

COURT OF APPEALS NEW FILINGS

Preliminary Appeal Statements processed
by the Court of Appeals Clerk's Office

September 17, 2021 through September 23, 2021

Each week the Clerk's Office prepares a list of recently-filed appeals, indicating short title, jurisdictional predicate, subject matter and key issues. Some of these appeals may not reach decision on the merits because of dismissal, on motion or sua sponte, or because the parties stipulate to withdrawal. Some appeals may be selected for review pursuant to the alternative procedure of Rule 500.11. For those appeals that proceed to briefing in the normal course, the briefing schedule generally will be: appellant's brief to be filed within 60 days after the appeal was taken; respondent's brief to be filed within 45 days after the due date for the filing of appellant's brief; and a reply brief, if any, to be filed within 15 days after the due date for the filing of respondent's brief.

The Court welcomes motions for amicus curiae participation from those qualified and interested in the subject matter of these newly filed appeals. Please refer to Rule 500.23 and direct any questions to the Clerk's Office.

MATTER OF TALBOT V. (KINGSBORO):

2nd Dept. App. Div. order of 3/31/21; dismissal in part and affirmance in part; leave to appeal granted by Court of Appeals, 9/9/21;

Incapacitated and Mentally Disabled Persons--Involuntary Commitment--In a proceeding pursuant to Mental Hygiene Law § 9.33 for the involuntary retention of a patient not to exceed 24 months, whether Mental Hygiene Law § 9.31 requires the patient to be provided with a copy of their complete clinical record prior to a hearing on the petition; mootness;

Supreme Court, Kings County, granted the petition; App.Div. dismissed, as academic, the appeal from so much of the Supreme Court order as directed that the patient be retained for a period of 6 months and otherwise affirmed the order insofar as reviewed.