

State of New York
Court of Appeals

Decisions

April 17, 2025

CASES

2 No. 38

Kristine M. Carlson,
Appellant,
v.
Crissy Colangelo, &c. et al.,
Respondents.

Order insofar as appealed from modified, without costs, by denying defendants' motion for summary judgment dismissing the remainder of the complaint and granting plaintiff's cross-motion for summary judgment in accordance with the opinion herein and, as so modified, affirmed.
Opinion by Judge Rivera.
Chief Judge Wilson and Judges Troutman and Halligan concur.
Judge Garcia dissents and votes to affirm in an opinion, in which Judges Singas and Cannataro concur.

3 No. 35

In the Matter of Dynamic Logic, Inc.,
Appellant,
v.
Tax Appeals Tribunal of the State of New
York et al.,
Respondents.

Judgment affirmed, with costs.
Opinion by Judge Cannataro.
Judges Rivera, Garcia, Singas and Halligan concur.
Judge Troutman dissents in an opinion, in which Chief Judge Wilson concurs.

4 No. 29

Rebecca M. Flanders,
Appellant,
v.
Stephen F. Goodfellow et al.,
Respondents.

Order reversed, with costs, and defendants' motion for summary judgment denied.
Opinion by Judge Halligan.
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro and Troutman concur.

3 No. 37
Michael Nellenback,
 Appellant,
 v.
Madison County,
 Respondent.

Order affirmed, with costs.
Opinion by Chief Judge Wilson.
Judges Garcia, Singas, Cannataro, Troutman and
Halligan concur.
Judge Rivera dissents in an opinion.

MOTIONS

1 Mo. No. 2025-100
A-US GAL1, L.P.,
 Respondent,
 v.
National Air Cargo Group, Inc.,
 Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2025-123
Susan Aranoff,
 Respondent,
 v.
Gerald Aranoff,
 Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2025-45
The People &c.,
 Respondent,
 v.
Kevin Bailey,
 Appellant.

Motion for leave to appeal denied.
Motion for financial relief dismissed as academic.

3 Mo. No. 2024-818
In the Matter of Bankers Life & Casualty Co.,
 Appellant.
Commissioner of Labor,
 Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

3 Mo. No. 2025-83
In the Matter of Daniel A. Barletta,
 Appellant,
 v.
Daniel F. Martuscello III, &c.,
 Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

3 Mo. No. 2024-812
Lorenzo Beamon,
Appellant,
v.
Greene Correctional Facility,
Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

1 Mo. No. 2025-119
Bowlero Corporation,
Respondent,
v.
AIG Specialty Lines Insurance Company, et al.,
Respondents,
Landmark American Insurance Company,
Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.
Judge Halligan took no part.

3 Mo. No. 2024-811
In the Matter of the Claim of Janice Brown,
Appellant,
v.
Plans Plus Ltd. et al.,
Respondents.
Workers' Compensation Board,
Respondent.

Motion for leave to appeal denied.

4 Mo. No. 2024-826
The People &c.,
Respondent,
v.
Christian Bush,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2024-793
The People &c.,
Respondent,
v.
Will H. Butler,
Appellant.

Motion for leave to appeal denied.
Motion for financial relief dismissed as academic.

3 Mo. No. 2025-136
Camp Bearberry, LLC,
Respondent,
v.
Rachel Khanna, &c.,
Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2024-843
Pauline Davis,
Appellant,
v.
City of New York et al.,
Respondents,
et al.,
Defendant.

Motion for leave to appeal denied.

1 Mo. No. 2024-807
In the Matter of D.P.I. Imports, Inc.,
Respondent,
v.
Q4 Designs, LLC,
Appellant.

Q4 Designs, LLC,
Appellant,
v.
D.P.I. Imports, Inc.,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

3 Mo. No. 2025-27
The People &c.,
Respondent,
v.
Michael C. Eason,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2025-30
The People &c.,
Respondent,
v.
Stephen M. Garing,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2025-122
Norma Gutierrez,
Respondent,
v.
Hillside Hotel, LLC,
Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.
Motion for a stay dismissed as academic.

2 Mo. No. 2024-827
The People &c.,
Respondent,
v.
Raja Iqbal,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2025-14
In the Matter of Shani Jeter,
Appellant,
v.
Sheila Poole, &c. et al.,
Respondents.

Motion for reargument denied.

2 Mo. No. 2024-844
The People &c.,
Respondent,
v.
Richard Johnson,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2024-820
L.K., &c.,
Appellant,
v.
Niskayuna Central School District,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2025-88
Gregory D. Kilpatrick,
Appellant,
v.
State of New York,
Respondent.
(Claim Nos. 138395, 138396, 138397,
138398, 138399, 138400)

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the actions within the meaning of the Constitution.
Motion for ancillary relief dismissed upon the ground that this Court does not have jurisdiction to entertain it (*see* NY Const, art VI, § 3).

2 Mo. No. 2025-31
The People &c.,
Respondent,
v.
Trevor McKay,
Appellant.

Motion for leave to appeal denied.
Motion for financial relief dismissed as academic.

4 Mo. No. 2024-822
The People &c.,
Respondent,
v.
Christopher S. Morin,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2024-848
The People &c.,
Respondent,
v.
Michael Rougeou,
Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2025-112
The People &c. ex rel. Lester Scarbrough, Jr.,
 Appellant,
 v.
Christopher Yehl, &c.,
 Respondent.

Motion for leave to appeal dismissed upon the ground that no appeal lies from an order of an individual Justice of the Appellate Division (*see* NY Const, art VI, § 3 [b]; CPLR 5602).

2 Mo. No. 2024-842
The People &c.,
 Respondent,
 v.
Keith Simms,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2024-795
In the Matter of Patricia Weiss, &c.,
 Appellant,
 v.
James Hudson, &c., et al.,
 Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.