

COURT OF APPEALS NEW FILINGS

Preliminary Appeal Statements processed
by the Court of Appeals Clerk's Office

November 1, through November 7, 2019

Each week the Clerk's Office prepares a list of recently-filed appeals, indicating short title, jurisdictional predicate, subject matter and key issues. Some of these appeals may not reach decision on the merits because of dismissal, on motion or sua sponte, or because the parties stipulate to withdrawal. Some appeals may be selected for review pursuant to the alternative procedure of Rule 500.11. For those appeals that proceed to briefing in the normal course, the briefing schedule generally will be: appellant's brief to be filed within 60 days after the appeal was taken; respondent's brief to be filed within 45 days after the due date for the filing of appellant's brief; and a reply brief, if any, to be filed within 15 days after the due date for the filing of respondent's brief.

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 Rule 500.23 and direct any questions to the Clerk's Office.

SUN &c. v SANDERS, et al.; SUN, &c. v ZEVE:

1ST Dept. App. Div. order of 10/1/19; affirmance; sua sponte examination of whether any jurisdictional basis exists for an appeal as of right;

Dismissal and Nonsuit--Dismissal of Complaint;

Supreme Court, New York County, granted defendants' motion to dismiss the complaint (2/26/18 order); thereafter, granted defendant Oren L. Zeve's motion to dismiss the complaint (2/28/18 order); App. Div. affirmed both orders.