



State of New York
Court of Appeals

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COURT OF APPEALS NEW FILINGS

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

February 28, 2025 through March 6, 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.

DENTON v JAVINO:

APL-2025-00051

2nd Dept. App. Div. order of 1/7/25; denial of 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;

Appeal—Dismissal—Whether appellant's motion to vacate the dismissal of the appeal and extend the time to perfect the appeal was properly denied;

App. Div., denied motion, in effect, under 22 NYCRR 1250.10(c) to vacate the dismissal of the appeal from an order of Supreme Court, Suffolk County, dated August 30, 2023, and to extend the time to perfect the appeal.

MATTER OF MANCHANDA v KRUZIC:

APL-2025-00044

2nd Dept. App. Div. order of 2/3/25; denial of motion; sua sponte examination of whether the order appealed from finally determines the proceeding within the meaning of the Constitution and whether any jurisdictional basis exists for an appeal as of right;

Motions and Orders—Whether the Appellate Division properly denied appellant’s motion to stay enforcement of the Family Court order;

Family Court, Westchester County denied motion by the appellant, inter alia, to stay enforcement of the order, pending hearing and determination of the appeal; App. Div., denied motion by appellant, among other things, to stay enforcement of the order, pending hearing and determination of the appeal.

RAYMOND v CITY OF NY:

2nd Dept. App. Div. order of 1/8/25; affirmance; sua sponte examination of whether the order appealed from finally determines the action within the meaning of the Constitution and whether a substantial constitutional question is involved to support an appeal as of right;

Interest—Interest on Judgment—Whether the general releases provided by plaintiffs were sufficient to trigger the 90-day period within which defendants were required to make payment of the settlement amount; whether plaintiffs were entitled to seek a judgment including interest, costs, and disbursements based on nonpayment under CPLR 500.3-a(e); whether plaintiffs’ rights to equal protection and due process were violated by the Appellate Division’s holding that the releases provided by plaintiffs were defective;

Supreme Court, Queens County, among other things, granted that branch of the defendants' motion which was to vacate so much of a clerk's judgment of the same court entered May 6, 2022, as awarded the plaintiffs interest in the sum of \$6,539.18 and costs and disbursements in the sum of \$380; Supreme Court, Queens County, among other things, granted that branch of the defendants' motion which was to vacate so much of a clerk's judgment of the same court entered March 29, 2023, as awarded the plaintiffs interest in the sum of \$5,417.26 and costs and disbursements in the sum of \$380; App. Div. affirmed.