

October 23, 2018

CASES

No. 104

The People &c.,
Respondent,

v.

Steven Baisley,
Appellant.

Order affirmed, in a memorandum.
Chief Judge DiFiore and Judges Rivera, Stein, Fahey,
Garcia, Wilson and Feinman concur.

No. 100

Expressions Hair Design, et al.,
Respondents,

v.

Eric T. Schneiderman, &c., et al.,
Appellants.

Following certification of a question by the United States Court of Appeals for the Second Circuit and acceptance of the question by this Court pursuant to section 500.27 of this Court's Rules of Practice, and after hearing argument by counsel for the parties and consideration of the briefs and the record submitted, certified question answered in the affirmative.

Opinion by Judge Fahey.

Chief Judge DiFiore and Judges Stein and Feinman concur.

Judge Rivera concurs in result in a concurring opinion.

Judge Wilson concurs in part and dissents in part in an opinion.

Judge Garcia dissents in an opinion and votes to answer the certified question in the negative.

4

No. 103

The People &c.,
Respondent,

v.

Jakim Grimes,
Appellant.

Order affirmed.

Opinion by Chief Judge DiFiore.

Judges Stein, Fahey, Garcia and Feinman concur.

Judge Wilson dissents in an opinion, in which Judge Rivera concurs.

1 No. 146 SSM 23
Agripino Polanco Rosa,
 Appellant,
et al.,
 Plaintiff,
 v.
Rafael Delacruz et al.,
 Respondents.

On review of submissions pursuant to section 500.11
of the Rules, order affirmed, with costs, in a
memorandum.
Chief Judge DiFiore and Judges Stein, Garcia and
Feinman concur.
Judge Fahey dissents in an opinion, in which Judges
Rivera and Wilson concur.

MOTIONS

Mo. No. 2018-840
Susan Aranoff,
Respondent,
v.
Gerald Aranoff,
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).

3 Mo. No. 2018-821
In the Matter of the Foreclosure of Tax Liens
by County of Broome.

County of Broome,
Respondent;
Hasan Cekic,
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.

2 Mo. No. 2018-816
The People &c.,
Respondent,
v.
Solomon Brown,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2018-827
In the Matter of the Claim of Walter O.
Cowan,
Respondent.
Bimbo Foods Bakeries Distribution, Inc.,
Appellant.
Commissioner of Labor,
Respondent.

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.

4 Mo. No. 2018-817
Durham Commercial Capital Corp.,
Appellant,

v.

Wadsworth Golf Construction Company of
the Midwest, Inc., &c.,
Respondent.

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

3 Mo. No. 2018-803
In the Matter of Timothy GG., &c.

Motion for leave to appeal denied.

Warren County Department of Social
Services,

Respondent;

Meriah GG.,

Respondent.

(Proceeding No. 1)

In the Matter of Jody C.,

Appellant,

v.

Meriah GG.,

Respondent,

et al.,

Respondent.

(Proceeding No. 2)

(And Other Related Proceedings.)

3 Mo. No. 2018-948
In the Matter of Timothy GG., &c.

Warren County Department of Social
Services,
Respondent;
Meriah GG.,
Appellant.
(Proceeding No. 1)

In the Matter of Jody C.,
Respondent,
v.
Meriah GG.,
Appellant,
et al.,
Respondent.
(Proceeding No. 2)
(And Other Related Proceedings.)

1 Mo. No. 2018-937
IGS Realty Co., L.P.,
Respondent,
v.
James H. Brady,
Appellant.

3 Mo. No. 2018-796
Naomi R. Johnston,
Appellant,
v.
Matthew W. Johnston,
Respondent.

2 Mo. No. 2018-818
In the Matter of State of New York,
Respondent,
v.
Claude McC.,
Appellant.

Motion for leave to appeal denied.

Motion for reargument of motion for leave to appeal
denied.

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).

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

2 Mo. No. 2018-855
Moran Enterprises, Inc.,
Appellant,
v.
Margaret Hurst,
Respondent,
et al.,
Defendants.

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

1 Mo. No. 2018-853
The People &c.,
Respondent,
v.
Lawrence E. Penn III,
Appellant.

Petition for a writ of error coram nobis dismissed. There is no authority for initiating a writ of error coram nobis in the Court of Appeals (see People v Bond, 93 NY2d 896 [1999]; People v Gibbs, 85 NY2d 1030 [1995]).

1 Mo. No. 2018-824
Samuel Pfeiffer,
Appellant,
v.
Mid-Town Development Limited Partnership,
et al.,
Respondents.

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

1 Mo. No. 2018-825
Samuel Pfeiffer,
Appellant,
v.
Edward G. Imperatore, et al.,
Respondents.

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

4 Mo. No. 2018-842
The People &c.,
Respondent,
v.
John Seeley Phillips, Jr.,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2018-814
The People &c.,
Respondent,
v.
Antonio Rich,
Appellant.

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

3 Mo. No. 2018-808
Richard Ronkese,
Appellant,
v.
Tilcon New York, Inc.,
Respondent,
et al.,
Defendants.

Motion, insofar as it seeks reargument, dismissed as untimely; motion, insofar as it seeks leave to appeal from the March 2018 Supreme Court judgment, dismissed as untimely (see CPLR 5513[b]).

2 Mo. No. 2018-775
In the Matter of David W. Scott,
Respondent,
v.
Collette Jacques-Scott,
Appellant.

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

1 Mo. No. 2018-830
Selnick Harwood Consulting Engineers, P.C.,
Respondent,
v.
Atlantic Development Group, LLC,
Appellant.

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

2 Mo. No. 2018-822
In the Matter of Dane Snaggs,
Appellant,
v.
New York City Department of Environmental Protection (DEP), et al.,
Respondents.

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

2 Mo. No. 2018-831

The People &c.,
Respondent,

v.

Miguel Suarez,
Appellant.

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

4 Mo. No. 2018-810
In the Matter of Arbitration between Town of
Tonawanda,
Appellant;
Town of Tonawanda Salaried Workers
Association, et al.,
Respondents.

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

2 Mo. No. 2018-861
In the Matter of Joseph A. Verille et al.,
Appellants,
v.
Louis Jeanette et al.,
Respondents.

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

Louis Jeanette et al.,
Respondents,

v.

Joseph A. Verille et al.,
Appellants.

3 Mo. No. 2018-838
In the Matter of New York State Office of
Victim Services, &c.,
Respondent,

v.

Denroy Vigo,
Appellant.

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

4 Mo. No. 2018-860

Paul Wrobel,
Appellant,

v.

John A. Doe, et al.,
Defendants,
Buffalo Bills, Inc., et al.,
Respondents.

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