

**State of New York**  
**Court of Appeals**

**Decisions**

October 23, 2025

**CASES**

No. 79

The People &c.,  
Respondent,  
v.  
Henry Fuentes,  
Appellant.

Order affirmed.  
Opinion by Judge Singas.  
Judges Garcia, Cannataro, Troutman and Halligan  
concur.  
Chief Judge Wilson dissents in an opinion, in which  
Judge Rivera concurs in all but section II.

1                    No. 81

The People &c.,  
Respondent,  
v.  
Rosemary Hernandez,  
Appellant.

Order affirmed.  
Opinion by Judge Rivera.  
Chief Judge Wilson and Judges Garcia, Singas,  
Cannataro, Troutman and Halligan concur.

1                    No. 75

IntegrateNYC, Inc., et al.,  
Respondents,  
v.  
State of New York et al.,  
Appellants,  
Parents Defending Education,  
Appellant.

Order insofar as appealed from modified, without  
costs, in accordance with the opinion herein and, as  
so modified, affirmed and certified question  
answered in the negative.  
Opinion by Judge Garcia.  
Chief Judge Wilson and Judges Singas, Cannataro,  
and Halligan concur.  
Judge Troutman dissents in part and votes to modify  
the order insofar as appealed from by dismissing the  
cause of action under the Education Article of New  
York State Constitution for the reasons stated in  
section II.A of Judge Garcia's majority opinion and to  
otherwise affirm for the reasons stated in sections V  
and VI of Judge Rivera's dissenting opinion.  
Judge Rivera dissents in an opinion.

No. 80  
The People &c.,  
Respondent,  
v.  
Richecarde Licius,  
Appellant.

Order affirmed.  
Opinion by Chief Judge Wilson.  
Judges Rivera, Garcia, Singas, Cannataro, Troutman  
and Halligan concur.

1 No. 78  
The People &c.,  
Respondent,  
v.  
Savion Robinson,  
Appellant.

Order affirmed.  
Opinion by Judge Cannataro.  
Chief Judge Wilson and Judges Rivera, Garcia,  
Singas, Troutman and Halligan concur.

1 No. 70  
The People &c.,  
Respondent,  
v.  
Jason Wright,  
Appellant.

Order modified by remitting to Supreme Court, New  
York County, for further proceedings in accordance  
with the opinion herein and, as so modified, affirmed.  
Opinion by Judge Rivera.  
Chief Judge Wilson and Judges Garcia, Singas,  
Cannataro, Troutman and Halligan concur.

## MOTIONS

1                    Mo. No. 2025-479  
138-140 West 32nd Street Associates LLC,  
    Respondent,  
    v.  
138-140 West 32nd Street Associates, &c., et  
al.,  
    Appellants.

Motion, deemed to be seeking leave to appeal (*see* CPLR 5512) from the June 2025 Supreme Court judgment pursuant to CPLR 5602 (a) (1) (ii) to review the April 2022 Appellate Division order, dismissed upon the ground that simultaneous appeals do not lie to both the Appellate Division and the Court of Appeals (*see Parker v Rogerson*, 35 NY2d 751, 753 [1974]).

1                    Mo. No. 2025-334  
Debra Ascher,  
    Appellant,  
    v.  
New York City Department of Education,  
    Respondent.

Motion for leave to appeal denied.

2                    Mo. No. 2025-350  
Sherwin Brandford,  
    Appellant,  
    v.  
Semra Brandford,  
    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. 2025-513  
Creekstone Juban I, LLC,  
    Respondent,  
    v.  
XL Insurance America, Inc.,  
    Appellant.

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. 2025-528  
Nicole DeCrescenzo,  
    Respondent,  
    v.  
Adam G. Suslak,  
    Appellant.

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. 2025-517  
In the Matter of Gennadiy Dikovskiy,  
                  Appellant,  
          v.  
New York City Board of Education, &c. 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.

3                    Mo. No. 2025-327  
In the Matter of the Claim of Jorge Ferra,  
                  Respondent,  
          v.  
Paramount Global et al.,  
                  Appellants.  
Workers' Compensation Board,  
                  Respondent.

Motion for leave to appeal denied.

2                    Mo. No. 2025-430  
The People &c.,  
                  Respondent,  
          v.  
Nathaniel Fleming,  
                  Appellant.

Motion for leave to appeal denied.  
Motion for financial relief dismissed as academic.

3                    Mo. No. 2025-435  
In the Matter of Jeffrey Gaul,  
                  Appellant,  
          v.  
Jennifer Sober, &c.,  
                  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.

1                    Mo. No. 2025-366  
Virginia Griffen,  
                  Appellant,  
          v.  
Antoine Abed, et al.,  
                  Defendants,  
West Side Radiology P.C.,  
                  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.

2                    Mo. No. 2025-322  
Hawthorne Funding, LLC,  
    Respondent,  
    v.  
Karish Kapital, LLC,  
    Appellant.

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. 2025-420  
The People &c.,  
    Respondent,  
    v.  
Kenneth Johnson,  
    Appellant.

Motion for leave to appeal denied.  
Motion for financial relief dismissed as academic.

2                    Mo. No. 2025-480  
In the Matter of Christopher Joseph, &c.  
  
Christopher Hubbard,  
    Respondent;  
Idris Applewhite,  
    Appellant;  
Thomas Sciacca,  
    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 financial relief dismissed as academic.

3                    Mo. No. 2025-543  
In the Matter of the Claim of Yero Lo,  
    Respondent.  
Go New York Tours Inc., &c.,  
    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.

1 Mo. No. 2025-442

Lillian J. McLaughlin, &c. et al.,  
Appellants,

v.

Air & Liquid Systems Corporation, &c., et  
al.,

Defendants,  
Long Island Lighting Company, &c.,  
Respondent.

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

1 Mo. No. 2025-533

Subi Mehmeti,  
Appellant,

v.

Stewart Lee Karlin,  
Respondent.

Motion to vacate this Court's June 24, 2025 dismissal  
order denied.

3 Mo. No. 2025-412

In the Matter of the Claim of Minerva Ocasio,  
Appellant.

City School District of the City of New York,  
Respondent.

Commissioner of Labor,  
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2025-482

Eric Rosenfeld,  
Appellant,

v.

Rosanna Galvano Rosenfeld,  
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.

4 Mo. No. 2025-338  
In the Matter of Valorie J. Smith,  
Respondent,  
v.  
Michael C. Smith,  
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 ancillary relief dismissed upon the ground that this Court does not have jurisdiction to entertain it (*see* NY Const, art VI, § 3).

3 Mo. No. 2025-373  
In the Matter of the Claim of Anthony Stabile,  
Appellant,  
v.  
Catholic Health System of Long Island, Inc.  
et al.,  
Respondents.  
Workers' Compensation Board,  
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2025-345  
The People &c.,  
Respondent,  
v.  
Terrance Terrell,  
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2025-429  
The People &c.,  
Respondent,  
v.  
Christian Toro,  
Appellant.

Motion for leave to appeal denied.  
Motion for financial relief dismissed as academic.

1                    Mo. No. 2025-472  
Cheryl D. Uzamere,  
    Appellant,  
    v.  
Ehigie E. Uzamere, et al.,  
    Respondents.  
(App. Div. No. 2024-06142)

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Cheryl D. Uzamere,  
    Appellant,  
    v.  
Ehigie E. Uzamere, et al.,  
    Respondents.  
(App. Div. No. 2024-06143)

Motion for reargument denied.  
Motion for financial relief dismissed as academic.