

January 12, 2012

CASE

1 No. 63 SSM 45
Maryann Imperato, et al.,
 Respondents,
 v.
The Mount Sinai Medical Center, et al.,
 Appellants.

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, with costs, and certified question answered by stating that the preclusion order was properly vacated, in a memorandum. Chief Judge Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.

MOTIONS

2 Mo. No. 2011-1195
In the Matter of Marco Alarcon,
 Respondent,
 v.
Board of Education of South Orangetown
Central School District, et al.,
 Appellants.

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

2 Mo. No. 2011-1186
The People &c. ex rel. Vincent Artis,
 Appellant,
 v.
James Kralik, &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 proceeding within the meaning of the Constitution.

2 Mo. No. 2011-1206
Jonathan Blum, et al.,
 Respondents,
 v.
David Valentine,
 Appellant,
et al.,
 Defendant.

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

4 Mo. No. 2012-54
The People &c.,
 Respondent,
 v.
James Extale,
 Appellant.

Motion by District Attorneys Association of the State of New York for leave to appear amicus curiae on the appeal herein granted only to the extent that the proposed brief is accepted as filed.

2 Mo. No. 2011-1240

Chidi Eze, et al.,
Appellants,

v.

Spring Creek Gardens, &c.,
et al.,

Respondents,
et al.,

Defendants.

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

4 Mo. No. 2011-1145

In the Matter of Damian G. et al.

Oneida County Department of Social
Services,

Respondent;

Jacquelyn M.,

Appellant,

et al.,

Respondent.

Motion for leave to appeal granted.

Motion for poor person relief granted.

4 Mo. No. 2011-1226

In the Matter of Damian G. et al.

Oneida County Department of Social
Services,

Respondent;

Christopher G.,

Appellant,

et al.,

Respondent.

Motion for leave to appeal granted.

1 Mo. No. 2011-1225

In the Matter of Chartasia Delores H., &c.,

Charles H.,

Appellant,

Saint Dominic's Home,

Respondent.

Motion for leave to appeal denied.

Motion for poor person relief dismissed as academic.

3 Mo. No. 2011-1348
The People &c.,
 Respondent,
 v.
Calvin L. Harris,
 Appellant.

Motion for waiver of strict compliance with the requirements of the Rules of Practice of this Court granted only to the extent that the appeal may be prosecuted upon the original file and an original and seven copies of appellant's appendix.

2 Mo. No. 2011-1244
In the Matter of Wilbur Hildreth,
 Appellant,
 v.
New York State Department of Motor
Vehicles Appeals Board,
et al.,
 Respondents.

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

2 Mo. No. 2011-1198
Sidney Hirschfeld, &c. et al.,
 Appellants,
 v.
Polly B. Horton, &c.,
 Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2012-31
Hudson Valley Federal Credit Union,
 Appellant,
 v.
New York State Department of Taxation and
Finance, et al.,
 Respondents.

Motion by Federal Housing Finance Agency for leave to file a brief amicus curiae on the appeal herein granted and the proposed brief is accepted as filed.

4 Mo. No. 2011-1177
In the Matter of Elizabeth J.

Oneida County Department of Social
Services,
 Respondent;
Jocelyn J.,
 Appellant.

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

1 Mo. No. 2011-1224
In the Matter of Brittany Annette M., &c.

Danielle McC.,
 Appellant,
Episcopal Social Services,
 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. 2011-1235
Modern Art Services, Ltd.,
et al.,
 Appellants,
 v.
OCA Long Island City, LLC,
 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.

3 Mo. No. 2011-1217
The People &c. ex rel. Gary H. Moore,
 Appellant,
 v.
Superintendent of Southport Correctional
Facility,
 Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2011-1213
In the Matter of Sandra Murray, deceased.

Jerome Murray, &c.,
Respondent;
Karen B. Murray Kline et al.,
Respondents;
Ivan O. Kline,
Appellant.

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

2 Mo. No. 2011-1045
New York State Psychiatric Association, Inc.,
et al.,
Respondents,
v.
New York State Department of Health,
Appellant.

Motion to strike addendum to appellant's reply brief and references thereto in appellant's reply brief granted and this material is deemed stricken.

4 Mo. No. 2011-1242
Erica L. Niemann et al.,
Appellants,
v.
St. Joseph's Hospital Health Center, et al.,
Respondents,
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.

1 Mo. No. 2012-52
Bruce Ovitz, &c.,
Appellant,
v.
Bloomberg L.P., et al.,
Respondents.

Motion by Sirius XM Radio Inc. for leave to appear amicus curiae on the appeal herein granted only to the extent that the proposed brief is accepted as filed.

3 Mo. No. 2012-47
The People &c.,
 Respondent,
 v.
Juan Jose Peque, &c.,
 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.

4 Mo. No. 2011-1232
In the Matter of the State of New York,
 Respondent,
 v.
Keith Reeve,
 Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2011-1219
In the Matter of John Richard,
 Appellant,
 v.
Mary Batrone 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 proceeding within the meaning of the Constitution.

1 Mo. No. 2011-1203
Conrad Shih,
 Appellant,
 v.
The Waterfront Commission of New York,
 Respondent.

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

1 Mo. No. 2011-1215
TAG 380, LLC,
 Appellant,
 v.
Estate of Howard P. Ronson, &c., et al.,
 Respondents,
et al.,
 Defendant.

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

2 Mo. No. 2011-1234
Marijohnne Upshur, &c., et al.,
Appellants,
v.
Staten Island Medical Group
et al.,
Respondents.
(And a Third-Party Action.)

Motion for leave to appeal denied.

2 Mo. No. 2011-1207
In the Matter of David Valentine,
Appellant,
v.
Michael McLaughlin, et al.,
Respondents;
Jonathan Blum,
Intervenor-Respondent.

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

2 Mo. No. 2011-1236
In the Matter of Marion C.W. (Anonymous).

Lisa K. (Anonymous), et al.,
Appellants;
Steven Maguire, et al.,
Respondents.
Fern Finkel, et al.,
Nonparty-Respondents.

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

3 Mo. No. 2011-1229
In the Matter of Adam Wright,
Appellant,
v.
Brian Fischer, &c., et al.,
Respondents.

Motion for leave to appeal denied.