

September 13, 2016

CASES

2 No. 211 SSM 13
The People &c.,
 Respondent,
 v.
David Bookman,
 Appellant.

On review of submissions pursuant to section 500.11 of the Rules (22 NYCRR 500.11), order affirmed. The lower courts' determinations on the suppression motion, which involve mixed questions of law and fact, have support in the record and, thus, are beyond our further review.
Chief Judge DiFiore and Judges Pigott, Rivera, Abdus-Salaam, Stein, Fahey and Garcia concur.

1 No. 213 SSM 21
Hector Taveras,
 Respondent,
 v.
1149 Webster Realty Corp. et al,
 Appellants.

On review of submissions pursuant to section 500.11 of the Rules (22 NYCRR 500.11), order affirmed, with costs, and certified question answered in the affirmative. Defendants failed to satisfy their burden of establishing entitlement to judgment as a matter of law.
Chief Judge DiFiore and Judges Pigott, Rivera, Abdus-Salaam, Stein, Fahey and Garcia concur.

MOTIONS

1 Mo. No. 2016-619
Allied World National Assurance Company,
Appellant,
v.
Great Divide Insurance Company, et al.,
Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.
Judge Garcia took no part.

1 Mo. No. 2016-611
Lane Altschuler,
Respondent,
v.
Jobman 478/480, LLC,
Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

1 Mo. No. 2016-627
Lane Altschuler,
Respondent,
v.
Jobman 478/480, LLC,
Appellant.

Motion by Rent Stabilization Association of New York City, Inc. et al. for leave to appear amici curiae on the motion for leave to appeal herein granted and the proposed brief is accepted as filed.

3 Mo. No. 2016-632
In the Matter of Linda Armbruster,
Respondent.
Summit Health, Inc.,
Appellant;
Commissioner of Labor,
Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

2 Mo. No. 2016-599
Floyd Batten, et al.,
 Appellants,
 v.
City of New York, et al.,
 Respondents,
et al.,
 Defendant.

Motion for leave to appeal denied.

1 Mo. No. 2016-687
In the Matter of Jasmine E. C.,
 Respondent;
Gabriel J. C.,
 Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

4 Mo. No. 2016-673
The People &c.,
 Respondent,
 v.
Robert L. Glanowski,
 Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

1 SSD 46
Phillip Gootee,
 Respondent,
 v.
Global Credit Services, LLC,
 Appellant.

Appeal dismissed without costs, by the Court sua
sponte, upon the ground that the order appealed from
does not finally determine the action within the
meaning of the Constitution.

2 Mo. No. 2016-647
In the Matter of State of New York,
 Respondent,
 v.
Cleophus H. (Anonymous),
 Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2016-556
Sara Hunter Hudson, et al.,
 Appellants,
et al.,
 Plaintiff,
 v.
Merrill Lynch & Co., Inc.,
et al.,
 Respondents.

Motion for leave to appeal denied.

3 SSD 45
In the Matter of Douglas E. Johnson,
 Appellant,
 v.
Anthony J. Annucci, &c.,
 Respondent.

Appeal dismissed without costs, by the Court sua
sponte, upon the ground that no substantial
constitutional question is directly involved.

4 Mo. No. 2016-579
In the Matter of Austin Johnson,
 Appellant,
 v.
Sherry Prichard,
 Respondent.
(And Two Other Proceedings.)

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2016-660
In the Matter of Karine Karapetyan,
 Respondent.
CP Language Institute Inc.,
 Appellant;
Commissioner of Labor,
 Respondent.

Motion for leave to appeal dismissed upon the
ground that the order sought to be appealed from
does not finally determine the proceeding within the
meaning of the Constitution.

3 Mo. No. 2016-679
In the Matter of Daniel F. Kenefick,
 Appellant,
 v.
Thomas Sticht, &c., et al.,
 Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2016-598
In the Matter of Liaquat A. Khan,
Respondent,

v.

New York City Health and Hospitals
Corporation, et al.,
Appellants,

et al.,
Respondents.

Motion for leave to appeal denied.
Judge Rivera took no part.

1 Mo. No. 2016-671
The People &c.,
Respondent,

v.

Ralph Labarbera,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

4 Mo. No. 2016-576
Mark A. Leo,
Appellant,

v.

New York Central Mutual Fire Insurance
Company,
Respondent.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.

3 SSD 47
Reginald G. McFadden,
Appellant,

v.

State of New York,
Respondent.

Appeal dismissed without costs, by the Court sua
sponte, upon the ground that the order appealed from
does not finally determine the action within the
meaning of the Constitution.

3 Mo. No. 2016-678
In the Matter of Kenneth McMaster,
Appellant,

v.

Anthony J. Annucci, &c.,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2016-696
Marie Claude Morency, &c., et al.,
Respondents,
v.
Horizon Transportation Services, Inc. et al.,
Appellants;
Bhrags Home Care Corp., et al.,
Respondents.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2016-675
The People &c.,
Respondent,
v.
Leroy Morrell,
Appellant.

Motion, insofar as it seeks leave to appeal from so much of the Appellate Division order as dismissed defendant's appeal from a Supreme Court decision, dismissed upon the ground that no motion for leave to appeal lies from an Appellate Division order dismissing an appeal from a decision (see CPLR 5602); motion for leave to appeal otherwise denied.

1 Mo. No. 2016-665
In the Matter of Diana N., &c.

Kim N., also known as Kim K.,
Appellant;
Administration for Children's Services,
Respondent.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2016-672
The People &c.,
Respondent,
v.
Kharon K. Parker,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2016-694
In the Matter of Troy SS.,
 Respondent,
 v.
Judy UU.,
 Appellant.
(And Another Related Proceeding.)

Motion for leave to appeal denied.

3 Mo. No. 2016-615
In the Matter of Joseph A. Terranova, Jr.,
 Appellant,
 v.
Lehr Construction Co. et al.,
 Respondents.
Workers' Compensation Board,
 Respondent.

Motion for leave to appeal granted.

3 Mo. No. 2016-701
In the Matter of Joseph A. Terranova, Jr.,
 Appellant,
 v.
Lehr Construction Co. et al.,
 Respondents.
Workers' Compensation Board,
 Respondent.

Motion by New York State Trial Lawyers
Association for leave to appear amicus curiae on the
motion for leave to appeal herein granted and the
proposed brief is accepted as filed.

3 Mo. No. 2016-614
In the Matter of Joanne Turi,
 Appellant,
 v.
Five L. Enterprises, Inc., et al.,
 Respondents.
Workers' Compensation Board,
 Respondent.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.

4 Mo. No. 2016-653
In the Matter of Rick A.U.,
 Appellant,
 v.
Rebecca K. and James K., Jr.,
 Respondents.
(And Another Proceeding.)

Motion for leave to appeal denied.

1 Mo. No. 2016-664
United Services Automobile Association,
 Respondent,
 v.
Robert N. Iannuzzi,
 Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2016-594
Vista Food Exchange, Inc.,
 Appellant,
 v.
BenefitMall &c., et al.,
 Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

3 Mo. No. 2016-659
In the Matter Carol A. Walczyk, as
administrator of the estate of Robert W.
Walczyk,
 Respondent,
 v.
Lewis Tree Service, Inc.,
 Appellant,
Zurich American Insurance Company,
 Appellant.
Workers' Compensation Board,
 Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2016-681
The People &c.,
 Respondent,
 v.
Donnie Wells,
 Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2016-631
Steven L. Wittels,
 Respondent,
 v.
David W. Sanford, et al.,
 Appellants.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.