

COURT OF APPEALS NEW FILINGS

Jurisdictional Statements of Appeals filed
In the New York Court of Appeals from
August 16, 2002 through August 22, 2002

A list of appeals with short title, jurisdictional predicate, subject matter and key issues is prepared each week.

Some of these filed appeals may never reach decision on the merits because of dismissal on motion, sua sponte, or for time deficiencies or because of stipulated withdrawals by the parties. Also, some counsel fail to file timely jurisdictional statements and thus the list should not be treated as comprehensive for any particular week.

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 Court Rule 500.11 and direct any questions to the Clerk's Office.

For August 16, 2002 through August 22, 2002 the following jurisdictional statements for appeals were filed:

COLLINS, et al. v EICHENBAUM:

1st Dept. App. Div. order of 7/02/02; affirmance, sua sponte examination of whether the order appealed from finally determines the action within the meaning of the Constitution and whether a substantial constitutional question is directly involved; LANDLORD - TENANT; VALIDITY OF LEASE PROVISIONS WAIVING JURY TRIAL; MULTIPLE DWELLING LAW SECTION 286(3); EMERGENCY TENANTS PROTECTION ACT OF 1974; Supreme Court, New York County, granted defendant's motion for summary judgment dismissing the complaint and for summary judgment on his counterclaim; App. Div. affirmed.

FRASIER (SUSAN), PEOPLE v.:

3RD Dept. App. Div. order of 5/31/02; denial of poor person relief and dismissal of appeals; sua sponte examination of whether a substantial constitutional question is directly involved and whether an appeal in a criminal proceeding may be taken pursuant to CPLR 5601;

CIVIL PROCEDURE; APPEALS - DENIAL OF POOR PERSON RELIEF;
DISMISSAL OF APPEALS;

App. Div. denied poor person relief and dismissed appellant's appeals.