

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

**Decisions**

April 27, 2022

**CASE**

4                    No. 60  
In the Matter of Tim Harkenrider, et al.,  
    Respondents-Appellants,  
    v.  
Kathy Hochul, &c., et al.,  
    Appellants-Respondents,  
et al.,  
    Respondents.

Order modified, with costs to petitioners, in accordance with the opinion herein and, as so modified, affirmed.  
Opinion by Chief Judge DiFiore.  
Judges Garcia, Singas and Cannataro concur.  
Judge Troutman dissents in part in an opinion, in which Judge Wilson concurs in part in a dissenting opinion, in which Judge Rivera concurs in part.  
Judge Rivera dissents in a separate dissenting opinion, in which Judge Wilson concurs.

## MOTIONS

4                    Mo. No. 2022-331  
In the Matter of Tim Harkenrider, et al.,  
    Respondents-Appellants,  
    v.  
Kathy Hochul, &c., et al.,  
    Appellants-Respondents,  
et al.,  
    Respondents.

On the Court's own motion, petitioners' appeal from the Supreme Court judgment dismissed, without costs, upon the ground that it does not lie (*see* CPLR 5601 [b] [1]).

Motions for leave to appeal denied as unnecessary.

4                    Mo. No. 2022-332  
In the Matter of Tim Harkenrider, et al.,  
    Respondents-Appellants,  
    v.  
Kathy Hochul, &c., et al.,  
    Appellants-Respondents,  
et al.,  
    Respondents.

Motion by Campaign Legal Center et al. for leave to file a brief amici curiae on the appeal herein granted and the proposed letter brief is accepted as filed.

4                    Mo. No. 2022-333  
In the Matter of Tim Harkenrider, et al.,  
    Respondents-Appellants,  
    v.  
Kathy Hochul, &c., et al.,  
    Appellants-Respondents,  
et al.,  
    Respondents.

Motion by League of Women Voters for leave to appear amicus curiae on the appeal herein granted only to the extent that the proposed brief is accepted as filed.

4                    Mo. No. 2022-334  
In the Matter of Tim Harkenrider, et al.,  
    Respondents-Appellants,  
    v.  
Kathy Hochul, &c., et al.,  
    Appellants-Respondents,  
et al.,  
    Respondents.

Motion by Thomas F. O'Mara, et al. for leave to file a brief amici curiae on the appeal herein granted and the proposed brief is accepted as filed.

4                    Mo. No. 2022-335  
In the Matter of Tim Harkenrider, et al.,  
    Respondents-Appellants,  
    v.  
Kathy Hochul, &c., et al.,  
    Appellants-Respondents,  
et al.,  
    Respondents.

Motion by Jamaal Bowman, et al. for leave to file a  
brief amici curiae on the appeal herein granted and  
the proposed brief is accepted as filed.