

COURT OF APPEALS NEW FILINGS

Preliminary Appeal Statements processed  
by the Court of Appeals Clerk's Office  
**June 26 through July 2, 2009**

Each week, the Clerk's Office prepares a list of recently-filed appeals, indicating short title, jurisdictional predicate, subject matter and key issues. Some of these appeals may not reach decision on the merits because of dismissal, on motion or sua sponte, or because the parties stipulate to withdrawal. Some appeals may be selected for review pursuant to the alternative procedure of Rule 500.11.

**The Court welcomes motions for amicus curiae participation from those qualified and interested in the subject matter of these newly filed appeals. Please refer to Rule 500.23 and direct any questions to the Clerk's Office.**

NEW YORK STATE OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES,  
MATTER OF v ORTIZ, et al.:

3<sup>RD</sup> Dept. App. Div. order of 5/14/09; affirmance with dissents;  
ARBITRATION - STAY OF ARBITRATION - CPLR ARTICLE 75 PROCEEDING TO  
PERMANENTLY STAY ARBITRATION OF DISPUTE OVER TERMINATION OF A  
CREDENTIALLED ALCOHOLISM AND SUBSTANCE ABUSE COUNSELOR (CASAC) FOR  
FAILURE TO MAINTAIN HIS CASAC CERTIFICATION - WHETHER THE  
COLLECTIVE BARGAINING AGREEMENT CONTEMPLATES ARBITRATION OF THE  
DISPUTE;

Supreme Court, Albany County, among other things, denied  
petitioner's application pursuant to CPLR 7503 to stay  
arbitration between the parties; App. Div. affirmed.