

February 11, 2009

CASES

No. 71 SSM 2
In the Matter of the Ancillary
Receivership of Reliance
Insurance Company.

The Yale Club of New York City,
Inc.,

Respondent,

v.

Reliance Insurance Company in
Liquidation,

Appellant.

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, with costs. Based on the arguments presented, the Appellate Division did not err in concluding that the insurance company could not rely on the August 1993 letter as the basis to avoid coverage under the claims-made policy.

Acting Chief Judge Ciparick and Judges Graffeo, Read, Smith, Pigott and Jones concur.

No. 7

The People &c.,
Appellant,

v.

Anthony Romeo,

Respondent.

Order affirmed.

Opinion by Acting Chief Judge Ciparick. Judges Graffeo, Read, Smith, Pigott and Jones concur.

No. 8

The People &c.,
Respondent,

v.

Michelle Rouse,

Appellant.

Order reversed and indictment dismissed, in a memorandum.

Acting Chief Judge Ciparick and Judges Graffeo, Read, Smith, Pigott and Jones concur.

No. 2

The People &c.,
Respondent,

v.

Juan Taveras,

Appellant.

Order affirmed.

Opinion by Judge Graffeo.

Acting Chief Judge Ciparick and Judges Read, Smith, Pigott and Jones concur.

No. 22

The People &c.,
Respondent,
v.
Riley Williams,
Appellant.

Order affirmed, in a memorandum.
Acting Chief Judge Ciparick and Judges
Graffeo, Read, Smith, Pigott and Jones
concur.

MOTIONS

Mo. No. 2009-77
The People &c.,
Respondent,
v.
Quentin Abney,
Appellant.

Motion for assignment of counsel granted and Steven Banks, Esq., The Legal Aid Society, 199 Water Street, New York, NY 10038 assigned as counsel to the appellant on the appeal herein.

Mo. No. 2008-1304
In the Matter of Kadiatou B., &c.
Fatamatou N.-B. et al.,
Respondents,
Administration for Children's
Services,
Appellant.

Motion for leave to appeal denied.

Mo. No. 2008-1228
In the Matter of Abraham C.

Monroe County Department of Human
Services,
Respondent;
Pedro C.,
Appellant;
et al.,
Respondent.

Motion for leave to appeal denied.

Mo. No. 2008-1328
Maria E. Castano,
Plaintiff,
v.
Zee-Jay Realty Co., et al.,
Respondents,
Waroge Met, Ltd. et al.,
Appellants.

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

Mo. No. 2008-1373
The People &c.,
Respondent,
v.
Cleve L. Catchings,
Appellant.

Motion for leave to appeal denied.

Mo. No. 2008-1355
The People &c. ex rel. Darrell
Clinton,
Appellant,
v.
Warden, Rikers Island
Correctional Facility, et al.,
Respondents.

Motion for leave to appeal denied.

Mo. No. 2008-1361
The People &c. ex rel. Vincent
Cox,
Appellant,
v.
P. Knapp, &c.,
Respondent.

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

Mo. No. 2009-85
The People &c.,
Respondent,
v.
Michael Dennis,
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.

Mo. No. 2008-1366
The People &c. ex rel. Marvin
Forsythe,
Appellant,
v.
Thomas Poole, &c.,
Respondent.

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

Mo. No. 2008-1333
Carlton Foster,
Appellant,
v.
Raymond Kelly, &c. et al.,
Respondents.

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

Mo. No. 2008-1292
The People &c.,
Respondent,
v.
Donald France,
Appellant.

Motion to vacate this Court's November 7, 2008 preclusion order granted.

Mo. No. 2008-1391
G&T Terminal Packaging Co., Inc.
et al.,
Appellants,
v.
Western Growers Association
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.

Mo. No. 2009-73
Golden Gate Yacht Club,
Appellant,
v.
Societe Nautique De Geneve,
Respondent,
Club Nautico Espanol De Vela,
Intervenor-Defendant.

Motion by Royal Thames Yacht Club Limited et al. for leave to file a brief amici curiae on the appeal herein dismissed as untimely (see Rules of Ct of Appeals [22 NYCRR] § 500.23).

Mo. No. 2008-1336
In the Matter of Humane Society
of the United States, et al.,
Appellants,
v.
Empire State Development
Corporation, et al.,
Respondents.

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

Mo. No. 2008-1372
Kabro PM, LLC,
Appellant,
v.
WGB Main Street, LLC et al.,
Respondents.

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

Mo. No. 2008-1384
Victor S. Kleiner et al.,
Appellants,
v.
County of Orange,
Respondent,
et al.,
Defendants.

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

Mo. No. 2008-1370
The People &c. ex rel. Gary H.
Moore,
Appellant,
v.
Sheridan Connolly, &c.,
Respondent.

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

Mo. No. 2008-1349
In the Matter of Natural
Resources Defense Council, Inc.,
Appellant,
v.
New York State Department of
Environmental Conservation,
et al.,
Respondents.

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

Mo. No. 2008-1353
In the Matter of City of New
York,

Appellant,

v.

New York State Public Employment
Relations Board et al.,

Respondents.

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

Mo. No. 2008-1351
In the Matter of Bogdan
Ostrowski,

Appellant,

v.

The City of New York, et al.,

Respondents.

Motion for leave to appeal denied.

Mo. No. 2009-83

The People &c.,

Respondent,

v.

Douglas Payton,

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.

Mo. No. 2008-1354

The People &c.,

Respondent,

v.

Clyde Perry,

Appellant.

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

Mo. No. 2008-1358

In the Matter of Injah Tafari,

Appellant,

v.

Donald Selsky, &c.,

Respondent.

Motion for leave to appeal denied.