



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

July 25, 2025 through July 31, 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 FLESCH (JOHNATHON):

APL-2025-00134

4th Dept. App. Div. order of 3/21/25; affirmance; leave to appeal granted by Wilson, Ch. J., 7/07/25;

Crimes—Plea Bargaining—Enforcement of Agreement—Whether the People violated a term of the plea agreement and whether, as a result, defendant was entitled to sentencing before a different judge rather than, or in addition to, an opportunity to withdraw his plea, even though the original promised sentence was illegal;

County Court, Seneca County, convicted defendant upon his plea of guilty of assault in the second degree; App. Div. affirmed.