

CASE ISSUE STATEMENTS – MARCH 2021

The calendar is subject to change. Please contact the Clerk's Office for any updated information.

If available, briefs, records and appendices can be viewed and downloaded from the Court of Appeals Public Access and Search System (Court-PASS), which is accessible from the homepage on the Court's website.

TUESDAY, MARCH 23

Protect the Adirondacks v NYS Dept. of Environmental Cons. (No. 21)

APL 2019-166

Constitutional Law—State Constitutional Law—Whether the plan of defendants Adirondack Park Agency and Department of Environmental Conservation to construct Class II Community Connector trails in the Forest Preserve of the Adirondack Park would result in an unconstitutional destruction of "timber" in violation of article XIV, § 1 of the New York Constitution.

People v Howard Powell (No. 22)

APL-2019-86

Crimes—Witnesses—Whether Supreme Court erred in denying, after a hearing, defendant's motion to present expert testimony on the topic of false confessions.

People v Kathon Anderson (No. 23)

APL-2020-112

Crimes—Witnesses—Expert Witnesses—Whether Supreme Court properly denied defendant's request to present expert testimony on the topic of adolescent brain development; defendant, 14 years old at time of the crime, asserted justification defense.

WEDNESDAY, MARCH 24

Cutaia v Board of Managers of 160/170 Varick St. (No. 24)

APL-2019-168

Labor—Safe Place to Work—Whether plaintiff established entitlement to summary judgment on the Labor Law § 240(1) claim; plaintiff was injured when he received electrical shock and fell off ladder; application of *Nazario v 222 Broadway, LLC* (28 NY3d 1054 [2016]).

Jean-Paul v 67-30 Dartmouth (No. 25)

APL 2020-24

Parties--Capacity to Sue—Whether a Chapter 7 bankruptcy proceeding dismissal restores a debtor-plaintiff's capacity or standing to pursue a personal injury action that the debtor-plaintiff failed to list as an asset during the bankruptcy proceeding.

THURSDAY, MARCH 25

People v Kenneth Slade (No. 27)

APL-2019-204

Crimes—Accusatory Instrument--Whether certificate of translation was required to convert complaint to information; denial of CPL 30.30 motion.

People v Kieth Brooks a/k/a Keith Brooks (No. 28)

APL-2019-205

Crimes—Accusatory Instrument-- Whether certificate of translation was necessary to convert accusatory instrument to an information; whether certificate of translation must comply with 22 NYCRR 200.3.

People v Charo N. Allen (No. 29)

APL-2019-206

Crimes—Accusatory Instrument--Whether District Court properly dismissed accusatory instrument as facially insufficient where People failed to properly file a certificate of translation.