

COURT OF APPEALS NEW FILINGS

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

October 2, 2015 through October 8, 2015

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.

ACME BUS CORP., MATTER OF v ORANGE COUNTY, et al.:

2ND Dept. App. Div. order of 3/4/15; affirmance; leave to appeal granted by Court of Appeals, 9/22/15;

MUNICIPAL CORPORATIONS - PROCUREMENT - CPLR ARTICLE 78 PROCEEDING TO REVIEW A COUNTY DETERMINATION AWARDED OTHER COMPANIES CONTRACTS TO PROVIDE BUS TRANSPORTATION - WHETHER THE COUNTY ACTED IRRATIONALLY BY FAILING TO FOLLOW THE PROPOSAL EVALUATION PROCEDURES SET FORTH IN ITS REQUEST FOR PROPOSALS; Supreme Court, Orange County, denied the CPLR article 78 petition and dismissed the proceeding; App. Div. affirmed.