

COURT OF APPEALS NEW FILINGS

Jurisdictional Statements of Appeals filed
In the New York Court of Appeals from
September 13, 2002 through September 19, 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 September 13, 2002 through September 19, 2002 the following jurisdictional statements for appeals were filed:

SCHULZ, MATTER OF, v TOWN OF KINGSBURY, et al.:

3rd Dept. App. Div. order of 7/25/02; affirmance; sua sponte examination of whether a substantial constitutional question is directly involved to support an appeal as of right;
DECLARATORY JUDGMENTS-MODIFICATION OF JUDGMENT TO ALLOW NEW USE OF PCB-CONTAMINATED SITE BY TOWN; ALLEGED UNCONSTITUTIONALITY OF APPROVED USE;
Supreme Court, Washington County, granted respondent's motion to modify a prior order of the court to permit the Town to use certain property as a new Town office complex; App. Div. affirmed.