

April 30, 2020

CASES

1 No. 23
American International Specialty Lines
Insurance Company,
 Respondent,
 v.
Allied Capital Corporation, et al.,
 Appellants.

Order reversed, with costs, so much of the order and judgment of Supreme Court, New York County, as (1) denied the motion to vacate the August 2016 "corrected partial final arbitration award" and the April 2017 final arbitration award, and (2) confirmed the April 2017 final arbitration award reinstated, and certified question answered in the negative.
Opinion by Judge Stein.
Chief Judge DiFiore and Judges Rivera, Fahey, Garcia, Wilson and Feinman concur.

 No. 53
In the Matter of the Hon. Michael F.
McGuire, a Judge of the County and
Surrogate's Courts, Sullivan County.

On the Court's own motion, it is determined that Honorable Michael F. McGuire is suspended, with pay, effective immediately, from the offices of Judge of County and Surrogate's Courts, Sullivan County, pursuant to New York Constitution, article VI, § 22 and Judiciary Law § 44(8), pending review of a determination of the State Commission on Judicial Conduct.
Chief Judge DiFiore and Judges Rivera, Stein, Fahey, Garcia, Wilson and Feinman concur.

 No. 24
The People &c.,
 Respondent,
 v.
Donna Middleton,
 Appellant.

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

MOTIONS

2 Mo. No. 2020-24
Nicole R. Aupperlee, &c.,
 Appellant,
 v.
Restaurant Depot, LLC,
 Respondent,
et al.,
 Defendants.

Motion for leave to appeal denied.

3 Mo. No. 2019-1093
In the Matter of the Claim of Nielda Barker,
 Appellant,
 v.
New York City Police Department,
 Respondent.
Workers' Compensation Board,
 Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2019-1142
In the Matter of Cheryl Barlow,
 Appellant,
 v.
New York City Housing Preservation and
Development,
 Respondent.

Motion for leave to appeal denied.

4 Mo. No. 2020-103
In the Matter of Brian Browder,
 Appellant,
 v.
New York State Office of Children and
Family Services,
 Respondent.

Motion for leave to appeal denied.

3 Mo. No. 2019-1014
In the Matter of the Claim of Christian
Delacruz,
 Appellant,
 v.
Incorporated Village of Freeport et al.,
 Respondents.
Workers' Compensation Board,
 Respondent.

Motion for leave to appeal denied.

4 Mo. No. 2019-1170
In the Matter of Frontier Stone, LLC, et al.,
 Appellants,
 v.
Town of Shelby, et al.,
 Respondents.

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

4 Mo. No. 2020-62
In the Matter of Takoda G., et al.

Ontario County Department of Social
Services Child Protective Unit,
 Respondent;
Juan T.,
 Appellant.

Motion for leave to appeal dismissed upon the
ground that this Court does not have jurisdiction to
entertain it.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2019-1110
In the Matter of Derrick GG., et al., &c.

Schenectady County Department of Social
Services,
 Respondent;
Jennifer GG.,
 Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2020-98
The People &c. ex rel. Anthony Hill,
 Appellant,
 v.
Christopher Miller, &c.,
 Respondent.

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

2 Mo. No. 2020-45
In the Matter of Aliyah Hines,
 Respondent,
 v.
Peterson Jean Baptiste,
 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 poor person relief dismissed as academic.

1 Mo. No. 2020-282
The People &c.,
 Appellant,
 v.
Sharon Lashley,
 Respondent.

Motion for assignment of counsel granted and Robert
S. Dean, Esq., Center for Appellate Litigation, 120
Wall Street, 28th Floor, New York, NY 10005
assigned as counsel to the respondent on the appeal
herein.

2 Mo. No. 2020-17
The People &c.,
 Respondent,
 v.
Dashawn Lewis,
 Appellant.

Motion for leave to appeal denied.

1 SSD 21
The People &c.,
 Respondent,
 v.
Anthony Lora,
 Appellant.

Appeal dismissed, by the Court sua sponte, upon the
ground that the reversal by the Appellate Division
was not "on the law alone or upon the law and such
facts which, but for the determination of law, would
not have led to reversal" (CPL 450.90 [2] [a]).

4 Mo. No. 2019-1162
The People &c.,
 Respondent,
 v.
Jeremiah Mann,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2019-1148
In the Matter of George Maragos, &c.,
 Appellant,
 v.
Town of Hempstead Industrial Development
Agency, et al.,
 Respondents.

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

2 Mo. No. 2020-42
The People &c.,
 Respondent,
 v.
Thomas Mitchell,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2020-34
Arun Nair,
 Appellant,
 v.
City of New York,
 Respondent,
et al.,
 Defendants.

Motion for reargument of motion for leave to appeal
denied.

2 Mo. No. 2018-1028
Nationstar Mortgage, LLC,
 Respondent,
 v.
Martin Dekom,
 Appellant,
et al.,
 Defendants.

Motion, insofar as it seeks leave to appeal from the portion of the Appellate Division order that affirmed the December 2014 Supreme Court judgment, denied; motion for leave to appeal otherwise dismissed upon the ground that the remaining portions of the Appellate Division order do not finally determine the action within the meaning of the Constitution.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2019-1187
Cynthia Neiditch,
 Appellant,
 v.
William Penn Life Insurance Company of
New York,
 Respondent.

Motion for leave to appeal denied.

3 Mo. No. 2019-1058
In the Matter of Lawson O., et al., &c.

Schuyler County Department of Social
Services,
 Respondent;
Andrew O.,
 Appellant.

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

1 SSD 23
In the Matter of James Pettus, et al.,
 Appellants,
 v.
Board of Directors, et al.,
 Respondents.
(Index Nos. 251413/14, 250720/15,
251751/14)

Appeal dismissed without costs, by the Court sua sponte, upon the ground that it does not lie (see NY Const, art VI, § 3[b]; CPLR 5601).

3 Mo. No. 2019-1034
Ricardo Ramirez,
Appellant,
v.
State of New York,
Respondent.

Motion for leave to appeal denied.

4 SSD 19
Deepika Reddy,
Appellant,
v.
Gilles R. R. Abitbol,
Respondent.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that the order appealed from does not finally determine the action within the meaning of the Constitution.

4 SSD 20
Deepika Reddy,
Appellant,
v.
WSYR NewsChannel 9, et al.,
Respondents.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that the order appealed from does not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2020-223
The People &c.,
Respondent,
v.
David Robinson,
Appellant.

Motion for assignment of counsel granted and Paul Skip Laisure, Esq., Appellate Advocates, 111 John Street, 9th Floor, New York, NY 10038 assigned as counsel to the appellant on the appeal herein.

2 Mo. No. 2020-217
The People &c.,
Respondent,
v.
Lance Rodriguez,
Appellant.

Motion for assignment of counsel granted and Paul Skip Laisure, Esq., Appellate Advocates, 111 John Street, 9th Floor, New York, NY 10038 assigned as counsel to the appellant on the appeal herein.

4 Mo. No. 2020-116
In the Matter of Tonya Annmarie Serna,
 Respondent,
 v.
Dwight Edward Jones, Jr.,
 Appellant.

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

2 Mo. No. 2020-54
Shore Towers, Inc.,
 Respondent,
 v,
Gail Abt,
 Appellant.

Motion for leave to appeal dismissed upon the ground that this Court does not have jurisdiction to entertain this motion for leave to appeal from the order of the Appellate Division entered in this proceeding commenced in the Civil Court of the City of New York (see NY Const, art VI, § 3 [b] [7]; CPLR 5602 [a]).

1 Mo. No. 2019-1082
In the Matter of Andrew J. Stankevich,
 Appellant,
 v.
New York City Police Department,
 Respondent,
et al.,
 Respondent.

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

3 Mo. No. 2019-1149
The People &c. ex rel. Derrick Thompson,
 Appellant,
 v.
William Keyser, &c.,
 Respondent.

Motion for reargument of motion for leave to appeal denied.

4 SSD 22
The People &c. ex rel. David Williams, &c.,
 Appellant,
 v.
The People of the State of New York,
 Respondent.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that no appeal lies to this Court from an order of an individual Justice of the Appellate Division (see NY Const, art VI, § 3[b]; CPLR 5601).