

State of New York
Court of Appeals

Decisions

November 25, 2025

CASES

No. 96

Article 13 LLC,
Respondent,
Office of the New York State Attorney
General,
Intervenor-Respondent,
v.
Ponce De Leon Federal Bank, et al.,
Defendants,
v.
Lasalle National Bank Association,
Appellant.

Following certification of questions by the United States Court of Appeals for the Second Circuit and acceptance of the questions by this Court pursuant to section 500.27 of this Court's Rules of Practice, and after hearing argument by counsel for the parties and consideration of the briefs and record submitted, first certified question answered in accordance with the opinion herein and second certified question answered in the negative.
Opinion by Chief Judge Wilson.
Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

1 No. 98

Gisele Ben-Dor,
Respondent,
v.
Alchemy Consultant LLC,
et al.,
Defendants,
JPMorgan Chase Bank, N.A.,
Appellant.

Order reversed, with costs, defendant JPMorgan Chase Bank, N.A.'s motion to dismiss the amended complaint as against it granted and certified question answered in the negative, for reasons stated in the dissenting memorandum of Justice John R. Higgitt (229 AD3d 405, 408-417).
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

4 No. 85

In the Matter of Parker J. et al.

Onondaga County Department of Children
and Family Services,
Respondent;
Beth F.,
Appellant.

Order reversed, without costs, and matter remitted to Family Court, Onondaga County, for a new hearing.
Opinion by Judge Troutman.
Chief Judge Wilson and Judges Rivera, Singas and Halligan concur.
Judge Cannataro dissents in an opinion, in which Judge Garcia concurs.

1 No. 87
The People &c.,
 Respondent,
 v.
Leighton R.,
 Appellant.

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

1 No. 97
Patti Van Dyke,
 Respondent,
 v.
U.S. Bank, National Association,
 Appellant.

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

4 No. 99
The People &c.,
 Respondent,
 v.
Jaylin Wiggins,
 Appellant.

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

 No. 94
The People &c.,
 Respondent,
 v.
Locksley Williams,
 Appellant.

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

MOTIONS

1 Mo. No. 2025-532
The Board of Managers of The Alfred
Condominium,
 Respondent,
 v.
James Miller,
 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. 2025-540
The People &c.,
 Respondent,
 v.
Wayne Booker,
 Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2025-414
The People &c.,
 Respondent,
 v.
Harold Carter,
 Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2025-556
Endurance American Insurance Company et
al.,
 Appellants,
 v.
StoneX Commodity Solutions, LLC, &c.,
 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.

4 Mo. No. 2025-535
Albert G. Fraccola, Jr.,
Appellant,
v.
1st Choice Realty, Inc., et al.,
Defendants,
Randal B. Caldwell, &c.,
Respondent.

Motion for reconsideration of this Court's June 12,
2025 dismissal order denied.

1 Mo. No. 2025-419
The People &c.,
Respondent,
v.
Michael Frederick,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2025-521
In the Matter of the Claim of Peter Hurley,
Appellant,
v.
Lawrence School District et al.,
Respondents.
Workers' Compensation Board,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2025-588
In the Matter of Aron Law, PLLC,
Appellant,
v.
New York City Fire Department,
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 and is not an order of
the type provided for in CPLR 5602 (a) (2).

1 Mo. No. 2025-553
Nella Manko,
Appellant,
v.
Dr. Dana Mannor, et al.,
Respondents,
Lenox Hill Hospital, &c. et al.,
Defendants.

Nella Manko,
Appellant,
v.
Dr. Dana Mannor, et al.,
Respondents,
"Anesthesiologist" (a fictitious name), et al.,
Defendants.

2 Mo. No. 2025-560
NewBank,
Respondent,
v.
Yong Won Bu, &c. et al.,
Appellants,
et al.,
Defendants.

1 Mo. No. 2025-428
The People &c.,
Respondent,
v.
George Pagan,
Appellant.

2 Mo. No. 2025-578
Robert Parrino,
Appellant,
v.
The People &c., et al.,
Respondents.

Motion for leave to appeal dismissed upon the ground that the orders sought to be appealed from do not finally determine the actions within the meaning of the Constitution.

Motion for financial relief dismissed as academic.

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 leave to appeal denied.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from is not the final paper from which leave to appeal may be sought (*see* CPLR 5611).

1 Mo. No. 2025-577
Bill Reichenbach, et al.,
Respondents,
v.
Jacin Investors Corp., 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.

2 Mo. No. 2025-225
Sostences Rivera,
Appellant,
v.
Sik Lueng Kei et al., &c.,
Defendants,
Chau Sum Shum, et al.,
Respondents.

Motion, insofar as it seeks leave to appeal from so much of the Appellate Division order as dismissed plaintiff's appeal from the January 2023 Supreme Court order, dismissed upon the ground that such portion of the order does not finally determine the action within the meaning of the Constitution; motion for leave to appeal otherwise denied.

2 Mo. No. 2025-418
The People &c.,
Respondent,
v.
Corben Smith,
Appellant.

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

1 Mo. No. 2025-457
The People &c.,
Respondent,
v.
Terrell Sumpter,
Appellant.

Motion for leave to appeal denied.
Judge Singas took no part.

2 Mo. No. 2025-628
Aliaksei Tarasiuk,
Appellant,
v.
Yonatan S. Levoritz et al.,
Respondents,
RFR Realty, LLC, et al.,
Respondents.

Motion to vacate this Court's October 10, 2023 dismissal order denied.

1 Mo. No. 2025-439
In the Matter of Justin Vijungco,
 Appellant,

v.

Metropolitan Transportation Authority,
 Respondent.

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