

State of New York
Court of Appeals

Decisions

September 16, 2025

CASES

No. 123
City of Buffalo, et al.,
Respondents,
v.
Hyundai Motor America, Inc. et al.,
Appellants.

Certification of question by the United States Court of Appeals for the Ninth Circuit, pursuant to section 500.27 of this Court's Rules of Practice, accepted and the issue presented is to be considered after briefing and argument.
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

No. 122
SeanPaul Reyes,
Respondent,
v.
City of New York,
Appellant.

Certification of question by the United States Court of Appeals for the Second Circuit, pursuant to section 500.27 of this Court's Rules of Practice, accepted and the issue presented is to be considered after briefing and argument.
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

No. 124
Eugene Volokh, et al.,
Respondents,
v.
Letitia James, &c.,
Appellant.

Certification of questions by the United States Court of Appeals for the Second Circuit, pursuant to section 500.27 of this Court's Rules of Practice, accepted and the issues presented are to be considered after briefing and argument.
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

MOTIONS

4 Mo. No. 2025-147
In the Matter of David J. Abdoch,
 Respondent,
 v.
Fonda D. Abdoch,
 Respondent.
Alison Bates, Esq., Attorney for the Children,
 Appellant.

Motion for leave to appeal granted.

3 Mo. No. 2025-128
Kamiar Alaei,
 Appellant,
 v.
State of New York,
 Respondent.

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

3 Mo. No. 2025-110
Thomas Amici,
 Respondent,
 v.
Edward A. Mazza, &c. et al.,
 Appellants.

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

3 Mo. No. 2025-7
In the Matter of Appellate Advocates,
 Appellant,
 v.
New York State Department of Corrections
and Community Supervision et al.,
 Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2025-130
In the Matter of L.B., &c.

Joe B.,
Appellant;
Commissioner of Administration for
Children's Services of the City of New York,
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2025-170
In the Matter of L.B., &c.

Joe B.,
Appellant;
Commissioner of Administration for
Children's Services of the City of New York,
Respondent.

Motion by Pregnancy Justice et al. for leave to
appear amici curiae on the motion for leave to appeal
herein granted and the brief is accepted as filed.

1 Mo. No. 2025-171
In the Matter of L.B., &c.

Joe B.,
Appellant;
Commissioner of Administration for
Children's Services of the City of New York,
Respondent.

Motion by Sanctuary for Families, et al. for leave to
appear amici curiae on the motion for leave to appeal
herein granted and the brief is accepted as filed.

1 Mo. No. 2025-173
In the Matter of L.B., &c.

Joe B.,
Appellant;
Commissioner of Administration for
Children's Services of the City of New York,
Respondent.

Motion by Children's Rights, et al. for leave to
appear amici curiae on the motion for leave to appeal
herein granted and the brief is accepted as filed.

1 Mo. No. 2025-192
In the Matter of L.B., &c.

Joe B.,
Appellant;
Commissioner of Administration for
Children's Services of the City of New York,
Respondent.

Motion by Drug Policy Alliance, et al. for leave to appear amici curiae on the motion for leave to appeal herein granted and the brief is accepted as filed.

4 Mo. No. 2025-358
In the Matter of Tu'Real A.E.B. et al.

Onondaga County Department of Children
and Family Services,
Respondent;
Patricia S.,
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.

4 Mo. No. 2025-268
In the Matter of Latayvia Brooks-Morrison,
Appellant,
v.
Marina Johnson,
Respondent.

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

2 Mo. No. 2025-140
The People &c.,
Respondent,
v.
Juan Cangiano,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2025-649
Oral Clarke, et al.,
Respondents,
v.
Town of Newburgh, et al.,
Appellants;
Letitia James, &c.,
Intervenor-Respondent.

Motion by Zellnor Myrie et al. for leave to file a brief amici curiae on the appeal herein denied. Judges Garcia and Halligan took no part.

2 Mo. No. 2025-168
The People &c.,
Respondent,
v.
Louis Colon,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2025-194
The People &c.,
Respondent,
v.
William Cronin,
Appellant.

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

4 Mo. No. 2025-216
In the Matter of Jessica L. Cross,
Appellant,
v.
Brian F. Cross,
Respondent,
et al.,
Respondent.
Scott A. Otis, Esq., Attorney for the Children,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2025-355
In the Matter of Rosie C.D.

Administration for Children's Services,
Respondent;
Lisa C.
Appellant.

Motion for leave to appeal dismissed as untimely
(*see* CPLR 5513 [b]).

1 Mo. No. 2025-176
The People &c.,
Respondent,
v.
Devin Daniels,
Appellant.

Motion, insofar as it seeks leave to appeal from that portion of the Appellate Division order that denied the motion to strike portions of the People's Appellate Division brief, 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 denied.
Motion for financial relief dismissed as academic.

1 Mo. No. 2025-360
Kristina Y. Dewald,
Respondent,
v.
Jerome W. Dewald,
Appellant.

On the Court's own motion, appeal, treated as taken from the January 2025 Appellate Division order, dismissed, without costs, upon the ground that the order appealed from does not finally determine the action within the meaning of the Constitution. 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. 2025-139
In the Matter of The Dumpling Cove, LLC,
Respondent,
v.
Commissioner of Taxation and Finance,
Appellant,
et al.,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2025-315
In the Matter of State of New York,
Respondent,
v.
Langston F.,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2025-65
In the Matter of Flair Beverages Corp.,
 Appellant,
 v.
New York State Tax Appeals Tribunal et al.,
 Respondents.

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

2 Mo. No. 2025-145
The People &c.,
 Respondent,
 v.
Bobby Gadsen,
 Appellant.

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

1 Mo. No. 2025-160
In the Matter of Joseph Garcia,
 Appellant,
 v.
Ruth Pickholz, &c.,
 Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2025-153
The People &c.,
 Respondent,
 v.
Jose Gavalo,
 Appellant.

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

1 Mo. No. 2025-195
The People &c.,
 Respondent,
 v.
Alberto Gonzalez,
 Appellant.

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

1 Mo. No. 2025-78
Gulf LNG Energy, LLC et al.,
Respondents,
v.
ENI S.p.A.,
Appellant.

ENI S.p.A.,
Appellant,
v.
Gulf LNG Energy (PORT), LLC,
Respondent.

1 Mo. No. 2025-117
The People &c.,
Respondent,
v.
Derrick Harris,
Appellant.

2 Mo. No. 2025-396
The People &c. ex rel. Sara Gabriella Kielly,
Appellant,
v.
Eileen Russell, &c., et al.,
Respondents.

2 Mo. No. 2025-179
The People &c.,
Respondent,
v.
Shaun Kornegay,
Appellant.

3 Mo. No. 2025-96
Matthew Lukosavich,
Appellant,
v.
State of New York,
Respondent.

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

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

Motion for leave to appeal denied.

Motion for leave to appeal denied.

Motion for leave to appeal denied.

1 Mo. No. 2025-184
S.M.,
 Appellant,
 v.
Lawrence N. Mullman, et al.,
 Respondents.

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

4 Mo. No. 2025-344
In the Matter of Jayden M.

Motion for leave to appeal denied.

Erie County Department of Social Services,
 Respondent;
Carlos M.,
 Appellant.

4 Mo. No. 2025-329
In the Matter of Jonathan M.,
 Appellant,
 v.
Jessica N. et al.,
 Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2025-67
Lily Marinelli, &c. et al.,
 Appellants,
 v.
New York Methodist Hospital,
 Respondent.

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

2 Mo. No. 2025-141
Mark Maritzen,
 Appellant,
 v.
Rachelle Maritzen,
 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.

1 Mo. No. 2025-41
In the Matter of Otoniel McKenzie,
 Appellant,
 v.
Felicia A. Mennin, &c.,
 Respondent.

Motion for leave to appeal denied.

3 Mo. No. 2025-451
In the Matter of John M. Monaghan,
 Appellant,
 v.
Mark J.F. Schroeder, &c., et al.,
 Respondents.

Motion to strike granted and appellant is directed to file and serve a revised reply brief within twenty days.

3 Mo. No. 2025-114
In the Matter of Cory H. Morris,
 Appellant,
 v.
New York State Police, et al.,
 Respondents.

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

3 Mo. No. 2025-174
The People &c. ex rel. Anders Nelson, &c.,
 Appellant,
 v.
Superintendent of Shawangunk Correctional
Facility et al.,
 Respondents.

Motion for leave to appeal denied.

3 Mo. No. 2025-63
In the Matter of Kenneth Puig et al.,
 Appellants,
 v.
New York State Police et al.,
 Respondents.

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

3 Mo. No. 2025-297
In the Matter of Walter Q.,
Appellant,
v.
Stephanie R.,
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.

2 Mo. No. 2025-142
The People &c.,
Respondent,
v.
Donato Quinto,
Appellant.

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

1 Mo. No. 2025-324
In the Matter of Irene L.R.,
Appellant,
v.
Wayne C.C.,
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.

4 Mo. No. 2025-305
In the Matter of John N. Santoro,
Appellant,
v.
Tonya M. Meyers,
Respondent.
(App. Div. No. CAF 23-01415)

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.
Motion for financial relief dismissed as academic.

4 Mo. No. 2025-309
In the Matter of John N. Santoro,
Appellant,
v.
Tonya M. Meyers,
Respondent.
(App. Div. No. CAF 23-00502)

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

2 Mo. No. 2025-151
The People &c.,
Respondent,
v.
Jose Fuentes Santos,
Appellant.

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

4 Mo. No. 2025-349
The People &c. ex rel. Lester Scarbrough, Jr.,
Appellant,
v.
Christopher Yehl, &c.,
Respondent.

Motion for reargument of motion for leave to appeal denied.

2 Mo. No. 2025-177
The People &c.,
Respondent,
v.
Joe Skipper,
Appellant.

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

1 Mo. No. 2025-161
The People &c.,
Respondent,
v.
Michael Straker,
Appellant.

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

1 Mo. No. 2025-175
Sweetpea Ventures Inc., et al.,
Appellants,
v.
Omar Belmamoun 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 action within the meaning of the Constitution.

1 Mo. No. 2025-154
The People &c.,
Respondent,
v.
Ricardo Torres,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2025-397
US Bank National Association, &c.,
Respondent,
v.
Doreen Eisler,
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.
Motion for a stay dismissed as academic.

2 Mo. No. 2025-494
US Bank National Association, &c.,
Respondent,
v.
Doreen Eisler,
Appellant,
et al.,
Defendants.

Motion by Diane J. Savino for leave to appear amicus curiae on the motion for leave to appeal herein denied.

1 Mo. No. 2025-655
Patti Van Dyke,
Respondent,
v.
U.S. Bank, National Association,
Appellant.

Motion by James Sanders Jr., et al. for leave to file a brief amici curiae on the appeal herein denied.

2 Mo. No. 2025-167
In the Matter of State of New York,
Respondent,
v.
Kevin W.,
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.

1 Mo. No. 2025-79
The People &c.,
 Respondent,
 v.
Anthony Washington,
 Appellant.

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

4 Mo. No. 2025-101
The People &c.,
 Respondent,
 v.
Erwin Williams,
 Appellant.

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

4 Mo. No. 2025-11
The People &c.,
 Respondent,
 v.
Adam M. Wolcott,
 Appellant.

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

4 Mo. No. 2025-398
The People &c. ex rel. Anthony T. Woods,
 Appellant,
 v.
John B. Lempke, &c.,
 Respondent.

Motion for leave to appeal dismissed upon the
ground that the Court does not have jurisdiction to
entertain it.
Judge Troutman took no part.