

May 9, 2017

CASES

3 No. 40
In the Matter of Kevin B. Acevedo,
 Appellant,
 v.
New York State Department of Motor
Vehicles, et al.,
 Respondents.

Order affirmed, without costs.
Opinion by Judge Garcia.
Chief Judge DiFiore and Judges Rivera, Fahey and
Wilson concur.
Judge Stein took no part.

3 No. 41
In the Matter of Michael W. Carney,
 Appellant,
 v.
New York State Department of Motor
Vehicles, et al.,
 Respondents.

Order affirmed, without costs.
Opinion by Judge Garcia.
Chief Judge DiFiore and Judges Rivera, Fahey and
Wilson concur.
Judge Stein took no part.

1 No. 49
The People &c.,
 Respondent,
 v
Stanley Hardee,
 Appellant.

Reargument ordered for a future Court session.

4 No. 36
Betty L. Kimmel,
 Respondent,
 v.
State of New York et al.,
 Appellants.

Judgment appealed from, and order of the Appellate
Division insofar as bought up for review, affirmed,
with costs.
Opinion by Chief Judge DiFiore.
Judges Rivera and Acosta concur.
Judge Wilson concurs in the result in a separate
concurring opinion.
Judge Garcia dissents in an opinion in which Judge
Stein concurs.
Judge Fahey took no part.

Emmelyn Logan-Baldwin,
Interested Party-Respondent.

3 No. 42
In the Matter of Caralyn A. Matsen,
 Appellant,
 v.
New York State Department of Motor
Vehicles, et al.,
 Respondent.

Order affirmed, without costs, and certified question
not answered as unnecessary.
Opinion by Judge Garcia.
Chief Judge DiFiore and Judges Rivera, Fahey and
Wilson concur.
Judge Stein took no part.

1 No. 39
Nomura Home Equity Loan, Inc., Series
2006-FM2, by HSBC Bank USA, National
Association, solely in its capacity as Trustee,
et al.,
 Respondents,
 v.
Nomura Credit & Capital, Inc.
 Appellant.
(And Three Other Actions.)

Reargument ordered for a future Court session.

MOTIONS

4 Mo. No. 2017-305
In the Matter of J. Thomas Bassett et al.,
 Appellants,
 v.
Town of Manlius,
 Respondent.

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

1 Mo. No. 2017-246
Kurt Beck, &c., et al.,
 Appellants,
 v.
Christie's Inc.,
 Respondent.

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

2 Mo. No. 2017-293
Anne Bryant,
 Appellant,
 v.
Broadcast Music, Inc., &c., et al.,
 Defendants,
Sunbow Productions, Inc.,
 Respondent.

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. 2017-235
Barbara Burns, &c.,
 Appellant,
 v.
Sudhir Goyal, et al.,
 Defendants,
Rakesh B. Patel, et al.,
 Respondents.

Motion for leave to appeal granted.

1 Mo. No. 2017-270
In the Matter of Clifford W.C., III, &c.

Clifford C., &c.,
Appellant;
Graham-Windham Services to Families and
Children,
Respondent.

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

1 Mo. No. 2017-272
In the Matter of Huguette Clark, Deceased.

Public Administrator of New York County, et
al.,
Appellants,
v.
Beth Israel Medical Center, et al.,
Respondents.

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

2 Mo. No. 2017-255

Cheryl Croci,
Appellant,
v.
Town of Haverstraw,
Respondent,
et al.,
Defendant.

Motion for leave to appeal denied.

2 Mo. No. 2017-282
In the Matter of Louise Ann Gallagher,
Appellant,

v.
Fabrizio Pignoloni,
Respondent.
(And Two Other Proceedings.)

Motion for leave to appeal denied.

4 Mo. No. 2017-210
In the Matter of Frank Garcia,
Appellant,
v.
Anthony Annucci, &c.,
Respondent.

Motion for reargument of motion for leave to appeal
denied.

4 Mo. No. 2017-243
In the Matter of Frank Garcia,
Appellant,
v.
Anthony Annucci, &c.,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2017-296
The People &c.,
Respondent,
v.
Luis Henriquez,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2017-275
In the Matter of Keyron Jackson,
Appellant,
v.
Anthony J. Annucci, &c.,
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2017-320
The People &c.,
Respondent,
v.
Leston Kelly,
Appellant.

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

1 Mo. No. 2017-327
Michael Korsinsky,
 Appellant,
 v.
Jon Winkelreid, et al.,
 Respondents,
The Goldman Sachs Group, Inc.,
 Nominal Defendant-Respondent.

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

2 Mo. No. 2017-181
In the Matter of Lanijah J.L.

Administration for Children's Services,
 Respondent;
Omisa C.L.,
 Appellant,
et al.,
 Respondent.
(And Another Proceeding.)

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

2 Mo. No. 2017-263
In the Matter of Lanijah J.L.

Administration for Children's Services,
 Respondent;
Elijah L., Sr.,
 Appellant,
et al.,
 Respondent.
(And Another Proceeding.)

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

3 Mo. No. 2017-304
In the Matter of John A. Lavender, II,
 Appellant,
 v.
Zoning Board of Appeals of the Town of Bolton, et al.,
 Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2017-297
In the Matter of Nicholas Lemma,
Appellant,
v.
Nassau County Police Officer
Indemnification Board, et al.,
Respondents.

Motion for leave to appeal granted.

2 Mo. No. 2017-278
The People &c.,
Respondent,
v.
Julio Maldonado,
Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2017-281
Jeffrey Malkan,
Appellant,
v.
State of New York,
Respondent.

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

2 Mo. No. 2017-312
The People &c.,
Respondent,
v.
Bernard Moultrie,
Appellant.

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

4 Mo. No. 2017-299
Fred J. Nicotera, &c., et al.,
Appellants,
v.
Allstate Insurance Company, et al.,
Respondents.

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

3 Mo. No. 2017-350
In the Matter of William O.,
 Appellant,
 v.
John A., et al.,
 Respondents.

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

2 Mo. No. 2017-411
Michael Palmeri,
 Appellant,
 v.
Cindy Palmeri,
 Respondent.

Motion for leave to appeal denied.
Motion for a stay dismissed as academic.

2 Mo. No. 2017-332
Vassilis Panagouloupoulos et al.,
 Appellants,
 v.
Carlos Ortiz Jr. MD, P.C., et al.,
 Respondents.

Motion, insofar as it seeks leave to appeal from the Appellate Division order denying reargument or leave to appeal to this Court, dismissed upon the ground that such order does not finally determine the action within the meaning of the Constitution; motion for leave to appeal otherwise denied.

2 Mo. No. 2017-389
Vassilis Panagouloupoulos et al.,
 Appellants,
 v.
Carlos Ortiz Jr. MD, P.C., et al.,
 Respondents.

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

2 Mo. No. 2017-274
In the Matter of Hector V. P.

Catholic Guardian Services, et al.,
 Respondents;
Mariana V.,
 Appellant.
(And Another Proceeding.)

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

1 Mo. No. 2017-326
The People &c.,
Respondent,
v.
Julio Paredes,
Appellant.

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

1 Mo. No. 2017-249
The People &c.,
Respondent,
v.
Johnny Parker,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2017-287
Ivana Peraica, &c. et al.,
Respondents,
v.
A.O. Smith Water Products Co., et al.,
Defendants,
Crane Co.,
Appellant.

Motion for reargument of motion for leave to appeal denied.

2 Mo. No. 2017-337
Loreley Pereyra Pollack et al.,
Respondents,
v.
Scottsdale Insurance Company,
Appellant.

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

1 Mo. No. 2017-264
Chana Ringel,
Respondent,
v.
Binyomin Rogosnitzky,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2017-247
The People &c.,
 Respondent,
 v.
Igroit Rodriguez,
 Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2017-291
The People &c.,
 Respondent,
 v.
Israel Rodriguez,
 Appellant.

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

2 Mo. No. 2017-284
The People &c.,
 Respondent,
 v.
Patrick Rose,
 Appellant.

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

3 Mo. No. 2017-245
In the Matter of Terry E. Ryan,
 Appellant,
 v.
Thomas P. DiNapoli, &c., et al.,
 Respondents.

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

2 Mo. No. 2017-290
Nicole Sawitsky,
 Appellant,
 v.
State of New York,
 Respondent.

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

2 Mo. No. 2017-288
In the Matter of Jack Selvaggio, &c.,
Deceased.

Patricia Selvaggio, et al.,
 Respondents;
Christina Selvaggio,
 Appellant.

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

3 Mo. No. 2017-321
In the Matter of Pat Sica,
 Respondent,
 v.
Thomas P. DiNapoli, &c.,
 Appellant.

Motion for leave to appeal granted.

2 Mo. No. 2017-300
The People &c.,
 Respondent,
 v.
Herbert Simmons,
 Appellant.

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

2 Mo. No. 2017-338
In the Matter of Donna Spencer,
 Respondent,
 v.
Denise Killoran,
 Appellant.
(And Another Proceeding.)

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

3 Mo. No. 2017-266
In the Matter of Lillian SS. et al., &c.

Ulster County Department of Social Services,
 Respondent;
Brian SS.,
 Appellant.
(And a Related Proceeding.)

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

2 Mo. No. 2017-277
The People &c.,
 Respondent,
 v.
Gloria Suarez,
 Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2017-286
In the Matter of New York City Asbestos
Litigation.

Motion for reargument of motion for leave to appeal
denied.

Laraine Sweberg, &c.,
 Respondent,
 v.
ABB, Inc., et al.,
 Defendants,
Crane Co.,
 Appellant.

4 Mo. No. 2017-375
In the Matter of Francisco Tirado,
 Appellant,
 v.
Anthony Annucci, &c.,
 Respondent.

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

1 Mo. No. 2017-271
Twin City Fire Insurance Company, et al.,
Appellants,
v.
Arch Insurance Group, Inc., 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.

1 Mo. No. 2017-341
Geoffrey Varga et al.,
Appellants,
v.
McGraw Hill Financial, Inc., &c., et al.,
Respondents,
Bear Stearns High-Grade Structured Credit
Strategies Master Fund Ltd. et al.,
Nominal Defendants.

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

2 Mo. No. 2017-317
In the Matter of Ann Marie Walker,
Appellant,
v.
Howard A. Zucker, &c. et al.,
Respondents.

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

3 Mo. No. 2017-295
In the Matter of Bayley W. et al., &c.

Delaware County Department of Social
Services,
Respondent;
Patrick K.,
Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2017-285
The People &c. ex rel. Deandre Williams,
&c.,
 Appellant,
 v.
Michael Sheahan, &c.,
 Respondent.

Motion for leave to appeal denied.
Chief Judge DiFiore took no part.