



*State of New York*  
*Court of Appeals*

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COURT OF APPEALS NEW FILINGS

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

**May 8, 2026 through May 14, 2026**

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.**

ALMODOVAR v CITY OF NEW YORK:

APL-2026-00060

1st Dept. App. Div. order of 4/7/26; 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 in the order appealed from;

**Motions and Orders—Judiciary Law section 21—Application by Letter;**

Supreme Court, New York County, in effect, granted the branches of plaintiff's motion to reargue and, upon reargument, amended the order dated April 25, 2024 to reflect that the complaint is dismissed with prejudice, and otherwise adhered to the original

determinations in the April 25 and May 15, 2024 orders, and denied the branches of plaintiff's motion to vacate the April 25 and May 15, 2024 orders or, alternatively, for leave to amend the complaint; App. Div. affirmed.

PEOPLE v ANDINO (REYNALDO):

APL-2026-00050

1st Dept. App. Div. order of 10/7/25; affirmance; leave to appeal granted by Ch. J. Wilson, 4/27/26;

**Crimes—Search Warrant—Whether the search warrant application contained reasonable cause to believe that the property sought may be easily and quickly destroyed or disposed of, or that notice may endanger life or safety, such that the no-knock warrant provision was valid;**

Supreme Court, New York County, convicted defendant of criminal possession of a weapon in the third degree and criminal possession of a controlled substance in the third degree, and sentenced him to concurrent one year terms; App. Div. affirmed.

CRONEMEYER v CITY OF NEW YORK:

APL-2026-00061

1st Dept. App. Div. order of 4/7/26; 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 in the order appealed from;

**Motions and Orders—Whether defendants' motion to dismiss the complaint was properly granted; whether there is a private right of action under the New York State Constitution's Free Exercise Clause;**

Supreme Court, New York County, granted defendants' motion to dismiss the complaint and denied plaintiff's cross-motion to compel discovery as moot; App. Div. affirmed.

MENDEZ v ASSEMBLIES OF GOD:

APL-2026-00054

1st Dept. App. Div. order of 3/26/26; affirmation; 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 in the order appealed from;

**Motions and Orders—Whether the motion to dismiss was properly denied; alleged constitutional violations;**

Supreme Court, New York County, denied defendants Assemblies of God National Youth Ministries, The General Council of the Assemblies of God, and National Royal Rangers Ministries' motion to dismiss the complaint as against them under CPLR 3211; App. Div. affirmed.

MUNSON v NYSDCJS:

APL-2026-00058

3rd Dept. App. Div. order of 4/2/26; reversal;

**Records—Freedom of Information Law—Whether respondent's central registry of police officers and peace officers certified to serve in the state under Executive Law § 845 must be disclosed, in whole or part, under the Freedom of Information Law; whether the Appellate Division impermissibly broadened the scope of the exemptions invoked by respondent and exceeded its remand order; whether**

**petitioners are entitled to attorney's fees;**

Supreme Court, Albany County, on remand, partially granted petitioners' application, in a combined proceeding under CPLR article 78 and action for declaratory judgment, to annul a determination of respondent denying petitioners' Freedom of Information Law Request; App. Div., with two Justices dissenting, reversed and dismissed the petition.

MATTER OF UCS v PERB:

APL-2026-00059

1st Dept. App. Div. order of 2/10/26; affirmance; leave to appeal granted by the Appellate Division, 4/30/26;

**Civil Service—Collective Bargaining—Whether the courts below applied the appropriate standard of review in this CPLR article 78 proceeding challenging a determination, after a hearing, of respondent State Public Employment Relations Board (PERB); whether PERB's determination, finding that petitioner failed to engage in collective bargaining negotiations over its COVID-19 testing and vaccine policies in violation of the Public Employees' Fair Employment Act (Taylor Law) was properly upheld; whether the remedy directing petitioner to make bargaining unit members whole was authorized and applied reasonably;**

Supreme Court, New York County, denied the petition of the New York State Unified Court System (UCS) seeking to annul the November 8, 2023 determination of respondent State Public Employment Relations Board finding, after a hearing, that UCS failed to engage in collective bargaining negotiations over its COVID-19 testing and vaccine policies in violation of the Public Employees' Fair Employment Act (Taylor Law), granted the motions to dismiss the petition, and dismissed the proceeding brought under CPLR article 78.