



State of New York
Supreme Court, Appellate Division
Third Judicial Department
P.O. Box 7288, Capital Station
Albany, NY 12224-0288

Robert D. Mayberger
Clerk of the Court

(518) 471-4777
fax (518) 471-4750
<http://www.nycourts.gov/ad3>

MAY 2024 Term Calendar

This is a TENTATIVE calendar of argued and submitted cases. For those cases being argued, the listing below is intended to indicate only the date and time argument has been scheduled to occur and not the sequence in which the cases will be called. An updated Session Calendar, indicating the Justices sitting for a particular session, the attorneys arguing, and the time allowed for each argument, will be posted on the Appellate Division, Third Department website (www.nycourts.gov/ad3) one week prior to the beginning of the term. The Court's policy requires notice of any calendar changes at least 24 hours prior to argument and your failure to abide by this policy could result in the imposition of costs. Please be advised the Court's arguments are streamed live via the Court's website.

TUESDAY, MAY 28, 2024 01:00 PM SESSION

To Be Argued:

| | |
|------------|----------------------------------|
| CV-23-0727 | MATTER OF MANDELSTAM v MCDONALD |
| CV-23-2197 | CAMPNEY v HATCH |
| CV-23-1368 | FIRST COMMERCE LLC v JERATH |
| CV-23-0739 | MATTER OF MATTHEW L. v SIERRA N. |
| CV-23-0939 | MATTER OF BRANDON J. v LEOLA K. |
| 113044 | PEOPLE v TYRONE RODRIGUEZ |

To Be Submitted:

| | |
|------------|--|
| CV-23-0219 | MATTER OF WEGMAN v NYS DEPT. OF HEALTH |
| 112227 | PEOPLE v JACOB BRABANT |
| 112702 | |
| CV-23-2014 | MATTER OF DEWOLF v WAYNE COUNTY SELF-INS PLAN |
| CV-23-1035 | MATTER OF CRAIG HERSKOWITZ (COMMISSIONER OF LABOR) |



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WEDNESDAY, MAY 29, 2024
01:00 PM SESSION

To Be Argued:

| | |
|------------|---|
| CV-23-0379 | SCOTT v SANTIAGO |
| CV-23-0393 | KOPKO v KOPKO |
| CV-23-1203 | DEUTSCHE BANK NATL. TRUST CO. v MICHALOWSKI |
| CV-23-0915 | VANCE v BURKHART |
| 535977 | A.J. v STATE OF NEW YORK |
| CV-22-1912 | MATTER OF CAYLIN T. |

To Be Submitted:

| | |
|------------|---|
| CV-23-0822 | MATTER OF JUSTIN MARTIN (COMMISSIONER OF LABOR) |
| CV-23-0674 | MATTER OF WINKELMAN v SUMITOMO RUBBER USA |
| CV-22-2286 | PEOPLE v ROBERT HARRIS (SORA) |
| 534155 | MATTER OF BANKERS LIFE AND CASUALTY CO. (COMMISSIONER OF LABOR) |



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THURSDAY, MAY 30, 2024
01:00 PM SESSION

To Be Argued:

CV-23-1056 MATTER OF SUNSEA ENERGY LLC v NEW YORK STATE PUBLIC SERV.
COMMN.
CV-23-0838 MATTER OF SENECA LAKE GUARDIAN v NEW YORK STATE DEPT. OF
ENVTL. CONSERV.
CV-23-0711 MATTER OF POLLICINO v SOUTH COLONIE SCHOOL DIST.
CV-23-1086 MATTER OF THEOPHELES v COUNTY OF RENSSELAER
CV-23-0725 MATTER OF SHERWIN v SOUTH COLONIE CENT. SCHOOL DIST.
113435 PEOPLE v ARNOLD RODRIGUEZ

To Be Submitted:

CV-23-2318 MATTER OF AHNNA N.
CR-23-0685 PEOPLE v LASMIRE TAYLOR
535285 PEOPLE v MICHAEL R. PARDEE (SORA)
CV-23-0910 MATTER OF MIKE H. CARMODY (COMMISSIONER OF LABOR)



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FRIDAY, MAY 31, 2024
09:30 AM SESSION

To Be Argued:

| | |
|------------|---|
| 112565 | PEOPLE v HARRY BONILLA |
| 112322 | PEOPLE v DAQUIN MONTGOMERY |
| CV-23-0334 | MATTER OF ANDERSEN v HEIN |
| CV-23-0369 | MATTER OF RT 13 ROCKS LLC v TOWN OF CORTLANDVILLE |
| CV-23-0605 | MILETTA v STATE OF NEW YORK |
| CV-23-0976 | MATTER OF MARTINO v DINAPOLI |
| CR-23-2423 | PEOPLE v SARA E. REED |

To Be Submitted:

| | |
|------------|--|
| 112811 | PEOPLE v WILLIAM WARD |
| 535225 | PEOPLE v CHARLES SANDERS (SORA) |
| CV-23-1114 | MATTER OF TIMOTHY HOOKER (COMMISSIONER OF LABOR) |



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MONDAY, JUNE 3, 2024
01:00 PM SESSION

To Be Argued:

| | |
|------------|---|
| CR-23-0585 | PEOPLE v TROY M. TENACE |
| CV-23-0892 | GULLEDGE v JEFFERSON COUNTY |
| CV-23-2267 | COOKE v GREENHOUSE HUDSON, LLC |
| CR-23-0424 | PEOPLE v ALBERT DIRSCHBERGER |
| CV-23-0185 | POWERFLEX SOLAR, LLC v SOLAR PV PROS, LLC |
| 536086 | PEOPLE v DANIEL KRAFT (SORA) |
| CR-22-2222 | PEOPLE v YNNAD WHITE |

To Be Submitted:

| | |
|------------|---|
| 110059 | PEOPLE v ISHA T. COLLINS |
| 110407C | PEOPLE v SAVION WIMBERLY |
| 112234 | PEOPLE v JAMES D. FARMER, JR. |
| CV-23-0628 | MATTER OF ROBERT STODDARD (COMMISSIONER OF LABOR) |



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TUESDAY, JUNE 4, 2024
01:00 PM SESSION

To Be Argued:

| | |
|------------|--|
| CR-23-0735 | PEOPLE v DAVID MILEY |
| CV-23-1020 | LUBRANO-BIRKEN v ELLIS HOSPITAL |
| CV-23-1428 | CIVIL SERVICE EMPLOYEES ASSOC. and NEW YORK STATE POLICE |
| CV-23-0770 | MATTER OF MOE'S MOTOR CARS LLC v THE TOWN OF ULSTER |
| 535253 | T.G. v STATE OF NEW YORK |
| CV-24-0019 | MATTER OF DEWOLF v WIRENUIS |

To Be Submitted:

| | |
|------------|--|
| CV-23-0740 | MATTER OF CAROL Q. v CHARLIE R. |
| CV-22-2294 | MATTER OF BONILLA v XL SPECIALTY INSURANCE |
| CV-22-2299 | |
| CV-22-1882 | MATTER OF JAYCE G. |
| CV-23-0266 | MATTER OF ROMANO v DINAPOLI |



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WEDNESDAY, JUNE 5, 2024
01:00 PM SESSION

To Be Argued:

| | |
|------------|---|
| 534850 | AESCH v LAMBARSKI |
| 535128 | MATTER OF FLAIR BEVERAGES CORP. v TAX APPEALS TRIB. |
| CV-23-1100 | MATTER OF BELLAROSA v NEW YORK STATE TEACHER'S RETIREMENT SYSTEM |
| 535548 | CEDAR DEVELOPMENT EAST, LLC v BOARD OF EDUCATION OF THE ONTEORA CENT. SCHOOL DIST. |
| CV-23-1395 | KEGELMAN v TOWN OF OTSEGO |
| CR-23-0712 | PEOPLE v ANGELA VV. |
| CV-23-0149 | MATTER OF NOREA CC. |

To Be Submitted:

| | |
|------------|---|
| CV-23-1524 | MATTER OF CARROLL v NASSAU COUNTY POLICE DEPARTMENT |
| CV-23-1634 | MATTER OF CHENANGO COUNTY SUPPORT COLLECTION UNIT v FERGUSON |
| CV-23-1223 | MATTER OF HAMBLIN v DINAPOLI |