

State of New York
Court of Appeals

Decisions

June 20, 2024

CASES

2 No. 67
The People &c.,
 Respondent,
 v.
Matthew Corr,
 Appellant.

Order affirmed, without costs.
Opinion by Judge Troutman.
Judges Garcia, Singas and Cannataro concur.
Judge Rivera dissents in an opinion, in which Chief
Judge Wilson concurs.
Judge Halligan dissents in a separate dissenting
opinion.

1 No. 63
K.E. Liggett,
 Appellant,
 v.
Lew Realty LLC,
 Respondent.

Judgment appealed from and Appellate Division
order brought up for review reversed, with costs, and
defendant's motion to dismiss the complaint denied.
Opinion by Judge Halligan.
Chief Judge Wilson and Judges Rivera, Garcia,
Singas, Cannataro and Troutman concur.

1 No. 61
MAK Technology Holdings Inc.,
 Respondent,
 v.
Anyvision Interactive Technologies Ltd.,
 Appellant.

Order reversed, with costs, defendant's motion
insofar as sought to dismiss the first cause of action
for breach of contract to the extent based on the July
2021 transaction granted, and certified question
answered in the negative.
Opinion by Judge Cannataro.
Judges Rivera, Garcia and Singas concur.
Judge Troutman dissents in an opinion, in which
Chief Judge Wilson and Judge Halligan concur.

2 No. 68
The People &c.,
 Respondent,
 v.
Bryan McDonald,
 Appellant.

Order affirmed, without costs.
Opinion by Judge Troutman.
Judges Garcia, Singas and Cannataro concur.
Judge Rivera dissents in an opinion, in which Chief
Judge Wilson concurs.
Judge Halligan dissents in a separate dissenting
opinion.

3 No. 62
In the Matter of United Jewish Community of
Blooming Grove, Inc., et al.,
 Appellants,
 v.
Washingtonville Central School District et al.,
 Respondents.

Order affirmed, with costs.
Opinion by Judge Garcia.
Chief Judge Wilson and Judges Rivera, Singas,
Cannataro, Troutman and Halligan concur.

MOTIONS

1 Mo. No. 2024-266
1995 CAM LLC,
Respondent,
v.
West Side Advisors, LLC et al.,
Appellants.

Motion for reargument of motion for leave to appeal denied.

1 Mo. No. 2024-288
The People &c.,
Respondent,
v.
Samuel Acosta,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2024-146
The People &c.,
Respondent,
v.
Nelson Aviles,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2024-155
In the Matter of the Claim of Anthony
Bellantoni,
Appellant.
Commissioner of Labor,
Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

2 Mo. No. 2024-315
The People &c.,
Respondent,
v.
Jason Bohn,
Appellant.

Motion for reargument denied.

4 Mo. No. 2024-232
Lilian C., &c.,
Appellant,
v.
City of Syracuse,
Respondent,
et al.,
Defendants.

Motion for leave to appeal dismissed as untimely
(*see* CPLR 5513 [b]).

2 Mo. No. 2024-149
The People &c.,
Respondent,
v.
Eeryn Coley,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2024-153
Cuman Cropper,
Appellant,
v.
New York City Transit Authority,
Respondent.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.

1 Mo. No. 2024-145
Caf Dowlah,
Appellant,
v.
American Arbitration Association (AAA), et
al.,
Respondents.

Motion for leave to appeal denied.
Judge Rivera took no part.

3 Mo. No. 2024-284
In the Matter of Dynamic Logic, Inc.,
Appellant,
v.
Tax Appeals Tribunal of the State of New
York et al.,
Respondents.

Motion for leave to appeal granted.

2 Mo. No. 2024-159
The People &c.,
Respondent,
v.
Jose Fernandez,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2024-142
N.G., &c., et al.,
Appellants,
v.
DRF Management Corporation,
Respondent,
et al.,
Defendants.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

2 Mo. No. 2024-236
The People &c.,
Respondent,
v.
Joseph Gentile,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2024-139
In the Matter of Mark B. Gibson,
Appellant,
v.
Commissioner of the New York State
Department of Motor Vehicles et al.,
Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2024-197
Good Gateway, LLC et al.,
Respondents,
v.
Rohan Thakkar, et al.,
Appellants,
et al.,
Defendant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

1 Mo. No. 2024-136
IHG Harlem I, LLC,
 Respondent,
 v.
406 Manhattan LLC et al.,
 Appellants.

Motion for leave to appeal denied.

1 Mo. No. 2024-141
In the Matter of George Kralik, &c.,
 Appellant,
 v.
New York City Department of Housing
Preservation & Development et al.,
 Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2024-239
Peter A. Marasco, &c.,
 Appellant,
et al.,
 Plaintiffs,
 v.
ExxonMobil Oil Corporation, &c. et al.,
 Respondents.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

3 Mo. No. 2024-170
In the Matter of Richard Mills,
 Appellant,
 v.
New York State Board of Parole et al.,
 Respondents.

Motion, insofar as it seeks leave to appeal from that portion of the Appellate Division order that affirmed the denial of the motion for compelled disclosure, a sealing order and the assignment of counsel, dismissed upon the ground that such portion of the order does not finally determine the proceeding within the meaning of the Constitution; motion for leave to appeal otherwise denied.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2024-179
The People &c.,
Respondent,
v.
Anson Moore,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2024-175
The People &c.,
Respondent,
v.
Joel Morales,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2024-245
The People &c.,
Appellant,
v.
Wilmer Olmedo,
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2024-201
In the Matter of Oversight Management
Services, LLC,
Appellant,
v.
Sherif Soliman, &c. et al.,
Respondents.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.
Judge Rivera took no part.

1 Mo. No. 2024-237
In the Matter of Matthew P.,
Respondent,
v.
Linnea W.,
Appellant.

In the Matter of Linnea W.,
Appellant,
v.
Matthew P.,
Respondent.

1 Mo. No. 2024-227
In the Matter of Panasia Estate Inc.,
Appellant,
v.
29 West 19 Condominium, et al.,
Respondents.

1 Mo. No. 2024-209
Daniel Small,
Appellant,
v.
DMRJ Group LLC,
Respondent.

Mo. No. 2024-135
In the Matter of Paris Smith et al.,
Appellants,
v.
New York State Division of Human Rights, et
al.,
Respondents.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceedings within the meaning of the Constitution.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

Motion for leave to appeal denied.

Motion for leave to appeal dismissed upon the ground that this Court does not have jurisdiction to entertain it (*see* NY Const, art VI, § 3; CPLR 5602).

1 Mo. No. 2024-206
The People &c.,
 Respondent,
 v.
William Smith,
 Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2024-138
In the Matter of State Farm Mutual
Automobile Insurance Company,
 Respondent,
 v.
Valentin Diaz, &c. et al.,
 Appellants.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.

2 Mo. No. 2024-234
Oscar Venegas,
 Appellant,
 v.
Breuer Shymer, et al.,
 Defendants,
Salamon's Home Improvements, Inc., &c.,
 Respondent.
(And Third-Party Actions.)

Motion for reargument of motion for leave to appeal
denied with one hundred dollars costs and necessary
reproduction disbursements.