



*State of New York*  
*Court of Appeals*

Vol. 45 - No. 46  
11/25/25

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COURT OF APPEALS NEW FILINGS

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

**November 14, 2025 through November 20, 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 ROWE v TORRES:

APL-2025-00195

2nd Dept. App. Div. order of 10/1/25; dismissal; sua sponte examination of whether a substantial constitutional question is directly involved in the order appealed from;

**Proceeding Against Body or Officer—Whether the petition was properly dismissed for failure to demonstrate a clear legal right to the relief sought;**

App. Div. in a proceeding under CPLR article 78, granted branches of motions by certain respondents to dismiss the petition as against them, dismissed petition insofar as purportedly asserted by certain petitioners under Judiciary Law §487, otherwise denied petition and dismissed the proceeding.

SAPP v CLARK WILSON, INC.:

APL-2025-00201

2nd Dept. App. Div. order of 6/29/22; dismissal of order and affirmance of judgment, leave to appeal granted by the appellate division on a certified question, 11/3/25;

**Landlord and Tenant—Rent Regulation—Whether the motion by defendants-owners for summary judgment dismissing causes of actions predicated on a claim of deprivation of the benefits of rent stabilization by an illusory tenancy scheme asserted against them by certain plaintiffs, recipients of transitional housing and services for homeless individuals placed in the owners' apartments by the New York City Department of Homeless Services under the Cluster Transitional Residence Program, was properly granted;**

Supreme Court, Kings County, among other things, granted those branches of the motion of the defendants Clark Wilson, Inc., Clark Assoc., Inc., Wilson Flat, Inc., Wilson Mer Assoc., Inc., Wilson-Hins Assoc., and Wilson-Han Assoc., Inc. (owners), which were for summary judgment dismissing the first, second, and third causes of action insofar as asserted against them by the appellants; Supreme Court, Kings County, among other things, upon the order, awarded owners possession of the units occupied by appellants; App. Div. with one Justice dissenting in part, affirmed the judgment and dismissed the appeal from the order.

PEOPLE v SPINKS (JONATHAN):

APL-2025-00177

4th Dept. App. Div. orders of 7/25/25; affirmance; leave to appeal granted by Whalen, J., 9/11/25;

**Crimes—Consolidation and Severance—Whether Supreme Court properly consolidated the indictments; Whether defendant was deprived of a fair trial;**

Supreme Court, Monroe County, convicted defendant, upon a jury verdict, of attempted murder in the second degree, assault in the first degree, burglary in the first degree (two counts) and criminal possession of a weapon in the second degree (three counts); App. Div. affirmed, with one Justice dissenting; Supreme Court, Monroe County, convicted defendant, upon a jury verdict, of murder in the second degree and criminal possession of a weapon in the second degree (two counts), App. Div. affirmed, with one Justice dissenting.