



*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
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<http://www.nycourts.gov/ad3>*

OCTOBER 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, OCTOBER 7, 2024 1:00 PM SESSION

To Be Argued:

535441	VACATION VILLAGE HOMEOWNERS ASSOC. v TOWN OF FALLSBURG
CV-24-0541	SCALETTA v MICHELS POWER, INC.
CV-23-1066	MATTER OF NODA v NEW YORK STATE GAMING COMMN.
CV-23-1622	MARCELLA v GLOWACKI
CV-23-1765	SPROLE v KEARL
CV-23-1837	MATTER OF TROY CITY SCHOOL DISTRICT and TROY TEACHERS ASSOCIATION
CV-23-1929	KARAM v COUNTY OF RENSSELAER
112506	PEOPLE v DAVID J. BOVA

To Be Submitted:

536138	MATTER OF MICHAEL T. v DANA U.
CV-23-1807	MATTER OF LYNDAKER v NIGRELLI
CV-23-1870	MATTER OF SANCHEZ v BALDOR SPECIALITY FOODS INC.
CR-22-1856	PEOPLE v BERNADETT VANDYKE
CV-23-1830	MATTER OF ARCE v SCHEAR CONSTRUCTION, LLC
CV-23-1251	MATTER OF DUTTON v NEW YORK UNIV.
CV-23-0766	MATTER OF DANIELS v NEW YORK CITY TRANSIT AUTHORITY



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WEDNESDAY, OCTOBER 9, 2024

10:00 AM SESSION

TOMPKINS COUNTY

ITHACA CITY COURT BUILDING

To Be Argued:

CV-23-0570 MATTER OF THE TRUST OF ELIZABETH A. RIGGS
112177 PEOPLE v MICHAEL K. SAUNDERS
CV-23-0828 E.W. v CANASTOTA CENT. SCHOOL DIST.
CV-23-0862 WILLIAMS v ITHACA DISPATCH, INC.

To Be Submitted:

112243 PEOPLE v WILLIE HENLEY
CR-23-0979
CR-23-1754 PEOPLE v JEREMIAH L. JORDAN
CV-23-2101 MATTER OF CARBONELL v NYS EDUCATION DEPT.
113359 PEOPLE v LAVAUGHN M. RAMSEUR
112902 PEOPLE v SAUL BAEZ
CV-23-2013 MATTER OF NEW YORK STATE OFFICE OF VICTIM SERVICES v
ALEXIS
113266 PEOPLE v AVA OO.
113515 PEOPLE v MARCUS MANUEL NOLASCO-GUTIERREZ
113450 PEOPLE v TYLER E. LESTER
CV-24-0077 MATTER OF DRAYTON v SCHIFF
CV-23-1061 MATTER OF SONG v CITY OF NEW YORK DEPT. OF BUILDINGS



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**THURSDAY, OCTOBER 10, 2024
1:00 PM SESSION**

To Be Argued:

CV-23-0993	MOSHE v CHURCH MUTUAL INS. CO.
CV-23-2041	BANK OF NEW YORK MELLON v RICHARDS
CV-24-0597	
CV-23-1410	DULEY v DULEY
CV-23-1240	FERRARA-CARPENTER v ORMSBY
CV-23-1147	MATTER OF BASILE v NYS OFFICE OF TEMPORARY & DISABILITY ASSISTANCE
CV-23-1669	GURBANOVA v CITY OF ITHACA
CV-22-2285	MATTER OF TRACI A. v MAXMILLION B.
CR-23-1533	PEOPLE v JORDAN HENSLEIGH

To Be Submitted:

113320	PEOPLE v CHRISTOPHER I. WILLIAMS
CV-23-1374	MATTER OF GABRIEL J.
CV-23-0883	MATTER OF LAPAN v TRADE WINDS ENVTL.
112962	PEOPLE v DARRYL SMITH
CV-23-1502	MATTER OF SMITH v ANNUCCI
CV-23-1577	MATTER OF SANTOS v 77 GP, Inc
CV-23-0790	MATTER OF HERNANDEZ v WELLWOOD CEMETERY ASSOC., INC.



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**TUESDAY, OCTOBER 15, 2024
1:00 PM SESSION**

To Be Argued:

CV-23-1371	MATTER OF ESTATE OF RICHARD J. MCNEIL
CV-23-0751	MATTER OF RIZZO v THE SPRINGUT GROUP
CV-23-1361	SANTIAGO v GENERAL MOTORS LLC
CV-24-0188	
CV-22-1989	MATTER OF ZWICKLBAUER v HANNIGAN
CV-23-1206	MATTER OF APPELLATE ADVOCATES v NYS DOCCS
CV-24-0456	QUICK v STATE FARM MUTUAL AUTOMOBILE INS. CO.
CR-23-2347	PEOPLE v BOYD P.
113161	PEOPLE v BRETT RONSANI

To Be Submitted:

113164	PEOPLE v JAMES C. SITTS
CV-23-1392	MATTER OF C&C TOBACCO v TOMPKINS COUNTY WHOLE HEALTH
112203	PEOPLE v TREVOR D. BUTLER
112792B	PEOPLE v JOSEPH JOHNSON
CV-23-1326	MATTER OF KEVIN P. SMALL (COMMISSIONER OF LABOR)
CV-23-1451	MATTER OF AMATO v PATCHOGUE SUPERMARKETS LLC
CV-23-0854	MATTER OF WADDY v MANHATTAN & BRONX SURFACE TRANSIT AUTHORITY



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**WEDNESDAY, OCTOBER 16, 2024
1:00 PM SESSION**

To Be Argued:

CR-23-0390	PEOPLE v CLIFFORD MAYETTE
CV-23-1292	MATTER OF GABRIELLA X. [ERICK Y.]
112750	PEOPLE v BILAL FLYNN
CR-23-0486	PEOPLE v CHRISTOPHER J. KANE
CV-23-1096	NEW YORK ALPHA OF PHI KAPPA PSI ASSOC. v CORNELL UNIV.
CV-23-1867	DEMULDER v HUNTER MOUNTAIN SKI BOWL, INC.
CV-23-1573	MATTER OF HYUNDAI CAPITAL AMERICA, INC. v MINNEFORD MARINA
CV-23-2174	
CV-24-0060	
CR-23-0741	PEOPLE v BILLY HENDRIE

To Be Submitted:

CV-23-1364	MATTER OF LESLIE QQ. v DANIEL RR.
CV-23-1365	
CV-23-1277	MATTER OF ESTATE OF IRENE FURNIA
CR-22-1865	PEOPLE v CHA-NARION D.
112411	PEOPLE v PRICE GIBBS
CV-23-2239	MATTER OF ROBERTA HARRISON (COMMISSIONER OF LABOR)
CV-23-1272	MATTER OF GONZALEZ v NORTHEAST PARENT & CHILD SOCIETY
CV-23-0874	MATTER OF LAMONT v SUPERIOR AMBULANCE SERVICE INC.



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**THURSDAY, OCTOBER 17, 2024
1:00 PM SESSION**

To Be Argued:

CV-23-1398	CANCILLA v O'ROURKE
CV-23-1454	SPIELMAN v GLENWYCK DEVELOPMENT, LLC.
CV-23-1822	JAMES v MARINI HOMES
CV-23-0705	MATTER OF KYLE I. v KANDICE K.
CV-23-2130	MATTER OF PEACEFUL VALLEY HOUSING DEV. FUND CORP. v TOWN OF JOHNSBURG
CR-23-1492	PEOPLE v KENNETH J. GRAY
CR-23-1226	PEOPLE v MARCEL TEIXEIRA-INGRAM

To Be Submitted:

535849	MATTER OF CARMELA D. [SHAMEEKA G.-TRISTEN F.]
CV-23-0655	MATTER OF DAMIEK TT.
CV-23-0148	MATTER OF TIYANI AA. [YANI Z.]
CV-23-1708	
113049	PEOPLE v PETER J. RUPP
112223	PEOPLE v ROBERT W. RANDOLPH
113102	PEOPLE v DAMIAN TRAPANI
CV-23-1674	MATTER OF JAMES v PREMIER HOME HEALTH CARE
CV-23-0875	MATTER OF KRETUNSKI v CITYWIDE ENVTL. SERVICES LLC



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**FRIDAY, OCTOBER 18, 2024
9:30 AM SESSION**

To Be Argued:

CV-23-0807	ZWACK v HUNT
CV-23-1716	T.E. v SOUTH GLENS FALLS CENT. SCHOOL DIST.
113411	PEOPLE v DAVID W. LUNT
113412	
CV-24-0672	MATTER OF KALA Y. v QUINN Z.
CR-23-2246	PEOPLE v BRANDON CRADDOCK
CV-23-1058	MATTER OF PUIG v NEW YORK STATE POLICE
CV-23-0951	MATTER OF WALTER SVARCZKOPF (COMMISSIONER OF LABOR)
CV-24-1509	SIBLEY v STAVISKY

To Be Submitted:

CV-24-1097	MATTER OF AYANNA O.
110532	PEOPLE v ESCHELL ASHCROFT
CV-22-2079	MATTER OF JAHARI BB. v ZADA CC.
CV-23-1703	MATTER OF SAVANNAH F.
112064B	PEOPLE v MARLON RICARDO GRAHAM
112065B	
113654	PEOPLE v MICHAEL LL.
CV-23-1751	MATTER OF YOUNG v LP TRANSPORTATION
CV-23-0928	MATTER OF HERRERA v AMERICAN BADGE, INC.