

State of New York
Court of Appeals

Decisions

October 24, 2024

CASES

2 No. 84
The People &c.,
 Respondent,
 v.
Jorge Baque,
 Appellant.

Order affirmed.
Opinion by Judge Halligan.
Judges Rivera, Cannataro and Troutman concur.
Judge Garcia concurs in result in an opinion.
Judge Singas concurs in result in a separate opinion.
Chief Judge Wilson dissents in an opinion.

 No. 127
East Fork Funding, LLC,
 Respondent,
New York State Attorney General,
 Intervenor-Respondent,
 v.
U.S. Bank, National Association, &c.,
 Appellant.

Certification of question by the United States Court of Appeals for the Second Circuit, pursuant to section 500.27 of this Court's Rules of Practice, in the particular circumstances of this individual case, respectfully declined.
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro and Troutman concur.
Judge Halligan took no part.

3 No. 83
The People &c.,
 Respondent,
 v.
Codie Hayward,
 Appellant.

Order affirmed.
Opinion by Judge Troutman.
Judges Garcia, Singas and Cannataro concur.
Judge Rivera concurs in result in an opinion, in which Chief Judge Wilson and Judge Halligan concur.

4 No. 81
The People &c.,
 Respondent,
 v.
Randall K. McGovern,
 Appellant.

Order insofar as appealed from affirmed.
Opinion by Judge Rivera.
Chief Judge Wilson and Judges Garcia, Singas, Cannataro, Troutman and Halligan concur.

MOTIONS

1 Mo. No. 2024-439
841-853 Fee Owner, LLC,
Respondent,
v.
Space Initiatives LLC et al.,
Appellants.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

1 Mo. No. 2024-456
The People &c.,
Respondent,
v.
Russell Alam,
Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2024-535
The People &c.,
Respondent,
v.
Ralph C. Beaton,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2024-501
The People &c.,
Respondent,
v.
Aylin Canon,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2024-421
In the Matter of Corning Natural Gas
Corporation,
Appellant,
v.
Public Service Commission of the State of
New York,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2024-471
Alfredo Cruz,
Appellant,
v.
City of New York,
Respondent.

Motion for reargument of motion to dismiss appeal denied with one hundred dollars costs and necessary reproduction disbursements.

4 Mo. No. 2024-355
The People &c.,
Respondent,
v.
Sean Dyer,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2024-538
The People &c.,
Respondent,
v.
Yovani Hernandez,
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2024-537
The People &c.,
Respondent,
v.
Vernon A. Jones,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2024-460
William Mann,
Appellant,
v.
Mezuyon, LLC,
Respondent,
et al.,
Defendant.
Mayrich Construction Corp.,
Third-Party Respondent.

Motion for leave to appeal granted.

2 Mo. No. 2024-497
Peter A. Marasco, &c.,
 Appellant,
et al.,
 Plaintiffs,
 v.
ExxonMobil Oil Corporation, &c. et al.,
 Respondents.

Motion for reargument of motion for leave to appeal denied.

3 Mo. No. 2024-400
In the Matter of Dani C. Pak,
 Appellant,
 v.
NYS Department of Motor Vehicles,
 Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2024-498
In the Matter of Felix Procacci,
 Appellant,
 v.
Town of Hempstead,
 Respondent.

Motion for reargument of motion for leave to appeal denied.

4 Mo. No. 2024-480
The People &c.,
 Respondent,
 v.
Cruz Rivera,
 Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

1 Mo. No. 2024-425
The People &c.,
 Respondent,
 v.
Hiram Rosario,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2024-407
In the Matter of Shaun Ross,
 Appellant,
 v.
Debra Silber, &c., et al.,
 Respondents.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2024-488
U.S. Bank Trust, N.A., &c.,
 Respondent,
 v.
Paul L. Greer Jr., &c. et al.,
 Appellants,
et al.,
 Defendants.

Motion for leave to appeal dismissed upon the
ground that the orders sought to be appealed from do
not finally determine the action within the meaning
of the Constitution.
Judge Halligan took no part.

3 Mo. No. 2024-449
West Mountain Assets LLC,
 Appellant,
 v.
James Dobkowski et al.,
 Respondents.

Motion for leave to appeal dismissed upon the
ground that the order sought to be appealed from
does not finally determine the action within the
meaning of the Constitution.

3 Mo. No. 2024-464
In the Matter of Woodside Manor Nursing
Home, Inc., et al.,
 Appellants,
 v.
Howard Zucker, &c.,
 Respondent.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.