

MOTION NO. (607/08) KA 05-01064. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JARROD A. BREWER, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: LINDLEY, J.P., BANNISTER, SMITH, NOWAK, AND DELCONTE, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (608/08) KA 05-01153. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V PRESTON BOYD, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: LINDLEY, J.P., BANNISTER, MONTOUR, SMITH, AND DELCONTE, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (1014/15) KA 13-01865. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V GERALD E. HOGUE, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., LINDLEY, SMITH, NOWAK, AND HANNAH, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (1025/16) KA 14-01504. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RAYSHAWN BETHANY, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., LINDLEY, CURRAN, AND SMITH, JJ. (Filed Mar. 20, 2026.)

MOTION NOS. (1272-1273/17) KA 16-00562 AND KA 16-00563. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V CHRISTOPHER SWICK, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., LINDLEY, CURRAN, SMITH, AND OGDEN, JJ. (Filed Mar.

20, 2026.)

MOTION NO. (711/18) KA 16-02262 AND KA 16-02264. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V LESTER SCARBROUGH, DEFENDANT-APPELLANT. --

Motion for reconsideration denied and other relief dismissed. PRESENT: LINDLEY, J.P., CURRAN, BANNISTER, OGDEN, AND GREENWOOD, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (150/20) KA 16-00193. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V MARQUIS D. HARRINGTON, DEFENDANT-APPELLANT. -- Motion for

writ of error coram nobis denied. PRESENT: WHALEN, P.J., CURRAN, BANNISTER, OGDEN, AND HANNAH, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (1163/21) KA 20-00313. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ALBERTO PINET, DEFENDANT-APPELLANT. -- Motion for writ of

error coram nobis denied. PRESENT: LINDLEY, J.P., CURRAN, MONTOUR, SMITH, AND OGDEN, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (770/25) CA 24-00420. -- IN THE MATTER OF JOSEPH ROESCH, PETITIONER-APPELLANT, V OFFICE OF THE EXECUTIVE DIRECTOR, ACTING EXECUTIVE

DIRECTOR OF STARC-OAKVIEW, NEW YORK STATE OFFICE OF MENTAL HEALTH AND OFFICE OF COMMISSIONER FOR OFFICE OF MENTAL HEALTH,

RESPONDENTS-RESPONDENTS. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., LINDLEY, MONTOUR, AND NOWAK, JJ.

(Filed Mar. 20, 2026.)

MOTION NO. (772.1/25) CA 24-01073. -- THOMAS HORNING, INDIVIDUALLY AND ON BEHALF OF J.B. WISE BLOCK, LLC AND ITS MEMBERS DERIVATIVELY, PLAINTIFF-APPELLANT, V THOMAS MILLAR, EASTERN MARKET DEVELOPMENT LLC, VINA BONNER, DEFENDANTS-RESPONDENTS, ET AL., DEFENDANT. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., LINDLEY, MONTOUR, AND NOWAK, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (815/25) CA 24-01767. -- M.H., AN INFANT, BY HIS MOTHER AND NATURAL GUARDIAN, SHANIQUE B., AND SHANIQUE B., INDIVIDUALLY, PLAINTIFFS-RESPONDENTS, V MAGDI E. SAYEGH, M.D., ADEL E. CHOUCANI, M.D., AND CHOUCANI, SAYEGH & BAGNARELLO, M.D., LLP, DEFENDANTS-APPELLANTS, ET AL., DEFENDANTS. (APPEAL NO. 2.) -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: MONTOUR, J.P., SMITH, GREENWOOD, AND NOWAK, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (816.1/25) CA 24-01193. -- KATHLEEN GUMKOWSKI, AS ADMINISTRATOR OF THE ESTATE OF GREGORY GUMKOWSKI, DECEASED, AND KATHLEEN GUMKOWSKI, INDIVIDUALLY, PLAINTIFF-RESPONDENT, V THOMAS SCHWAAB, M.D., ET AL., DEFENDANTS, TOWN OF TONAWANDA, TOWN OF TONAWANDA EMS, TOWN OF TONAWANDA POLICE DEPARTMENT, KRISTIAN RUTENKROGER, DAVID RICE, KENMORE MERCY HOSPITAL, CATHOLIC HEALTH SYSTEM, INC., AND ERIK DIRINGER, D.O.,

DEFENDANTS-APPELLANTS. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: MONTOUR, J.P., SMITH, GREENWOOD, AND NOWAK, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (832/25) CA 24-01825. -- **SCOTT MILLER BEAUTY SALON, INC., PLAINTIFF-RESPONDENT, V HAMILTON STERN CONSTRUCTION, LLC, ET AL., DEFENDANTS, HAMILTON STERN CONSTRUCTION, LLC, THIRD-PARTY PLAINTIFF-RESPONDENT, V ES SYSTEMS, INC., THIRD-PARTY DEFENDANT-APPELLANT, ET AL., THIRD-PARTY DEFENDANT.** -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: LINDLEY, J.P., CURRAN, BANNISTER, OGDEN, AND DELCONTE, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (856/25) CA 24-00601. -- **IN THE MATTER OF JON Z. AND VICTOR Z., FOR THE APPOINTMENT OF A GUARDIAN OF THE PROPERTY AND/OR PERSON OF MARGARET Z., AN ALLEGED INCAPACITATED PERSON, JON Z., PETITIONER-APPELLANT, V THERESA M. GIROUARD, ESQ., APPOINTED GUARDIAN FOR MARGARET Z., AN ALLEGED INCAPACITATED PERSON, RESPONDENT-RESPONDENT.** -- Motion for reargument denied. PRESENT: BANNISTER, J.P., MONTOUR, SMITH, GREENWOOD, AND HANNAH, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (857/25) CA 24-01303. -- **SUZANNE K. CIANCI, LIMITED ADMINISTRATOR OF THE ESTATE OF DONALD J. TUOHEY, SR., DECEASED, PLAINTIFF-RESPONDENT, V THE UNIVERSITY OF ROCHESTER, DEFENDANT-APPELLANT.**

-- Motion for reargument or leave to appeal to the Court of Appeals denied.

PRESENT: BANNISTER, J.P., MONTOUR, SMITH, GREENWOOD, AND HANNAH, JJ.

(Filed Mar. 20, 2026.)

MOTION NO. (871/25) CA 24-01532. -- TAMMY K., PHILLIP K., HER SPOUSE, AND TAMMY AND PHILLIP K., INDIVIDUALLY AND AS PARENTS AND NATURAL GUARDIANS OF MINORS P.K.J. AND N.K., CLAIMANTS-APPELLANTS, V STATE OF NEW YORK, NEW YORK STATE POLICE, AND NEW YORK STATE TROOPER CHAD BERRY,

DEFENDANTS-RESPONDENTS. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: LINDLEY, J.P., CURRAN, OGDEN, AND NOWAK, JJ.

(Filed Mar. 20, 2026.)

MOTION NOS. (904-905/25) CA 24-01318 AND CA 25-00341. -- IN THE MATTER OF THE INTERMEDIATE ACCOUNTING OF MANUFACTURERS AND TRADERS TRUST COMPANY, AS TRUSTEE OF THE ROBERT S. BASSETT TRUST NUMBER 7 OF 1974, FOR THE PERIOD COVERING SEPTEMBER 7, 1983 TO OCTOBER 18, 2013, PETITIONER-RESPONDENT; IN THE MATTER OF THE INTERMEDIATE ACCOUNTING OF MANUFACTURERS AND TRADERS TRUST COMPANY, AS TRUSTEE OF THE ROBERT S. BASSETT TRUST NUMBER 7 OF 1974, FOR THE PERIOD COVERING OCTOBER 19, 2013 TO MAY 15, 2017, PETITIONER-RESPONDENT, V SUE M. WILLIAMS, DANIEL H. WILLIAMS, IV, JENNIFER B. WILLIAMS, AMELIA J. WILLIAMS, A MINOR BY AND THROUGH HER NATURAL FATHER AND GUARDIAN DANIEL H. WILLIAMS, IV, BRODERICK D. WILLIAMS, A MINOR BY AND THROUGH HIS NATURAL FATHER AND GUARDIAN DANIEL H. WILLIAMS, IV, AND JOSEPH

H. CHAPMAN, A MINOR BY AND THROUGH HIS NATURAL MOTHER AND GUARDIAN,
JENNIFER B. WILLIAMS, OBJECTANTS-APPELLANTS. -- Motions for leave to appeal
to the Court of Appeals denied. PRESENT: WHALEN, P.J., CURRAN, MONTOUR,
SMITH, AND DELCONTE, JJ. (Filed Mar. 20, 2026.)

MOTION NO. (967/25) CA 25-00291. -- RICHARD-LOUIS SPOSATO,
PLAINTIFF-APPELLANT, V VILLAGE OF SOLVAY, TOWN OF SALINA, MEGAN CAVALIERE
AND PAUL G. CAREY, DEFENDANTS-RESPONDENTS. -- Motion for reargument or
leave to appeal to the Court of Appeals denied. PRESENT: CURRAN, J.P.,
BANNISTER, NOWAK, DELCONTE, AND HANNAH, JJ. (Filed Mar. 20, 2026.)