



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

June 12, 2026 through June 18, 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.

AMERICAN CATALOG MAILERS v DEPARTMENT OF TAXATION AND FINANCE:

APL-2026-00085

3rd Dept. App. Div. order of 5/7/26; affirmance; sua sponte examination of whether a substantial constitutional question is directly involved in the order appealed from; **Taxation—Franchise Tax on Business Corporations—Whether the Interstate Income Tax Act of 1959, prohibiting state income taxation of foreign corporations that engage in only certain limited activities within the state, preempts the Department of Taxation and Finance regulations implementing that federal limitation, 20 NYCRR 1-2.10;** Supreme Court, Albany County, among other things, partially granted defendants' cross-motion for summary judgment dismissing the complaint; App. Div. affirmed.

MATTER OF THE CLAIM OF COOPER:

APL-2026-00048

3rd Dept. App. Div. order of 3/12/26; 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 for leave to appeal to the Court of Appeals.

MATTER OF GOLDMAN v ICARO MEDIA GROUP:

APL-2026-00092

1st Dept. App. Div. order of 2/17/16; affirmance; leave to appeal granted by the Appellate Division, 6/11/26;

Disclosure—Discovery and Inspection—Whether the courts below properly granted petitioner resident shareholder’s petition to inspect respondent foreign corporation’s records and books only to the extent of requiring disclosure of respondent’s shareholder information under Business Corporation Law § 1315; Whether a resident shareholder in a foreign corporation is entitled more broadly to inspect the corporation’s records and books under the common law or Business Corporation Law § 624;

Supreme Court, New York County, granted the petition to inspect respondent Icaro Media Group, Inc.’s books and records only to the extent of permitting review of shareholder information under Business Corporations Law § 1315; App. Div. affirmed.

MATTER OF MERANTE v DiNAPOLI:

APL-2026-00081

3rd Dept. App. Div. order of 2/11/26; confirmed determination; sua sponte examination of whether the two-Justice dissent is on a question of law;

Proceeding Against Body or Officer—Whether the determination was arbitrary and capricious because it was rendered on an incomplete record;

App. Div., with two Justices dissenting, in a proceeding under CPLR article 78 to review a determination of respondent denying petitioner’s applications for accidental and performance of duty disability benefits, confirmed determination and dismissed petition.

ROLLE v PARADISO:

APL-2026-00090

Nassau County, Supreme Court, paper of 5/11/26; 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—Order to Show Cause;

Supreme Court declined to sign order to show cause and ordered submissions on why sanctions should not be imposed.

PEOPLE v WRIGHT (JIMMIE):

APL-2026-00055

4th Dept. App. Div. order of 2/11/26; affirmance; leave to appeal granted by Ogden, J., 4/30/26;

Crimes—Lesser Included Offense—Whether there was a “reasonable view” of the evidence that would support a finding that defendant acted recklessly, rather than intentionally, such that Supreme Court erred by denying defendant’s request to charge manslaughter in the second degree as a lesser included offense of murder in

the second degree; Crimes—Right to Counsel—Effective Representation—Whether defendant was deprived of the effective assistance of counsel;

Supreme Court, Monroe County, convicted defendant, upon a jury verdict, of manslaughter in the first degree; App. Div. affirmed.

