

Matter of Trump v Engoron

Motion No: 2023-05338

Slip Opinion No: 2023 NY Slip Op 78550(U)

Decided on December 14, 2023

Appellate Division, First Department, Motion Decision

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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. Sallie Manzanet-Daniels, Justice Presiding,
Ellen Gesmer
Saliann Scarpulla
Llinét M. Rosado, Justices.

In the Matter of the Application of	Motion No.	2023-05338
	Case No.	2023-05859

Donald J. Trump, Donald Trump, Jr., Eric Trump, Allen Weisselberg, Jeffrey McConney, The Donald J. Trump Irrevocable Trust, The Trump Organization, Inc., Trump Organization, LLC, DJR Holdings LLC, DJT Holdings Managing Member, Trump Endeavor 12 LLC, 401 North Wabash Venture LLC, Trump Old Post Office LLC, 40 Wall Street LLC, and Seven Springs LLC,
Petitioners,

For a Judgment Pursuant to Article 78
Of the Civil Practice Law and Rules

-against-

The Honorable Arthur F. Engoron, J.S.C.,
and The People of the State of New York by
Letitia James, Attorney General of the State
of New York,
Respondents.

A petition having been filed with this Court on November 15, 2023, seeking to annul and vacate pursuant to CPLR 7803(2) and (3): (1) orders of the Supreme Court, New York County, entered on or about October 20, 2023 and on or about October 26, 2023 constituting summary findings of contempt against petitioner Donald J. Trump; (2) a “gag order” of the same court and justice entered on the record on or about October 03, 2023, and so-ordered on or about October 26, 2023, and a “supplemental limited gag order” of the same court and justice entered on or about November 03, 2023,

And an order of this Court entered on November 30, 2023 having denied petitioners' motion to stay enforcement of the aforesaid gag order and supplemental limited gag order pending hearing and determination of the instant petition (Motion No. 2023-05088),

And petitioners having moved for leave to appeal to the Court of Appeals from the aforesaid order this Court, entered on November 30, 2023, and for expedited resolution of the petition,

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 for leave to appeal is denied; that branch of the motion for expedited resolution of the petition is denied as moot (See Appeal No. 1443 decided simultaneously herewith).

ENTERED: December 14, 2023

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is fluid and cursive, with the first name "Susanna" being the most prominent part.

Susanna Molina Rojas
Clerk of the Court