

COURT OF APPEALS NEW FILINGS

Preliminary Appeal Statements processed  
by the Court of Appeals Clerk's Office

**January 10, 2014 through January 16, 2014**

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. For those appeals that proceed to briefing in the normal course, the briefing schedule generally will be: appellant's brief to be filed within 60 days after the appeal was taken; respondent's brief to be filed within 45 days after the due date for the filing of appellant's brief; and a reply brief, if any, to be filed within 15 days after the due date for the filing of respondent's brief.

**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.**

S.J., MATTER OF v STATE OF NEW YORK:

4<sup>th</sup> Dept. App. Div. order of 11/15/13; dismissal; sua sponte examination whether a substantial constitutional question is directly involved to support an appeal as of right; APPEAL - APPELLATE DIVISION - DISMISSAL OF APPEAL; MOOTNESS; MENTAL HEALTH - CPL 330.20(9) PROCEEDING TO CHALLENGE ORDER AUTHORIZING RETENTION OF RESPONDENT IN NONSECURE FACILITY FOR MENTAL HEALTH CARE AND TREATMENT; County Court, Monroe County, determined that respondent is mentally ill and authorized the Commissioner of the New York State Office of Mental Health to continue to retain respondent in a nonsecure facility for care and treatment until 7/2/13; App. Div. dismissed appeal due to prior expiration of retention order.