

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR THURSDAY, JANUARY 8, 2026

1:00 P.M. SESSION

GA CE F MS MK

BENCH POSITION: McShan, J., Ceresia, J., Garry, P.J., Fisher, J., Mackey, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(1)	CV-23-1255	<b>MATTER OF PEOPLE OF THE STATE OF NEW YORK v COMMONS WEST, LLC</b> <b>Appellant - Patrick Woods, Esq.</b> Office of the New York State Attorney General (People of the State of New York) <b>Respondent - Curtis Alan Johnson, Esq.</b> Bond Schoeneck & King, PLLC (Commons West, LLC, et al.) <b>Amicus Curiae - Even W. Henley, Esq.</b> <b>Amicus Curiae - Sana Faizal Mayat, Esq.</b> <b>Amicus Curiae - Molly K. Biklen, Esq.</b> <b>Amicus Curiae - John August, Esq.</b> <b>Amicus Curiae - Rachel W.W. Granfield, Esq.</b>	 10  10  SUB SUB SUB SUB SUB
(2)	CV-23-2238	<b>MATTER OF GUIDEN v JOSE-DECKER</b> <b>Petitioner - Glenn A. Graber, Esq.</b> Glenn A. Graber, P.C. (Keymarro Guiden) <b>Respondent - Michael J. Puma, Esq.</b> Sullivan County District Attorney's Office (Sullivan County District Attorney)	 10  10
(3)	CV-25-0456	<b>FRASIER v NIAGARA MOHAWK POWER CORP.</b> <b>Appellant - Kyle D. Gooch, Esq.</b> Harris Beach Murth Cullina PLLC (Rick Frasier, et al.) <b>Respondent - Erik D. Nadolink, Esq.</b> Wheeler Trigg O'Donnell LLP (Niagara Mohawk Power Corp.) <b>Amicus Curiae - Joshua M. Tallent, Esq.</b>	 10  10  SUB

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR THURSDAY, JANUARY 8, 2026

1:00 P.M. SESSION

GA CE F MS MK

BENCH POSITION: McShan, J., Ceresia, J., Garry, P.J., Fisher, J., Mackey, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
➤(4)	CV-24-1668	<b>USL MARINA, LLC v ADIRONDACK WILD: FRIENDS OF THE FOREST PRESERVE</b> <b>Appellant - Matthew D. Norfolk, Esq.</b> Norfolk Beier PLLC (USL Marina, LLC.) <b>Respondent - Anna V. Seitelman, Esq.</b> Whiteman, Osterman & Hanna, LLP (Adirondack Wild: Friends of the Forest Preserve) <b>Respondent - Charles B. Updike, Esq.</b> Schoeman Updike & Kaufman, Esq. (Adirondack Explorer, Inc.)	10  05  05
(5)	CR-24-1838	<b>PEOPLE v TERRY L. DAVIS JR.</b> <b>Appellant - John Ingrassia, Esq.</b> Larkin Ingrassia LLP (Terry L. Davis) <b>Respondent - Danielle K. Blackaby, Esq.</b> Sullivan County District Attorney's Office (People of the State of New York)	10  10
(7)	CR-23-0297	<b>PEOPLE v THOMAS G. BESSETTE</b> <b>Appellant - Mitchell S. Kessler, Esq. [Assigned]</b> (Thomas G. Bessette) <b>Respondent - Daniel J. Young, Esq.</b> Albany County District Attorney's Office (The People of the State of New York)	10  10
(8)	CV-25-0089	<b>MATTER OF ABIGAIL X.</b> <b>Appellant - M. Lettie Dickerson, Esq.</b> Empire Justice Center (Abigail X.)	10

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR THURSDAY, JANUARY 8, 2026

1:00 P.M. SESSION

GA CE F MS MK

BENCH POSITION: McShan, J., Ceresia, J., Garry, P.J., Fisher, J., Mackey, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(6)	CV-25-0114	<b>ZWICKEL v UNDERHILL LAND, LLC</b> <b>Appellant - Daniel M. O'Hara, Esq.</b> McLoughlin O'Hara LLP (Underhill Land, LLC, et al.) <b>Respondent - William F. Demarest III, Esq.</b> Rupp Pfalzgraf LLC (Claire E. Zwickel, et al.)	<u>Remote</u> 10 <u>In Person</u> 10
(9)	CV-24-1051	<b>MATTER OF ALEXANDER I. v ALLISON I.</b>	SUB
(10)	113284	<b>PEOPLE v ALIK ANTHONY</b>	SUB
(11)	CV-24-1581	<b>MATTER OF FOSTER v MONADNOCK CONSTRUCTION INC.</b>	SUB
(12)	CV-24-1731	<b>MATTER OF JANEY B. v JILL C.</b>	SUB
(13)	CR-24-1276	<b>PEOPLE v ORLANDO TORRES</b>	SUB
(14)	CR-24-0032	<b>PEOPLE v JAKE B. SWEENEY</b>	SUB
(15)	CV-24-1460	<b>MATTER OF BLAKE v NIAGARA WHEATFIELD CENTAL SCHOOL DISTRICT</b>	SUB

►CV-24-1668 - USL MARINA, LLC v ADIRONDACK WILD: FRIENDS OF THE FOREST PRESERVE  
Panel: GA CE MS MK