

State of New York
Court of Appeals

Decisions

April 21, 2026

CASES

1 No. 33
In the Matter of Bi-Coastal Properties, LLC,
 Appellant,
 v.
Sherif Soliman, &c. et al.,
 Respondents.

Order affirmed, with costs, and certified question not answered as unnecessary, in a memorandum. Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

 No. 29
The People &c.,
 Respondent,
 v.
David Ehinmiakhena,
 Appellant.

Order reversed and case remitted to Criminal Court of the City of New York, New York County, for further proceedings in accordance with the memorandum herein. Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur. Chief Judge Wilson dissents in part in an opinion.

1 No. 32
The People &c.,
 Respondent,
 v.
Naim Roper,
 Appellant.

Order reversed and case remitted to Supreme Court, Bronx County, for further proceedings in accordance with the opinion herein. Opinion by Judge Garcia. Chief Judge Wilson and Judges Rivera, Singas, Cannataro, Troutman and Halligan concur.

1 No. 31
The People &c.,
 Respondent,
 v.
Travis Woods,
 Appellant.

Order modified in accordance with the opinion herein and, as so modified, affirmed. Opinion by Judge Rivera. Chief Judge Wilson and Judges Troutman and Halligan concur. Judge Singas dissents in part in an opinion, in which Judges Garcia and Cannataro concur.

MOTIONS

1 Mo. No. 2025-683

630 6A LLC,
Respondent,

v.

U.S. Bank Trust National Association, &c.,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2025-706

In the Matter of Jasmine D.B.

Administration for Children's Services,
Respondent;

Diana B.,
Appellant,

et al.,
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.

Motion for financial relief dismissed as academic.

1 Mo. No. 2025-714

Bapaz NYC West 46 St Group LLC,
Respondent,

v.

ASSA Properties Inc., et al.,
Defendants,

Salim Assa,
Appellant,

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. 2025-679

David Cassidy,
Appellant,

v.

New York City Transit Authority, et al.,
Respondents.

Motion, insofar as it seeks leave to appeal from that portion of the Appellate Division order that affirmed so much of the July 2024 Supreme Court order denying renewal, dismissed upon the ground that such portion does not finally determine the action within the meaning of the Constitution; motion for leave to appeal otherwise denied.

1 Mo. No. 2025-698
In the Matter of Charan Electrical Enterprises,
Inc. et al.,
Appellants,
v.
Office of the Comptroller,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2025-744
The People &c.,
Respondent,
v.
Richard Deowsarran,
Appellant.

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

2 Mo. No. 2026-1
Pawel Grala et al.,
Plaintiffs,
v.
Structural Preservation Systems, LLC,
Third-Party Respondent,
New York City Housing Authority,
Respondent.
Apex Development, Inc. et al.,
Third-Party Appellants.

On the Court's own motion, appeal 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.

1 Mo. No. 2025-644
Harbinger Capital Partners II, LP, et al.,
Appellants,
v.
Apollo Global Management, LLC, et al.,
Respondents,
et al.,
Defendants.

Motion for leave to appeal denied.
Chief Judge Wilson took no part.

1 Mo. No. 2025-740
Samuel D. Isaly,
 Appellant,
 v.
Damian Garde et al.,
 Respondents.

Motion, insofar as it seeks leave to appeal from the May 2023 Appellate Division order, dismissed upon the ground that it does not lie, appellant having previously moved for leave to appeal to this Court from the Appellate Division order from which leave to appeal is currently sought (40 NY3d 1088 [2024]); motion, insofar as it seeks leave to appeal from the September 2025 Appellate Division order, dismissed upon the ground that such order does not finally determine the action within the meaning of the Constitution.

1 Mo. No. 2025-821
Samuel D. Isaly,
 Appellant,
 v.
Damian Garde et al.,
 Respondents.

Motion by Rodney Smolla for leave to appear amicus curiae on the motion for leave to appeal herein granted and the proposed brief is accepted as filed.

3 Mo. No. 2025-663
In the Matter of Katonah-Lewisboro Union
Free School District et al.,
 Appellants,
 v.
New York State Education Department, et al.,
 Respondents,
et al.,
 Respondents.

Motion for leave to appeal granted.

4 Mo. No. 2025-721
In the Matter of Chad Kozlowski,
 Appellant,
 v.
Meredith A. Vacca, &c.,
 Respondent.

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

3 Mo. No. 2025-681
Jerome Mack,
Appellant,
v.
State of New York,
Respondent.

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

3 Mo. No. 2025-664
In the Matter of Mahopac Central School
District et al.,
Appellants,
v.
New York State Education Department, et al.,
Respondents,
et al.,
Respondents.

Motion for leave to appeal granted.

1 Mo. No. 2025-726
Neil McNaughton,
Appellant,
v.
5 West 14 Owners Corp., et al.,
Respondents.

Motion, insofar as it seeks leave to appeal from those portions of the Appellate Division order that affirmed the dismissal of the complaint as against defendants Galen J. Criscione, Criscione Ravala LLP, David L. Moss, and David L. Moss & Associates LLC, 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.

1 Mo. No. 2025-668
Dean George Pappas, &c.,
Appellant,
v.
B & G Holding Co., &c. et al.,
Respondents.

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

1 Mo. No. 2025-677
Elizabeth Pastor,
Appellant,
v.
The August Aichhorn Center for Adolescent
Residential Care, Inc. et al.,
Respondents.

Motion for leave to appeal denied.

4 Mo. No. 2026-32
Reginald Swinton,
Appellant,
v.
State of New York,
Respondent.

On the Court's own motion, appeal 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.
Motion for financial relief dismissed as academic.

2 Mo. No. 2025-707
Santino Tomaino,
Appellant,
v.
Metro Management Development, Inc., et al.,
Respondents.

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

1 Mo. No. 2025-619
US Bank NA, &c.,
Respondent,
v.
Brenda Gallant et al.,
Appellants,
et al.,
Defendants.

Motion for leave to appeal dismissed as untimely.
The prior motion for leave to appeal made to the
Appellate Division was untimely (*see* Arthur Karger,
Powers of the New York Court of Appeals § 12:3, at
436-437 [3d ed rev 2005]).

2 Mo. No. 2025-738
U.S. Bank Trust, N.A., &c.,
 Appellant,
 v.
Susan J. Boreshesky, &c.,
 Respondent,
et al.,
 Defendants.

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

1 Mo. No. 2025-566
Desmond A. Walsh,
 Appellant,
 v.
West Gramercy Associates LLC, et al.,
 Respondents,
et al.,
 Defendant.

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

4 Mo. No. 2025-723
Wells Fargo Bank, National Association, &c.,
 Respondent,
 v.
Rodney C. Newhouse,
 Appellant,
et al.,
 Defendants.

Motion for leave to appeal denied.

3 Mo. No. 2025-720
In the Matter of Isiah Williams,
 Appellant,
 v.
Daniel F. Martuscello III,
&c.,
 Respondent.

Motion for leave to appeal denied.