

**State of New York**  
**Court of Appeals**

**Decisions**

December 16, 2025

**CASES**

3                    No. 106  
In the Matter of the Claim of Steven Almindo,  
    Appellant.  
New York State Department of Corrections  
and Community Supervision,  
    Respondent.  
Commissioner of Labor,  
    Respondent.  
(And Four Other Related Claims.)

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

3                    No. 107  
In the Matter of the Claim of Bernard  
Bruyere,  
    Appellant.  
New York State Department of Corrections  
and Community Supervision,  
    Respondent.  
Commissioner of Labor,  
    Respondent.  
(And Three Other Related Claims.)

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

3                    No. 129 SSM 5  
In the Matter of the Claim of Mike H.  
Carmody,  
    Appellant.  
Commissioner of Labor,  
    Respondent.

On review of submissions pursuant to section 500.11  
of the Rules, order affirmed, with costs, in a  
memorandum.  
Chief Judge Wilson and Judges Rivera, Garcia,  
Singas, Cannataro, Troutman and Halligan concur.

3                    No. 109  
In the Matter of the Claim of Peter Dixon-  
Domines,  
    Appellant.  
New York State Department of Corrections  
and Community Supervision,  
    Respondent.  
Commissioner of Labor,  
    Respondent.

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

3                    No. 110  
In the Matter of the Claim of James Dunn Jr.,  
                          Appellant.  
New York State Department of Corrections  
and Community Supervision,  
                          Respondent.  
Commissioner of Labor,  
                          Respondent.  
(And Two Other Related Claims.)

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

3                    No. 128 SSM 3  
In the Matter of the Claim of David Jensen,  
                          Appellant.  
Commissioner of Labor,  
                          Respondent.

On review of submissions pursuant to section 500.11  
of the Rules, order affirmed, with costs, in a  
memorandum.  
Chief Judge Wilson and Judges Rivera, Garcia,  
Singas, Cannataro, Troutman and Halligan concur.

3                    No. 105  
In the Matter of the Claim of Victor  
Klosterman,  
                          Appellant.  
New York State Department of Corrections  
and Community Supervision,  
                          Respondent.  
Commissioner of Labor,  
                          Respondent.  
(And Another Related Claim.)

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

3                    No. 108  
In the Matter of the Claim of Kyle Lamphier,  
                          Appellant.  
New York State Department of Corrections  
and Community Supervision,  
                          Respondent.  
Commissioner of Labor,  
                          Respondent.

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

3                    No. 101  
In the Matter of John M. Monaghan,  
    Appellant,  
    v.  
Mark J.F. Schroeder, &c., et al.,  
    Respondents.

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

2                    No. 130 SSM 6  
The People &c.,  
    Respondent,  
    v.  
Gary Pamperien,  
    Appellant.

On review of submissions pursuant to section 500.11  
of the Rules, order affirmed, without costs, in a  
memorandum.  
Chief Judge Wilson and Judges Rivera, Garcia,  
Singas, Cannataro, Troutman and Halligan concur.

2                    No. 100  
Jessie Sander,  
    Appellant,  
    v.  
Westchester Reform Temple, et al.,  
    Respondents.

Order affirmed, with costs.  
Opinion by Judge Halligan.  
Chief Judge Wilson and Judges Garcia, Singas and  
Cannataro concur.  
Judge Rivera concurs in result in an opinion.  
Judge Troutman concurs in result for reasons stated  
in the memorandum decision of the Appellate  
Division (*Sander v Westchester Reform Temple*, 228  
AD3d 688 [2024]).

4                    No. 125  
In the Matter of Seneca Meadows, Inc.,  
    Appellant,  
    v.  
Town of Seneca Falls, et al.,  
    Respondents,  
Dixie C. Lemmon, et al.,  
    Respondents.

Appellate Division order brought up for review upon  
appeal from stipulation reversed, with costs, and  
action/proceeding remitted to the Appellate Division,  
Fourth Department, for further proceedings in  
accordance with the opinion herein.  
Opinion by Judge Rivera.  
Chief Judge Wilson and Judges Garcia, Singas,  
Cannataro, Halligan and Shulman concur.  
Judge Troutman took no part.

## MOTIONS

1                    Mo. No. 2025-427  
The People &c.,  
    Respondent,  
    v.  
Victor Augustus,  
    Appellant.

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

3                    SSD 50  
In the Matter of the Claim of Sofia Becker,  
    Appellant,  
    v.  
United Cerebral Palsy Assoc. et al.,  
    Respondents.  
Workers' Compensation Board,  
    Respondent.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that the order appealed from does not finally determine the proceeding within the meaning of the Constitution.

2                    Mo. No. 2025-415  
The People &c.,  
    Respondent,  
    v.  
Joshua Bell,  
    Appellant.

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

2                    Mo. No. 2025-537  
The People &c. ex rel. Derrick Bonds,  
    Appellant,  
    v.  
Anthony J. Larocco, &c.,  
    Respondent.

Motion for leave to appeal denied.  
Motion for ancillary relief dismissed upon the ground that this Court does not have jurisdiction to entertain it (*see* NY Const, art VI, § 3).

3                    SSD 53  
Shymel Curry,  
    Appellant,  
    v.  
State of New York,  
    Respondent.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that no appeal lies as of right from the unanimous order of the Appellate Division absent the direct involvement of a substantial constitutional question.

1 Mo. No. 2025-388  
Jerome W. Dewald,  
Appellant,  
v.  
Massachusetts Mutual Insurance Company, et  
al.,  
Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2025-426  
James Edstrom et al.,  
Appellants,  
v.  
St. Nicks Alliance Corp. et al.,  
Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2025-308  
In the Matter of Andrii Grabko,  
Appellant,  
v.  
Rye Neck Union Free School District et al.,  
Respondents.

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

1 Mo. No. 2025-265  
Imperium Blue Acquisition Partners, LLC, et  
al.,  
Appellants,  
v.  
Marathon Asset Management, L.P. et al.,  
Respondents.

Motion, insofar as it seeks leave to appeal from the  
2024 Supreme Court order, dismissed upon the  
ground that it does not lie (*see* CPLR 5602 [a]);  
motion for leave to appeal otherwise denied.

2 Mo. No. 2025-542  
The People &c. ex rel. Marquis Jacobs,  
Appellant,  
v.  
Anthony J. Larocco, &c.,  
Respondent.

Motion for leave to appeal denied.  
Motion for ancillary relief dismissed upon the  
ground that this Court does not have jurisdiction to  
entertain it (*see* NY Const, art VI, § 3).

1 Mo. No. 2025-342  
In the Matter of Kasowitz, Benson, Torres &  
Friedman, LLP,  
Petitioner,  
v.  
JPMorgan Chase Bank, N.A.,  
Respondent,  
The Dakota, Inc.,  
Appellant,  
Alphonse Fletcher, Jr.,  
Respondent,  
Fletcher International, Ltd., et al.,  
Intervenors-Respondents.

Motion for leave to appeal denied with one hundred  
dollars costs and necessary reproduction  
disbursements.  
Judge Garcia took no part.

1 Mo. No. 2025-431  
Travis Marshall,  
Appellant,  
v.  
City of New York,  
Respondent.

Motion for leave to appeal denied.  
Motion for ancillary relief dismissed upon the  
ground that this Court does not have jurisdiction to  
entertain it (*see* NY Const, art VI, § 3).

1 Mo. No. 2025-478  
In the Matter of William David Perry, &c.  
  
Attorney Grievance Committee for the First  
Judicial Department,  
Respondent;  
William David Perry,  
Appellant.

On the Court's own motion, appeal dismissed,  
without costs, upon the ground that no substantial  
constitutional question is directly involved.  
Motion for leave to appeal denied.

2 SSD 52  
In the Matter of Stacey F. Reisman,  
Respondent,  
v.  
Robert D. Gentles,  
Appellant.

Appeal dismissed without costs, by the Court sua  
sponte, upon the ground that the order appealed from  
does not finally determine the proceeding within the  
meaning of the Constitution.

1                    SSD 51  
Owolabi Salis,  
    Appellant,  
    v.  
City of New York, et al.,  
    Respondents.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that the order appealed from does not finally determine the action within the meaning of the Constitution.

1                    Mo. No. 2025-406  
The People &c.,  
    Respondent,  
    v.  
Swalihou Sheriff,  
    Appellant.

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

2                    Mo. No. 2025-695  
In the Matter of Maria F. Simonetti,  
    Appellant,  
    v.  
Gerard A. Simonetti,  
    Respondent.

On the Court's own motion, appeal dismissed, without costs, upon the ground that the orders appealed from do not finally determine the proceeding within the meaning of the Constitution. Motion for leave to appeal dismissed upon the ground that the orders sought to be appealed from do not finally determine the proceeding 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).

                          SSD 49  
Adam Strege,  
    Appellant,  
    v.  
Launching All Planets &c., et al.,  
    Respondents.

Appeal transferred without costs, by the Court sua sponte, to the Appellate Division, Third Department, upon the ground that a direct appeal does not lie where questions other than the constitutional validity of a statutory provision are involved (*see* NY Const, art VI, §§ 3 [b] [2], 5 [b]; CPLR 5601 [b] [2]).

1 Mo. No. 2025-209  
In the Matter of Triad Capital LLC,  
Appellant,  
v.  
Guillermo Patino, &c.,  
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2025-335  
In the Matter of Uniformed Firefighters  
Association of Greater New York Local 94,  
IAFF, AFL-CIO,  
Appellant,  
v.  
City of New York, et al.,  
Respondents.

Motion for leave to appeal denied.

4 Mo. No. 2025-399  
In the Matter of Daniel T. Warren,  
Appellant,  
v.  
Zoning Board of Appeals of Town of West  
Seneca, et al.,  
Respondents.

On the Court's own motion, appeal dismissed,  
without costs, upon the ground that no substantial  
constitutional question is directly involved.  
Motion for leave to appeal denied.

1 Mo. No. 2025-680  
Dan Weir,  
Appellant,  
v.  
Pam Thur Weir,  
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.