



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

October 17, 2025 through October 23, 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.

MATTER OF ATTORNEY GENERAL v K.S.:

APL-2025-00187

1st Dept. App. Div. order of 9/25/25; dismissal; sua sponte examination of whether a substantial constitutional question is directly involved in the order appealed from; **Appeal—Dismissal—Whether defendant's appeal from the motion court's decision on the outpatient order of conditions as of right under CPL 330.20(21)(c), which incorporates CPLR 5701(a)(2)(v), was properly dismissed; whether defendant may appeal the order of conditions because it affects a "substantial right" under CPLR 5701(a)(2)(v) and New York Constitution article VI, § 4(k);**

Supreme Court, New York County, granted Commissioner of the Office of Mental Health's application under CPL 330.20(12) to extend the outpatient order of conditions for defendant for an additional two years; App. Div. dismissed appeal.

FARAH v CITY OF NEW YORK:

APL-2025-00190

2nd Dept. App. Div. order of 9/17/25; affirmance; sua sponte examination of whether a substantial constitutional question is directly involved in the order appealed from;

Dismissal and Nonsuit—Dismissal of Complaint—Whether the complaint was properly dismissed as against the moving defendants; whether plaintiff’s cause of action alleging a violation of the Free Exercise Clause of the New York Constitution was properly dismissed on the ground that plaintiff has no private right of action to recover damages for alleged violations of the New York State Constitution when the alleged wrongs could be redressed by alternative remedies including those pursued under the New York State Human Rights Law and New York City Human Rights Law;

Supreme Court, Kings County, granted the motion of defendants City of New York, New York City Police Department, Michael Melocowski, and New York City Department of Health and Mental Hygiene under CPLR 3211(a) to dismiss the complaint insofar as asserted against them; App. Div. affirmed insofar as appealed from.

PEOPLE v T. (HANNAH):

APL-2025-00185

4th Dept. App. Div. order of 7/25/25; modification; leave to appeal granted by Curran, J., 9/29/25;

Crimes—Sentence—Whether the Appellate Division was barred from sua sponte reducing defendant's sentence in the interest of justice where defendant validly waived the right to appeal and did not request such relief from the Appellate Division;

County Court, Monroe County, convicted defendant upon her plea of guilty of manslaughter in the first degree; App. Div. modified as a matter of discretion in the interest of justice by reducing the sentence of imprisonment imposed to a determinate term of five years and, as modified, affirmed the judgment, with two Justices dissenting.

MATTER OF VINCENT v ADAMS:

APL-2025-00188

1st Dept. App. Div. order of 7/10/25; reversal; leave to appeal granted 10/7/25 by the Appellate Division on a certified question;

Local Laws—Preemption by State—Whether the local laws at issue that modified the New York City Fighting Homelessness and Eviction Prevention Supplement are preempted by State law;

Supreme Court, New York County, to the extent appealed from, denied the petition seeking an order directing respondent Mayor Eric Adams to implement Local Law Nos. 99, 100, 101 and 102 (2023) and to declare that the Local Laws are not preempted by New York State Law; App. Div. reversed, granted the petition to the extent that respondent is directed to implement the Local Laws by making an appropriate submission or submissions to the New York State Office of Temporary and Disability Assistance, within the New York State Department of Family Assistance, for assessment under 18 NYCRR 352.3(a)(3)(ii).