

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 22, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Rosalyn H. Richter
Judith J. Gische
Ellen Gesmer, Justices.

-----X

In the Matter of a Proceeding Under Article 70 of the CPLR for a Writ of Habeas Corpus,

The Nonhuman Rights Project, Inc., on behalf of Tommy,
Petitioner-Appellant,

-against-

M-5956
Index No. 162358/15

Patrick C. Lavery, etc., et al.,
Respondents-Respondents.

- - - - -

Richard L. Cupp, Jr., Pepperdine University School of Law,
Amicus Curiae.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 8, 2016,

And Richard L. Cupp, Jr., Pepperdine University School of Law, having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

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

Ordered that the motion is granted to the extent of directing movant to file an original and 8 copies of a brief amicus curiae, submitted with the moving papers, but in compliance with CPLR 5529 and 22NYCRR 600.10, with this Court

together with proof of service on counsel for petitioner and on all respondents on or before January 4, 2017, for the February Term, to which Term the perfected appeal is adjourned. Sua sponte, the instant appeal (Cal. No. 2358) is to be placed on the same day calendar as the appeal in Matter of Nonhuman Rights Project v Presti (Cal. No. 2483).

ENTER:



DEPUTY CLERK