

**MOTION NOS. (1292-1293/14) KA 10-01387 AND KA 14-00347. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V PHILLIP COUSER, DEFENDANT-APPELLANT.**

-- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., LINDLEY, CURRAN, BANNISTER, AND MONTOUR, JJ. (Filed June 5, 2026.)

**MOTION NO. (373/23) CAF 22-00561. -- IN THE MATTER OF ARMANI M. -- MONROE COUNTY DEPARTMENT OF HUMAN SERVICES, PETITIONER-RESPONDENT; ANGELEANA M., RESPONDENT, AND DARYL G., RESPONDENT-APPELLANT.** -- Motion for writ of error coram nobis granted. Memorandum: Upon our review of the motion papers, we conclude that counsel's representation was not constitutionally adequate (*see generally Matter of Parker J.*, – NY3d –, –, 2025 NY Slip Op 06533, \*3-4 [2025]; *cf. People v Alvarez*, 33 NY3d 286, 291 [2019]). The order of April 28, 2023, is vacated, and this Court will consider the appeal de novo. Respondent-appellant is directed to file and serve the record and his brief on or before September 3, 2026. PRESENT: LINDLEY, J.P., BANNISTER, MONTOUR, AND GREENWOOD, JJ. (Filed June 5, 2026.)

**MOTION NO. (446/23) KA 20-00259. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V LUIS FERNANDEZ, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: CURRAN, J.P., BANNISTER, MONTOUR, OGDEN, AND DELCONTE, JJ. (Filed June 5, 2026.)

**MOTION NO. (161/24) KA 22-01454. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V KALIK MCMILLAN, DEFENDANT-APPELLANT.** -- Motion for writ of

error coram nobis denied. PRESENT: LINDLEY, J.P., CURRAN, BANNISTER, GREENWOOD, AND NOWAK, JJ. (Filed June 5, 2026.)

**MOTION NOS. (480-481/24) KA 22-01690 AND KA 23-00433. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V CHARLES GAMBLE, DEFENDANT-APPELLANT. --**

Motion for writ of error coram nobis denied. PRESENT: LINDLEY, J.P., MONTOUR, OGDEN, DELCONTE, AND HANNAH, JJ. (Filed June 5, 2026.)

**MOTION NOS. (213/24 AND 922/24) KA 22-01350. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V MARCO A. ALMONTE, DEFENDANT-APPELLANT. --**

Motion for writ of error coram nobis denied. PRESENT: CURRAN, J.P., MONTOUR, NOWAK, DELCONTE, AND HANNAH, JJ. (Filed June 5, 2026.)

**MOTION NO. (574/25) KA 23-00862. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JAHMIERE WILLIAMS, DEFENDANT-APPELLANT. --**

Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., MONTOUR, GREENWOOD, NOWAK, AND HANNAH, JJ. (Filed June 5, 2026.)

**MOTION NOS. (912-914/25) KA 22-00913, KA 23-01041, AND KA 24-00207. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V DARIEN GOVAN,**

**DEFENDANT-APPELLANT. --** Motion for leave to reargue denied. PRESENT: LINDLEY, J.P., BANNISTER, GREENWOOD, NOWAK, AND HANNAH, JJ. (Filed June 5, 2026.)

MOTION NO. (983/25) CA 25-00726. -- IN THE MATTER OF ROCHESTER POLICE LOCUST CLUB, INC., PETITIONER-PLAINTIFF-RESPONDENT, V CITY OF ROCHESTER, RESPONDENT-DEFENDANT-APPELLANT. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., LINDLEY, OGDEN, NOWAK, AND DELCONTE, JJ. (Filed June 5, 2026.)

MOTION NO. (999/25) CA 25-00643. -- FRANCES GREGG, ET AL., PLAINTIFFS-APPELLANTS, V COMMUNITY CARE COMPANIONS, INC., ALEXANDER J. CARO AND MARK GATIEN, DEFENDANTS-RESPONDENTS. -- Motion for reargument denied. PRESENT: BANNISTER, J.P., MONTOUR, GREENWOOD, AND HANNAH, JJ. (Filed June 5, 2026.)

MOTION NO. (112/26) CA 24-01456. -- VICTORIA H. WEINKE AND RICHARD L. CARLSON, CO-EXECUTORS OF THE ESTATE OF THOMAS L. CARLSON, DECEASED, PLAINTIFFS, V ASBESTOS CORPORATION, LTD., A CORPORATION OF THE PROVINCE OF QUEBEC, ET AL., DEFENDANTS. (ACTION NO. 1.) -- MERLE C. CHAPIN AND IRENE CHAPIN, HIS SPOUSE, PLAINTIFFS, V ASBESTOS CORPORATION, LTD., A CORPORATION OF THE PROVINCE OF QUEBEC, ET AL., DEFENDANTS. (ACTION NO. 2.) -- ARLENE M. DIERMYER, ADMINISTRATOR OF THE ESTATE OF JAMES R. DIERMYER, SR., DECEASED AND INDIVIDUALLY AS THE SURVIVING SPOUSE OF JAMES R. DIERMYER, SR., PLAINTIFF, V ASBESTOS CORPORATION, LTD., A CORPORATION OF THE PROVINCE OF QUEBEC, ET AL., DEFENDANTS. (ACTION NO. 3.) -- NANCY A. MATIKOSH, EXECUTOR OF THE ESTATE OF SAMUEL MATIKOSH, JR., DECEASED, AND INDIVIDUALLY

AS THE SURVIVING SPOUSE OF SAMUEL MAKITOSH, JR., PLAINTIFF, V ASBESTOS CORPORATION, LTD., A CORPORATION OF THE PROVINCE OF QUEBEC, ET AL., DEFENDANTS. (ACTION NO. 4.) -- NANCY M. MUIR, AS EXECUTOR OF THE ESTATE OF JOSEPH L. MUIR, DECEASED, PLAINTIFF-RESPONDENT, V AIR & LIQUID SYSTEMS CORPORATION, AS SUCCESSOR BY MERGER TO BUFFALO PUMPS, INC., ET AL., DEFENDANTS. (ACTION NO. 5.) -- KENNETH C. ZUHR AND CAROL ANN ZUHR, HIS SPOUSE, PLAINTIFFS, V ASBESTOS CORPORATION, LTD., A CORPORATION OF THE PROVINCE OF QUEBEC, ET AL., DEFENDANTS. (ACTION NO. 6.) -- HEDMAN RESOURCES LIMITED, DEFENDANT-APPELLANT. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: BANNISTER, J.P., MONTOUR, NOWAK, AND DELCONTE, JJ. (Filed June 5, 2026.)

KA 24-01762. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V DANIEL C. CAMANN, DEFENDANT-APPELLANT. -- Judgment unanimously affirmed. Counsel's motion to be relieved of assignment granted (*see People v Crawford*, 71 AD2d 38, 39 [4th Dept 1979]). (Appeal from Judgment of Wyoming County Court, Melissa Lightcap Cianfrini, A.J. - Driving While Intoxicated). PRESENT: BANNISTER, J.P., MONTOUR, GREENWOOD, DELCONTE, AND HANNAH, JJ. (Filed June 5, 2026.)

KA 24-01743. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JOSE RIVERA COLON, DEFENDANT-APPELLANT. -- Judgment unanimously affirmed. Counsel's motion to be relieved of assignment granted (*see People v*

*Crawford*, 71 AD2d 38, 39 [4th Dept 1979])). (Appeal from Judgment of Wyoming County Court, Melissa Lightcap Cianfrini, A.J. - Attempted Promoting Prison Contraband, 1st Degree). PRESENT: BANNISTER, J.P., MONTOUR, GREENWOOD, DELCONTE, AND HANNAH, JJ. (Filed June 5, 2026.)

**KA 23-00099. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RAYQUAN HUDSON, DEFENDANT-APPELLANT.** -- Motion to dismiss appeal granted. Matter remitted to Onondaga County Court, to vacate judgment of conviction and dismiss indictment (*see People v Matteson*, 75 NY2d 745, 747 [1989]). PRESENT: WHALEN, P.J., LINDLEY, CURRAN, BANNISTER, AND MONTOUR, JJ. (Filed June 5, 2026.)

**KA 23-01613. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V TERELL A. STORMER, DEFENDANT-APPELLANT.** -- Motion to dismiss appeal granted. Matter remitted to Niagara County Court, to vacate judgment of conviction and dismiss indictment (*see People v Matteson*, 75 NY2d 745, 747 [1989]). PRESENT: WHALEN, P.J., LINDLEY, CURRAN, BANNISTER, AND MONTOUR, JJ. (Filed June 5, 2026.)