



*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

**January 9, 2026 through January 15, 2026**

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 JEFFERSON (EARL):

APL-2025-00206

2nd Dept. App. Div. order of 7/24/24; affirmance; leave to appeal granted by Warhit, J., 11/17/25;

**Crimes—Vacatur of Judgment of Conviction—Whether the motion court properly determined that an undisclosed recorded statement did not constitute Brady material or newly discovered evidence; whether, following a hearing, defendant's CPL article 440 motion was properly denied;**

Supreme Court, Kings County, denied defendant's motion pursuant to CPL 440.10 to vacate a judgment of the same court (rendered 6-4-92), convicting defendant of murder in the second degree (two counts), upon a jury verdict, and imposed sentence; App. Div.

affirmed.

PEOPLE v VASSELL (RAY):

APL-2025-00221

2nd Dept. App. Div. order of 3/19/25; modification; leave to appeal granted by Halligan, J., 12/22/25;

**Crimes—Appeal—Whether defendant was denied the effective assistance of appellate counsel, the right of confrontation, or due process by the denial of access on direct appeal to a trial exhibit consisting of a photograph of the victim;**

**Crimes—Trial—Adjournment—Whether the trial court erred in denying defendant's request to delay the proceedings for him to receive ashes for Ash Wednesday;**

Supreme Court, Kings County, convicted defendant of criminal sexual act in the first degree (6 counts), sexual abuse in the first degree (16 counts), incest in the first degree (6 counts), endangering the welfare of a child (2 counts), tampering with a witness in the fourth degree, and criminal contempt in the second degree, upon a jury verdict, and sentenced him, as a second felony offender; App. Div. modified as a matter of discretion in the interest of justice, by reducing the sentences imposed on counts 1,2, 4, 5, 7, 8, 10, 11, 13, 14, 16, and 17 from determinate terms of imprisonment of 15 years, to be followed by 20 years of postrelease supervision to determinate terms of imprisonment of 8 years, to be followed by 20 years of postrelease supervision, and, as so modified, affirmed.

WENEGIEME v JP MORGAN CHASE:

APL-2025-00219

2nd Dept. App. Div. order of 10/22/25; dismissal; sua sponte examination of whether any jurisdictional basis exists for an appeal as of right;

**Appeal—Appealable paper—Whether the Appellate Division properly dismissed the appeal on the ground that no appeal lies from an order entered on the default of the appealing party;**

App. Div. dismissed appeal and denied respondents' motion as academic.