

State of New York Court of Appeals

Case Background Summaries

March 10 through March 12, 2026

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

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State of New York Court of Appeals

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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.

State of New York Court of Appeals

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To be argued Tuesday, March 10, 2026

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.

State of New York Court of Appeals

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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.

State of New York Court of Appeals

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To be argued Wednesday, March 11, 2026

Second Child v Edge Auto (236 AD3d 499 [AD1])
Court PASS Docket No. APL-2025-00112

New York's Vehicle and Traffic Law (VTL) § 370 requires rental car companies to file proof of insurance that "shall inure to the benefit of any person legally operating the motor vehicle." In *ELRAC v Ward* (96 NY2d 58 [2001]), the Court of Appeals interpreted this language to mean that rental car companies must provide primary insurance for renters up to the statutory minimum liability limits.

Several years later, in 2005, Congress enacted the Graves Amendment, a federal law providing that rental car companies are not liable for injuries caused solely because a renter was driving their vehicle. The Amendment also included a savings clause, specifying that it did not supersede state laws imposing financial responsibility or insurance requirements on vehicle owners or state laws imposing liability for failure to meet those requirements.

In 2019, Second Child rented a truck from Edge Auto. Second Child's employee, while driving the rented truck, struck another vehicle and injured the driver. The injured driver sued Second Child.

Relying on VTL § 370, Second Child argued that Edge Auto's insurance policy was required to provide coverage. Edge Auto argued that the Graves Amendment preempted section 370 and therefore relieved it of responsibility for injuries caused by Second Child's operation of the vehicle.

Supreme Court, Bronx County, and the Appellate Division, First Department, agreed with Edge Auto, holding that the Graves Amendment preempted VTL § 370 to the extent the state law required rental car companies to provide primary insurance to renters.

The Attorney General argues, as *amicus curiae*, that VTL § 370 is a financial responsibility law, and the Graves Amendment expressly preserves such laws from preemption.

State of New York Court of Appeals

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To be argued Wednesday, March 11, 2026

People v Travis Woods (226 AD3d 597 [AD1])
Court PASS Docket No. APL-2025-00033

In 2008, Travis Woods was arrested for his participation in a drug-trafficking organization, the nonfatal shooting of one drug dealer, and the fatal shooting of another. He was indicted and tried before a jury. The jury convicted him of the drug-related charges and acquitted him of the charges relating to the nonfatal shooting. As to the fatal shooting, the jury deadlocked on the murder and criminal possession of a weapon charges. Mr. Woods was sentenced to nine years' incarceration on the drug charges.

Mr. Woods was retried on the murder and weapon charges three more times. In 2009 and 2010, his second and third trials again ended in mistrials when the juries could not reach a verdict.

In 2013, nearly three years after the third trial, Mr. Woods moved to dismiss the case based on an alleged violation of his constitutional right to a speedy trial. The People declared readiness for trial that day and explained that the delay resulted from their efforts to reassess and reinvestigate the case and from discussions with Mr. Woods about a possible disposition. The court denied the motion.

The fourth trial concluded with the jury convicting Mr. Woods of second-degree murder and second- and third-degree criminal possession of a weapon. The court sentenced him to 25 years to life. Mr. Woods moved to vacate the conviction under CPL 440, arguing ineffective assistance of counsel; after a hearing at which trial counsel testified, the court denied the motion.

Mr. Woods appealed his conviction to the Appellate Division. His request for leave to appeal the denial of his CPL 440 motion was denied, and the Appellate Division therefore did not review the claims raised in that motion.

The Appellate Division affirmed the judgments convicting Mr. Woods of the drug, murder and weapon charges. As to the speedy-trial claim, the court held that although the nearly three-year delay was "significant," it was justified by the People's good-faith reassessment and reinvestigation of the case and by their discussions with defense counsel, and that Mr. Woods had not shown prejudice. As to Mr. Woods's record-based ineffective-assistance claim, the court held that, to the extent the record permitted review, the claims were without merit.

The court also rejected Mr. Woods' challenge to the trial court's submission of exhibits to the jury during deliberations without additional notice to the defense, holding that the court was not required to provide further notice because the jury's exhibit requests were ministerial rather than substantive.

State of New York Court of Appeals

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To be argued Wednesday, March 11, 2026

People v Naim Roper (231 AD3d 491 [AD1])
Court PASS Docket No. APL-2025-00024

For misdemeanor charges, the People are required to be ready for trial within 90 days (CPL 30.30). CPL 170.30(2) requires that a misdemeanor motion to dismiss on speedy-trial grounds “should” be made before trial commences. CPL 210.45(1) requires that any motion to dismiss be made “in writing and upon reasonable notice” to the People.

In January 2011, Naim Roper was accused of kneeing a corrections officer in the groin. He was arraigned on misdemeanor charges including assault, menacing, and harassment.

Over the next year, Mr. Roper’s case was adjourned numerous times. On July 23, 2012, the People answered ready for trial. The case was calendared for trial the next day.

When the case was called for trial on July 24, Mr. Roper moved to dismiss based on an alleged violation of CPL 30.30. The trial judge denied the motion, finding that it was untimely and not made upon reasonable notice to the People.

Mr. Roper was tried and convicted of attempted third-degree assault, menacing, and harassment.

On appeal, the Appellate Division, First Department, unanimously affirmed, holding that the trial court properly rejected the motion as untimely and not on reasonable notice.

State of New York Court of Appeals

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To be argued Thursday, March 12, 2026

Matter of Bi-Coastal Properties v Soliman (234 AD3d 540 [AD1])
Court PASS Docket No. APL-2025-00136

Bi-Coastal Properties owns a rent-stabilized apartment building on Chatterton Avenue in the Bronx. After replacing more than 550 windows, Bi-Coastal sought a tax exemption and a tax abatement under the J-51 real-property tax incentive program.

Under the J-51 framework, the New York City Department of Housing Preservation and Development (HPD) determines eligibility for, and calculates the amount of, any tax abatement. If HPD approves an application, it issues a certificate of eligibility and transmits it to the New York City Department of Finance (DOF), which then applies the abatement. For the exemption, however, DOF independently determines whether the owner's J-51-qualifying expenses directly increased the property's assessed value.

HPD approved Bi-Coastal's application and DOF applied the J-51 abatement. DOF issued the property's annual assessment without granting any J-51 exemption.

Bi-Coastal submitted a "clerical error review" application to DOF. DOF denied the request, finding that "the issue in your application is not due to a clerical error or an error in description."

Bi-Coastal brought this CPLR article 78 proceeding challenging DOF's determination. It argued that DOF's own rules permit correction of errors in description, including failure to record a "physical change" on the assessment roll, and relied on language in the assessor's handbook suggesting that window replacements or upgrades may warrant a physical-increase adjustment.

DOF responded that Bi-Coastal was improperly attempting to challenge an assessment through an article 78 proceeding. According to DOF, Bi-Coastal was contesting DOF's exercise of valuation judgment, and any such challenge must be brought in a Real Property Tax Law (RPTL) article 7 tax certiorari proceeding.

Supreme Court agreed with Bi-Coastal, granted the petition, and held that Bi-Coastal was entitled to J-51 exemption benefits.

On appeal, the Appellate Division, First Department, reversed. It held that Bi-Coastal's application—challenging the alleged overassessment of the property based on DOF's failure to apply an increase in physical value—could be reviewed only in an RPTL article 7 proceeding, not through clerical-error review in an article 78 proceeding.

State of New York Court of Appeals

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To be argued Thursday, March 12, 2026

People v N. H. (232 AD3d 200 [AD2])
Court PASS Docket No. APL-2025-00025

Nicole Hudson's former boyfriend unexpectedly arrived at a block party at her home in July 2019. During the party, Ms. Hudson struck a person with her car, hit the person two additional times, and then dragged the person under the vehicle as she fled the area. The person survived but sustained significant injuries.

Ms. Hudson was charged with attempted murder in the second degree and two counts of assault in the first degree. She asked the trial court to determine her eligibility under the Domestic Violence Survivors Justice Act (DVSJA) for an alternative, reduced sentence (Penal Law § 60.12). In support of her request, Ms. Hudson submitted a psychological evaluation recounting her disclosures of incidents of domestic violence during her relationship with her former boyfriend. The evaluation concluded that she exhibited symptoms of post-traumatic stress disorder and that her actions at the block party may have been influenced by her history of exposure to trauma and violence.

Ms. Hudson pleaded guilty to one count of assault in the first degree in full satisfaction of the charges, in exchange for a five-year term of imprisonment followed by five years of postrelease supervision. Before she accepted the plea, the People advised her that the plea offer required her to waive a DVSJA hearing to determine her eligibility for a reduced sentence. Ms. Hudson agreed to that condition, and the court imposed the agreed-upon sentence.

On appeal, the Appellate Division, Second Department, reviewed the statutory language along with the purpose and policy goals of the legislature in enacting the statute and concluded that a DVSJA hearing may be waived.

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To be argued Thursday, March 12, 2026

People v Warren Burgess (82 Misc3d 128[A] [App Term 1st])
Court PASS Docket No. APL-2025-00083

In July 2019, police officers in the Bronx approached a parked car with Warren Burgess sitting in the front seat. A search uncovered, among other items, a defaced pistol.

Mr. Burgess was charged in a felony complaint with third-degree criminal possession of a weapon, criminal possession of a firearm, and fourth-degree criminal possession of a weapon. Before any grand jury action, Mr. Burgess accepted a pre-indictment plea to the misdemeanor fourth-degree weapon possession charge and was sentenced to two years' probation. The criminal court dismissed the felony counts based on the prosecutor's representation that mitigating factors justified the plea.

On appeal, the People conceded—and the Appellate Term, First Department, held—that the fourth-degree weapon possession charge was jurisdictionally defective because the accusatory instrument did not include factual allegations that the firearm was operable. The court noted, however, that the only relief Mr. Burgess sought was dismissal of the accusatory instrument. He did not seek to have his plea vacated and the case remanded on the remaining charges; rather, he expressly asked the Appellate Term to affirm the conviction if it declined to dismiss the complaint. The Appellate Term reasoned that, in “light of the serious nature of the other charges contained in the felony complaint, a dismissal would not be appropriate,” and therefore affirmed.