

January 10, 2012

CASE

1 No. 224
Jose Luis Toledo, &c.,
 Respondent,
 v.
Iglesia Ni Christo,
 Appellant.

Order affirmed, with costs.
Opinion by Judge Ciparick.
Chief Judge Lippman and Judges Graffeo, Pigott and
Jones concur.
Judge Smith dissents in an opinion in which Judge
Read concurs.

MOTIONS

3 Mo. No. 2011-1214
In the Matter of the Estate of Armenak
Ajamian, Deceased.

Alice Ajamian, &c.,
Respondent;
Robert Ajamian,
Appellant,
Troy Savings Bank et al.,
Respondents.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

2 Mo. No. 2011-1211
In the Matter of American Alternative
Insurance Corp.,
Respondent,

v.
Christopher R. Pelszynski,
Appellant.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

2 Mo. No. 2011-1202
The People &c.,
Respondent,
v.
James Anderson,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2011-1197
In the Matter of Anonymous, an attorney and
counselor-at-law.

Departmental Disciplinary Committee for the
First Judicial Department,
Respondent,
Anonymous,
Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

Motion for a stay dismissed as academic.

2 Mo. No. 2011-1266
In the Matter of Janelle C. (Anonymous).

Suffolk County Department of Social
Services,
 Respondent;
Sean R. (Anonymous),
 Appellant,
et al.,
 Respondent.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2011-1171
In the Matter of Kathleen M. Clark,
 Respondent,
v.
Michael J. Clark,
 Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2011-1233
In the Matter of Ian Dawes,
 Appellant,
v.
D. Venettozzi, &c.,
 Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2011-1238
East Midtown Plaza Housing Company, Inc.,
 Appellant,
v.
Andrew M. Cuomo, &c., et al.,
 Respondents.
East Midtown Plaza Tenant-Cooperator
Association, et al.,
 Intervenors-Respondents.

Motion for leave to appeal granted.

1 Mo. No. 2011-1298
East Midtown Plaza Housing Company, Inc.,
 Respondent,
 v.
Andrew M. Cuomo, &c., et al.,
 Respondents.
East Midtown Plaza Tenant-Cooperator
Association,
 Intervenor-Appellant;
East Midtown Plaza Mitchell-Lama
Organization,
 Intervenor-Respondent.

Motion for leave to appeal granted.

1 Mo. No. 2011-1255
Echostar Satellite L.L.C.,
 Appellant,
 v.
ESPN Inc., et al.,
 Respondents.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2011-1210
Kenneth Entler, &c.,
 Appellant,
 v.
Eric Koch, et al.,
 Defendants,
Boy Scouts of America,
 Respondent.

Motion, insofar as it seeks reargument of appellant's motion for leave to appeal from the June 2011 Appellate Division order, denied; motion, insofar as it seeks leave to appeal from the November 2011 stipulation treated as a final judgment, denied.

3 Mo. No. 2011-1196
In the Matter of Janet GG.,
 Appellant,
 v.
Robert GG.,
 Respondent.

Motion for leave to appeal denied.

4 SSD 58
Yvette Huff,
 Respondent,
 v.
Anita L. Rodriguez, &c., et al.,
 Appellants.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that the order sought to be reviewed does not necessarily affect the final judgment as required by CPLR 5601(d) (see Karger, Powers of the New York Court of Appeals § 9:5, at 312 [3d ed rev]).

3 Mo. No. 2011-1231
In the Matter of Alyson J.
et al., &c.

Motion for leave to appeal denied.

Broome County Department of Social
Services,
 Respondent;
Laurie J.,
 Appellant.

Motion for reargument of motion for leave to appeal denied.

1 Mo. No. 2011-1241
Gurumurthy Kalyanaram,
 Appellant,
 v.
New York Institute of Technology,
 Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2011-1222
In the Matter of Tricia M. Lynch,
 Appellant,
 v.
Vincent Velella,
 Respondent.
(And Other Proceedings.)

3 Mo. No. 2011-1183
Frank D. Maki,
Appellant,
v.
Bassett Healthcare et al.,
Respondents.

Motion, insofar as it seeks leave to appeal from that part of the Appellate Division order that affirmed the portion of the Supreme Court order granting respondents' motion for summary judgment and dismissing the complaint, denied; motion for leave to appeal otherwise dismissed upon the ground that the remaining part of the Appellate Division order does not finally determine the action within the meaning of the Constitution.

3 Mo. No. 2011-1204
The People &c. ex rel. Rodney McNeil,
Appellant,
v.
Mark L. Bradt, &c.,
Respondent.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

4 Mo. No. 2011-1205
In the Matter of New York State Urban
Development Corporation, &c.,
Respondent.
Fallsite, LLC et al.,
Appellants.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

2 Mo. No. 2011-1212
Barbara Paolucci,
Appellant,
v.
Al Kamas, et al.,
Respondents.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2011-1228
Carol Rickles,
Appellant,
v.
Michael Rickles,
Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

1 Mo. No. 2011-1194
The People &c.,
Respondent,
v.
Eric Spivey,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2011-1216
Sunrise Harbor Realty, LLC,
Appellant,
v.
35th Sunrise Corp.,
Respondent,
et al.,
Defendants.
(And a Third-Party Action.)

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

3 Mo. No. 2011-1208
In the Matter of Robert Taylor,
Appellant,
v.
Brian Fischer, &c.,
Respondent.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

4 Mo. No. 2011-1127

Marcia A. Wild, et al.,
Respondents,

v.

Catholic Health System, &c.,
et al.,

Defendants,
Buffalo Emergency Associates, LLP et al.,
Appellants.

Motion for leave to appeal granted.

2 Mo. No. 2011-1223

The People &c.,
Respondent,

v.

Rahiem Wyatt,
Appellant.

Motion for leave to appeal denied.

Motion for poor person relief dismissed as academic.