

June 22, 2017

CASES

1 No. 106 SSM 14
In the Matter of New York City Asbestos
Litigation.

Dorcas Hackshaw, &c.,
Appellant,
v.
ABB, Inc., &c., et al.,
Defendants,
Crane Co.,
Respondent.

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, with costs, and judgment absolute dismissing the complaint granted upon plaintiff's stipulation. Plaintiff has failed to demonstrate that the Appellate Division's reversal involved an error of law and, therefore, this Court is bound to affirm and render judgment absolute (see CPLR 5615).

Chief Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia and Wilson concur.
Judge Feinman took no part.

4 No. 80
The People &c.,
Respondent,
v.
David Lofton,
Appellant.

Order, insofar as appealed from, reversed and case remitted to Supreme Court, Monroe County, for further proceedings in accordance with the memorandum herein.

Chief Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia and Wilson concur.
Judge Feinman took no part.

4 No. 81
The People &c.,
Respondent,
v.
Kevin M. Minemier,
Appellant.

Order reversed and case remitted to Monroe County Court for further proceedings in accordance with the opinion herein.

Opinion by Judge Stein.
Chief Judge DiFiore and Judges Rivera, Garcia and Wilson concur.
Judges Fahey and Feinman took no part.

4 No. 107 SSM 15
Ronald J. Papa et al., &c.,
 Appellants,
 v.
Associated Indemnity Corporation et al.,
 Respondents.

On review of submissions pursuant to section 500.11 of the Rules, order, insofar as appealed from, affirmed, with costs. The Appellate Division properly concluded that the insurance policy's water damage exclusion and endorsement apply under these circumstances.
Chief Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia and Wilson concur.
Judge Feinman took no part.

1 No. 76
The People &c.,
 Respondent,
 v.
Darrell Spencer,
 Appellant.

Order reversed and a new trial ordered.
Opinion by Chief Judge DiFiore.
Judges Rivera, Stein, Fahey, Garcia and Wilson concur.
Judge Feinman took no part.

MOTIONS

1 Mo. No. 2017-289
2138747 Ontario, Inc.,
Appellant,
v.
Samsung C&T Corporation, et al.,
Respondents.

Motion for leave to appeal granted.
Judges Garcia and Feinman took no part.

1 Mo. No. 2017-623
In the Matter of Talib W. Abdur-Rashid,
Appellant,
v.
New York City Police Department, et al.,
Respondents.

Motion by New York Civil Liberties Union for leave to appear amicus curiae on the appeal herein granted only to the extent that the proposed brief is accepted as filed. Two copies of the brief must be served and an original and nine copies filed within seven days. Judges Wilson and Feinman took no part.

In the Matter of Samir Hashmi,
Appellant,
v.
New York City Police Department, et al.,
Respondents.

4 Mo. No. 2017-216
In the Matter of Nancy Altic, et al.,
Appellants,
v.
Board of Education, Onondaga-Cortland-
Madison Board of Cooperative Educational
Services, et al.,
Respondents.

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

4 Mo. No. 2017-553
In the Matter of Iceies B.

Oneida County Department of Social
Services,
Respondent;
Shacoya L.,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.
Judge Feinman took no part.

1 Mo. No. 2017-587
In the Matter of Raymond C., &c.

Maria V.,
Appellant,
Catholic Guardian Services,
Respondent,
et al.,
Respondent.

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

1 SSD 30
Jennifer Cangro,
Appellant,
v.
Phyllis C. Solomon, et al.,
Respondents.

Appeal dismissed without costs, by the Court sua
sponte, upon the ground that it is does not lie (see
NY Const, art VI, § 3[b]; CPLR 5601).
Judge Feinman took no part.

1 Mo. No. 2017-563
Cara Associates, L.L.C., et al.,
Respondents,
v.
Howard P. Milstein et al.,
Appellants.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.
Motion for a stay dismissed as academic.
Judge Feinman took no part.

3 Mo. No. 2017-461
In the Matter of Nilda Casiano,
 Appellant.
Commissioner of Labor,
 Respondent.
(App. Div. No. 514617)

In the Matter of Nilda E. Casiano,
 Appellant.
Commissioner of Labor,
 Respondent.
(App. Div. No. 519520)

4 Mo. No. 2017-514
In the Matter of Tyrone D., &c.,
 Appellant,
 v.
State of New York, et al.,
 Respondents.

3 Mo. No. 2017-650
The People &c.,
 Respondent,
 v.
Joe Darrell,
 Appellant.

1 Mo. No. 2017-662
In the Matter of Richard Dietl,
 Appellant,
 v.
The Board of Elections in the City of New
York,
 Respondent.

Motion for leave to appeal dismissed upon the ground that the orders sought to be appealed from do not finally determine the proceedings within the meaning of the Constitution.
Motion for poor person relief dismissed as academic.
Judges Stein and Feinman took no part.

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

Motion for an extension of the time within which to apply for permission to appeal pursuant to CPL 460.20 granted and motion papers treated as a timely CPL 460.20 application.
Judge Feinman took no part.

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

3 Mo. No. 2017-484
In the Matter of Miguel Gonzalez,
Appellant,
v.
Anthony J. Annucci, &c.,
Respondent.

Motion for leave to appeal granted.
Judge Feinman took no part.

3 Mo. No. 2017-410
In the Matter of State of New York,
Respondent,
v.
David HH.,
Appellant.

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

3 Mo. No. 2017-460
HSBC Bank USA, National Association, &c.,
Respondent,
v.
Cindy Corazzini,
Appellant,
et al.,
Defendants.

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.
Judge Feinman took no part.

1 Mo. No. 2017-469
In the Matter of Qualiayah J. et al., &c.

Taneka J.,
Appellant;
Administration for Children's Services,
Respondent.

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

2 Mo. No. 2017-523
In the Matter of Risa Kellerman,
Respondent,
v.
Kevin Ross,
Appellant.

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

1 Mo. No. 2017-424
In the Matter of Aranessa L.,
 Respondent,
 v.
Isaac C.,
 Appellant.

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.
Judge Feinman took no part.

2 SSD 36
Robert Lebensold,
 Respondent,
 v.
Frank Mancuso,
 Appellant,
et al.,
 Defendant.

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

3 SSD 29
Frank Maki,
 Appellant,
 v.
Bassett Healthcare et al.,
 Respondents.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that the order appealed from does not finally determine the proceeding within the meaning of the Constitution.
Judge Feinman took no part.

2 SSD 34
Teddy Moore,
 Appellant,
 v.
Frank Guerra,
 Defendant,
City of New York, et al.,
 Respondents.

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.
Judge Feinman took no part.

2 Mo. No. 2017-494
In the Matter of Morenike Nolan,
 Appellant,
 v.
Michael Renda,
 Respondent.

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

3 Mo. No. 2017-535
In the Matter of Isaiah OO., &c.

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

Albany County Department for Children,
Youth and Families,
 Respondent;
Benjamin PP.,
 Appellant.

1 Mo. No. 2017-653
In the Matter of Ruth Joanna O.O., &c.

Motion for poor person relief granted.
Judge Feinman took no part.

Melissa O.,
 Appellant;
Administration for Children's Services,
 Respondent.

1 Mo. No. 2017-492
In the Matter of Lukes Jacob R., &c.

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

Cynthia R.,
 Appellant;
The Children's Aid Society,
 Respondent.

2 SSD 33
The People &c. ex rel. Harry Roland,
 Appellant,
 v.
Warden, Rikers Island, &c.,
 Respondent.

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

1 SSD 37
S&P Global Inc., formerly known as McGraw
Hill Financial, Inc., &c.,
 Appellant,
 v.
New York City Tax Appeals Tribunal, et al.,
 Respondents.

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

1 Mo. No. 2017-592
In the Matter of Lisa T.,
 Respondent,
 v.
King E.T.,
 Appellant.

Motion for poor person relief granted.
Judge Feinman took no part.

1 Mo. No. 2017-628
In the Matter of Lisa T.,
 Respondent,
 v.
King E.T.,
 Appellant.

Motion for poor person relief granted.
Judge Feinman took no part.

1 SSD 32
In the Matter of Anthony Thompson,
 Appellant,
 v.
Cyrus R. Vance, Jr., et al.,
 Respondents.

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

1 Mo. No. 2016-846
Tower Insurance Company of New York,
 Appellant,
 v.
John Anderson, Jr., et al.,
 Defendants,
Morton Duke, et al.,
 Respondents.

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

4 Mo. No. 2017-527
In the Matter of Baby B.W., &c.

Oneida County Department of Social
Services,
Respondent;
Tracy B.H.,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.
Judge Feinman took no part.

4 Mo. No. 2017-495
In the Matter of Chloe W.

Cattaraugus County Department of Social
Services,
Respondent;
Amy W.,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.
Judge Feinman took no part.

4 Mo. No. 2017-378
Richard Williamson,
Appellant,

v.
Anne J. Hodson, &c.,
Respondent.

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

3 Mo. No. 2017-613
The People &c.,
Respondent,

v.
Ricardo Zayas-Torres,
Appellant.

Motion for an extension of the time within which to
apply for permission to appeal pursuant to CPL
460.20 granted and motion papers treated as a timely
CPL 460.20 application.
Judge Feinman took no part.