

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

SESSION CALENDAR FOR FRIDAY, JANUARY 09, 2026

9:30 A.M. SESSION

CL PR MS PO CN

BENCH POSITION: Powers, J., Pritzker, J., Clark, J.P., McShan, J., Corcoran, 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-24-1381	ESTATE OF WILLIE MIDDLETON v CLR TROY LLC Appellant - Steven V. DeBraccio, Esq. Wilson Elser Moskowitz Edelman & Dicker, LLP (CLR Troy LLC) Respondent - Joseph L. Ciaccio, Esq.	10 SUB
(2)	CV-25-0270	DEVANNY v COOK Appellant - Philip M. Gulisano, Esq. Nash Connors, P.C. (Michael G. Cook) Respondent - Ross S. Friscia, Esq. Horn Appellate Group (Timothy J. Devanny)	10 10
(3)	CV-25-0626	SIMPSON v BAYER	SUB
(4)	CV-24-1317	U.S. BANK NATIONAL ASSOCIATION v THIBAUT Appellant - Sean Monahan, Esq. Respondent - Russell W. Dombrow, Esq. Dombrow Law Firm (Ralph Thibault, et. al)	SUB 10
(5)	CV-24-1568	MATTER OF TOMEI v McDONALD Petitioner - Nina Keilin, Esq. (Marion Tomei) Respondent - Kate H. Nepveu, Esq. Office of the New York State Attorney General (James V. McDonald, as Commissioner of the New York State Department of Health, et al.)	10 10

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Calendar No.	Case No.	Title	Time Allocated
➤(6)	CV-24-1816	MATTER OF GUERRERO v MARTUSCELLO Appellant - Sophia Heller, Esq. Prisoners' Legal Services of New York (Isiah Guerrero) Respondent - Kevin C. Hu, Esq. Office of the New York State Attorney General (Daniel F. Martuscello, III)	10 10
(7)	CV-24-1572	PLACES IN SARATOGA, LLC v IZZO Appellant - Javier J. Mendez, Esq. Lemery Greisler, LLC (Places in Saratoga, LLC) Respondent - John B. Casey, Esq. Cabaniss Casey LLP (Frank J. Izzo et al.)	10 10
(8)	CV-25-0476	SABRE OXIDATION TECHNOLOGIES, INC. v SUPERIOR PLUS CORP. Appellant-Respondent - Roger G. Jones, Esq. Bradley Arant Boult Cummings, LLP (Sabre Holdo, LLC) Respondent-Appellant - Christopher K. Mills, Esq. The Mills Law Firm, LLP (Sabre Oxidation Technologies, Inc., et al.)	10 10
(9)	CV-24-1554	DEUTSCHE BANK NATL. TRUST CO. v BESSETTE	SUB
(10)	CV-24-0828	MATTER OF LINDEN L. v JUSTIN M.	SUB
(11)	CV-24-1493	MATTER OF HOGAN v ABF FREIGHT SYSTEM, INC.	SUB
(12)	CV-24-1880	MATTER OF JAYDEN G. (DEBRA F.)	SUB
(13)	CR-23-1922	PEOPLE v ZAQUON WOODY	SUB

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Calendar No.	Case No.	Title	Time Allocated
(14)	CV-24-0615	MATTER OF JACKSON v NEW YORK FOUNDLING HOSP.	SUB
(15)	CV-24-1475	MATTER OF BELCHER v DOMINICAN VILLAGE INC.	SUB

► CV-24-1816 - MATTER OF GUERRERO v MARTUSCELLO
Panel: CL PR MS PO