

FEBRUARY 15, 2007

CASES

1 No. 11
Appalachian Insurance Company,
 Respondent,
 v.
General Electric Company,
 Appellant,
Riunione Adriatica DiSicurta,
also known as Adriatic
Insurance Company, et al.,
 Respondents,
Aetna Casualty and Surety
Company, &c., et al.,
 Defendants.
(And a Third-Party Action.)

Order affirmed, with costs.
Opinion by Judge Graffeo.
Chief Judge Kaye and Judges Ciparick,
Smith and Pigott concur.
Judges Read and Jones took no part.

1 No. 8
Ina Jean Bingham,
 Respondent,
 v.
New York City Transit Authority,
et al.,
 Appellants.

Judgment appealed from and order of the
Appellate Division brought up for review
affirmed, with costs.
Opinion by Judge Pigott.
Chief Judge Kaye and Judges Ciparick and
Smith concur.
Judge Graffeo dissents and votes to
reverse in an opinion.
Judges Read and Jones took no part.

2 No. 7
In the Matter of E.S.
(Anonymous),
 Respondent,
 v.
P.D. (Anonymous),
 Appellant.

Order, insofar as appealed from, affirmed,
with costs.
Opinion by Judge Read.
Chief Judge Kaye and Judges Ciparick,
Graffeo, Smith and Pigott concur.
Judge Jones took no part.

1	No.	2	Order, insofar as appealed from, affirmed.
The People &c.,		Appellant,	Opinion by Chief Judge Kaye.
	v.		Judges Ciparick, Graffeo and Pigott
Jimmy Tzitzikalakis,		Respondent.	concur.
			Judge Smith dissents in an opinion in
			which Judge Read concurs.
			Judge Jones took no part.

4	No.	9	Order affirmed, in a memorandum.
The People &c.,		Respondent,	Chief Judge Kaye and Judges Ciparick,
	v.		Graffeo, Read and Smith concur.
Terrien Williams,		Appellant.	Judges Pigott and Jones took no part.

3-14 Mo. No. 1376
Owen F. Burns, III et al.,
Appellants,
v.
James R. Varriale Jr.,
Respondent.
St. Paul/Travelers Insurance
Company,
Respondent.
(And A Related Proceeding.)

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

1- Mo. No. 1351
Sergei Chepilko, M.D., Ph.D.,
Appellant,
v.
Cornell University, et al.,
Respondents.

Motion for leave to appeal dismissed upon
the ground that this Court does not have
jurisdiction to entertain it (see, NY
Const, art VI, § 3; CPLR 5602).
Motion for poor person relief dismissed
as academic.
Judge Jones took no part.

4-10 Mo. No. 1379
The People &c. ex rel. John
Chiarello,
Appellant,
v.
James L. Berbary, &c.,
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.
Judge Jones took no part.

2-10 Mo. No. 1320
In the Matter of Zakkariyya D.
(Anonymous).

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

Suffolk County Department of
Social Services,
Respondent;
Satari D. (Anonymous),
Respondent;
Franklyn Rowe, et al.,
Appellants.

4-10 Mo. No. 8
The People &c., Respondent,
v.
Todd G. Dean, Appellant.

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

1-13 Mo. No. 26
In the Matter of Asem Eldaghar,
Appellant,
v.
New York City Housing Authority
et al., Respondents.

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

1-10 Mo. No. 1250
Global Minerals and Metals Corp.,
Appellant,
v.
James W. Holme, et al.,
Respondents.

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

3-10 Mo. No. 1346
Ronald J. Herron et al.,
Respondents,
v.
Essex Insurance Company,
Respondent,
High Peak Agency, Inc.,
Appellant,
et al.,
Defendant.

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 Jones took no part.

1-10 Mo. No. 12
The People &c., Respondent,
v.
Kevin Jenkins, Appellant.

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

Mo. No. 191 SSD 6
The People &c.,
Respondent,
v.
Douglas E. Kampffer,
Appellant.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that it does not lie (see, NY Const, art VI, § 3[b]; CPLR 5601; CPL 450.90).
Judge Jones took no part.

1-13 Mo. No. 1313
Lora Kojovic,
Appellant,
v.
Neal Goldman,
Respondent.

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

1-13 Mo. No. 48
Lora Kojovic,
Appellant,
v.
Neal Goldman,
Respondent.

Motion by the Women's Bar Association of the State of New York for leave to file a brief amicus curiae on the motion for leave to appeal herein granted and the brief is accepted as filed.
Judge Jones took no part.

2-13 Mo. No. 1397
KNK Enterprises, Inc.,
Appellant,
v.
Harriman Enterprises, Inc. et
al.,
Respondents.

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

4-10 Mo. No. 7
The People &c.,
Respondent,
v.
Robert Lujan,
Appellant.

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

3-10 Mo. No. 1361
In the Matter of Rena LL.,
Respondent,
v.
Betty MM. et al.,
Respondents,
Anthony MM.,
Appellant.

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

1- Mo. No. 1277
In the Matter of Christopher
Mapp,
Respondent,
v.
Gregory Burnham, &c., et al.,
Appellants.

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

3-10 Mo. No. 1385
Arthur Marlowe, et al.,
Appellants,
v.
Elmwood, Inc. et al.,
Respondents.

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

3-10 Mo. No. 1363
The People &c.,
Respondent,
v.
Herb A. Matthie Sr.,
Appellant.

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

4-10 Mo. No. 1388
The People &c.,
Respondent,
v.
Steven Miller,
Defendant.

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

International Fidelity Insurance
Company,
Appellant.

1-13 Mo. No. 1371
In the Matter of Mayank Munsiff,
Appellant,
v.
Office of Court Administration,
Respondent.

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

1-10 Mo. No. 1298
NM IQ LLC, et al.,
Appellants,
v.
OmniSky Corporation, et al.,
Respondents.

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

3- Mo. No. 1348
In the Matter of Officemax North
America,
Appellant,
v.
Tax Appeals Tribunal of the
Department of Taxation &c.
et al.,
Respondents.

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

1-14 Mo. No. 1326
Unjoo Paek,
Respondent,
v.
The City of New York,
Appellant.

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

3-10 Mo. No. 1393
Julius H. Robinson, et al.,
Respondents,
v.
Aaron I. Robinson,
Appellant.

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

3-10 Mo. No. 1338
In the Matter of Rochester City
School District,
Appellant,
v.
New York State Education
Department, et al.,
Respondents.

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

1-10 Mo. No. 1398
In the Matter of Hector L.
Sanchez,
Appellant,
v.
Raymond Kelly, &c.,
Respondent.

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

2-13 Mo. No. 24
Victor M. Serby, &c.,
Appellant,
v.
Long Island Jewish Medical
Center et al.,
Respondents,
et al.,
Defendants.

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

2-10 Mo. No. 22
In the Matter of Neil M. Siskind,
Petitioner,
v.
Courtney A. Schael,
Appellant;
Roberta Nancy Kaufman, &c.,
Nonparty-Respondent.

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.
Judge Jones took no part.

4-10 Mo. No. 6
The People &c.,
Respondent,
v.
Robert Strain,
Appellant.

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

2-13 Mo. No. 1309
Sweeney, Cohn, Stahl & Vaccaro,
&c., et al.,
Respondents-Appellants,
v.
George Kane et al.,
Appellants-Respondents,
et al.,
Defendant.

Motion and cross 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 Jones took no part.

4-10 Mo. No. 19
In the Matter of Troy Sand &
Gravel, Co., Inc., &c.,
Appellant,
v.
Zoning Board of Appeals of the
Town of Russia,
Respondent.

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

1-10 Mo. No. 1332
Jonathan E. Vick et al.,
Respondents,
v.
Richard Albert et al.,
Appellants,
Evelyn Renee Albert, et al.,
Defendants.

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

2-10 Mo. No. 52
In the Matter of Camille May
Voutour,
Appellant,
v.
Dianna S. Mazzaresse et al.,
Respondents.

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

1- Mo. No. 114
In the Matter of Stephen J.
Williams (Admitted as Stephen
John Williams), an attorney,
Appellant.

Departmental Disciplinary
Committee for the First Judicial
Department,

Respondent.

Motion, insofar as it seeks leave to
appeal from the Appellate Division order
denying appellant's motions for
reconsideration and for 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.

Judge Jones took no part.