

**MOTION NO. (590/22) KA 19-01871. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JEREMY A. ACOSTA, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., SMITH, BANNISTER, KEANE, AND HANNAH, JJ. (Filed June 14, 2024.)

**MOTION NO. (638/23) KA 22-00490. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V AL AMIN MCMILLON, DEFENDANT-APPELLANT.** -- Motion to vacate the memorandum and order of this Court, entered October 6, 2023, granted, and the appeal is dismissed (*see People v Lewis*, 196 AD3d 968, 968-969 [3d Dept 2021]; *see generally People v Matteson*, 75 NY2d 745, 747 [1989]). PRESENT: SMITH, J.P., BANNISTER, OGDEN, GREENWOOD, AND NOWAK, JJ. (Filed June 14, 2024.)

**MOTION NO. (804/23) CA 23-00285. -- IN THE MATTER OF THE ESTATE OF KATHRYN W. BUCK, DECEASED. RICHARD M. BUCK, III, PETITIONER-APPELLANT-RESPONDENT. (PROCEEDING NO. 1.) JOSEPH J. TIMPANO, TEMPORARY ADMINISTRATOR OF THE ESTATE OF KATHRYN M. BUCK, DECEASED, PETITIONER-RESPONDENT. (PROCEEDING NO. 2.) RICHARD M. BUCK CONSTRUCTION CORPORATION, PETITIONER-RESPONDENT, STEVEN G. BUCK AND BUCK CONSTRUCTION LLC, APPELLANTS. (PROCEEDING NO. 3.)** -- Motions for reargument or leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., CURRAN, MONTOUR, OGDEN, AND NOWAK, JJ. (Filed June 14, 2024.)

**MOTION NO. (832/23) CA 23-00529. -- TAMMY L. KELLY AND MICHELLE MOUDY, AS**

**GUARDIANS OF THE PERSON AND PROPERTY OF JOHN M. MOUDY,**  
**PLAINTIFFS-APPELLANTS, V NICHOLAS J. PROHASKA, DEFENDANT, AND SNAP-ON**  
**CREDIT LLC, DEFENDANT-RESPONDENT.** -- Motion for reargument or leave to  
appeal to the Court of Appeals denied. PRESENT: SMITH, J.P., BANNISTER,  
GREENWOOD, NOWAK, AND DELCONTE, JJ. (Filed June 14, 2024.)

**MOTION NO. (889/23) CA 23-00023.** -- **JAZMON MORRISON, PLAINTIFF-RESPONDENT,**  
**V SOUTH UNION RD HC, LLC, AND WILLIAMSVILLE SUBURBAN, LLC,**  
**DEFENDANTS-APPELLANTS.** -- Motion for reargument or leave to appeal to the  
Court of Appeals denied. PRESENT: LINDLEY, J.P., CURRAN, MONTOUR, OGDEN,  
AND NOWAK, JJ. (Filed June 14, 2024.)

**MOTION NO. (1023/23) CA 22-00860.** -- **GARY J. SKALYO, PLAINTIFF, V DONALD**  
**ALESSI, SR., ESQ., ALESSI LAW FIRM, DEFENDANTS-APPELLANTS, WILLIAM ILECKI,**  
**ESQ., ILECKI & OSTROWSKI, LLP, DEFENDANTS-RESPONDENTS, ET AL., DEFENDANT.**  
-- Motion for leave to appeal to the Court of Appeals denied. PRESENT:  
LINDLEY, J.P., CURRAN, BANNISTER, GREENWOOD, AND DELCONTE, JJ. (Filed June  
14, 2024.)

**MOTION NOS. (16-17/24) CA 22-01929.** -- **IN THE MATTER OF DANIEL T. WARREN,**  
**PETITIONER-PLAINTIFF-APPELLANT, V PLANNING BOARD OF THE TOWN OF WEST**  
**SENECA, TOWN OF WEST SENECA, AND CANISIUS HIGH SCHOOL OF BUFFALO, NEW YORK,**  
**BY AND THROUGH FR. DAVID CIANCIMINO, S.J., AS ITS PRESIDENT,**

RESPONDENTS-DEFENDANTS-RESPONDENTS. (APPEAL NO. 1.) CA 23-00546. -- IN THE MATTER OF DANIEL T. WARREN, PETITIONER-APPELLANT, V PLANNING BOARD OF THE TOWN OF WEST SENECA, TOWN OF WEST SENECA, AND CANISIUS HIGH SCHOOL OF BUFFALO, NEW YORK, BY AND THROUGH FR. DAVID CIANCIMINO, S.J., AS ITS PRESIDENT, RESPONDENTS-RESPONDENTS. (APPEAL NO. 2.) -- Motion for reargument denied. PRESENT: WHALEN, P.J., LINDLEY, OGDEN, NOWAK, AND DELCONTE, JJ. (Filed June 14, 2024.)

MOTION NO. (151/24) CA 23-00120. -- CAROL L. JONES, INDIVIDUALLY AND AS EXECUTOR OF THE ESTATE OF DONALD J. JONES, DECEASED, JONES-CARROLL, INC., AND SEALAND WASTE LLC, PLAINTIFFS-APPELLANTS, V TOWN OF CARROLL AND TOWN BOARD OF TOWN OF CARROLL, DEFENDANTS-RESPONDENTS. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., BANNISTER, MONTOUR, OGDEN, AND DELCONTE, JJ. (Filed June 14, 2024.)