

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Auner Joel Echeverria and Roilan  
Echeverria,  
Plaintiffs,

-against-

M-3747X  
Index No. 303291/10

High Bridge Community Housing  
Development Fund Corp., et al.,  
Defendants.

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

An appeal having been taken by third-party defendant Park Side Construction Contractors Inc. from an order of the Supreme Court, Bronx County, entered on or about January 28, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 25, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Lee Siegelson,  
Plaintiff-Appellant,

-against-

M-3799X  
Index No. 654593/12

315 East 68<sup>th</sup> Street Corp.,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 22, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 29, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Energy EIAC Capital Ltd., et al.,  
Plaintiffs-Appellants,

-against-

M-3802X  
Index No. 650180/10

Maxim Group, LLC,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 25, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 30, 2014, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Charles Rutenberg, LLC,  
Plaintiff-Respondent,

-against-

M-3803X  
Index No. 155281/13

Wai Kun Lee, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 7, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 29, 2014, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

JPS Partners, et al.,  
Plaintiffs-Appellants,

-against-

M-3804X  
Index No. 650430/12

Moreton Binn, et al.,  
Defendants-Appellants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about April 11, 2013 (mot. seq. no. 004), April 25, 2013 (mot. seq. no. 003), May 7, 2014 (mot. seq. no. 007 and June 4, 2014 (mot. seq. no. 006),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 29, 2014, and due deliberation having been had thereon,

It is ordered that all of the appeals referenced in the aforesaid stipulation are withdrawn in accordance therewith.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
TLI Investments, LLC and Torchlight  
Loan Services, LLC,  
Plaintiffs-Appellants,

-against-

M-3820X  
Index No. 654371/12

C-III Asset 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 December 24, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 28, 2014, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Maria Otto, et al.,  
Plaintiffs-Respondents,

-against-

M-3822X  
Index No. 108886/10

Jonathan Otto, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 11, 2014 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 28, 2014, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Gama Aviation Inc. and Gama Leasing  
Limited,  
Plaintiffs-Respondent-Appellants,

-against-

Sandton Capital Partners, LP, et al.,  
Defendants-Appellants-Respondents.

M-3801X  
Index No. 651710/10

-----X

Appeals and cross appeals having been taken from an order of the Supreme Court, New York County, entered on or about October 23, 2013 (mot. seq. nos. 016, 020, 021, 022, 023 and 024),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 30, 2014, and due deliberation having been had thereon,

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

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
James Whiteley,  
Plaintiff-Respondent-Appellant,

-against-

M-3800X  
Index No. 654247/13

Aaron Faber Inc.,  
Defendant-Appellant-Respondent.  
-----X

An appeal and a cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 11, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 30, 2014, and due deliberation having been had thereon,

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

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

The Bank of New York Mellon (as  
Trustee under various Pooling  
and Servicing Agreements and  
Indenture Trustee under various  
Indentures) et al.,  
Petitioners-Appellants-Respondents,

M-3579  
Index No. 651786/11

For an Order Pursuant to CPLR § 7701,  
seeking Judicial Instructions and  
Approval of a Proposed Settlement.

-----X

An appeal and cross appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about February 21, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated July 16, 2014, and due deliberation having been had thereon,

It is ordered that the cross appeal of respondents-appellants "AIG Entities" is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
PSI Affiliates LLC, doing business  
as Spectrum Plus,  
Plaintiff-Respondent,

-against-

M-3776  
Index No. 150751/13

As If Media Group LLC, Scott Fishkind  
and Tatijana Shoan both individually  
and doing business as As If Magazine,  
LLC,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 30, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated July 29, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the January 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Damariz Tirado  
Plaintiff-Respondent,

-against-

M-3748  
Index No. 158184/12

Christina Barba and Susan V. Barba,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 23, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated July 23, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Riverside Warehouse Partners, LLC,  
Plaintiff-Appellant,

-against-

M-3733

Index No. 653084/12

Principal Global Investors, LLC,  
et al.,  
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about July 17, 2013 and January 6, 2014 (mot. seq. no. 003),

Now, upon reading and filing the stipulation of the parties hereto, dated July 24, 2014, and due deliberation having been had thereon,

It is ordered that the appeals, previously perfected for the September 2014 Term, are withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Diane Rosner,  
Plaintiff-Respondent,

-against-

M-3759  
Index No. 107716/11

140 E. 28th Street Owners Corp.,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 18, 2014 (mot. seq. no. 002),

Now, upon reading and filing the stipulation of the parties hereto, dated July 28, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2014 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Leona Washington, Administratrix of  
the Estate of Gary Anthony Gaines,  
Plaintiff-Respondent-Appellant,

-against-

M-3749  
Index No. 310557/08

Nouveau Elevator Industries, Inc.,  
Defendant-Appellant-Respondent,

-and-

R.Y. Management Co., Inc., Kelly  
Towers, Inc. and Kelly Towers  
Associates, L.P.,  
Defendants-Respondents-Appellants.

-----X

An appeal and cross appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about July 16, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated July 21, 2014, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeals, previously perfected for the September 2013 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. Luis A. Gonzalez,                      Presiding Justice,  
                 Peter Tom  
                 Angela M. Mazzarelli  
                 David Friedman  
                 John W. Sweeny, Jr.,                      Justices.

-----X

In the Matter of

Dahan S.,

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

- - - - -

Administration for Children's Services  
of the City of New York,  
                 Petitioner-Respondent,

M-3222  
Docket No. NN-40709/12

Sheila L. McL.,  
                 Respondent-Appellant.

- - - - -

Steven Banks, Esq., The Legal Aid  
Society, Juvenile Rights Division,  
                 Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about June 2, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of  
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. 914-949-8214, as counsel for purposes of prosecuting the appeal;  
(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City



of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

Doreen C.,  
Petitioner-Appellant,

M-2788  
Docket No. 0-13718/13

-against-

Angel A.,  
Respondent-Respondent.

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about April 15, 2014, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Karen D. Steinberg, Esq., 31 East 32<sup>nd</sup> Street, Ste. 300, New York, NY 10016, Telephone No. 347-346-4847, 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 State of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt**

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

**of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-3203  
Ind. No. 30231/13

Rodolfo Hoyos-Sanchez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Juan Merchan, J.), entered on or about January 23, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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 Merchan 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.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-3324  
Ind. No. 1565/04

Anthony Ortega,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Eduardo Padro, J.), entered on or about June 19, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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 Padro 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.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present -	Hon. Luis A. Gonzalez,	Presiding Justice,
	Peter Tom	
	Angela M. Mazzairelli	
	David Friedman	
	John W. Sweeny, Jr.,	Justices.

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

-against-

M-3326  
SCID No. 99032/14

Liem Ha,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Marvin, J.), entered on or about June 18, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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 Marvin 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.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
David B. Saxe  
Rosalyn H. Richter  
Paul G. Feinman  
Barbara R. Kapnick, Justices.

-----X  
Flora Gorham, as Administratrix of  
the Estate of Carissa St. Victor,  
Plaintiff-Respondent,

-against-

M-4379  
Index No. 800064/10

David Markenson, et al.,  
Defendants-Appellants.

-----X

Defendant-appellant Matthew Weissman, M.D. having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about December 19, 2013 (mot. seq. no. 005), and said appeal having been perfected,

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.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Osprey Partners, LLC,  
Plaintiff-Respondent,

-against-

M-1894  
Index No. 600862/10

The Bank of New York Mellon  
Corporation, et al.,  
Defendants-Appellants.

-----X

Plaintiff-respondent 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 March 20, 2014 (Appeal No. 12003),

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.

ENTER:



CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David Friedman  
David B. Saxe  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X

The People of the State of New York  
Respondent,

-against-

M-395  
Ind. No. 1905/12

Theo Jones,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about January 29, 2013, and said appeal having been perfected,

And an order by a Justice of this Court dated January 30, 2013, granting a stay of the aforesaid judgment and bail pending hearing and determination of the appeal taken therefrom,

And defendant-appellant having moved for reinstatement of the stay of execution of sentence and bail and an extension of the aforesaid relief pending hearing and determination of the appeal,

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

It is ordered that the motion is granted to the extent of reinstating the stay of execution of sentence and bail previously granted by a Justice of this court on January 30, 2013 on the same terms and conditions pending hearing and determination of the aforesaid perfected appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Dianne T. Renwick  
Rosalyn H. Richter  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

Accounting of Lawrence Kalik,  
et al.,

- - - - -

Accounting of Carl Wagman,  
etc.,

- - - - -

Loretta Wagman,  
Plaintiff-Appellant-Respondent,

-against-

M-3210  
File 1121/86  
Index No. 107856/98

Lawrence Kalik, etc., et al.,  
Defendants-Respondents,

Chemical Bank, et al.,  
Defendants,

Chase Manhattan Bank as successor-in-  
interest to Chemical Bank,  
Defendant-Respondent-Appellant.

-----X

Objectant-appellant-respondent Carl Wagman 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 22, 2014 (Appeal Nos. 12298-12299),

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.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

In re Tolita Hallums,  
Petitioner,

-against-

M-2750  
Index No. 400795/12

New York City Housing Authority,  
Respondent.

-----X

Petitioner, pro se, 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 13, 2014 (Appeal No. 12477), 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.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
Helen E. Freedman  
Darcel D. Clark, Justices.

-----X  
Culligan Soft Water Co., et al.,  
Plaintiffs-Appellants,

-against-

M-3415  
Index No. 651863/12

Clayton Dubilier & Rice LLC, et al.,  
Defendants-Respondents.

-----X

Defendants-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 3, 2014 (Appeal No. 12644),

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.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Halle Realty Co.,  
Petitioner-Respondent,

-against-

M-2631  
Index No. 570576/13

Saboor H. Abduljaami,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about March 21, 2014,

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.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-1841  
Ind. No. 2481/00

Vincent Chambers,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 13, 2003 (Appeal No. 1128), unanimously affirming a judgment of the Supreme Court, Bronx County (David Statdtmauer, J.), rendered on September 17, 2001,

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.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Helen E. Freedman  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application of  
Allen Proctor,  
Petitioner-Appellant,

**M-2716**

For a Judgment Pursuant to Article 78 Index No. 400049/13  
of the Civil Practice Law and Rules,

-against-

New York City Police Department,  
Respondent-Respondent.  
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the purported appeal from a judgment of the Supreme Court, New York County, entered on or about June 18, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon submission of a timely filed notice of appeal.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme  
Court held in and for the First Judicial Department  
in the County of New York on September 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

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

-----  
Jacqueline M.,  
Petitioner-Appellant,

-against-

Joseph M.,  
Respondent-Respondent.

The Children's Law Center,  
Attorney for the Child.

M-3900  
IDV Index No. 203/10  
Docket Nos. O-612/10  
V-614/10  
V-618/10  
V-619/10

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County (IDV Part), entered on or about October 5, 2012 and from a final disposition order of the same Court entered on or about October 10, 2012, and said appeal having been perfected,

And an order by a Justice of this Court entered August 4, 2014, having granted an interim stay of a certain custody proceedings,

And petitioner-appellant having moved to stay said custody proceedings (Docket Nos. V-614/10, V-618/10 & V-619/10), pending determination of the perfected appeal, and leave to enlarge the record on appeal to take judicial notice of certain other matters previously heard in the same Court under Docket Nos. V27484/08 and V27485/08, 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 continuing the interim relief granted by an order of a Justice of this Court, dated August 4, 2014 pending hearing and determination of the perfected appeal, and otherwise denied.

ENTER:



CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

-----X

Ka Yuk Wong and Yu Ping Fang,  
Plaintiffs-Appellants,

-against-

M-3228  
Index No. 654066/12

Edward Wang also known as Miao Wang  
and Metropolitan Life Insurance Company,  
Defendants-Respondents.

-----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 September 9, 2013,

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 January 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme  
Court held in and for the First Judicial Department in  
the County of New York on September 25, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-3104  
Ind. No. 2684N/11

Miguel Adrian-Reyes,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about January 29, 2014, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,

-against-

M-2980  
Ind. No. 4937/09  
Case No. 74824C/0

Mario Quintana,

Defendant-Appellant.

-----X

Trial counsel for defendant, Ann H. Matthews, Esq., The Bronx Defenders, having moved on defendant's behalf for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, rendered on or about May 31, 2013, and from the judgment of said Court entered on or about August 6, 2013, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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 as yet not transcribed. 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 purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. David Friedman,	Justice Presiding,
John W. Sweeny, Jr.	
Richard T. Andrias	
David B. Saxe,	Justices.

-----x  
The People of the State of New York  
ex rel. Carlos Sosa,  
Petitioner-Appellant,

-against-

M-2971  
Index No. 251361/13

Warden, Vernon C. Bain Center,  
Respondent-Respondent.  
-----x

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about November 26, 2013, which dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, for an enlargement of time to perfect the appeal, and for the assignment of counsel,

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 and it is directed that the appeal 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 General of the State of New York and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

Pursuant to Section 35 of the Judiciary Law, Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for appellant for purposes of the appeal. Counsel is directed to perfect the appeal in accordance with Rule 600.18 of this Court.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme  
Court held in and for the First Judicial Department  
in the County of New York on September 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Garrison Special Opportunities Fund  
LP, Garrison Loan Agency Services  
LLC,  
Plaintiffs-Appellants,

-against-

Fidelity National Card Services, Inc.,  
Defendant-Respondent.

M-4254  
Index No. 603081/08

-----X  
Plaintiffs-appellants having moved for an enlargement of  
time to perfect the appeal from the order of the Supreme Court,  
New York County, entered on or about November 22, 2014,

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 January 2015  
Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Karla Moskowitz  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X

In Re:

381 Search Warrants  
Directed to Facebook, Inc.  
And Dated July 23, 2013

M-4138

M-3943

New York Civil Liberties Union,  
American Civil Liberties Union  
Proposed Amicus Curiae,

M-3954

M-3956

Index No. 30207/13

Dropbox Inc., Google, Inc., LinkedIn Corporation, Microsoft Corporation, Twitter, Inc. and Yelp Inc.,  
Proposed Amici Curiae,

Foursquare Labs, Inc., Kickstarter, Inc., Meetup, Inc. and Tumblr, Inc.,  
Proposed Amici Curiae,

-----X

An appeal having been taken by Facebook, Inc. from an order of the Supreme Court, New York County, entered on or about September 20, 2013, and said appeal having been perfected,

And the New York County District Attorney's Office having moved to dismiss the aforesaid appeal (M-4138),

And the New York Civil Liberties Union and American Civil Liberties Union having moved to submit an amicus curiae brief in support of the aforesaid appeal taken by Facebook, Inc. (M-3943),

And Dropbox Inc., Google, Inc., LinkedIn Corporation, Microsoft Corporation, Twitter, Inc. and Yelp Inc., having moved by separate motion to submit an amicus curiae brief in support of the aforesaid appeal taken by Facebook, Inc. (M-3954),

And Foursquare Labs, Inc., Kickstarter, Inc., Meetup, Inc. And Tumblr, Inc., having moved by separate motion to submit an amicus curiae brief in support of the aforesaid appeal taken by Facebook, Inc. (M-3956),

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

It is ordered that motion by The New York County District Attorney's Office to dismiss the aforesaid appeal is denied, without prejudice to raising arguments in a respondent's brief; sua sponte the appeal is adjourned to the December 2014 Term (M-4138).

It is further ordered that the motion by the proposed amicus curiae the Foursquare Labs, Inc., Kickstarter, Inc., Meetup, Inc. And Tumblr, Inc. (M-3956) is granted to the extent of deeming the nine copies of their proposed brief included with the moving papers filed. The motions by the proposed amici curiae New York Civil Liberties Union and American Civil Liberties Union (M-3943) and by Dropbox Inc., Google, Inc., LinkedIn Corporation, Microsoft Corporation, Twitter, Inc. and Yelp Inc. (M-3954), and, are granted and those movants are directed to file 9 copies of their respective briefs amicus curiae with this Court forthwith. (M-3943/M-3954).

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X  
In the Matter of

Kiano R.,

A Person Alleged to be  
A Juvenile Delinquent,

Appellant.  
-----X

**CONFIDENTIAL**

M-3648

Docket No. D 40176/13

Appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, New York County, entered on or about October 22, 2013,

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 January 2015 Term.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
Simcha Stern and Tsipora Tajchner,  
Plaintiffs-Appellants,

-against-

M-3774  
Index No. 153313/12

Morgan Stanley Smith Barney  
(formerly Dean Witter Reynolds)  
and Pamela Stern,  
Respondents.  
-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 10, 2013,

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 January 2015 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

Indigo Secured High Income Note, Ltd.,  
Plaintiff-Respondent,

-against-

M-3790  
Index No. 650487/13

HCI Secured Medical Receivables Special  
Purpose Corporation, a New York  
Corporation, et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the consolidated appeals taken from orders of the Supreme Court, New York County, entered on or about May 15, 2013 and June 5, 2013, respectively,

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 said consolidated appeals to the January 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X  
Adalberto Alvarez,  
Plaintiff-Respondent,

-against-

M-3620  
Index No. 301399/09

1120 Wyatt LLC,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time to perfect an appeal from an order of the Supreme Court, Bronx County, entered on or about March 22, 2013,

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 2015 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. Dianne T. Renwick, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman  
Judith J. Gische, Justices.

-----X

Dane E. Clayton,

Plaintiff-Appellant,

-against-

M-2779

Index No. 402470/12

New York City Taxi & Limousine  
Commission, 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 May 22, 2014 (Appeal No. 12563),

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.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

M-3186  
Ind. No. 3338/13

Sean Brown, also known as Leon Sean Brown,

Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about September 16, 2013,

And defendant-appellant having moved for summary reversal of the aforesaid judgment,

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. (See M-3179, decided simultaneously herewith.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

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

Respondent,

-against-

Sean Brown, also known as Leon Sean Brown,

M-3179  
Ind. Nos. 865/12  
3908/12

Defendant-Appellant.  
-----x

An appeal having been taken to this Court from the judgments of the Supreme Court, New York County, rendered on or about September 16, 2013,

And defendant-appellant having moved for summary reversal of the aforesaid judgments,

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. (See M-3186, decided simultaneously herewith.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
Tina Iyalla,  
Plaintiff-Appellant,

-against-

**M-3251**

Index No. 118070/05

St. Luke's-Roosevelt Hospital Center,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about May 3, 2013, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for the assignment of appellate counsel, for an enlargement of time to perfect said 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 only to the extent of enlarging the time to perfect the appeal to the January 2015 Term, and is otherwise denied.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Application of  
Sherman Walker,  
Petitioner-Appellant,

-against-

M-3188  
Index No. 401392/12

F.O.I.L. Appeals Officer and Assistant  
District Attorney Susan C. Roque, of the  
New York County District Attorney's  
Office,  
Respondent-Respondent.

-----X

Petitioner-appellant having renewed the motion for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about September 18, 2012, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect the appeal, 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 granted only to the extent of enlarging the time to perfect the appeal to the January 2015 Term, and otherwise denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Leland G. DeGrasse  
Helen E. Freedman  
Darcel D. Clark  
Barbara R. Kapnick, Justices.

-----X  
In the Matter of the Proceedings  
of Carlos M. Calderon-Homs,

As Co-Guardian of the Property of **M-3247**  
George Rincon, also known as George Index No. 90993/99  
Richardson,

An Incapacitated Person,

Ricardo E. Oquendo, Esq.,  
Respondent-Appellant.

-----X

Respondent-appellant attorney having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, on or about October 2, 2013,

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 January 2015 Term.

ENTER:

  
CLERK

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

BEFORE: Hon. DAVID FRIEDMAN  
Justice of the Appellate Division

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

M-6148  
Ind. No. 3584/89

-against-

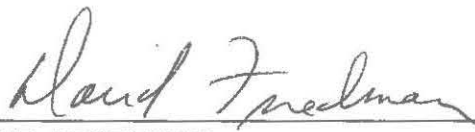
CERTIFICATE  
DENYING LEAVE

Alberto Ruiz,  
Defendant.

-----X

I, DAVID FRIEDMAN, 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, section 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 August 16, 2013, is hereby denied.

Dated: New York, New York  
August 6, 2014

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

ENTERED

SEP 25 2014

P.M ORDERS  
FOR  
SEPTEMBER  
23, 2014

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on September 25, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Diane T. Renwick  
Richard T. Andrias  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X  
In the Matter of a Proceeding to Modify  
a Custody Order Under Article 6 of the  
Family Court Act.

- - - - -  
Nia Dara B., Docket Nos. V-33589-11/14B  
Petitioner-Appellant, V-33825-11/14B  
  
-against-

Jonathan B.,  
Respondent-Respondent.

-----X

Petitioner-appellant having moved for a stay of the order of the Family Court, New York County, entered on or about August 7, 2014, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Darcel D. Clark, Justices.

-----X  
Roy W. Lennox,  
Plaintiff-Respondent,

-against-

M-4440  
Index No. 309930/11

Joan E. Weberman,  
Defendant-Appellant.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 29, 2014,

And defendant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK