



*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

**April 10, 2026 through April 16, 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.**

MATTER OF FLEISCHER v FRIEDMAN:

APL-2026-00042

2nd Dept. App. Div. order of 2/25/26; modification; sua sponte examination of whether the order appealed from finally determines the proceeding within the meaning of the Constitution and whether any jurisdictional basis exists for an appeal as of right;  
**Arbitration—Award—Whether the arbitration award was properly confirmed; alleged constitutional violations;**

Supreme Court, Queens County, in a proceeding under CPLR article 75 to confirm an arbitration award dated August 15, 2019, upon an order of the same court, dated May 4, 2021, granted the petition and denied the cross-motion of Rafe Friedman to vacate or modify the arbitration award and to seal documents referencing psychiatric information,

confirmed the arbitration award, and awarded petitioner prejudgment interest from August 15, 2019; App. Div. modified by awarding petitioner prejudgment interest from September 14, 2019, as so modified affirmed, and remitted to Supreme Court for a calculation of prejudgment interest and entry of an amended judgment.

PEOPLE v NORLITE:

APL-2026-00041

3rd Dept. App. Div. order of 2/26/26; affirmance; whether the order appealed from finally determines the action within the meaning of the Constitution and whether a substantial constitutional question is directly involved in the order appealed from;

**Environmental Conservation—Air Pollution Control—Whether state plaintiffs’ motion to dismiss intervenor’s cross-claims seeking, among other things, a declaration that permitting the continued operation of defendant’s industrial facility violates intervenor’s rights to a clean and healthful environment under the Green Amendment to the New York Constitution (NY Const, art I, §19), was properly granted; whether the Green Amendment provides a private right of action;** Supreme Court, Albany County, among other things, granted a motion by certain plaintiffs to partially dismiss certain cross-claims; App. Div. affirmed.

WESLOWSKI v ZUGIBE:

APL-2026-00039

2nd Dept. App. Div. order of 3/4/26; affirmance; whether the order appealed from finally determines the action within the meaning of the Constitution and whether a substantial constitutional question is directly involved in the order appealed from;

**Motions and Orders;**

Supreme Court, Rockland County, denied plaintiff’s motion to direct the entry of a final judgment against plaintiff and granted defendants’ cross-motion for sanctions; App. Div. affirmed.