

COURT OF APPEALS NEW FILINGS DIGEST

Preliminary Appeal Statements processed  
by the Court of Appeals Clerk's Office  
**January 2 through January 8, 2009**

Each week, the Clerk's Office prepares a list of recently-filed appeals, indicating short title, jurisdictional predicate, subject matter and key issues. Some of these appeals may not reach decision on the merits because of dismissal, on motion or sua sponte, or because the parties stipulate to withdrawal. Some appeals may be selected for review pursuant to the alternative procedure of Rule 500.11.

**The Court welcomes motions for amicus curiae participation from those qualified and interested in the subject matter of these newly filed appeals. Please refer to Rule 500.23 and direct any questions to the Clerk's Office.**

ABNEY (QUENTIN), PEOPLE v:

1<sup>ST</sup> Dept. App. Div. order of 10/14/08; affirmance with dissents; leave to appeal granted by Moskowitz, J., 12/23/08;

CRIMES AND CRIMINAL PROCEDURE - IDENTIFICATION OF DEFENDANT - EXPERT TESTIMONY ON RELIABILITY OF EYEWITNESS IDENTIFICATIONS - PEOPLE v LEGRAND (8 NY3d 449); ALLEGED ERROR IN ADMITTING INTO EVIDENCE CERTAIN SCHOOL LOGBOOKS;

Supreme Court, New York County convicted defendant, after a jury trial, of robbery in the first degree; App. Div. affirmed.