

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

**Decisions**

January 13, 2026

**CASE**

1                    No. 112  
In the Matter of The Coalition for Fairness in  
Soho and Noho, Inc., et al.,  
                    Respondents,  
                    v.  
City of New York, et al.,  
                    Appellants.

Order reversed, with costs, and judgment granted to  
respondents in accordance with the opinion herein.  
Opinion by Judge Rivera.  
Chief Judge Wilson and Judges Singas, Cannataro  
and Troutman concur.  
Judge Halligan concurs in result in an opinion.  
Judge Garcia dissents and votes to affirm in an  
opinion.

**MOTIONS**

1                    Mo. No. 2025-852  
1995 CAM LLC,  
    Respondent,  
    v.  
West Side Advisors, LLC et al.,  
    Appellants.

Motion, insofar as it seeks reargument, denied, motion insofar as it seeks to amend remittitur granted. Return of remittitur requested and when returned it will be amended to read as follows: Judgment insofar as appealed from and so much of the Appellate Division order sought to be reviewed reversed, with costs, and plaintiff's motion for judgment under CPLR 3211 (c) and for summary judgment as against Gary Lieberman for post-vacatur damages denied.

3                    Mo. No. 2025-506  
In the Matter of the Claim of Adriana Alzate,  
    Appellant,  
    v.  
Quality Building Services Corp. et al.,  
    Respondents.  
Workers' Compensation Board,  
    Respondent.

Motion for leave to appeal denied.

1                    Mo. No. 2025-529  
The People &c.,  
    Respondent,  
    v.  
Damian Bell,  
    Appellant.

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

1 Mo. No. 2025-554  
Marcos Berrones,  
Respondent,  
v.  
130 E. 18 Owners Corp., et al.,  
Respondents.

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Inter Renovation Inc.,  
Third-Party Respondent,  
v.  
Unibud Restoration Corp.,  
Third-Party Appellant,  
Brenmac Corp.,  
Third-Party Respondent.

2 Mo. No. 2025-458  
Shmuel Zvi Genzler,  
Respondent,  
v.  
JPMorgan Chase Bank, National Association,  
et al.,  
Defendants;  
U.S. Bank Trust, N.A., &c.,  
Nonparty-Appellant.

2 Mo. No. 2025-530  
The People &c.,  
Respondent,  
v.  
Jorge Guevara,  
Appellant.

3 Mo. No. 2025-493  
HSBC Bank, USA, N.A.,  
Appellant,  
v.  
Gerry-Lynn Bresler, &c. et al.,  
Respondents,  
et al.,  
Defendants.

Motion, insofar as it seeks leave to appeal as against Marcos Berrones and Brenmac Corp., dismissed as untimely (*see* CPLR 5513 [b]); motion, insofar as it seeks leave to appeal as against Inter Renovation Inc., 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 reargument of motion for leave to appeal denied.

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

Motion for leave to appeal denied.

3 Mo. No. 2025-742  
Robert Jacobs,  
Respondent,  
v.  
Jack Joseph Gray, &c. et al.,  
Appellants.

Motion for reargument of motion for leave to appeal denied.

2 Mo. No. 2025-551  
Kamco Supply Corp.,  
Respondent,  
v.  
On the Right Track, LLC,  
Appellant;  
Southeastern Metal, Inc.,  
Third-Party Appellant;  
Kamco Supply Corp. of Boston, et al.,  
Third-Party Respondents,  
et al.,  
Third-Party Defendant.

Motion for leave to appeal dismissed upon the ground that it does not lie, appellants having previously moved for leave to appeal to this Court from the Appellate Division order from which leave to appeal is currently sought (30 NY3d 1036 [2017]).

2 Mo. No. 2025-473  
The People &c.,  
Respondent,  
v.  
Michael McNicholas,  
Appellant.

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

1 Mo. No. 2025-718  
Emilio Mora Navarro,  
Respondent,  
v.  
Joy Construction Corporation, 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.

3                    Mo. No. 2025-497  
In the Matter of the Claim of Devanand  
Persaud,  
                  Appellant.  
City of New York,  
                  Respondent.  
Commissioner of Labor,  
                  Respondent.

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

1                    Mo. No. 2025-471  
The People &c.,  
                  Respondent,  
                  v.  
Elroy Robinson,  
                  Appellant.

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

4                    Mo. No. 2025-659  
The People &c.,  
                  Respondent,  
                  v.  
James Ross,  
                  Appellant.

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

                          Mo. No. 2025-712  
Leora L. Schiffman,  
                  Respondent,  
                  v.  
Marc Weiss,  
                  Appellant.

Motion for leave to appeal dismissed upon the ground that this Court does not have jurisdiction to entertain the motion from the order of the Appellate Term (*see* CPLR 5602 [a]).  
Motion for financial relief dismissed as academic.

1                    Mo. No. 2025-489  
In the Matter of Virginia Shasha, et al.,  
                  Respondents,  
                  v.  
Peter L. Malkin, et al.,  
                  Appellants.  
(And Another Proceeding.)

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

2 Mo. No. 2025-539  
The People &c.,  
Respondent,  
v.  
David Storch,  
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2025-547  
In the Matter of the Claim of Fatou B.  
Tandian,  
Appellant.  
Commissioner of Labor,  
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2025-575  
US Bank National Association, &c.,  
Appellant,  
v.  
William Calhoun, &c.,  
Respondent,  
et al.,  
Defendants.

Motion for reargument of motion for leave to appeal dismissed as untimely (*see* Rules of Ct of Appeals [22 NYCRR] § 500.24 [b]).

2 Mo. No. 2025-559  
The People &c.,  
Respondent,  
v.  
Nathanael Wallace,  
Appellant.

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

Mo. No. 2025-765  
Daniel Wang,  
Appellant,  
v.  
Golden Source Capital, Inc.,  
Respondent.

Motion for leave to appeal dismissed upon the ground that this Court does not have jurisdiction to entertain the motion from the order of the Appellate Term (*see* CPLR 5602 [a]).

4 Mo. No. 2025-593  
The People &c.,  
Respondent,  
v.  
Allen J. Warner,  
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2025-733  
The People &c. ex rel. Danielle Welch, &c.,  
Appellant,  
v.  
Lynelle Maginley-Liddie, &c.,  
Respondent.

Motion for leave to appeal dismissed upon the ground that relator has been released from custody and, therefore, his liberty is no longer restrained to such a degree as to entitle him to the extraordinary writ of habeas corpus (*see People ex rel. Wilder v Markley*, 26 NY2d 648 [1970]).  
Motion for financial relief dismissed as academic.

3 Mo. No. 2025-524  
In the Matter of Isiah Williams,  
Appellant,  
v.  
Daniel F. Martuscello III, &c.,  
Respondent.

Motion for leave to appeal denied.

4 Mo. No. 2025-719  
James I. Wynn, Sr.,  
Appellant,  
v.  
Cora Bradford 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.