



*State of New York
Supreme Court, Appellate Division
Third Judicial Department
P.O. Box 7288, Capital Station
Albany, NY 12224-0288*

*Robert D. Mayberger
Clerk of the Court*

*(518) 471-4777
fax (518) 471-4750
<http://www.nycourts.gov/ad3>*

APRIL 2024 Term Calendar

This is a TENTATIVE calendar of argued and submitted cases. For those cases being argued, the listing below is intended to indicate only the date and time argument has been scheduled to occur and not the sequence in which the cases will be called. An updated Session Calendar, indicating the Justices sitting for a particular session, the attorneys arguing, and the time allowed for each argument, will be posted on the Appellate Division, Third Department website (www.nycourts.gov/ad3) one week prior to the beginning of the term. The Court's policy requires notice of any calendar changes at least 24 hours prior to argument and your failure to abide by this policy could result in the imposition of costs. Please be advised the Court's arguments are streamed live via the Court's website.

MONDAY, APRIL 22, 2024 1:00 PM SESSION

To Be Argued:

113688	PEOPLE v LEWIS JAMES
CV-23-1696	MATTER OF HART v TOWN OF GUILDERLAND INDUSTRIAL DEV. AGENCY
CV-23-0115	MATTER OF CTR. FOR JUDICIAL ACCOUNTABILITY v NEW YORK STATE JOINT COMM. ON PUBLIC ETHICS
113138	PEOPLE v DEAUNTTA MALLOY
CV-23-1597	MATTER OF FIRST UNITED METHODIST CHURCH IN FLUSHING v ASSESSOR OF TOWN OF CALLICOON
CV-23-1146	NEW YORK MUNICIPAL INS. RECIPROCAL v STEWART'S SHOPS CORP.

To Be Submitted:

CV-22-2072	MATTER OF TRUESDELL v DECKER
535286	PEOPLE v MICHAEL R. PARDEE (SORA)
536097	PEOPLE v BARRY HYMAN (SORA)
535778	MATTER OF HILL-HOLLEY v KINGS COUNTY HOSP.



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**TUESDAY, APRIL 23, 2024
1:00 PM SESSION**

To Be Argued:

110729 PEOPLE v JOEVANY LUNA

CV-23-0999 MATTER OF NEW YORK CIVIL LIBERTIES UNION v NEW YORK STATE
CV-23-1689 POLICE

CV-23-0159 GRAND SOUTH POINT, LLC v BASSETT

112661 PEOPLE v JAMEL HINES

CV-23-1690 MATTER OF MUNSON v NEW YORK STATE DIV. OF CRIMINAL JUSTICE
SERVICES

CV-23-1429 MATTER OF STRZEPEK v DINAPOLI

To Be Submitted:

CV-23-1150 MATTER OF FAITH NN. v DEWEY OO.

CV-23-0618 MATTER OF DIANE ALONGI (COMMISSIONER OF LABOR)

111230 PEOPLE v MIGUEL PINALES-HARRIS

CV-22-2121 MATTER OF PERSAUD v ASH & PETERKIN CENTRAL LOCK CO., INC.



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**WEDNESDAY, APRIL 24, 2024
2:00 PM SESSION**

To Be Argued:

111844 PEOPLE v DESTINY WW.
CV-23-0697 PFIRMAN v VILLAGE OF NEW PALTZ
CR-23-0808 PEOPLE v JUAN DIEGO CRUZ
CV-23-0853 GUGINO v SCRIPA
CV-23-0710 FLEMING v JENNA'S FOREST HOMEOWNERS' ASSOC.
CV-23-1182
CV-22-2171 MATTER OF JOBIN v HOTALING
535507 MATTER OF MARINA C. v DARIO D.

To Be Submitted:

CV-23-0355 MATTER OF EVANS v NORTHEAST LOGISTICS, INC.
113112 PEOPLE v JAMES DELOSH
113113
CV-23-0067 MATTER OF GARROW v LOWE'S HOME CENTERS INC.



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**THURSDAY, APRIL 25, 2024
1:00 PM SESSION**

To Be Argued:

CV-23-1865 LISA I. v MANIKAS
CV-23-0244

CV-23-0388 LEE v HELSLEY

CR-23-0654 PEOPLE v CHRISTOPHER BALDNER

CV-23-0467 MATTER OF TRIBECA ESTATES LLC v TOWN OF FALLSBURG

534073 PEOPLE v JOHN STAMMEL (SORA)

CV-23-1408 MATTER OF GALLANTE v DINAPOLI

To Be Submitted:

112216 PEOPLE v DONALD BIRCH, JR.

CV-23-0492 MATTER OF THERESSA M. v GADDIEL M.

113377 PEOPLE v CARISSA L. GLICKSMAN
113378
113379

CV-23-0571 MATTER OF PATTERSON-DJALO v COLD SPRING ACQUISITION LLC
CV-23-1310



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**MONDAY, APRIL 29, 2024
1:00 PM SESSION**

To Be Argued:

CV-24-0281 STEFANIK v HOCHUL

CV-23-1060 MATTER OF BINGHAMTON PLAZA, INC. v CITY OF BINGHAMTON, NEW YORK

535112 GARDNER v GARDNER
535409

CV-23-0737 PELLETT v TOWN OF MILTON

CV-22-2270 GRASSE v STATE OF NEW YORK

CV-23-0985 PEOPLE v ALEXANDER WATERBURY (SORA)

CV-22-2190 MATTER OF JAMES EE. v VANESSA EE.

To Be Submitted:

CV-22-2094 MATTER OF PATRICK C. v RACHEL KK.

112836 PEOPLE v MATTHEW J. WERNER

CV-23-1298 MATTER OF GAROFALO v VERIZON NEW YORK, INC.



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**TUESDAY, APRIL 30, 2024
1:00 PM SESSION**

To Be Argued:

113292 PEOPLE v DANIEL R. HATCH
CV-23-0722 DeCARO v SOMERSET INDUSTRIES
113301 PEOPLE v RAYVON T. McNEALY
CV-23-0547 STATE OF NEW YORK v RAJU
535861 BERG v STATE OF NEW YORK
CV-23-0012 MATTER OF GIOVANNI C.
CV-23-0442 MATTER OF ASIAH S.

To Be Submitted:

CV-23-0820 MATTER OF NICOLE L. SMITH (COMMISSIONER OF LABOR)
113642 PEOPLE v EMMANUEL PHILIPPE
CV-23-1738 MATTER OF SO v ERIN'S PHARMACY INC.



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**FRIDAY, MAY 3, 2024
10:00 AM SESSION**

To Be Argued:

113693 PEOPLE v MOHAMED OSMAN
CV-23-0490 MATTER OF MILDRED J. v JOSEPH K.
CV-22-2338 MATTER OF JACOB L. v HEATHER L.
CV-23-0476
CV-23-0675

To Be Submitted:

CV-23-0303 MATTER OF ANDREW YY. v GABRIELA XX.
113329 PEOPLE v RASHAD R. GRAHAM
112868 PEOPLE v JOSEPH S. MITCHELL
CV-22-2103 MATTER OF BROWN v VAN LINER INSURANCE CO.
533382 PEOPLE v RAY EAGLIN (SORA)
CV-23-0891 MATTER OF PERCINTHE v ANNUCCI
CV-23-1077 MATTER OF SARAH MOI-THUK-SHUNG (COMMISSIONER OF LABOR)