

State of New York
Court of Appeals

Decisions

May 22, 2025

CASES

1 No. 42
Glen Oaks Village Owners, Inc., et al.,
 Respondents,
 v.
City of New York, et al.,
 Appellants.

Order insofar as appealed from reversed, with costs, defendants' motion granted in accordance with the opinion herein and certified question answered in the negative.
Opinion by Judge Cannataro.
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Troutman and Halligan concur.

3 No. 49
In the Matter of Reclaim the Records,
 Appellant,
 v.
New York State Department of Health,
 Respondent.

Order modified, without costs, by remitting to Supreme Court, Albany County, for further proceedings in accordance with the opinion herein and, as so modified, affirmed.
Opinion by Judge Rivera.
Judges Singas, Troutman and Mendez concur.
Chief Judge Wilson dissents and votes to affirm in an opinion, in which Judges Garcia and Cannataro concur.
Judge Halligan took no part.

4 No. 40
The People &c.,
 Respondent,
 v.
Hu Sin,
 Appellant.

Order affirmed.
Opinion by Judge Singas.
Judges Garcia, Cannataro and Troutman concur.
Chief Judge Wilson concurs in result in an opinion, in which Judge Halligan concurs.
Judge Rivera concurs in result in a separate opinion.

4 No. 39
Ali Tuckett,
 Appellant,
 v.
State of New York,
 Respondent.

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

3 No. 50
In the Matter of Won Yi,
 Appellant,
 v.
New York State Board of Professional
Medical Conduct,
 Respondent.

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

MOTIONS

2 Mo. No. 2025-134
Theodore Best,
 Appellant,
 v.
Patrick Murray, &c., et al.,
 Respondents.

Motion for leave to appeal dismissed upon the ground that it does not lie (*see* CPLR 5602 [a]).

2 Mo. No. 2025-56
Marvens Camille,
 Appellant,
 v.
Federation of Protestant Welfare Agencies,
Inc.,
 Respondent,
et al.,
 Defendants.

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

1 Mo. No. 2025-120
The People &c.,
 Respondent,
 v.
Royce Corley,
 Appellant.

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.

2 Mo. No. 2025-19
The People &c.,
 Respondent,
 v.
Edwin Davidson,
 Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2025-135
FLA Mortgage Capital I LLC,
Respondent,
v.
Unknown Heirs at Law of the Estate of Scott
R. Paul, &c., et al.,
Appellants.

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. 2025-84
Flintlock Construction Services, LLC, &c.,
Respondent,
v.
HPH Services, Inc. et al.,
Appellants,
et al.,
Defendants.

Motion for leave to appeal denied.

2 Mo. No. 2025-24
In the Matter of Frank Giacobbe, &c.

Carmela Deraco,
Respondent;
Rosario Vizzari,
Appellant.

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

1 Mo. No. 2025-40
The People &c.,
Respondent,
v.
Socrates Mena,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2025-185
MTGLQ Investors, L.P.,
Respondent,
v.
James Vazquez,
Appellant,
et al.,
Defendants.

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.

3 Mo. No. 2025-23
In the Matter of the New York State Office of
Victim Services, &c.,
Respondent,
v.
Ernest Johnson,
Appellant.

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

3 Mo. No. 2025-74
In the Matter of New York State Office of
Victim Services, &c.,
Respondent,
v.
Daren Alexis,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2025-202
In the Matter of Oceanview Home for Adults,
Inc., &c.,
Appellant,
v.
Howard Zucker, &c.,
Respondent,
et al.,
Respondent.

Motion for reargument denied.

3 Mo. No. 2025-8
Stoker Olukotun-Williams,
Appellant,
v.
Correction Officer Garvilla, et al.,
Respondents.

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 Mo. No. 2025-47
PS29, &c.,
Appellant,
v.
State of New York,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2025-59
The People &c.,
Respondent,
v.
Angel Roa Contreras,
Appellant.

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

1 Mo. No. 2025-75
The People &c.,
Respondent,
v.
Elroy Robinson,
Appellant.

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

3 Mo. No. 2025-165
Elizabeth Haley Rockwell, &c.,
Respondent,
v.
Thomas Despart,
Respondent,
Letitia James, &c.,
Proposed Intervenor-
Appellant.

Motion for leave to appeal dismissed upon the ground that the Court of Appeals has jurisdiction to entertain a motion for leave to appeal pursuant to CPLR 5602 (a) (1) (ii) from a final judgment of Supreme Court only where a prior nonfinal Appellate Division order necessarily affects that judgment, and no such prior nonfinal order exists here.

2 Mo. No. 2025-57
In the Matter of Rita Sethi,
Respondent,
v.
Town of Hempstead,
Appellant.

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

3 Mo. No. 2025-77
Montgomery Blair Sibley,
Appellant,
v.
Meridian Wildlife Services, LLC, &c.,
Respondent.

On the Court's own motion, appeal dismissed, without costs, 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 (*see* CPLR 5601).
Motion for leave to appeal denied.

1 Mo. No. 2025-97

Zarko Svatovic,
Appellant,
v.
Jacqueline Shabot,
Respondent.

Motion for reargument denied.

1 Mo. No. 2024-802
West-Park Presbyterian Church of New York
City, &c.,
Respondent,

v.
The Center at West Park, Inc., &c.,
Appellant.

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

1 Mo. No. 2025-10
West-Park Presbyterian Church of New York
City, &c.,
Respondent,

v.
The Center at West Park, Inc., &c.,
Appellant.

Motion by Union Theological Seminary in the City of New York for leave to appear amicus curiae on the motion for leave to appeal herein granted and the proposed brief is accepted as filed.

1 Mo. No. 2025-29
West-Park Presbyterian Church of New York
City, &c.,
Respondent,

v.
The Center at West Park, Inc., &c.,
Appellant.

Motion by Brad Hoylman-Sigal, et al. for leave to appear amici curiae on the motion for leave to appeal herein granted and the proposed brief is accepted as filed.