

State of New York
Court of Appeals

Decisions

June 17, 2025

CASES

2 No. 54
The People &c. ex rel. Andrew T. Ellis, &c.,
 Respondent,
 v.
Kirk Imperati, &c.,
 Appellant.

Judgment reversed, without costs, habeas corpus proceeding converted to a declaratory judgment action and judgment granted in accordance with the opinion herein.
Opinion by Judge Halligan.
Judges Garcia, Singas and Cannataro concur.
Chief Judge Wilson dissents in an opinion, in which Judge Troutman concurs.
Judge Rivera dissents, joins Sections I, II (A), III and V of the dissenting opinion, and further agrees that the majority's construction renders language in CPL 510.10 (4) (g) superfluous.

4 No. 45
The People &c.,
 Respondent,
 v.
T.P.,
 Appellant.

Order reversed and a new trial ordered.
Opinion by Judge Halligan.
Chief Judge Wilson and Judges Garcia, Singas, Cannataro and Troutman concur, Judge Garcia in a concurring opinion.
Judge Rivera concurs in result in an opinion.

3 No. 47
The People &c.,
 Respondent,
 v.
Angela VV.,
 Appellant.

Order affirmed, in a memorandum.
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

2 No. 53
The People &c. ex rel. Danielle Welch, &c.,
 Appellant,
 v.
Lynelle Maginley-Liddie, &c.,
 Respondent.

Judgment reversed, without costs, habeas corpus proceeding converted to a declaratory judgment action and judgment granted declaring that a defendant who is arrested on new charges after having been released on bail on a prior charge is "released under conditions" within the meaning of CPL 510.10 (4) (t).

Opinion by Judge Garcia.

Judges Singas, Cannataro, Troutman and Halligan concur.

Judge Rivera concurs in result in an opinion, in which Chief Judge Wilson concurs.

3 No. 46
The People &c.,
 Appellant,
 v.
Brenda WW.,
 Respondent.

Order modified, without costs, case remitted to the Appellate Division, Third Department, for further proceedings in accordance with the opinion herein and, as so modified, affirmed.

Opinion by Chief Judge Wilson.

Judges Rivera, Garcia, Cannataro and Halligan concur.

Judge Singas dissents in an opinion, in which Judge Troutman concurs.

MOTIONS

1 Mo. No. 2025-6
Alex Betancourt,
 Appellant,
 v.
ARC NYC 123 William, LLC,
 Defendant,
Open Kitchen 123 LLC,
 Respondent.

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

2 Mo. No. 2025-72
The People &c.,
 Respondent,
 v.
Elijah Carnegie,
 Appellant.

Motion for leave to appeal granted.

1 Mo. No. 2025-58
The People &c.,
 Respondent,
 v.
Evaristo Carvente,
 Appellant.

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

1 Mo. No. 2025-132
In the Matter of Ricky Davis,
 Appellant,
 v.
Eric Adams, &c., et al.,
 Respondents.

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

2 Mo. No. 2025-38
The People &c.,
 Respondent,
 v.
Anthony Dockery,
 Appellant.

Motion for leave to appeal granted.

4 Mo. No. 2025-2
In the Matter of Freedom Foundation,
 Appellant,
 v.
Jefferson County,
 Respondent.

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

1 Mo. No. 2025-107
In the Matter of Freedom Foundation,
 Appellant,
 v.
New York City Department of Citywide
Administrative Services,
 Respondent.

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

1 Mo. No. 2025-181
In the Matter of Kyle R.G.,
 Respondent,
 v.
Tikiya S.,
 Appellant.

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

1 Mo. No. 2025-301
John Golobe,
 Respondent,
 v.
Daniel Mielnicki, &c.,
 Appellant.

Motion for reargument denied.

2 Mo. No. 2024-618
The People &c.,
 Respondent,
 v.
Hikeem Green,
 Appellant.

Motion for leave to appeal granted.

1 Mo. No. 2025-53
In the Matter of Ferdo Grgurev, et al.,
Respondents-Appellants,
v.
Milan Licul, &c., et al.,
Appellants-Respondents,
et al.,
Respondents.

Motion for leave to appeal denied.
Cross-motion for leave to appeal dismissed as
untimely (*see* CPLR 5513 [b], [c]).

1 Mo. No. 2025-12
The People &c.,
Respondent,
v.
Phyllis Hubbard,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2025-54
In the Matter of Devin Keitt,
Appellant,
v.
Anthony J. Annucci, &c.,
Respondent.

Motion for leave to appeal denied.

4 Mo. No. 2025-44
In the Matter of Meilani M.

Erie County Department of Social Services,
Respondent;
Maya M.,
Appellant.
(And Another Proceeding.)
(App. Div. Nos. CAF 23-01988 and CAF 23-
01989)

Motion for leave to appeal denied.

2 Mo. No. 2025-166
In the Matter of Rahul Manchanda,
Appellant,
v.
Sharie Kruzic,
Respondent.

On the Court's own motion, appeal dismissed,
without costs, upon the ground that the order
appealed from does not finally determine the
proceeding within the meaning of the Constitution.
Motion to hold respondent et al. in contempt denied.

1 Mo. No. 2024-763
In the Matter of Metropolitan Transportation
Authority et al.,
Appellants,
v.
Westfield Fulton Center, LLC,
Respondent.

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

2 Mo. No. 2025-28
The People &c.,
Respondent,
v.
Shabar Miles,
Appellant.

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

1 Mo. No. 2024-693
Naji Nassar,
Appellant,
v.
Macy's Inc. et al.,
Respondents.

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

2 Mo. No. 2025-61
N.Y. Schools Insurance Foundation, Inc., &c.,
Appellant,
v.
New York Property Insurance Underwriting
Association,
Respondent.

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

2 Mo. No. 2024-729
The People &c.,
Respondent,
v.
Gary Pamperien,
Appellant.

Motion for leave to appeal granted.
Motion for financial relief granted.

1 Mo. No. 2025-73
The People &c.,
 Respondent,
 v.
Kenneth Townsend,
 Appellant.

Motion for leave to appeal granted.

1 Mo. No. 2025-3
Manuele Verdi, &c.,
 Appellant,
 v.
Jeffrey Dinowitz, &c.,
 Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2024-796
The People &c.,
 Appellant,
 v.
Raymond Wallace,
 Respondent.

Motion for leave to appeal denied.