

HSBC Bank, USA, N.A. v Helene McNeal

Motion No: 2026-01517

Slip Opinion No: 2026 NY Slip Op 72353(U)

Decided on July 16, 2026

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

Present – Hon. Dianne T. Renwick,
Barbara R. Kapnick
Lizbeth González
Llinét M. Rosado
Kelly O'Neill Levy,

Presiding Justice,

Justices.

HSBC Bank, USA, National Association as
Trustee for Renaissance Home Equity Loan
Asset-Backed Certificates, Series 2007-3,
Plaintiff-Appellant,

Motion No. **2026-01517**
Index No. 850041/12
Case No. 2024-00837

-against-

Helene McNeal and Melissa McNeal,
Defendants-Respondents,

"John Doe#1" to "John Doe #12" the last
twelve names being fictitious and unknown
to Appellant, the person or parties intended
being the tenants, occupants, persons or
corporations, if any, having or claiming an
interest in or lien upon the premises
described in the complaint,
Defendants.

An appeal having been taken to this Court from an order of the Supreme Court,
New York County, entered on or about January 23, 2024,

And plaintiff-appellant having moved to vacate the stay resulting from the death
of defendant-respondent Helene McNeal, or, in the alternative, to substitute and join
parties pursuant to CPLR 1001, 1003, 1015 and 1021, publish pursuant to CPLR 308(5)
and 315, and amend the aforesaid caption, pursuant to CPLR 305(c) and 3025(b),

Now, upon reading and filing the papers with respect to the motion, and due
deliberation having been had thereon,

It is ordered that the motion is denied. The appeal remains stayed until substitution of a personal representative of decedent's estate.

ENTERED: July 16, 2026

A handwritten signature in black ink, reading "Susanna Molina Rojas". The signature is fluid and cursive, with the first name "Susanna" being more prominent and the last name "Rojas" written in a slightly smaller, more compact script.

Susanna Molina Rojas
Clerk of the Court