



*State of New York*  
*Court of Appeals*

*Heather Davis, Esq.*  
*Chief Clerk and*  
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**Notice to the Bar – April 2026 Appeals**  
**Amended June 25, 2026**

The Clerk's Office announces that briefing schedules have been issued for the following appeals during April 2026.

Docket information, briefing schedules, filings and oral argument dates are or will be available through the Court's Public Access and Search System (Court-PASS).

Nonparties seeking to appear as amicus curiae should refer to Court of Appeals Rule of Practice 500.23.

**Criminal appeals by leave grant of Judges of the Court of Appeals and Justices of the Departments of the Appellate Division:**

APL-2026-00031     *People v Ortiz (Robert)*     233 AD3d 628

Crimes—Jurisdiction—  
CPL 470.15(1)—*People*  
*v LaFontaine* (92 NY2d  
470)—Unlawful Search  
and Seizure—Strip  
Search

APL-2026-00036	<i>People v B. (Salina)</i>	245 AD3d 1028	Crimes—Plea of Guilty—Withdrawal of Plea—Exception to the Preservation Requirement—Statements at postplea hearing on application under DVSJA
APL-2026-00038	<i>People v Erber (Michael)</i>	243 AD3d 804	Crimes—Appeal—Preservation of Issue for Review—Attorney General’s Prosecutorial Authority—Executive Law §63(3)

**Civil Appeals taken as of right:**

APL-2026-00033 *Calendared May 20, 2026	<i>Matter of Miller v State of New York</i>	2026 NY Slip Op 01409	Constitutional Law—State Constitutional Law—Equal Rights Amendment—Applicability to Judiciary Law §§ 23 and 115
APL-2026-00035	<i>Matter of the People by James v Common West</i>	2026 NY Slip Op 01253	Civil Rights—Discrimination in Housing—Source of Income—Executive Law § 296(5)(a)(1)

**Request for Review of Determination of State Commission on Judicial Conduct (Court of Appeals Rules for Review Part 530):**

JCR-2026-00005	<i>Matter of Jones</i>		Review of Removal from Office of Justice, Canandaigua Town Court
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