



State of New York
Court of Appeals

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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

November 7, 2025 through November 13, 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 ERNST (KYLE D.):

APL-2025-00180

4th Dept. App. Div. order of 7/25/25; affirmance; leave to appeal granted by Curran, J., 9/18/25;

Crimes and Criminal Procedure—Disclosure—Whether the People failed to exercise due diligence in disclosing certain discovery materials; whether defendant's omnibus motion was still pending before Supreme Court such that the relevant time was not chargeable to the People under CPL 30.30 (4)(a);

Supreme Court, Erie County, granted motion of defendant insofar as it sought to dismiss an indictment; App. Div. affirmed, with two Justices dissenting.

PEOPLE v PARRA (JORGE):

APL-2025-00189

1st Dept. App. Div. order of 1/14/25; affirmance; leave to appeal granted by the Court of Appeals, 10/21/25;

Crimes—Sex Offenders—Whether the Appellate Division erred in holding that residency restrictions under the Sexual Assault Reform Act could not qualify as a mitigating factor for purposes of a Sex Offender Registration Act downward departure;

Supreme Court, Bronx County, adjudicated defendant a level three sexually violent predicate sex offender; App. Div. affirmed.

TORIBIO v FEDLOR BILLIARDS; SAPIR:

APL-2025-00200

1st Dept. App. Div. order of 5/29/25; affirmance; sua sponte examination of whether a substantial constitutional question is directly involved in the order appealed from;

Labor—Hours and Wages—Whether plaintiffs were entitled to all damages sought for defendant Noah Sapir’s violations of Labor Law § 196-d;

Supreme Court, New York County, awarded damages to plaintiffs for violations of Labor Law § 196-d, App. Div. affirmed.

UZAMERE v CITY OF NEW YORK:

APL-2025-00197

3rd Dept. App. Div. order of 9/25/25; 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;

Motions and Orders;

App. Div. denied motion to reargue, to renew and for further relief.

UZAMERE v HOCHUL:

APL-2025-00199

3rd Dept. App. Div. order of 9/25/25; 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;

Motions and Orders;

App. Div. denied motion to reargue, to renew and for further relief.

UZAMERE v STATE OF NEW YORK:

APL-2025-00198

3rd Dept. App. Div. order of 10/9/25; 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;

Motions and Orders;

App. Div. denied motion to reargue, to renew and for further relief, and denied motion for sanctions, for contempt and for further relief.