

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

**Decisions**

March 20, 2025

**CASES**

1                    No. 16  
Brian Burrows, et al.,  
    Appellants,  
    v.  
75-25 153rd Street, LLC,  
    Respondent.

Judgment appealed from and so much of the Appellate Division order brought up for review modified, without costs, by remitting the case to the Appellate Division, First Department, for further proceedings in accordance with the opinion herein and, as so modified, affirmed.  
Opinion by Judge Garcia.  
Chief Judge Wilson and Judges Rivera, Singas, Cannataro, Troutman and Halligan concur.

1                    No. 24  
In the Matter of George Dourdounas,  
    Appellant,  
    v.  
City of New York, et al.,  
    Respondents.

Order affirmed, with costs.  
Opinion by Chief Judge Wilson.  
Judges Rivera, Garcia, Singas, Troutman, Halligan and Fisher concur.  
Judge Cannataro took no part.

2                    No. 15  
Vito J. Fossella, et al.,  
    Respondents,  
    v.  
Eric Adams, &c. et al.,  
    Defendants,  
City Council of the City of New York,  
    Appellant,  
Hina Naveed, et al.,  
    Intervenors-Appellants,  
et al.,  
    Intervenor.

Order insofar as appealed from modified, without costs, in accordance with the opinion herein and, as so modified, affirmed.  
Opinion by Chief Judge Wilson.  
Judges Garcia, Singas, Cannataro, Troutman and Halligan concur.  
Judge Rivera dissents in an opinion.

1                    No. 17  
John Golobe,  
    Respondent,  
    v.  
Daniel Mielnicki, &c.,  
    Appellant.

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

1                    No. 26  
In the Matter of LL 410 East 78th Street LLC,  
    Appellant,  
    v.  
Division of Housing and Community  
Renewal,  
    Respondent.

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

4                    No. 28  
The People &c.,  
    Respondent,  
    v.  
Dwight Moss,  
    Appellant.

Order affirmed, without costs.  
Opinion by Judge Singas.  
Chief Judge Wilson and Judges Rivera, Garcia,  
Cannataro, Halligan and Webber concur.  
Judge Troutman took no part.

## MOTIONS

1                    Mo. No. 2024-800  
841-853 Fee Owner, LLC,  
Respondent,  
v.  
Space Initiatives LLC et al.,  
Appellants.

Motion for reargument of motion for leave to appeal denied.

3                    Mo. No. 2024-837  
In the Matter of the Foreclosure of Tax Liens  
by County of Albany.

Motion for reargument of motion for leave to appeal denied.

County of Albany,  
Respondent;  
Phoenix of Albany,  
Appellant.

3                    Mo. No. 2024-825  
In the Matter of the Claim of Wilfredo  
Gonzalez,  
Appellant,  
v.  
Northeast Parent & Child Society et al.,  
Respondents.  
Workers' Compensation Board,  
Respondent.  
Law Firm of Alex Dell, PLLC,  
Appellant.

Motion, insofar as Wilfred Gonzalez seeks leave to appeal, dismissed upon the ground that he is not a party aggrieved (*see* CPLR 5511); motion, insofar as Law Firm of Alex Dell, PLLC seeks leave to appeal from that portion of the Appellate Division order as affirmed the September 2023 decision, dismissed upon the ground that such portion of the order does not finally determine the proceeding within the meaning of the Constitution; motion for leave to appeal otherwise granted.

2                    Mo. No. 2024-784  
Doris Goodman,  
Appellant,  
v.  
City of New York,  
Respondent.

Motion for leave to appeal denied.

1                    Mo. No. 2024-751  
The People &c.,  
    Respondent,  
    v.  
Jean Guillen-Beltre,  
    Appellant.

Motion for leave to appeal denied.

2                    Mo. No. 2024-734  
The People &c.,  
    Respondent,  
    v.  
Joseph Hayon,  
    Appellant.

Motion for leave to appeal denied.

1                    Mo. No. 2024-810  
The People &c.,  
    Respondent,  
    v.  
Abraham Hernandez,  
    Appellant.

Motion for leave to appeal denied.

2                    Mo. No. 2024-792  
The People &c.,  
    Respondent,  
    v.  
Daryl Holley,  
    Appellant.

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

                    Mo. No. 2025-15  
In the Matter of Johnson & Johnson, et al.,  
    Respondents,  
    v.  
Northwell Health Inc.,  
    Appellant.  
(And Another Proceeding.)

Motion by appellant Northwell Health Inc. for  
reargument of motion for leave to appeal denied with  
one hundred dollars costs and necessary reproduction  
disbursements.

2 Mo. No. 2024-845  
The People &c.,  
Respondent,  
v.  
Gregory Lebron,  
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2024-790  
The People &c.,  
Respondent,  
v.  
George Menge,  
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2024-803  
In the Matter of Richard Mills,  
Appellant,  
v.  
New York State Board of Parole et al.,  
Respondents.

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.

1 Mo. No. 2024-766  
The People &c.,  
Respondent,  
v.  
Angel Mulero,  
Appellant.

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

Mo. No. 2025-33  
Shigeko Nakagawa,  
Appellant,  
v.  
Dian Z. Jiang,  
Respondent.

Motion for leave to appeal dismissed upon the ground that this Court does not have jurisdiction to entertain the motion from the order of the Appellate Term (*see* CPLR 5602 [a]).  
Motion for financial relief dismissed as academic.  
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. 2024-749  
Jose Rafael Padilla,  
Appellant,  
v.  
Estate of James Clayton Larmett, &c.,  
Respondent.

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

3 Mo. No. 2024-808  
In the Matter of the Claim of Romona  
Rottkamp,  
Appellant,  
v.  
New York University et al.,  
Respondents.  
Workers' Compensation Board,  
Respondent.

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

1 Mo. No. 2025-18  
Felipe A. Ruisech et al.,  
Appellants,  
v.  
Structure Tone Inc., &c., et al.,  
Respondents.  
(And Third-Party Actions.)

Motion by respondents Tishman Speyer Properties, L.P. et al. for reargument denied.

3 Mo. No. 2024-752  
Derrick Thompson,  
Appellant,  
v.  
State of New York,  
Respondent.

Motion for reargument denied.

1 Mo. No. 2024-623  
Wilmington Trust, National Association, &c.,  
Respondent,  
v.  
Argentic Real Estate Finance LLC,  
Appellant.

Motion for leave to appeal granted.