State of New York
Court of Appeals

Summaries are prepared based on the parties' briefs and are for background purposes only.

To be argued Wednesday, October 15, 2025

Matter of McLaurin v NYC Transit Auth. (225 AD3d 1105 [AD3])
Court PASS Docket No. APL-2024-00094

Matter of Matthews v NYC Transit Auth. (225 AD3d 1109 [AD3]
Court PASS Docket No. APL-2024-00095

Matter of Anderson v City of Yonkers (227 AD3d 63 [AD3])
Court PASS Docket No. APL-2024-00096

Matter of Djanuzakov v Manhattan & Bronx Surface Trans. Op. Auth. (225 AD3d 1107 [AD3])
Court PASS Docket No. APL-2024-00097

A train operator, subway conductor, bus driver and public-school teacher sought workers' compensation benefits for psychological injuries caused by exposure to COVID-19 at their jobs. In each matter, the Workers' Compensation Board denied the claims. The Appellate Division reversed and sent the matters back to the Board for consideration, with guidance on how to evaluate the claims.

As explained in *Matter of Anderson*, the Appellate Division directed the Board to apply the same standard to claims for physical injuries caused by contracting a communicable disease to claims for psychological injuries caused by exposure to a communicable disease. Thus, when a person seeks benefits for an injury—physical or psychological—caused by exposure to COVID-19, the person must show that such injury arose in the course of their employment by demonstrating a specific exposure to COVID-19 or prevalence of COVID-19 in the work environment that presents an elevated risk of exposure constituting an extraordinary event. If the person does so, then the Board must determine, considering the commonsense view of an average person and the person's particular vulnerabilities, whether the person established, by competent medical evidence, a causal connection between the alleged injury and the workplace accident.

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Matter of Aungst v Family Dollar (221 AD3d 1222 [AD3])
Court PASS Docket No. APL-2024-00064

In the Spring of 2020, Frank Aungst was deemed an "essential employee" during the COVID-19 pandemic and worked 50 or more hours per week as a store manager at a high-volume Family Dollar store. The store remained open during March and April 2020, and Mr. Aungst had direct contact with the public for most of his workday. Mr. Aungst often came into close contact with unmasked customers and, on a few occasions, had physical contact with customers. Family Dollar did not provide face masks or sneeze guards to any employees until mid-April 2020.

In late April 2020, Mr. Aungst developed a fever and tested positive for COVID-19. His only other symptom was a mild cough. Mr. Aungst did not travel out of the country, visit with family members, or use public transportation before testing positive for COVID-19.

On May 1, 2020, Mr. Aungst suffered a stroke and was hospitalized. Mr. Aungst had never been diagnosed with or received treatment for high blood pressure. Following his stroke and admission to the hospital, Mr. Aungst continued to test positive for COVID-19. He received speech, occupational and physical therapy after the stroke and could not return to work.

The Workers' Compensation Board granted Mr. Aungst benefits. Seeking review from the Appellate Division, Family Dollar argued that Mr. Aungst could not state when and where he contracted COVID-19.

The Appellate Division rejected this argument. First, the court explained, "the contraction of COVID-19 in the workplace reasonably qualifies as an unusual hazard, not the natural and unavoidable result of employment and, thus, is compensable under the Workers' Compensation Law." A claimant must establish that the injury arose out of and in the course of the employment and, further, must demonstrate, by competent medical evidence, the existence of a causal connection between the injury and the employment." "The concept of time-definiteness required of an accident can be thought of as applying to either the cause or the result, and it is not decisive that a claimant is unable to pinpoint the exact date on which the incident occurred," the court said, and it explained a claimant may meet his or her burden to show that an injury arose in the course of employment by demonstrating either a specific exposure to COVID-19 or prevalence of COVID-19 in the work environment that presents an elevated risk of exposure constituting an extraordinary event.

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Matter of Claim of Garcia (211 AD3d 1264 [AD3])
Court PASS Docket No. APL-2024-00127

The legislature added article 8-A to the Workers' Compensation Law for the purpose of extending the claim filing deadline for workers and volunteers who sustained a qualifying condition as the result of participation in rescue, recovery and cleanup operations following the September 11, 2001, terrorist attacks on the World Trade Center. For an article 8-A claim, the claimant must have (1) participated in the rescue, recovery or clean-up operations at the World Trade Center site (or the Fresh Kills landfill or a New York City morgue) between September 11, 2001, and September 12, 2002, (2) contracted a qualifying condition as a result of that participation, and (3) filed a written and sworn statement with the Board detailing the dates, locations and employers for whom claimant worked as part of his or her participation in the World Trade Center rescue, recovery or clean-up operations.

Miguel Garcia was a Red Cross Volunteer at the World Trade Center in the aftermath of September 11, 2001. Mr. Garcia established an article 8-A claim for posttraumatic stress disorder, depression, asthma, gastroesophageal reflux disease and obstructive sleep apnea.

Mr. Garcia died on July 15, 2016. On February 21, 2020, Mr. Garcia's spouse filed a claim for workers' compensation death benefits, asserting that Mr. Garcia's death resulted from the medical conditions established in his article 8-A workers' compensation claim. The Board denied the claim for death benefits as untimely.

A majority of the Appellate Division agreed with the Board. The majority recounted that, generally, a claim for workers' compensation benefits must be filed within two years after an accident or after a death resulting from an accident. The court explained, however, that the legislature enacted article 8-A to remove the two-year time limit to file claims, but only for employees or volunteers who were at specific locations--the World Trade Center site, Fresh Kills Land Fill, or a New York City morgue.

By describing the locations so specifically, the court reasoned that the exception to the two-year time limit applied only to "work actually performed at these sites," and, although Mr. Garcia did so and was entitled to claim benefits under article 8-A, his wife's claim for death benefits was not an article 8-A claim and was untimely under the general two-year time limit. Mrs. Garcia "cannot piggyback upon [Mr. Garcia's] entitlement, as her claim for death benefits" accrued at the time of death and is separate from Mr. Garcia's article 8-A disability claim, the court said.

The dissenting Appellate Division Justice disagreed, relying on the notice provision in article 8-A that requires notice "for injury or death for a qualifying condition" and speaks to circumstances where a participant suffers a qualifying disease or situation that eventually causes the participant's death. The dissenting Justice concluded that the statutory notice process confirmed that article 8-A extends to claims for death benefits, where the death was causally related to the participant's qualifying condition. Noting that the Board did not determine if Mrs. Garcia filed her claim for death benefits within 2 years of when she knew or should have known that Mr. Garcia's death resulted from a qualifying condition, the dissenting Justice would have remitted the matter to the Board for that determination.

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To be argued Wednesday, October 15, 2025

People v Locksley Williams (83 Misc3d 21 [App Term])
Court PASS Docket No. APL-2024-000103

In October 2020, Locksley Williams was charged in a misdemeanor complaint with aggravated unlicensed operation of a motor vehicle in the second and third degrees, unlicensed operation of a motor vehicle, and failure to obey a traffic control signal. On December 7, 2020, the People served and filed an information to replace the complaint, charging Mr. Williams with the same offenses.

On December 21, 2020, the People filed a certificate of compliance pursuant to CPL 245.50(1) and a statement of readiness. The statement of readiness certified, pursuant to CPL 30.30 (5-a), that all counts in the accusatory instrument met the requirements of CPL 100.15 and 100.40 and those counts not meeting the requirements of those sections had been dismissed.

Mr. Williams moved to dismiss, arguing that the accusatory instrument was facially insufficient under CPL 100.40. The People conceded that the failure to obey a traffic-control signal count was facially insufficient under CPL 100.40 and should have been removed from the December 7, 2020 information. The People informed the court that the facially insufficient count was mistakenly left on the information due to a scrivener's error and argued that this error did not warrant dismissal of the entire accusatory instrument. Mr. Williams countered that CPL 30.30 (5-a) requires the People to dismiss any facially insufficient charge before validly stating the People are ready for trial and, thus, the statement of readiness was illusory and not valid. Based on the invalid statement of readiness, Mr. Williams asked the court to dismiss on statutory speedy trial grounds.

Criminal Court dismissed the traffic-control signal charge, it did not dismiss the other charges. The Appellate Term affirmed, stating that a statement of readiness is valid when the People certify that the counts charged are facially sufficient. The court concluded that the People complied with the statute here. Alternatively, the court said, if it "read into" CPL 30.30 that an inaccurate CPL 30.30 (5-a) certification as to any count in the accusatory instrument could render it and the statement of readiness illusory, and thus invalid as to any facially sufficient counts, it would "only do so where there is a basis to believe that the People acted in bad faith."

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People v Derek Sargeant (230 AD3d 1341 [AD2])
Court PASS Docket No. APL-2024 -00169
***case materials not available on Court-PASS, contact Clerk's Office*

Police responded to Mr. Sargeant's home in response to a 911 call and later executed a search warrant recovering multiple guns, ammunition, two machetes, a sleeve of more than 2,000 blank credit cards, and two devices used to print on plastic cards. By indictment, Mr. Williams was charged with multiple and varying degrees of criminal possession of a weapon and forgery devices, among other crimes.

At trial, the sole alternate juror was seated as a trial juror after a trial juror was discharged. On January 23, 2019, the jury began deliberations. Deliberations were suspended mid-morning on January 24, as Mr. Sargeant was unwell, and were scheduled to resume on January 25.

Juror No. 1 remained at the courthouse for lunch and then went home. He was approached by a man outside of the gate at his home who said, "Derek Sargeant is innocent" and "he's being extorted." Juror No. 1 contacted a friend, who was a prosecutor but not involved in the case. Juror No. 1 reported to the court clerk that he could no longer be impartial. The friend separately contacted the court and advised that Juror No. 1 had been approached by "the defendant" outside of Juror No. 1's home.

At a hearing, Juror No. 1 said that a man approached him at his home, pushed some documents into his hand, and said Derek Sargeant is innocent and was being extorted. Juror No. 1 described the man but was not sure if it was Mr. Sargeant. Juror No. 1 remembered telling his friend that the man was "someone like on behalf of" Mr. Sargeant. Juror No. 1 expressed concern for the safety of his family. The trial court discharged Juror No. 1 on consent of the parties.

The People asked that deliberations continue with an 11-person jury; Mr. Sargeant asked for a mistrial. Following testimony from Juror No. 1's friend, the court denied the application for a mistrial, noting it "had no doubt" that it was Mr. Sargeant who "confronted Juror No. 1 at his home," and even if it was someone else, it was someone who acted on Mr. Sargeant's direction.

The 11-person jury convicted Mr. Sargeant of some counts and acquitted him of others. Mr. Sargeant appealed, arguing that his conviction by an 11-person jury deprived him of his federal and state constitutional rights to a 12-person jury. The Appellate Division, in a 4-1 decision, rejected these arguments.

Applying decisions from the Supreme Court of the United States and federal circuit courts, the majority held that, under the circumstances of this case, the conviction by an 11-person jury did not violate Mr. Sargeant's federal constitutional rights. Under the New York State constitution, the majority held that there is a fundamental right that "crimes prosecuted by indictment shall be tried by a jury composed of twelve persons." The majority concluded, however, that Mr. Sargeant forfeited this right by tampering with the jury.

The dissenting Justice disagreed, concluding that the conviction by an 11-person jury deprived Mr. Sargeant of his New York State constitutional right to a jury of twelve persons.