



State of New York
Court of Appeals

Vol. 45 - No. 1
1/13/25

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COURT OF APPEALS NEW FILINGS

Preliminary Appeal Statements processed
by the Court of Appeals Clerk's Office

January 3, 2025 through January 9, 2025

Each week the Clerk's Office prepares a list of recently-filed appeals, indicating short title, jurisdictional predicate, subject matter and key issues. Some of these appeals may not reach decision on the merits because of dismissal, on motion or sua sponte, or because the parties stipulate to withdrawal. Some appeals may be selected for review pursuant to the alternative procedure of Rule 500.11. For those appeals that proceed to briefing in the normal course, the briefing schedule generally will be: appellant's brief to be filed within 60 days after the appeal was taken; respondent's brief to be filed within 45 days after the due date for the filing of appellant's brief; and a reply brief, if any, to be filed within 15 days after the due date for the filing of respondent's brief.

The Court welcomes motions for amicus curiae participation from those qualified and interested in the subject matter of these newly filed appeals. Please refer to Rule 500.23 and direct any questions to the Clerk's Office.

PEOPLE v ANDERSON (KELLY L.):

APL-2024-00179

4th Dept. App. Div. order of 10/06/23; affirmance; leave to appeal granted by Wilson, Ch.J., 12/27/24;

Crimes—Verdict—Sufficiency of Evidence—Whether Appellate Division applied correct legal standard in weighing evidence; whether conviction was supported by legally sufficient evidence; Crimes—Right to Counsel—Effective Representation—Whether defense counsel was ineffective; Crimes—Proof of Other Crimes—Whether trial court properly allowed testimony relating to prior abuse of victim;

County Court, Yates County, convicted defendant of murder in the second degree; App. Div. affirmed.

LEK v LEK:

APL-2025-00001

1st Dept. App. Div. order of 11/26/24; affirmance; sua sponte examination of whether the order appealed from finally determines the action and whether any jurisdictional basis exists for the appeal taken as of right;

Husband and Wife and Other Domestic Relationships—Divorce;

Supreme Court, New York County, denied defendant wife's motion to direct plaintiff husband to establish a residence away from the home of his father, to engage a child care provider for the child during his parenting time, and to pay the wife's legal fees, and granted the husband's cross-motion to the extent of awarding him reimbursement for the payment he made to a jointly selected security guard for a walk-through of the parties' former residence; App. Div. affirmed.

RITCHIE v RITCHIE:

APL-2025-00003

2nd Dept. App. Div. order of 11/6/24; denied motion; sua sponte examination of whether the order appealed from finally determines the action within the meaning of the Constitution and whether any jurisdictional basis exists for an appeal as of right;

Motions and Orders;

App. Div. denied motion, among other things, to vacate a prior order on motion dated July 24, 2024;

PEOPLE v TAPIA (FELIX):

APL-2024-00173

1st Dept. App. Div. order of 9/19/24; affirmance; leave to appeal granted by Mendez, J., 12/2/24;

Crimes—Suppression—Whether police had probable cause to arrest defendant;

Supreme Court, New York County, convicted defendant of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree, and imposed sentence; App. Div., with one Justice dissenting, affirmed.