

March 29, 2018

CASES

1 No. 19
In the Matter of Talib W. Abdur-Rashid,
 Appellant,
 v.
New York City Police Department, et al.,
 Respondents.

Order affirmed, with costs.
Opinion by Chief Judge DiFiore.
Judges Fahey, Garcia and Feinman concur.
Judge Wilson dissents in part in an opinion.
Judge Stein dissents in an opinion in which Judge
Rivera concurs.

In the Matter of Samir Hashmi,
 Appellant,
 v.
New York City Police Department, et al.,
 Respondents.

1 No. 23
Karen Gravano,
 Appellant,
 v.
Take-Two Interactive Software, Inc. et al.,
 Respondents.

Order, insofar as appealed from, affirmed, with costs,
in a memorandum.
Chief Judge DiFiore and Judges Rivera, Stein, Fahey,
Garcia and Feinman concur.
Judge Wilson took no part.

1 No. 31
Andrew Kolchins,
 Respondent,
 v.
Evolution Markets, Inc.,
 Appellant.

Order affirmed, with costs, and certified question
answered in the affirmative.
Opinion by Judge Stein.
Chief Judge DiFiore and Judges Rivera, Fahey,
Garcia and Wilson concur.
Judge Feinman took no part.

1 No. 24
Lindsay Lohan,
 Appellant,
 v.
Take-Two Interactive Software, Inc., et al.,
 Respondents.

Order, insofar as appealed from, affirmed, with costs.
Opinion by Judge Fahey.
Chief Judge DiFiore and Judges Rivera, Stein, Garcia
and Feinman concur.
Judge Wilson took no part.

1 No. 34
The People &c.,
 Respondent,
 v.
Teri W.,
 Appellant.

Order affirmed.
Opinion by Judge Wilson.
Chief Judge DiFiore and Judges Rivera, Stein, Fahey,
Garcia and Feinman concur.

MOTIONS

1 Mo. No. 2018-331
The Alliance to End Chickens as Kaporos, et
al.,
 Appellants,
 v.
New York City Police Department, et al.,
 Respondents,
et al.,
 Defendants.

Motion by Agudath Israel of America for leave to appear amicus curiae on the appeal herein granted only to the extent that the proposed brief is accepted as filed. The brief must be submitted in digital format within seven days.
Judge Feinman took no part.

1 Mo. No. 2018-341
Niurka Andino,
 Respondent-Appellant,
 v.
Ronald Mills, et al.,
 Appellants-Respondents.
(And a Third-Party Action.)

Motion by City of New York for leave to appear amicus curiae on the appeal herein granted only to the extent that the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.

1 Mo. No. 2018-96
In the Matter of Arlington Central School
District,
 Respondent,
 v.
Progressive Casualty Insurance Company,
 Appellant.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.
Judge Feinman took no part.

4 Mo. No. 2018-166
The People &c.,
 Respondent,
 v.
Billy Joe Arnold,
 Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2018-168
The People &c.,
Respondent,
v.
Richard James Augsbury,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2018-207
George Beraka, M.D.,
Respondent,
v.
Danielle Biton et al.,
Appellants.

Motion for reargument of motion for leave to appeal denied.

1 Mo. No. 2018-205
Crystal Biton,
Appellant,
v.
Baxter Healthcare Corporation, et al.,
Respondents.

Motion for reargument of motion for leave to appeal &c. denied.

1 Mo. No. 2018-210
Crystal Biton, &c.,
Appellant,
v.
Commission on Judicial Conduct of the State
of New York, et al.,
Respondents.

Motion for reargument of motion for leave to appeal denied.
Judge Feinman took no part.

1 Mo. No. 2018-41
Danielle Bitton, also known as Danielle
Biton,
Appellant,
v.
H.S.B.C., Katherine Alexander, UFT, et al.,
Respondents.

Motion for reargument of motion for leave to appeal &c. denied.

1 Mo. No. 2018-208
Danielle Biton et al., &c.,
 Appellants,
 v.
Aloft Corporate Travel, Inc., et al.,
 Respondents.

Motion for reargument of motion for leave to appeal
denied.

2 Mo. No. 2018-206
Danielle Biton, et al.,
 Appellants,
 v.
Ameena Meer, et al.,
 Respondents.

Motion for reargument of motion for leave to appeal
&c. denied.

1 Mo. No. 2018-40
Crystal Biton, also known as Saphyre
Redford, and Danielle Biton,
 Appellants,
 v.
State Farm Insurance Company,
et al.,
 Respondents.

Motion for reargument of motion for leave to appeal
&c. denied.

1 Mo. No. 2018-209
Crystal Biton, also known as Saphyre
Redford,
 Appellant,
 v.
Joe Turco, et al.,
 Respondents.

Motion for reargument of motion for leave to appeal
denied.
Judge Feinman took no part.

3 Mo. No. 2018-138
In the Matter of Sharon K. Bland,
Appellant,
v.
Gellman, Brydges & Schroff
et al.,
Respondents.
Workers' Compensation Board,
Respondent.

In the Matter of Sharon K. Bland,
Appellant,
v.
Ronco Communications et al.,
Respondents.
Workers' Compensation Board,
Respondent.

2 Mo. No. 2018-66
Arthur Bratone, et al.,
Appellants,
v.
Linda Conforti-Brown et al.,
Respondents.

1 Mo. No. 2018-139
The People &c.,
Respondent,
v.
Van Phu Bui,
Appellant.

1 Mo. No. 2017-900
In the Matter of Darcel D. Clark, &c.,
Respondent,
v.
George R. Villegas, &c.,
Respondent,
Dewayne Robinson,
Appellant.

Motion for reargument of motion for leave to appeal
denied.
Judge Stein took no part.

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

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

Motion for leave to appeal granted.
Motion for poor person relief granted.
Motion for a stay granted.
Chief Judge DiFiore and Judge Feinman took no
part.

2 Mo. No. 2018-80
Kristin Dupree,
 Appellant,
 v.
Oliver Raymond Voorhees III,
 Defendant,
Karyn A. Villar et al.,
 Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2018-120
B.F., et al.,
 Respondents,
 v.
Reproductive Medicine Associates of New
York, LLP, et al.,
 Appellants.

Motion for reargument denied.
Judge Feinman took no part.

Marie Dennehy, et al.,
 Respondents,
 v.
Alan B. Copperman, M.D., et al.,
 Appellants.

1 Mo. No. 2018-121
B.F., et al.,
 Respondents,
 v.
Reproductive Medicine Associates of New
York, LLP, et al.,
 Appellants.

Motion for reargument denied.
Judge Feinman took no part.

Marie Dennehy, et al.,
 Respondents,
 v.
Alan B. Copperman, M.D., et al.,
 Appellants.

2 Mo. No. 2018-23
Mark Freedman, &c.,
 Plaintiff,
 v.
Uri Hason,
 Appellant;
Chicago Title Insurance Company,
 Nonparty-Respondent.

Motion for leave to appeal denied.

3 Mo. No. 2018-104
The People &c. ex rel. Cedric Golston,
 Appellant,
 v.
Michael Kirkpatrick &c.,
 Respondent.

Motion for leave to appeal denied.

3 Mo. No. 2018-108
In the Matter of Shawn Green,
 Appellant,
 v.
Anthony J. Annucci, &c., et al.,
 Respondents.

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

2 Mo. No. 2018-175
HSBC Bank USA, N.A.,
 Respondent,
 v.
Christopher N. Crossland, &c.,
 Appellant,
et al.,
 Defendants.

Motion for reargument of motion for leave to appeal
&c. denied.
Motion for poor person relief dismissed as academic.
Motion for a stay dismissed as academic.

1 Mo. No. 2018-160
In the Matter of Richard Sunday Ifill,
 Appellant,
 v.
Warden Saunders, &c., et al.,
 Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2018-49
Nella Manko,
Appellant,
v.
Lenox Hill Anesthesiology, PLLC, et al.,
Respondents.

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

1 Mo. No. 2018-58
Nella Manko,
Appellant,
v.
Dana Mannor, 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.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2018-56
The People &c.,
Respondent,
v.
Richard Noeker,
Appellant.

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

1 Mo. No. 2018-114
The People &c.,
Respondent,
v.
Robert O'Connor,
Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2018-222
In the Matter of Sean P.

Onondaga County Department of Children
and Family Services,
Respondent;
Brandy P.,
Appellant,
et al.,
Respondent.

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

1 Mo. No. 2018-89
Anna Pezhman,
Appellant,
v.
Chanel, et al.,
Respondents.

Motion for leave to appeal denied.
Motion for ancillary relief dismissed upon the
ground that this Court does not have jurisdiction to
entertain it (see NY Const, art VI, § 3).
Judge Feinman took no part.

2 Mo. No. 2018-29
Juan Quijano,
Respondent,
v.
American Transit Insurance Company,
Defendant,
First Eight Grand Corp. et al.,
Appellants.

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

2 Mo. No. 2018-159
The People &c.,
Respondent,
v.
Eric Quinones,
Appellant.

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

1 Mo. No. 2018-301
The People &c.,
Respondent,
v.
Hassan Rkein,
Appellant.

Motion for assignment of counsel granted and
Christina A. Swarns, Office of the Appellate
Defender, 11 Park Place, Suite 1601, New York, NY
10007 assigned as counsel to the appellant on the
appeal herein.

1 Mo. No. 2018-145
Veleron Holding, B.V., &c.,
Appellant,
v.
Morgan Stanley, et al.,
Respondents.

Motion for reargument of motion for leave to appeal
denied.
Chief Judge DiFiore took no part.

Mo. No. 2018-137
Capital One Bank (USA) NA,
Respondent,
v.
Archie Velez,
Appellant.

Motion for leave to appeal dismissed upon the
ground that the Court of Appeals does not have
jurisdiction to entertain it (see NY Const, art VI, § 3;
CPLR 5602).
Motion for poor person relief dismissed as academic.

1 Mo. No. 2018-360
In the Matter of Natasha W.,
Respondent,
v.
New York State Office of Children and
Family Services, et al.,
Appellants,
New York City Administration for Children's
Services,
Respondent.

Motion by NYU Family Defense Clinic, et al. for
leave to file a brief amici curiae on the appeal herein
granted and the proposed brief is accepted as filed.
Two copies of the brief must be served, an original
and nine copies filed, and the brief submitted in
digital format within seven days.