

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

**Decisions**

September 18, 2025

**CASE**

1                    No. 120 SSM 4  
The People &c.,  
    Respondent,  
    v.  
Randy Paulino,  
    Appellant.

On review of submissions pursuant to section 500.11  
of the Rules, order affirmed, in a memorandum.  
Chief Judge Wilson and Judges Rivera, Garcia,  
Singas, Cannataro, Troutman and Halligan concur.

## MOTIONS

2 Mo. No. 2025-197

In the Matter of 166 ST LLC,  
Appellant,

v.

New York State Division of Housing and  
Community Renewal,  
Respondent.

Motion for leave to appeal denied.

4 Mo. No. 2025-276

In the Matter of 3649 Erie, LLC,  
Appellant,

v.

Onondaga County Industrial Development  
Agency et al.,  
Respondents.

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

2 Mo. No. 2025-306

Absolute Medical Services, Inc.,  
Respondent,

v.

Garnerville Holding Company, Inc.,  
Appellant;  
Ashley Herschmann,  
Third-Party Respondent.

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

2 Mo. No. 2025-244

The People &c.,  
Respondent,

v.

Mateo Arteaga,  
Appellant.

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

3 Mo. No. 2025-206

Richard A. Ball, &c.,  
Respondent,

v.

Moon Convenience & Deli Inc., &c.,  
Defendant.

Sarwat Parvaz,  
Appellant.

Motion for reargument of motion for leave to appeal denied.

1 Mo. No. 2025-424

Bayview Loan Servicing, LLC,  
Appellant,

v.

Dany Dalal, et al.,  
Defendants,

Link Point Realty, Inc.,  
Respondent.

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

1 Mo. No. 2025-259

The People &c.,  
Respondent,

v.

Andre Berrios,  
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2025-291

In the Matter of Town of Brookhaven,  
Appellant,

v.

Richard A. Ball, &c. et al.,  
Respondents,

Central Pine Barrens Joint Planning & Policy  
Commission,  
Respondent.

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

2                    Mo. No. 2025-384  
Kristine M. Carlson,  
Appellant,  
v.  
Crissy Colangelo, &c. et al.,  
Respondents.

Motion for reargument denied with one hundred dollars costs and necessary reproduction disbursements.

                          Mo. No. 2025-317  
In the Matter of Center for Judicial  
Accountability, Inc. et al.,  
Appellants,  
v.  
New York State Joint Commission on Public  
Ethics, et al.,  
Respondents.  
(Index No. 904235-22)  
(APL-2024-150)

Motion, on behalf of Center for Judicial  
Accountability, Inc. by Elena Ruth Sassower,  
dismissed upon the ground that Elena Ruth Sassower  
is not Center for Judicial Accountability, Inc.'s  
authorized legal representative (*see* CPLR 321 [a]);  
motion, by Elena Ruth Sassower on her own behalf,  
for reargument &c. denied.  
Chief Judge Wilson took no part.

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In the Matter of Center for Judicial  
Accountability, Inc. et al.,  
Appellants,  
v.  
New York State Commission on Legislative,  
Judicial, and Executive Compensation, et al.,  
Respondents.  
(Index No. 902654-24)  
(APL-2024-149 and APL-2024-175)

1                    Mo. No. 2025-249  
Kai Cho Vincent Chan, et al.,  
Plaintiffs,  
Yuca Capital Partners,  
Appellant,  
v.  
TC Havemeyer Manager LLC,  
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 action within the meaning  
of the Constitution.

2 Mo. No. 2025-214  
Chase Home Finance, LLC,  
Plaintiff,  
v.  
Dauset Morris,  
Respondent,  
et al.,  
Defendants;  
U.S. Bank National Association, &c.,  
Nonparty-Appellant.

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

3 Mo. No. 2025-318  
Shannon Colt,  
Appellant,  
v.  
Nathan Littauer Hospital,  
Respondent.

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

2 Mo. No. 2025-332  
Consumer Protection Restoration, LLC et al.,  
Appellants,  
v.  
Hickory House Tenants Corp.,  
Respondent,  
et al.,  
Defendant.

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. 2025-393  
Jerzy Dabrowski, et al.,  
Respondents,  
v.  
Abax Incorporated, et al.,  
Appellants,  
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. 2025-404  
William R. DiCenzo Sr. et al.,  
Appellants,  
v.  
Michael Mone, et al.,  
Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2025-255  
DirecTV, LLC,  
Respondent,  
v.  
Nexstar Broadcasting, Inc.,  
Appellant.

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

2 Mo. No. 2025-237  
The People &c.,  
Respondent,  
v.  
Bonifacio Espinosa,  
Appellant.

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

1 Mo. No. 2025-389  
The People &c.,  
Respondent,  
v.  
Anthony Ferdinand,  
Appellant.

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

1 Mo. No. 2025-199  
F. Frederic Fouad,  
Appellant,  
v.  
The Milton Hershey School and School Trust,  
et al.,  
Respondents.

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

2 Mo. No. 2025-106  
Incorporated Village of Freeport,  
Respondent,  
v.  
Freeport Plaza West, LLC,  
Appellant.

Motion for leave to appeal granted.

1 Mo. No. 2025-326  
Guzel Ganieva,  
Appellant,  
v.  
Leon Black,  
Respondent.

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

2 Mo. No. 2025-198  
Fausto Gomez-Jimenez et al.,  
Appellants,  
v.  
Nyaisha Wilson,  
Defendant;  
BerkleyNet Insurance Company, &c.,  
Nonparty-Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2025-311  
The People &c.,  
Respondent,  
v.  
Miguel Moran Guerrero,  
Appellant.

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

2 Mo. No. 2025-300  
The People &c.,  
Respondent,  
v.  
Khalid Hizam,  
Appellant.

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

1                    Mo. No. 2025-282  
Hotel 237, LLC,  
    Appellant,  
    v.  
G.M. Canmar Residence Corp.,  
    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.

2                    Mo. No. 2025-365  
In the Matter of Segundo Inga-Inga,  
    Appellant,  
    v.  
Robert A. McDonald, &c., et al.,  
    Respondents.

Cross-motion to dismiss the appeal granted and appeal dismissed, without costs, upon the ground that the issues presented have become moot. Motion for leave to appeal dismissed upon the ground that the issues presented have become moot.

3                    Mo. No. 2025-343  
Robert Jacobs,  
    Respondent,  
    v.  
Jack Joseph Gray, &c. et al.,  
    Appellants.

Motion, insofar as it seeks leave to appeal from that portion of the Appellate Division order that affirmed the denial of defendants' request for the imposition of sanctions, denied; motion for leave to appeal otherwise dismissed upon the ground that the remainder of the Appellate Division order does not finally determine the action within the meaning of the Constitution.

2                    Mo. No. 2025-196  
In the Matter of Jamaica Seven, LLC,  
    Appellant,  
    v.  
New York State Division of Housing and  
Community Renewal,  
    Respondent.

Motion for leave to appeal denied.

4                    Mo. No. 2025-275  
In the Matter of JHK Development, LLC,  
    Appellant,  
    v.  
Town of Salina, et al.,  
    Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2025-378  
Joseph Chen, Inc. et al.,  
Respondents,  
v.  
Romona Keveza Collection LLC, 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. 2025-258  
In the Matter of Valia Kaloustian,  
Respondent,  
v.  
Mihail Tsvetkov,  
Appellant.

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

1 Mo. No. 2025-310  
The People &c.,  
Respondent,  
v.  
Amat B. Kasmoin, &c.,  
Appellant.

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

2 Mo. No. 2025-201  
In the Matter of Kings Park 148 LLC,  
Appellant,  
v.  
New York State Division of Housing and  
Community Renewal,  
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2025-284  
Monifah Landell,  
Appellant,  
v.  
Life Bridge Dental PLLC,  
et al.,  
Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2025-223  
Earl Lind Jr. et al.,  
Appellants,  
v.  
Tishman Construction Corporation of New  
York et al.,  
Respondents.

Motion for leave to appeal, insofar as made by  
Dorothy Lind, dismissed upon the ground that as to  
such party the order sought to be appealed from does  
not finally determine the action within the meaning  
of the Constitution; motion for leave to appeal  
otherwise denied.

1 Mo. No. 2025-464  
In the Matter of State of New York ex rel.  
Louis M.,  
Appellant,  
v.  
Maryann Popiel et al.,  
Respondents.

Motion for leave to appeal granted.

1 Mo. No. 2025-313  
In the Matter of Rahul Dev Manchanda, &c.  
  
Attorney Grievance Committee for the First  
Judicial Department,  
Respondent;  
Rahul Dev Manchanda,  
Appellant.

Motion for reconsideration of this Court's April 10,  
2025 dismissal order denied.  
Motion for financial relief dismissed as academic.

2 Mo. No. 2025-269  
Nella Manko,  
Appellant,  
v.  
Shorefront Apartments, LLC,  
et al.,  
Respondents.

Motion for reconsideration of this Court's March 13,  
2025 dismissal order denied.  
Motion for financial relief dismissed as academic.  
Chief Judge Wilson took no part.

1 Mo. No. 2025-490  
Denny Martinez,  
Respondent,  
v.  
Hudson Yards North Tower Tenant LLC, et  
al.,  
Defendants.

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Warner Media, LLC et al.,  
Third-Party Plaintiffs,  
v.  
Certified Moving & Storage Co., LLC,  
Third-Party Appellant.

1 Mo. No. 2025-224  
In the Matter of Daniel Michalow,  
Appellant,  
v.  
D.E. Shaw & Co., L.P., et al.,  
Respondents.

1 Mo. No. 2025-392  
In the Matter of Daniel Michalow,  
Appellant,  
v.  
D.E. Shaw & Co., L.P., et al.,  
Respondents.

3 Mo. No. 2025-341  
In the Matter of North Shore Hematology-  
Oncology Associates, P.C., &c.,  
Respondent,  
v.  
New York State Department of Health et al.,  
Appellants.

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

Motion for leave to appeal denied.

Motion by the National Employment Lawyers  
Association/New York, et al. for leave to appear  
amici curiae on the motion for leave to appeal herein  
granted and the brief is accepted as filed.

Motion for leave to appeal denied.

1 Mo. No. 2025-266  
Panasia Estate, Inc.,  
Appellant,  
v.  
Tapas Y Mas, LLC,  
Respondent.

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

2 Mo. No. 2025-331  
Qualified Impressions, LLC, &c.,  
Respondent,  
v.  
Greg Pessa,  
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.

1 Mo. No. 2025-254  
Karl Reeves, et al.,  
Appellants,  
v.  
Associated Newspapers, Ltd. et al.,  
Respondents,  
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.

2 Mo. No. 2025-405  
In the Matter of Town of Riverhead, et al.,  
Appellants,  
v.  
County of Suffolk,  
Respondent.

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

4 Mo. No. 2025-273  
In the Matter of Marguerite A. Ross,  
Appellant,  
v.  
Village of Fayetteville, et al.,  
Respondents.

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

2 Mo. No. 2025-293  
In the Matter of Roger Rowe,  
Appellant,  
et al.,  
Petitioners,  
v.  
Betsy Heckman Torres, &c., et al.,  
Respondents.

Motion for leave to appeal dismissed upon the ground that no appeal lies to this Court from the decision of an individual Justice of the Appellate Division.  
Motion for ancillary relief dismissed upon the ground that this Court does not have jurisdiction to entertain it (*see* NY Const, art VI, § 3).

4 Mo. No. 2025-395  
Mario Saraiva,  
Appellant,  
v.  
New York State Thruway Authority,  
Respondent.

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

2 Mo. No. 2025-459  
Abdus Shahid,  
Appellant,  
v.  
City of New York,  
Respondent.  
(Index No. 5/22)

Motion for reargument of motion for leave to appeal denied.

2 Mo. No. 2025-460  
Abdus Shahid,  
Appellant,  
v.  
City of New York et al.,  
Respondents.  
(Index No. 1786/19)

Motion for reargument of motion for leave to appeal denied.

2 Mo. No. 2025-461  
Abdus Shahid,  
Appellant,  
v.  
City of New York,  
Respondent.  
(Index No. 2664/19)

Motion for reargument of motion for leave to appeal denied.

3 Mo. No. 2025-287  
Montgomery Blair Sibley,  
Appellant,  
v.  
Kristen Zebrowski, &c.,  
Respondent.

Motion for reargument denied.

3 Mo. No. 2025-289  
In the Matter of Sunsea Energy LLC,  
Appellant,  
v.  
New York State Public Service Commission,  
Respondent.

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

4 Mo. No. 2025-277  
In the Matter of Transform Saleco, LLC,  
Appellant,  
v.  
Onondaga County Industrial Development  
Agency,  
Respondent.

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

1 Mo. No. 2025-361  
In the Matter of Eugene Tsevilsky,  
Appellant,  
v.  
New York State Division of Housing and  
Community Renewal et al.,  
Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2025-379  
Vanguard Construction & Development  
Company, Inc.,  
Respondent,  
v.  
400 Times Square Associates, LLC,  
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.

2                    Mo. No. 2025-238  
The People &c.,  
    Respondent,  
    v.  
Charles Vick,  
    Appellant.

Motion for leave to appeal denied.

1                    Mo. No. 2025-280  
In the Matter of H.W., &c.,  
    Appellant,  
    v.  
New York City Department of Housing  
Preservation and Development,  
    Respondent.

Motion for leave to appeal denied.