

**State of New York**  
**Court of Appeals**

**Decisions**

October 22, 2024

**CASES**

1                    No. 73  
The People &c.,  
    Respondent,  
    v.  
Anthony Blue,  
    Appellant.

Order affirmed.  
Opinion by Judge Halligan.  
Chief Judge Wilson and Judges Garcia, Singas,  
Cannataro and Troutman concur.  
Judge Rivera dissents in an opinion.

2                    No. 74  
The People &c.,  
    Respondent,  
    v.  
Kerbet Dixon,  
    Appellant.

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

2                    No. 79  
The People &c. ex rel. Michael D. Neville,  
&c.,  
    Appellant,  
    v.  
Errol D. Toulon, &c., et al.,  
    Respondents.

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

3                    No. 76  
Meredith Szypula,  
    Appellant,  
    v.  
John Szypula,  
    Respondent.

Amended judgment appealed from and Appellate  
Division order brought up for review reversed, with  
costs, and case remitted to Supreme Court, Tompkins  
County, for further proceedings in accordance with  
the opinion herein.  
Opinion by Chief Judge Wilson.  
Judges Rivera, Garcia, Singas, Cannataro, Troutman  
and Halligan concur.

## MOTIONS

3 Mo. No. 2024-362

Samer Ali-Hasan,  
Appellant,

v.

St. Peter's Health Partners Medical  
Associates, P.C. et al.,  
Respondents.

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

2 Mo. No. 2024-374

The People &c.,  
Respondent,

v.

Raul Benchocron,  
Appellant.

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

2 Mo. No. 2024-321

The People &c.,  
Respondent,

v.

James Coleman,  
Appellant.

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

2 Mo. No. 2024-376

William F. Costello,  
Respondent,

v.

Curan & Ahlers, LLP et al.,  
Appellants.

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

3 Mo. No. 2024-392

In the Matter of the Claim of Charles R.  
Frenkel,  
Appellant.

Commissioner of Labor,  
Respondent.

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

2 Mo. No. 2024-356  
The People &c.,  
Respondent,  
v.  
Alex Hammack,  
Appellant.

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

4 Mo. No. 2024-447  
In the Matter of Danyel J. et al.

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

Jefferson County Department of Social  
Services,  
Respondent;  
Alan J.,  
Respondent,  
Leeann B.,  
Appellant.

1 Mo. No. 2024-300  
Laura Lee Jacobson,  
Appellant,  
v.  
Frank R. Seddio, et al.,  
Defendants,  
Martin W. Edelman, et al.,  
Respondents.

Motion for leave to appeal denied with one hundred  
dollars costs and necessary reproduction  
disbursements.  
Judges Cannataro and Troutman took no part.

1 Mo. No. 2024-360  
Leonid L. Lebedev,  
Appellant,  
v.  
Leonard Blavatnik et al.,  
Respondents.

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

4 Mo. No. 2024-459  
In the Matter of Charles Lord,  
Appellant,  
v.  
Heather Lord,  
Respondent.

Motion for reargument of motion for leave to appeal  
denied.

4 Mo. No. 2024-503  
The People &c. ex rel. Ilann M. Maazel, Esq.,  
on behalf of Brian Scott Lorenzo,  
Appellant,  
v.  
John C. Garcia, &c., et al.,  
Respondents.

Motion for reconsideration of this Court's May 16,  
2024 dismissal order denied.

1 Mo. No. 2024-370  
In the Matter of Roger Manning,  
Appellant,  
v.  
City Council of the City of New York et al.,  
Respondents.

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

1 Mo. No. 2024-325  
Raul Marquez,  
Respondent,  
v.  
171 Tenants Corp.,  
Appellant,  
et al.,  
Defendants.

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

2 Mo. No. 2024-375  
The People &c.,  
Respondent,  
v.  
Paul Moore,  
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2024-272  
In the Matter of New York Civil Liberties  
Union,  
Appellant,  
v.  
New York State Office of Court  
Administration et al.,  
Respondents.

Motion for leave to appeal granted.  
Chief Judge Wilson took no part.

2                    Mo. No. 2024-385  
In the Matter of Orange County Partnership,  
Inc.,  
                  Appellant,  
          v.  
State of New York Authorities Budget Office,  
                  Respondent,  
et al.,  
                  Respondent.

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

3                    Mo. No. 2024-470  
Saratoga BDC Limited Partnership,  
                  Respondent,  
          v.  
Lynn M. Grabowski,  
                  Appellant.

On the Court's own motion, appeal dismissed, without costs, upon the ground that this Court does not have jurisdiction to entertain it (*see* NY Const, art VI, § 3; CPLR 5601).  
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).  
Motion for poor person relief dismissed as academic.

3                    Mo. No. 2024-302  
In the Matter of Strata Skin Sciences, Inc.,  
                  Appellant,  
          v.  
New York State Tax Appeals Tribunal et al.,  
                  Respondents.

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

3                    Mo. No. 2024-420  
In the Matter of Strata Skin Sciences, Inc.,  
                  Appellant,  
          v.  
New York State Tax Appeals Tribunal et al.,  
                  Respondents.

Motion by Institute for Professionals in Taxation for leave to appear amicus curiae on the motion for leave to appeal herein granted and the brief is accepted as filed.

4                    Mo. No. 2024-587  
The People &c.,  
                  Respondent,  
          v.  
Jaylin Wiggins,  
                  Appellant.

Motion to vacate this Court's August 1, 2024 dismissal order granted.