



*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

**May 23, 2025 through May 29, 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 PALACIOS (MIGUEL ANGEL):

APL-2025-00097

2nd Dept. App. Div. order of 1/8/25; affirmance; leave to appeal granted by Rivera, J., 5/16/25;

**Crimes—Suppression Hearing—Whether the existence of a probable cause “I-card” and the testimony of the officer who issued the I-card was sufficient to establish the legality of defendant’s arrest at a suppression hearing when the arresting officer did not testify; whether the evidence at the suppression hearing established that defendant properly waived his Miranda rights when the People did not enter into the record a translation of the Spanish interrogation and defendant was told that he**

**had to answer officers' questions;**

Supreme Court, Queens County, convicted defendant of arson in the second degree, upon his plea of guilty, and imposed sentence; App. Div. affirmed.

MATTER OF SALIS:

APL-2025-00104

1st Dept. App. Div. order of 4/18/25; 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 respondent's motion to vacate was properly denied; alleged constitutional violations;**

App. Div. denied respondent's motion to vacate a November 29, 2022 order disbaring him.

VAN DYKE v U.S. BANK:

APL-2025-00100

1st Dept. App. Div. order of 2/18/25; affirmance; leave to appeal granted by the Court of Appeals, 5/20/25;

**Mortgages—Foreclosure—Whether the Foreclosure Abuse Prevention Act applies retroactively; whether the retroactive application of the Act is unconstitutional;**

Supreme Court, Bronx County, declared a note and a mortgage recorded against 448 East 142nd Street, Bronx, NY, cancelled and discharged of record; App. Div. affirmed.