



State of New York
Court of Appeals

Vol. 45 - No. 43
10/31/25

Heather Davis, Esq.
Chief Clerk and
Legal Counsel to the Court

Clerk's Office
20 Eagle Street
Albany, New York 12207-1095
518-455-7700

COURT OF APPEALS NEW FILINGS

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

October 24, 2025 through October 30, 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.

WILLIAMS v LAKE LUZERNE ZBA:

APL-2025-00173

3rd Dept. App. Div. order of 7/31/25; reversal; Rule 500.11 review pending;

Municipal Corporations—Zoning—Variance—Whether determination by respondent town zoning board of appeals denying an area variance under Town Law § 267-b(3)(b) was illegal, arbitrary, or an abuse of discretion; whether the Appellate Division improperly substituted its judgment for that of the zoning board; Supreme Court, Warren County, dismissed petitioner's application, in a proceeding pursuant to CPLR article 78, to review a determination of respondent denying petitioner's request for an area variance; App. Div., with two Justices dissenting, reversed and remitted for further proceedings not inconsistent with the Court's decision.