority,
MTA Bus Company, Metropolitan Transit
Authority, Manhattan and Bronx Surface
Transit Operating Authority (MABSTOA),
Mackenson Severe,
Defendants-Appellants,

Lenworth Fullerton,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 20, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 13, 2019, and the correspondence from counsel for defendants-appellants dated September 10, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid stipulation and 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 October 29, 2019.

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

-----X

Shellie Bailkin,
Plaintiff-Respondent,

-against-

M-7374

Index No. 153751/17

Salex, Inc.,
Defendant-Appellant,

CFE 88 LLC, SME 88 LLC, UES Management
Co.,
Defendants-Respondents,

Jersey Enterprises Corporation,
Defendant-Respondent.

-----X

Appeals having been taken from two orders of the Supreme Court, New York County, entered on or about April 23, 2019 and July 10, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated September 12, 2019, and due deliberation having been had thereon,

It is ordered that the appeals are 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 October 29, 2019.

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

-----X
Zurich American Insurance Company,
et al.,
Plaintiffs-Appellants,

-against-

Liberty Mutual Fire Insurance Company, **M-7381**
Defendant-Respondent, Index No. 160188/14

JP Morgan Chase Bank, NA,
Defendant-Appellant,

Brian Gray,
Defendant.

-----X

Concurrent appeals having been taken from an order of the Supreme Court, New York County, entered on or about April 3, 2019,

Now, upon reading and filing the correspondence from the attorney for defendant-appellant JP Morgan Chase Bank, NA dated September 19, 2019, and due deliberation having been had thereon,

It is ordered that the appeal of defendant-appellant JP Morgan Chase Bank, NA is deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X
Maria Garcia,

Plaintiff-Respondent,

-against-

M-7384X
Index No. 157482/12

Metropolitan Transportation Authority
and New York City Transit Authority,

Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 28, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 19, 2019, and due deliberation having been had thereon,

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

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

-against- M-3885
Ind. Nos. 3550/18
3458/18

Romulo Cepeda,
Defendant-Appellant.

-----X

Defendant having moved for leave to file a late notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about May 7, 2019, and to prosecute said appeal as a poor person, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, and upon the order of the Supreme Court, New York County, entered on or about May 17, 2019 granting defendant poor person relief on appeal, and the notice of appeal filed May 24, 2019,

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.

(M-3885)

-2-

October 29, 2019

Janet E. Sabel, Esq., The Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

The branch of the motion seeking leave to file a timely notice of appeal is denied as unnecessary, a timely notice of appeal having been filed.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6857
Ind. No. 2304/18

Tonie Coggins,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 2, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

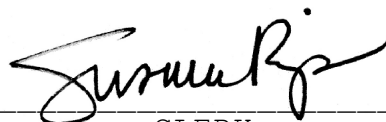
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

CLERK

CORRECTED ORDER - March 3, 2020

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

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

-against-

M-6870
Ind. No. 4176/15

Dalone Jamison,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about February 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-6870)

-2-

October 29, 2019

The designation of Robert S. Dean, Esq., Center for Appellate Litigation, as assigned counsel for defendant-appellant for purposes of the appeal is stricken. 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 October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6878

Ind. No. 620N/18

Argelis Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 4, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

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

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-6890

-against-

Ind. No. 4181/17

John Lugo,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 19, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

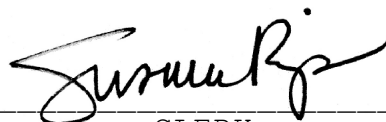
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

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

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

CLERK

CORRECTED ORDER - DECEMBER 20, 2019

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

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

-against-

M-6892
Ind. No. 48/18

Elisah Brown,
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 27, 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.

October 29, 2019

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record. The designation of Robert S. Dean, Esq., Center for Appellate Litigation, is stricken.

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 October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6895
Ind. No. 2991/15

Matthew Mulcahy,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 2, 2018, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

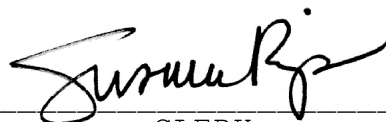
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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

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

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

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6901
Ind. No. 2567/18

Soon-Ken Nam,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about August 5, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

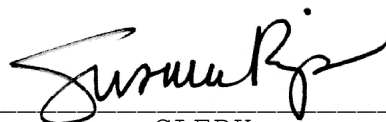
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6904
Ind. Nos. 3841/16
628/18

John Matos,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 22, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

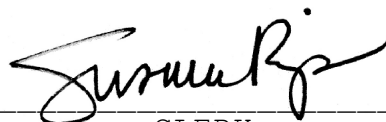
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-6905

-against-

Ind. No. 1026/19

Juan Rosario,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about July 25, 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 October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-6906

Ind. No. 2421/18

Oswaldo Ramos,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 16, 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.

Christina Swarns, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 180 days from the date of receipt of the complete record.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-7166
Ind. No. 3910/17

Zahmeil Washington,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 27, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

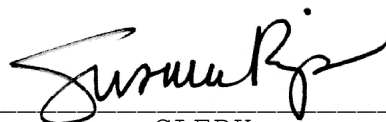
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-7202

-against-

Ind. Nos. 3828/17

2467/18

Alex Lino,
Defendant-Appellant.

10221C/16

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about May 6, 2019, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

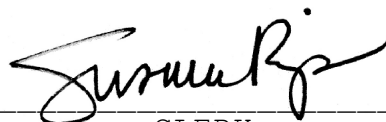
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-7203
Ind. No. 2801/16

Diogenes Estevez, also known as
Jeffrey Estevez,
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 September 26, 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 October 29, 2019.

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

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

-against- **M-7398**
Ind. No. 3453/14

Allan Perez,
Defendant-Appellant.
-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about February 16, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated September 17, 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 October 29, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Peter Tom, Justices.

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

-against-

M-2901
Ind. No. 4281/11

Larry McLean,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on July 3, 2018 (Appeal No. 1927/M-398),

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 October 29, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Peter Tom, Justices.

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

-against-

M-3568
Ind. No. 1727/08

Luis Paulino,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reconsideration of the decision and order of this Court, entered on June 26, 2018 (Appeal No. 14168/M-6634),

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 October 29, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Anil C. Singh, Justices.

-----X

Maria Rawlins,
Petitioner-Respondent,

-against-

M-3556
Index No. 570392/18

Charles Santana,
Respondent,

-and-

Motor Vehicle Accident Indemnification
Corporation (MVAIC),
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about April 2, 2019,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Troy K. Webber
Cynthia S. Kern, Justices.

-----X

Citimortgage, Inc.,
Plaintiff-Respondent,

-against-

M-7000
Index No. 382209/10

Lachmin Sahai,
Defendant-Appellant,

Mohanram B. Sahai, et al.,
Defendants.

-----X

Defendant-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on May 21, 2019 (Appeal No. 9363),

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 October 29, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern, Justices.

-----x

Joan C. Lipin,
Plaintiff-Appellant,

-against-

Danske Bank, et al.,
Defendants,

M-7296
Index No. 150972/14

-and-

Joseph R. Mazziotti and Mark A.
Anesh,
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 June 13, 2019, and said appeal having been perfected,

And defendants-respondents having moved to strike the record and dismiss the appeal or, in the alternative, for an order directing plaintiff-appellant to file a supplemental 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 granted to the extent of granting defendants-respondents leave to file a supplemental record on appeal containing the Supreme Court's order entered March 22, 2019 (Movant's Exh. C); defendants' Notice of Settlement of Order (Movant's Exh. D), and defendants' Amended Notice of Settlement of Order (Movant's Exh. E), within 15 days of the date of entry hereof, with

(M-7296)

-2-

October 29, 2019

costs to abide the appeal. Sua sponte, the appeal is adjourned to the January 2020 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 October 29, 2019.

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

-----X

Alda Bonilla,
Plaintiff-Appellant

-against-

M-7297

Index No. 300081/19

Supreme Court of the State of New York,
Appellate Division, Second Department,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for leave to appeal, and to prosecute, as a poor person, the appeal taken from a purported order of the Supreme Court, Bronx County, entered on or about September 16, 2019, 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 October 29, 2019.

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

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

-against-

M-7305
Ind. No. 9946/94

Wayne Gardine,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about April 18, 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 enlarging the time to perfect the appeal to the February 2020 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 October 29, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber
Cynthia S. Kern, Justices.

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

-against-

M-7363

SCI. No. 02058/18

Theodore Gadsden,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about May 13, 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Angela M. Mazzarelli
Troy K. Webber, Justices.

-----X
Country-wide Insurance Company,
Plaintiff-Respondent,

-against-

M-7118
Index No. 570448/19

Yao Jian Ping,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about February 21, 2019,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
In the Matter of

Levi L., and
Landry L.,

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

CONFIDENTIAL
M-7129

Administration for Children's Services, Docket Nos. NN-30480/17
Petitioner-Respondent, NN-30479/17

Deanna R.,
Respondent-Appellant.

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

-----X
An order of this Court having been entered on June 04, 2019(M-1867) granting respondent-appellant leave to prosecute, as a poor person, the appeal taken from the order of the Family Court, Bronx County, entered on or about March 26, 2019, and assigning Steven N. Feinman, Esq., 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 Steven N. Feinman, Esq., and substituting Salihah R. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, New York 10528, Telephone No. (914)215-7221 as assigned counsel to prosecute defendant's appeal. The poor person relief previously granted is continued, and substituted counsel's time in which to perfect the appeal is enlarged until 60 days from the date of the filing of the transcripts.

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 October 29, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
In the Matter of

Melody S.,

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

CONFIDENTIAL
M-7130

Docket No. NN-7839/18

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

Maryeling R. S.-P.,
Respondent-Appellant.

-----X

An order of this Court having been entered on June 11, 2019(M-1808) granting defendant leave to prosecute, as a poor person, the appeal taken from the order of the Family Court, New York County, entered on or about October 11, 2018, and assigning Steven N. Feinman, Esq., 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 Steven N. Feinman, Esq., and substituting Salihah R. Denman, Esq., 600 Mamaroneck Avenue, Suite 400, Harrison, New York, 10528, Telephone No. (914)215-7221 as assigned counsel to prosecute defendant's appeal. The poor person relief previously granted is continued, and substituted counsel's time in which to perfect the appeal is enlarged until 60 days from the date of the filing of the transcripts.

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 October 29, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
Arkin Kaplan Rice LLP, Stanley S.
Arkin and Lisa C. Solbakken,

Plaintiffs-Appellants,

-against-

M-7134

Index No. 652316/12

Howard Kaplan, Michelle Rice and
Kaplan Rice LLP.,
Defendants-Respondents,

Arkin Kaplan Rice LLP, a dissolved
firm,
Nominal Defendant.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about December 27, 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 April 2020 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 October 29, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

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

Mymoena K.-D.,
Petitioner-Appellant,

CONFIDENTIAL
M-7251

Docket No. O-13005/18

-against-

Eric S.,
Respondent-Respondent.

-----X

An order of this Court having been entered on February 5, 2019 (M-5832) granting petitioner-appellant leave to prosecute, as a poor person, the appeal taken from the order of the Family Court, Bronx County, entered on or about July 23, 2018, and assigning Andrew J. Baer, Esq., 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 Andrew J. Baer, Esq., as assigned counsel to prosecute defendant's 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 October 29, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

In re Andrew J. Stankevich,
Petitioner-Appellant,

-against-

The New York City Police Department,
Respondent-Respondent,

M-3512
Index No. 101119/16

William T. Bratton, etc.,
Respondent.

-----X

Petitioner-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on June 13, 2019 (Appeal No. 9612),

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 October 29, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X

Michael Bandler,
Plaintiff-Appellant,

-against-

M-6916
Index No. 162450/15

Gregory DeYonker, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on July 11, 2019 (Appeal No. 9863),

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 October 29, 2019.

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

-----x

S. A.,
Plaintiff-Respondent,

CONFIDENTIAL

M-7045

M-7055

Index No. 306655/11

-against-

R. H.,
Defendant-Appellant.

-----x

Appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about June 22, 2018 and on or about July 9, 2018, determining issues of custody and visitation,

And an order of this Court having been entered on June 6, 2019 (M-1057), inter alia, amending the caption, and assigning Lewis S. Calderon, Esq., as counsel for the subject child for purposes of responding to the appeal,

And plaintiff-respondent having moved for an order vacating the order of this Court assigning Lewis S. Calderon, Esq., as counsel for the subject child and assigning Phillip Katz, Esq., the child's trial court attorney, in his place, and dismissing the appeal pursuant to 22 NYCRR 1250.10(a) (M-7045),

And defendant-appellant having cross-moved for, inter alia, the imposition of sanctions upon plaintiff-respondent and his counsel for frivolous conduct (M-7055),

Now, upon reading and filing the papers with respect to the motion and cross motion and the letter from counsel for defendant-appellant dated September 18, 2019, and due deliberation having been had thereon,

It is ordered that the motion (M-7045) is granted to the extent of relieving Lewis S. Calderon, Esq., as counsel for the subject child and substituting Phillip Katz, Esq., 299 Broadway, Suite 1803, New York, NY 10007, Telephone No. 212-385-1373, as counsel for the subject child for purposes of responding to the appeal. Counsel's fee is to be paid pursuant to the fee schedule set forth in the order of appointment of Supreme Court, New York County (Cooper, J.), entered on or about August 6, 2019, and it is further,

Ordered that appellant is directed to perfect this appeal within 60 days of the filing of the transcripts, and it is further

Ordered that the cross motion (M-7055), insofar as it has not been withdrawn, 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 October 29, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3569
Ind. No. 603/96

Theodore Simpson,
Defendant-Appellant.

-----X

Defendant-appellant having moved to renew/reargue the decision and order of this Court, entered on June 21, 2001 (Appeal No. 4580),

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 October 29, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
East 115 Harlem L.P.,
Plaintiff-Respondent,

-against-

M-7589
Index No. 651363/18

Diane Marrero Pedrez, as Executor
of the Estate of Philip Marrero,
also known as Felip Marrero,
Defendant,

Charles L. Mester, Esq.,
Defendant-Appellant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about February 5, 2019 and from the order and judgment (one paper), same Court and Justice, entered on or about August 16, 2019,

And defendant-appellant having moved for a stay of enforcement of the aforesaid orders and judgment pending hearing and determination of the appeals taken therefrom,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated September 4, 2019, is hereby vacated.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Jeffrey K. Oing Justices.
Anil C. Singh,

-----X
Dr. Judith Hellman,
Plaintiff-Appellant,

-against-

M-7390
Index No. 151429/18

The St. Tropez Condominium,
The Board of Managers of The St.
Tropez Condominium and Christopher
Klein,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a further enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about October 1, 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 February 2020 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 October 29, 2019.

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

-----X

Kelly Ann Junior, et al.,
Plaintiffs-Appellants,

-against-

M-7157
Index No. 102435/12

The City of New York, et al.,
Defendants-Respondents,

Hudsonview Terrace, Inc., et al.,
Defendants.

-----X

Plaintiffs-appellants having moved for renewal of and, upon renewal, for vacatur of the decision and order of this Court, entered on January 24, 2017 (Appeal No. 2842),

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 October 29, 2019.

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

-----X
388 Realty Owner LLC, Citigroup,
Inc., Citicorp Technology, Inc.,
SL Green Realty Corp., and Tishman
Construction Corporation of New York,
Plaintiffs-Respondents-Appellants,

-against-

Amstrust International Underwriters
Limited,
Defendant-Appellant-Respondent.
-----X

M-6882
M-7315
Index No. 651944/17

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 28, 2018,

And defendant-appellant-respondent having moved for an enlargement of time to perfect its appeal taken from the aforesaid order (M-6882),

And plaintiffs-respondents-appellants having moved for an enlargement of time to perfect their cross appeal from the aforesaid order (M-7315),

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the appeal and cross appeal to the February 2020 Term (M-6882/M-7315).

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 October 29, 2019.

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

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

Julie A.,
Petitioner-Respondent,

CONFIDENTIAL
M-7231

Docket Nos. V-19406-08/15

-against-

Myron H.,
Respondent-Appellant,

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

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

Myron H.,,
Petitioner-Appellant,

Docket Nos. V-26640-42/15

-against-

Julie A.,
Respondent-Respondent,

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

-----X
Respondent/petitioner-appellant father, Myron H., 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 25, 2019, and for assignment of counsel, a free copy of the transcript, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Daniel R. Katz, Esq., 339 West 88th Street, Apt. 3, New York, New York, 10024, Telephone No. 917-886-5620, 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 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 October 29, 2019.

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

-----x

Awilda Castro,
Plaintiff-Respondent,

-against-

M-3793
Index No. 24069/13

Guram Yakobashvilli, DDS,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about April 5, 2018, which denied defendant-appellant's motion for summary judgment as untimely, and said appeal having been perfected,

And plaintiff-respondent having moved for leave to file a supplemental record on appeal to include the decision and order of the same court, dated June 27, 2019, which, upon granting reargument, denied defendant-appellant's motion for summary judgment on the merits, and for an adjournment of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of permitting plaintiff-respondent to file a supplemental record to include the aforesaid decision and order (Exh. B to the moving papers), and adjourning the appeal to the May 2020 Term, without prejudice to an application to consolidate the perfected appeal with any future appeal, if so advised.

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 October 29, 2019.

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

-----x

Garthon Business Inc. and Crestguard Limited,
Plaintiffs-Appellants,

-against-

Kirill Ace Stein and Aurdeley Enterprises Limited,
Defendants-Respondents.

-----x

M-7287

M-7288

Index No. 653715/14

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about August 9, 2019 and August 14, 2019,

And plaintiffs-appellants having moved, by separate motions, for a stay of enforcement of the aforesaid orders, pending hearing and determination of the appeals taken therefrom,

And by Interim order entered on September 4, 2019, a Justice of this Court having stayed the August 9, 2019 order pending the determination of the within motion,

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

It is ordered that the motions are denied and the aforesaid interim order of a Justice of this Court, vacated.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Peter Tom
Peter H. Moulton, Justices.

-----X
Stewart Family, LLC,
Plaintiff-Appellant,

-against-

M-7180
Index No. 156827/18

Barbara Stewart,
Defendant-Respondent.

- - - - -

Barbara Stewart,
Third-Party Plaintiff,

-against-

William P. Stewart, Jr.,
Third-Party Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 16, 2019,

And plaintiff-appellant having moved for a stay of execution of said order, pending hearing and determination of the appeal taken therefrom, insofar as it directed plaintiff-appellant to deliver to defendant-respondent the paintings at issue,

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 delivery of the subject paintings to defendant-respondent is stayed on the condition that plaintiff-appellant continues to store the paintings at the non-party facility at its expense and the appeal is perfected for the February 2020 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 October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-7212
Ind. No. 1844/18

Kelvin Arzu,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about August 6, 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

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

-against-

M-7214
Ind. No. 1223/19

Luis Ortiz,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about August 5, 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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

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

-----X

The People of the State of New York,
Respondent,

-against-

M-7216
Ind. No. 2404/17

Christian Carattini,
Defendant-Appellant.

-----X

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

-----X
In the Matter of the Application of
Francesco Portelos,
Petitioner-Appellant,

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

M-7286
Index No. 156610/17

-against-

New York City Department of Education,
et al.,
Respondents-Respondents.

-----x
Plaintiff-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about August 16, 2018, and upon vacatur, for an enlargement of time to perfect said appeal,

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

It is ordered that the motion is granted to the extent of vacating the dismissal, reinstating the appeal and, pursuant to CPLR 5520(c), deeming the appeal to have been taken from the judgment of the same Court, entered on or about August 29, 2018 and, extending the time to perfect same to the February 2020 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 October 29, 2019.

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

-----X

Stefan Nieborak, et al.,
Plaintiffs-Respondents.

-against-

M-7386

Index No. 157084/14

W54-7 LLC,
Defendant-Appellant.

-----X

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about April 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 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 October 29, 2019.

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

-----X

PB William Street Holdings LLC,
Petitioner-Landlord-Respondent,

-against-

M-6920
Index No. 570214/18

Dan Sero-Boim, also known as Dan
Sero-Boin,
Respondent Tenant,

Anastacia Kurylo, Michael Kurylo,
"John Doe" and "Jane Doe",
Respondents-Undertenants-Appellants.

-----X

Petitioner-landlord-respondent having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about January 30, 2019,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

-----x
Franco Belli Plumbing & Heating &
Sons, Inc.,
Plaintiff-Respondent,

-against-

M-7332

Citnalta Construction Corp. and Travelers
Casualty and Surety Company of America, Index No. 107725/11
Defendants-Appellants,

-and-

New York City School Construction
Authority,
Defendant.

-----x
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 30, 2018, and said appeal having been perfected,

And plaintiff-respondent having moved to enlarge the record on appeal to include reply papers submitted in support of its *limine* motion, and five trial motions/briefs addressing defendants' alleged frivolous conduct,

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 plaintiff is granted leave to file a supplemental record on appeal with its respondent's brief.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 29, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
580 Park Avenue, Incorporated,
Petitioner-Landlord-Respondent,

-against-

M-6812
Index No. 570090/18

Joseph R. Mirto,
Respondent-Tenant-Appellant.

-----X

Respondent-tenant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about June 26, 2019, and to stay the execution of the warrant of eviction,

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 October 29, 2019.

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

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

Mariama Amar,
Petitioner-Appellant,

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

M-7276
Index No. 101751/18

-against-

New York City Employees Retirement
System,
Respondent-Respondent.

-----X

Petitioner-appellant, pro se, having renewed her motion for leave to prosecute, as a poor person, the appeal taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about April 24, 2019, 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 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 October 29, 2019.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Barbara R. Kapnick
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
In the Matter of

Moriba K.,
Makoya K.,
Mariama K.,
Fanta K.,
and Sadik K.,

CONFIDENTIAL
M-6838

Children Under 18 Years of Age Docket Nos. NA-28380-84/15
Alleged to be Neglected and/or Abused
Under Article 10 of the Family Court
Act.

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

Djiba K.,
Respondent-Appellant.

- - - - -
Stacy-Ann Suckoo, Esq.,
Attorney for the Children.

-----X

An order of this Court having been entered on August 8, 2017(M-2802) granting defendant leave to prosecute, as a poor person, the appeal taken from the Order of Fact-Finding and the Order of Disposition of the Family Court, Bronx County, entered on or about March 23, 2017 and March 28, 2017, respectively, and assigning Steven N. Feinman, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and to withdraw the aforesaid appeal,

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

(M-6838)

-2-

October 29, 2019

It is ordered that the motion is granted to the extent of striking the designation of Steven N. Feinman, Esq., as assigned counsel and deeming the appeal withdrawn.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 25, 2019.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Peter Tom
Barbara R. Kapnick
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Edward Mendez,
Plaintiff-Respondent,

-against-

M-7423
Index No. 152094/16

The City of New York and The
New York City Police Department,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about April 29, 2019,

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

It is ordered that the motion is denied.

ENTERED:



CLERK