

State of New York Court of Appeals

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

To be argued Tuesday, March 10, 2026

Garcia v Monadnock Construction (235 AD3d 96 [AD1])
Court PASS Docket No. APL-2025-00074

Waldy Garcia claims he injured his neck and back while working at a construction site at 425 Grand Concourse in the Bronx. Mr. Garcia sought Workers' Compensation benefits, and on September 28, 2020, he separately commenced this Labor Law action against Monadnock Construction and others seeking to recover for his injuries. In 2021, a Workers' Compensation Board (WCB) panel determined that Mr. Garcia did *not* sustain neck or back injuries from the accident.

On December 30, 2022, the Justice for Injured Workers Act (JIWA) took effect. JIWA provides that WCB determinations—other than a determination that a claimant is an employee of the employer—“shall not be given collateral estoppel effect” in related actions.

In this Labor Law action, Monadnock Construction moved to dismiss the neck and back claims based on collateral estoppel, arguing that the issues had already been fully litigated and decided by the WCB. Mr. Garcia argued that JIWA applied to his Labor Law case and his neck and back claims could not be dismissed based on the WCB decision.

The trial court disagreed with Mr. Garcia's argument, saying that JIWA did not apply to his case because the WCB decision was issued before JIWA became law and the Legislature did not authorize retroactive application. The court therefore dismissed the neck and back claims based on the WCB's findings.

On appeal, the Appellate Division, First Department reversed, holding that JIWA applies retroactively to cases—like Mr. Garcia's—that were pending when the law was enacted. The Appellate Division reasoned that the law is remedial and enacted to correct what the Legislature viewed as an injustice created by decisions that applied collateral estoppel to “swift” and “cursory” workers' compensation proceedings.

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Matter of Smith v Town of Thompson Planning Board (233 AD3d 1107 [AD3d])
Court PASS Docket No. APL-2024-00177

In 2021, developer Glen Wild Land Company submitted plans to the Town of Thompson Planning Board for a warehouse project. The proposed site is located in the HC-2 zoning district, where warehouses are permitted with a special use permit; distribution centers, however, are not allowed in that zone.

Over the next six months, the Planning Board held public hearings, coordinated with state and county agencies, and consulted experts on traffic, stormwater, planning, and noise. Neighboring property owners opposed the project, arguing that the proposal was actually a “warehouse/distribution center.” They pointed to the number of proposed loading docks and to references to “warehouse/distribution” in the materials submitted by the developer and consultants.

In June 2022, the Planning Board approved the project and granted Glen Wild a special use permit to construct a warehouse facility.

Opponents commenced this CPLR article 78 proceeding, arguing that the project was in fact a distribution center and that the Planning Board was required to refer the matter to the Town’s Zoning Board of Appeals (ZBA) for a determination on whether the intended use was permitted in an HC-2 zone. Glen Wild responded that the final approval expressly restricted the use to warehousing only.

Supreme Court upheld the Planning Board’s approval. The Appellate Division, Third Department, in a 3–2 decision, reversed, holding that the record revealed a “genuine question” whether the project was a permitted warehouse or a prohibited distribution center. The majority concluded that “without an appropriate zoning code interpretation in hand, the Planning Board could not properly issue a special use permit and site approval.”

Two justices dissented, finding no ambiguity and concluding that the Planning Board acted within its authority.

State of New York

Court of Appeals

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To be argued on Tuesday, March 10, 2026

People v Miguel Angel Palacios (234 AD3d 716 [AD2])
Court PASS Docket No. APL-2025-00097

In February 2017, three people were trapped on the second floor of a Queens building after a burning mattress was placed in the stairwell—the only exit. One person jumped from a second-floor window; the other two ran through the flames. All sustained serious injuries. Despite suffering third-degree burns, one of the victims went to a New York Police Department precinct and reported that two men intentionally set the mattress on fire to block the exit and trap the occupants. The victim identified one of the men by a nickname. A detective associated the nickname with Miguel Angel Palacios, and the victim identified Mr. Palacios in a photo array. The detective then issued a “probable cause I-card,” an NYPD alert indicating that there was probable cause to arrest Mr. Palacios.

The next day, patrol officers arrested Mr. Palacios and brought him to the detective’s precinct, where the detective questioned him in Spanish.

Mr. Palacios was charged with arson. Before trial, based solely on the detective’s testimony, the criminal court ruled that the detective had probable cause to arrest Mr. Palacios and that, under the fellow-officer rule, the patrol officers could lawfully arrest him even without personal knowledge of the case because the I-card communicated probable cause to them. Relying on the interrogation video and the detective’s testimony, the court also found that Mr. Palacios waived his *Miranda* rights.

Mr. Palacios pleaded guilty to arson in the second degree. On appeal, he argued that the detective’s testimony was insufficient to establish probable cause because the detective did not know whether the patrol officers arrested him based on the I-card or for some other reason, and that the criminal court improperly relied on an unofficial translated transcript to determine whether he waived his *Miranda* rights.

The Appellate Division, Second Department, affirmed. It held that the arrest was lawful based on the I-card, noting that Mr. Palacios’ arrest the next day, his transport to the detective’s precinct, and immediate questioning about the arson supported the inference that the patrol officers acted pursuant to the I-card. The court also held that the evidence showed that Mr. Palacios was properly given his *Miranda* rights and voluntarily waived them.

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To be argued Tuesday, March 10, 2026

People v David Ehinmiakhena (82 Misc3d 132[A] [App Term 1st])
Court PASS Docket No. APL-2025-00014

On June 19, 2016, police stopped David Ehinmiakhena's car at the intersection of Bowery and Delancey Street in Manhattan. He was charged with aggravated unlicensed operation of a motor vehicle in the third degree, with the misdemeanor complaint stating that the police officer "observed the defendant operating a motor vehicle (the key was in the ignition, the engine was running and the defendant was behind the wheel)" and that a DMV check revealed his license was suspended.

Mr. Ehinmiakhena sought to suppress the officer's post-stop observations, arguing the stop lacked reasonable suspicion or probable cause, and that observations made only because of an unlawful seizure—such as seeing him at the wheel—are suppressible "fruits" under longstanding Fourth Amendment doctrine. He emphasized he was not attempting to suppress his "identity," but only the observations used to prove he was driving.

The People opposed, arguing that the only evidence they sought to introduce was the officer's discovery of Mr. Ehinmiakhena's identity when he handed over his license. The People said that identity-related evidence, including testimony that Mr. Ehinmiakhena provided his license, cannot be suppressed regardless of the legality of the stop.

The trial court denied suppression, concluding that the observations at issue were identity-related evidence and were not subject to suppression. Mr. Ehinmiakhena pleaded guilty and appealed his conviction. The Appellate Term affirmed, holding that "regardless of the legality" of the stop, the officer's post-stop observations and the DMV records were not suppressible.