



*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

**March 27, 2026 through April 2, 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.**

FEDERAL NATL. MTGE. ASSN. v MARSHALL:

APL-2026-00032

3rd Dept. App. Div. order of 2/19/26; reversal; sua sponte examination of whether a substantial constitutional question is directly involved in the order appealed from;

**Mortgages—Foreclosure—Whether the Foreclosure Abuse Prevention Act's retroactive application violates the Takings Clauses of the U.S. and New York Constitutions;**

Supreme Court, Columbia County, among other things, upon renewal, granted plaintiff's motion for summary judgment; App. Div. reversed order and judgment, denied plaintiff's motion for summary judgment to confirm the referee's report and for a judgment of

foreclosure and sale, and granted defendant's cross-motion for summary judgment canceling and discharging the subject mortgage.