

CASE ISSUE STATEMENTS - JUNE 2020

The calendar is subject to change. Please contact the Clerk's Office for any updated information.

If available, briefs, records and appendices can be viewed and downloaded from the Court of Appeals Public Access and Search System (Court-PASS), which is accessible from the homepage on the Court's website.

TUESDAY, JUNE 2

People v David Lang

APL-2019-00002

Crimes--Disclosure--Whether defendant was entitled to a curative instruction where the police failed to conduct a timely blood alcohol level test. Jurors--discharge of juror--whether the trial court engaged in reasonably thorough inquiry prior to discharging sworn juror; argument and conduct of counsel. Whether prosecutor's comments during summation deprived defendant of a fair trial.

Matter of National Fuel v Schueckler

APL-2018-00225

Eminent Domain – Exemption from Public Hearing -- Whether petitioner natural gas company held qualifying federal permit under Eminent Domain Procedure Law (EDPL) 206(A), thereby exempting it from standard hearing and findings procedure of EDPL article 2 -- Federal Energy Regulatory Commission granted petitioner's application for a certificate of public convenience and necessity to construct 97-mile natural gas pipeline across respondents' land, but State Department of Environmental Conservation denied petitioner's application for water quality certification (WQC); federal certificate of public convenience allowed construction of pipeline subject to various conditions, including State's issuance of WQC.

Matter of Senzer

JCR-2019-00005

Judges – Disciplinary Proceedings – Review of State Commission on Judicial Conduct determination.

Matter of Seon v NYSDMV

APL-2018-00101

Administrative Law – Judicial Review -- Whether there is substantial evidence in the record to support the determination of the Administrative Law Judge that petitioner, New York City Transit bus driver, failed to exercise due care and that such failure caused pedestrian serious physical injury (Vehicle and Traffic Law § 1146).