

October 20, 2015

CASES

2 No. 146
Maureen Adler,
 Appellant,
 v.
QPI-VIII, LLC, et al.,
 Respondents.

Order reversed, with costs, and defendants' motion for summary judgment denied.
Opinion by Judge Fahey.
Chief Judge Lippman and Judges Pigott, Rivera, Abdus-Salaam and Stein concur.

 No. 141
The People &c.,
 Respondent,
 v.
Thomas Barnes,
 Appellant.

Order affirmed, in a memorandum.
Chief Judge Lippman and Judges Pigott, Rivera, Abdus-Salaam, Stein and Fahey concur.

2 No. 90
Jacqueline El-Dehdan,
 Respondent,
 v.
Salim El-Dehdan, Also Known as Sam Reed,
 Appellant.

Order affirmed, with costs, and certified question answered in the affirmative.
Opinion by Judge Rivera.
Chief Judge Lippman and Judges Pigott, Abdus-Salaam, Stein and Fahey concur.

1 No. 144
Leonard Hutchinson,
 Appellant,
 v.
Sheridan Hill House Corp.,
 Respondent.

Order affirmed, with costs.
Opinion by Judge Fahey.
Chief Judge Lippman and Judges Pigott, Rivera, Abdus-Salaam and Stein concur.

3 No. 138
The People &c.,
 Respondent,
 v.
Vincent Izzo,
 Appellant.

Order reversed, without costs, and matter remitted to County Court, Chemung County, for further proceedings in accordance with the memorandum herein.
Chief Judge Lippman and Judges Pigott, Rivera, Abdus-Salaam, Stein and Fahey concur.

4 No. 129
Remet Corporation,
 Appellant,
 v.
The Estate of James R. Pyne, &c.,
et al.,
 Respondents,
et al.,
 Defendant.

Order reversed, with costs, and judgment of Supreme Court, Oneida County, reinstated.
Opinion by Judge Stein.
Chief Judge Lippman and Judges Pigott, Rivera, Abdus-Salaam and Fahey concur.

1 No. 127
The People of the State of New York, &c., et
al.,
 Respondents,
 v.
Sprint Nextel Corp., et al.,
 Appellants.

Order affirmed, with costs, and certified question answered in the affirmative.
Opinion by Chief Judge Lippman.
Judges Pigott, Abdus-Salaam and Fahey concur.
Judge Stein dissents in part in an opinion.
Judge Rivera took no part.

2 No. 145
Matvey Zelichenko,
 Appellant,
 v.
301 Oriental Boulevard, LLC,
 Respondent.

Order reversed, with costs, and defendant's motion for summary judgment denied.
Opinion by Judge Fahey.
Chief Judge Lippman and Judges Pigott, Rivera, Abdus-Salaam and Stein concur.

MOTIONS

2 Mo. No. 2015-825
43 Park Owners Group, LLC, et al.,
 Appellants,
et al.,
 Plaintiff,
 v.
Commonwealth Land Title Insurance
Company, et al.,
 Defendants,
Stewart Title Insurance Company, et al.,
 Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2015-853
In the Matter of Candido Baez,
 Respondent,
 v.
Richard A. Brown, &c.,
 Appellant.

Motion for leave to appeal dismissed as untimely
(see CPLR 5513[b]).

3 Mo. No. 2015-782
In the Matter of Robert Berger et al.,
 Respondents,
 v.
New York State Department of
Environmental Conservation, et al.,
 Appellants,
David Cook et al.,
 Respondents.

Motions for leave to appeal denied.
Judge Stein took no part.

1 Mo. No. 2015-910
In the Matter of Citigroup Global Markets,
Inc., et al.,
 Respondents,
 v.
John Leopoldo Fiorilla, &c.,
 Appellant.

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

2 Mo. No. 2015-889
The People &c.,
 Appellant,
 v.
William Cook,
 Respondent.

Motion for leave to appeal granted.

2 Mo. No. 2015-781
The People &c.,
 Respondent,
 v.
William Cook,
 Appellant.

Motion for leave to appeal granted.

2 Mo. No. 2015-936
In the Matter of Lillian Evans,
 Appellant,
 v.
New York State Office of Children and
Family Services,
 Respondent.

Motion for leave to appeal dismissed upon the
ground that it does not lie.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2015-939
In the Matter of Neville Francis,
 Appellant,
 v.
Jewelry Box Corporation of America et al.,
 Respondents,
Special Fund for Reopened Cases,
 Respondent.
Workers' Compensation Board,
 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.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2015-871
In the Matter of County of Greene,
Appellant,

v.

Civil Service Employees Association, Inc.,
Local 1000, AFSCME, AFL-CIO, Greene
County Unit 7000, Greene County Local 820,
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2015-953
In the Matter of Travis D. Griffin,
Appellant,

v.

City of New York, et al.,
Respondents.

Motion for reargument denied.

1 Mo. No. 2015-944
The People &c.,
Respondent,

v.

Derrick Harris,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2015-892
Hi-Tech Construction & Management
Services Inc.,
Appellant,

v.

The Housing Authority of the City of New
York,
Respondent.
(And Another Action.)

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

4 Mo. No. 2015-915
Ironwood, L.L.C.,
 Respondent,
et al.,
 Plaintiff,
 v.
JGB Properties, LLC,
 Appellant.

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

1 Mo. No. 2015-933
The People &c.,
 Respondent,
 v.
Curtis Johnson,
 Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2015-973
Douglas L. Leight, et al.,
 Plaintiffs,
John H. Masten,
 Appellant,
 v.
W7879 LLC, et al.,
 Respondents.

Motion to dismiss appeal denied.

1 Mo. No. 2015-878
In the Matter of Denise McDonald,
 Appellant,
 v.
William J. Bratton, &c., et al.,
 Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2015-935
Midfirst Bank, &c.,
 Respondent,
 v.
Lillian Evans,
 Appellant,
et al.,
 Defendants.

Motion for leave to appeal dismissed upon the
ground that it does not lie.
Motion for poor person relief dismissed as academic.

1 Mo. No. 2015-900
Seth Mitchell, CFA,
 Appellant,
 v.
New York University, et al.,
 Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2015-926
The People &c.,
 Respondent,
 v.
Jeffrey Pinckney,
 Appellant.

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

4 Mo. No. 2015-865
In the Matter of Ronald D. Rossborough,
 Appellant,
 v.
Hala Y. Alatawneh,
 Respondent.

Motion, insofar as it seeks leave to appeal from that
portion of the Appellate Division order as affirmed
the dismissal of the application to adjudicate
respondent in violation of prior visitation orders,
dismissed upon the ground that such portion of the
order does not finally determine the proceeding
within the meaning of the Constitution; motion for
leave to appeal otherwise denied.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2015-847
Angelo Ruotolo,
Appellant,
v.
Fannie Mae, et al.,
Respondents.

Motion to dismiss appeal granted, without costs, and appeal dismissed upon the ground that no substantial constitutional question is directly involved.

1 Mo. No. 2015-932
The People &c.,
Respondent,
v.
Raymond Sanford,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2015-931
Marie Carole Seide, et al.,
Appellants,
v.
Alberto Calderon, et al.,
Respondents.

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

2 Mo. No. 2015-913
John Sharp, et al.,
Appellants,
v.
Incorporated Village of Farmingdale, N.Y., et al.,
Respondents,
et al.,
Defendant.

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

2 Mo. No. 2015-838
Anthony Turturro, &c., et al.,
Respondents,
v.
City of New York,
Appellant,
Louis Pascarella, et al.,
Respondents.

Motion for leave to appeal granted.

1 Mo. No. 2015-968
In the Matter of Isabel Videa,
 Appellant,
 v.
New York City Housing Authority,
 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.
Motion for a stay dismissed as academic.

2 Mo. No. 2015-867
In the Matter of Arthur E. Walker,
 Appellant,
 v.
NYS Division of Human Rights, et al.,
 Respondents.

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

4 Mo. No. 2015-930
In the Matter of Charles E. Wilson, Sr.,
 Appellant,
 v.
Darcie M. Hayward,
 Respondent.
(And Another Proceeding.)

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