



New York State

**Law Reporting
Bureau**



**New York
*Official Reports***

Thomas J.K. Smith, State Reporter

**Electronic Resources
User Guide**

2024

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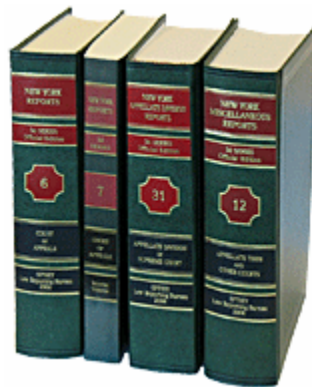
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Finding the Official Reports Electronically

The New York Official Reports are available in three electronic locations:

1. New York Slip Opinion Service (available on the LRB website)
2. New York Official Reports Service (available on the LRB website)
3. Thomson Reuters Westlaw (via the New York Official Reports content category)

The Official Reports, comprised of the New York Reports, Appellate Division Reports, and Miscellaneous Reports, are the only official source of New York's common law. In addition to being the official text of New York court decisions, the Official Reports are professionally edited during a comprehensive and meticulous process to ensure accuracy of citations, quotations, and facts and to make stylistic and technical corrections. Aside from the print edition of the Official Reports, housed in the green bound volumes depicted below, the Official Reports are available only in the three electronic locations listed above.



New York Slip Opinion Service

About the Service

The New York Slip Opinion Service is available on the LRB website, www.nycourts.gov/reporter. The Slip Opinion Service provides free access to recently released decisions and motions prior to publication in the Official Reports, together with an electronic citation for each decision and motion. The Service is updated to include the professionally edited version of decisions that have been published in print.

The Slip Opinion Service also provides access to trial court opinions selected for online publication only, a dedicated database of decisions from the Commercial Division of the Supreme Court, and motion decisions of the Appellate Division and Appellate Term of the Supreme Court.

Decisions published as early as 2003 are available for most courts. Some trial court decisions decided prior to 2003 are included.

The screenshot shows the New York State Law Reporting Bureau website. The header includes the state outline logo, "New York State Law Reporting Bureau", and navigation links for "Decisions", "Resources", "About", and "Search". A "Home" button is also present. The main heading is "New York Official Reports Slip Opinion Service", with an "Advanced Search" button below it. The content is organized into two main sections: "Court of Appeals" and "Appellate Division, First Department".

Court of Appeals			
Decisions Opinions and memoranda from New York's High Court. Coverage begins in October 2003.	Civil Motions Decisions on a variety of motions in civil matters including motions for leave to appeal. Coverage begins in February 2003.	Criminal Motions Decisions on applications for leave to appeal in criminal matters. Coverage begins in January 2004.	New Filings Lists of appeals recently filed with the Court of Appeals. Prepared by the Clerk's Office, the lists indicate jurisdictional predicate, subject matter and key issues for each appeal.

Appellate Division, First Department	
Decisions Opinions and memoranda from the state's intermediate appellate court with jurisdiction over	Motions Civil and criminal motion decisions from the state's intermediate appellate court with jurisdiction over

New York Slip Opinion Service

Access and Organization

The Slip Opinion Service is organized by court, type of decision and decision date.* You may browse the Service by court and type of decision, or you may conduct a search using the Advanced Search feature.

To **browse** the Slip Opinion Service, navigate to the Service's home page by selecting the Slip Opinion Service hyperlink in the LRB website header under Decisions and use the hyperlinks on that page, which are organized by court and type of decision. Alternatively, use the hyperlinks in the LRB website header and footer under Decisions to navigate directly to a specific court.

To **search** decisions and motions in the Slip Opinion Service, use the Advanced Search feature. Navigate to Advanced Search by selecting the hyperlink at the top of the Service's home page or using the hyperlink in the LRB website header and footer under Decisions.

The screenshot shows the New York State Law Reporting Bureau website. At the top left is the New York State logo and the text "New York State Law Reporting Bureau". To the right of the logo is a navigation menu with links for "Decisions", "Resources", "About", and "Search". Below the navigation menu is a "Close Menu [x]" button. The main content area is divided into three columns. The first column, "Decisions Services", includes links for "All Decisions & Motions", "Slip Opinion Service", "Advanced Search" (highlighted in a yellow box), "Official Reports Service", and "Notable Cases". The second column, "Court of Appeals", includes links for "Decisions", "New Filings", "Criminal Motions", "Civil Motions", "Appellate Term", "1st Dept", and "2d Dept". The third column, "Appellate Division", includes links for "1st Dept", "2d Dept", "3d Dept", "4th Dept", "Trial Courts", "Other Courts", and "Commercial Division".

* Because trial court opinions may be submitted for publication at any time, those opinions are organized by publication—rather than decision—date.

New York Slip Opinion Service

Searching

Use the Advanced Search feature to search the Slip Opinion Service by party name(s) or the full text of a decision. Searches may be limited to decisions or motions, a specific decision date or date range, and a specific court or judge.

Additionally, use Advanced Search to locate decisions and motions by docket number, slip opinion citation (e.g., 2004 NY Slip Op 00201) or official citation (e.g., 3 NY3d 244).

Search results may be sorted in alphabetical order by party name or in reverse chronological order by decision date.

Search New York Slip Decisions	
SEARCH OPINIONS, MOTIONS OR BOTH	
<input type="radio"/> Opinions <input type="radio"/> Motions <input type="radio"/> Both	
Search by Party Name(s):	
<input type="text"/>	
Find All Words '(AND)' ▼	
Search by Decision Date (use 'Start Date' only) or Date Range (use 'Start' and 'End' Dates) format — (mm/dd/yyyy):	
Decision Date (or Start Date for date range): <input type="text"/>	End Date: <input type="text"/>
Search by Court: <input type="text"/>	Search by Docket No.: <input type="text"/>
Search by Judge (for Opinions) :	
<input type="text"/>	
Search by Citation:	
Search by Slip Decision Number (e.g., 2004 NY Slip Op 00201): <input type="text"/> NY Slip Op <input type="text"/>	Search by Official Reports Citation for Opinions (e.g., 3 NY3d 244): <input type="text"/> <input type="text"/>
Search Full Text:	
<input type="text"/>	
Find All Words '(AND)' ▼	
Sort By:	
<input type="text"/> Party Name ▼	
Find Reset	

New York Official Reports Service

Access

The New York Official Reports Service is available on the LRB website, www.nycourts.gov/reporter. The Service is powered by Thomson Reuters Westlaw.

The Official Reports Service provides free access to the text of all decisions published or abstracted in the Official Reports in the Third (2003 to the present) and Second (1956 to 2003) Series. Decisions from the First Series are currently being added to the collection.

Navigate to the Official Reports Service from the LRB website via Quick Links on the home page or using the hyperlink in the header under Decisions.




The screenshot shows the Thomson Reuters Westlaw website for the New York Official Reports Service. At the top, there is a dark header with the Thomson Reuters logo and the text "WESTLAW New York Official Reports Service". Below the header, the page is divided into two main sections. On the left is a navigation sidebar with links for "Home", "Search by:" (with sub-links for Word, Citation, Decision Date, Case Name, Judge and Opinion Type, and Docket Number or Counsel), "Help", "Related Thomson Reuters Sites" (with links for Westlaw, Online CLE Programs, and Shop for New York Legal Products), and "Contact Us". On the right is the main content area titled "New York Official Reports Service". This area contains a descriptive paragraph about the service, a paragraph explaining search criteria, and a disclaimer paragraph.

THOMSON REUTERS
WESTLAW New York Official Reports Service

[Home](#)

Search by:
[Word](#)
[Citation](#)
[Decision Date](#)
[Case Name](#)
[Judge and Opinion Type](#)
[Docket Number or Counsel](#)

[Help](#)

Related Thomson Reuters Sites
[Westlaw](#) 
[Online CLE Programs](#) 
[Shop for New York Legal Products](#) 

[Contact Us](#)

New York Official Reports Service

This service provides access to opinions of the New York Court of Appeals, the Appellate Division, the Appellate Term, the Supreme Court and miscellaneous courts. All opinions published or abstracted in the Official Reports through the most recent Advance Sheets are included. The source for these opinions is the [New York State Law Reporting Bureau](#).

Opinions can be searched by word, official citation, official slip opinion number, docket number, case name, judge name, counsel name, opinion type (i.e., majority, concurring, dissenting) and decision date.

By using this website, you agree not to use it in any manner that could disable, overburden, damage, or impair the site or interfere with any other party's use of the website, or to use any device, software or routine that interferes with the proper working of the website.

New York Official Reports Service

Searching

Search the Official Reports Service by citation, decision date, case name, judge and opinion type, and docket number or counsel. Full text word searches may be conducted using terms and connectors. Results are displayed in reverse chronological order.

The screenshot shows the Westlaw New York Official Reports Service search page. At the top, the Thomson Reuters logo and 'WESTLAW New York Official Reports Service' are displayed. On the left, there is a navigation menu with links for Home, Search by (Word, Citation, Decision Date, Case Name, Judge and Opinion Type, Docket Number or Counsel), Help, Related Thomson Reuters Sites (Westlaw, Online CLE Programs, Shop for New York Legal Products), and Contact Us. The main search area is titled 'Search by Word' and contains a 'Search Terms' input field with the text 'selective & silence'. Below the input field are radio button options for 'All Courts' (selected), 'Appellate Division (all departments)', 'First Department', 'Second Department', 'Third Department', 'Fourth Department', and 'Miscellaneous Reports'. A green 'Search' button is located at the bottom of the search area.

Thomson Reuters Westlaw

Access and Content

Access the Official Reports on Westlaw using the **New York Official Reports** content category.

There are nine other Westlaw databases related to the Official Reports, categorized together as the **New York Official Reports Materials**:

- New York Official Reports (Unreported)
- New York Official Reports - Appellate Motion Decisions (Unreported)
- New York Official Reports - Front Matter
- New York Official Reports - Table of Cases
- New York Official Reports - Table of Cases Affected
- New York Official Reports Digest (First Series)
- New York Official Reports Digest (Second & Third Series)
- New York Law Reports Style Manual
- Court of Appeals of New York - New Filings

There are many ways to access and use the New York Official Reports Materials on Westlaw. This user guide covers the basic and most user-friendly ways.

Thomson Reuters Westlaw

Accessing the New York Official Reports Content Category

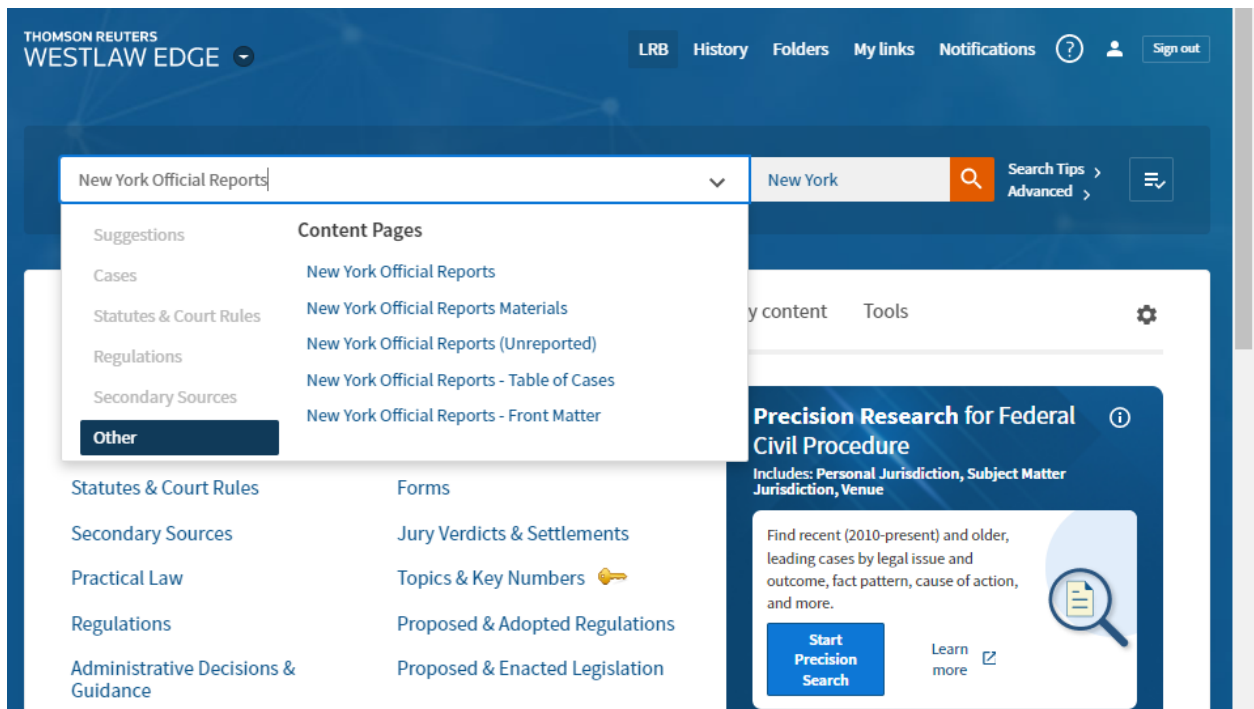
Method 1: Click "State materials" on the Westlaw home page, select "New York," and then click the "New York Official Reports" hyperlink.

The screenshot displays the Thomson Reuters Westlaw Edge interface. At the top, the navigation bar includes the Westlaw Edge logo, a search bar with "New York" selected, and various utility links like LRB, History, Folders, My links, Notifications, and Sign out. Below the navigation bar, the main content area is titled "New York" and includes options to "Add to Favorites" and "Copy link". A search bar prompts the user to "Search all New York content above or navigate to specific content below." Underneath, there are selection controls: "Select all content" (unchecked), "No items selected", "Clear Selection", and "Specify content to search" (checked). The "Cases" section is expanded, showing two columns of links. The first column lists "All New York State & Federal Cases" and "All New York State Cases", with sub-links for "New York Court of Appeals", "New York Supreme Court, Appellate Division", and "New York Trial Courts". The second column lists "All New York Federal Cases" with sub-links for "U.S. Supreme Court", "Second Circuit Court of Appeals", "New York Federal District Court", and "New York Bankruptcy Courts". At the bottom of the cases list, "New York Official Reports" is highlighted with an orange oval. To the right, a dark grey box titled "Trusted answers and insights from the experts at Practical Law" lists "Practical Guidance for your Commercial Litigation matters" with several bullet points. Below this, a "Tools & Resources" section lists "New York State Dockets", "New York City Municipal Materials", and "New York News".

Thomson Reuters Westlaw

Accessing the New York Official Reports Content Category

Method 2: Type "New York Official Reports" into the main search bar on the Westlaw home page and select the hyperlink in the drop-down menu.



Thomson Reuters Westlaw

Searching the New York Official Reports Content Category

Method 1: Use natural language or terms and connectors in the main search bar on the New York Official Reports content category home page.

The screenshot displays the Thomson Reuters Westlaw Edge search interface. At the top, the navigation bar includes 'THOMSON REUTERS WESTLAW EDGE' and various utility links like 'LRB', 'History', 'Folders', 'My links', 'Notifications', and 'Sign out'. The search bar is highlighted with an orange oval and contains the text 'New York Official Reports' in a dropdown menu and the search query 'Cl(ny3d) & ti(Williams) % uncorrected'. Below the search bar, the breadcrumb trail reads 'Home > Cases > New York State & Federal Cases > New York State Cases > New York Official Reports Materials'. The main heading is 'New York Official Reports', with options to 'Edit favorites' and 'Copy link'. A message states 'Browse recent documents below or search all New York Official Reports above.' followed by '10 most recent documents'. The first document listed is 'Breslin v Macy's, Inc.', with details: 'Supreme Court, Appellate Division, First Department, New York • December 20, 2022 • --- N.Y.S.3d ---- • 2022 WL 17813618 • 595233/18, 16932, 157503/17, 2021-03259'. A snippet of the document text is shown: 'Order, Supreme Court, New York County (Alexander M. Tisch, J.), entered on or about July 30, 2021, which, to the extent appealed from as limited by the briefs, denied plaintiff's motion for...'. The second document is 'People v Graves', with details: 'Supreme Court, Appellate Division, First Department, New York • December 20, 2022 • --- N.Y.S.3d ---- • 2022 WL 17813622 • 2819/16, 2018-1238, 16271'. A snippet of the document text is shown: 'Judgment, Supreme Court, New York County (Anthony J. Ferrara, J.), rendered May 4, 2017, convicting defendant, upon his plea of guilty, of criminal possession of a forged instrument in the...'

Thomson Reuters Westlaw

Searching the New York Official Reports Content Category

Use these helpful **terms and connectors** when searching the New York Official Reports content category:

Search the caption of a case	TI (trenasia &j)
Search within a specific publication	CI (AD3d)
Search summaries	SU ("appeal from a judgment of the justice court")
Search headnotes	HE (zoning)
Search by judge	JU (read)
Search appearances of counsel	CNL ("acting district attorney")
Search by court name	PR ("appellate division, third department")

Thomson Reuters Westlaw

Searching the New York Official Reports Content Category

Method 2: Select the "Advanced" hyperlink next to the main search bar on the New York Official Reports content category home page and conduct a field search using the tailored Advanced Search form.

The screenshot shows the Thomson Reuters Westlaw Edge interface. At the top, there is a navigation bar with 'THOMSON REUTERS WESTLAW EDGE' and various menu items like 'LRB', 'History', 'Folders', 'My links', 'Notifications', and 'Sign out'. Below this is a search bar with 'New York Official Reports' selected and 'advanced:' entered. An orange arrow points from the 'Advanced' link in the search bar to the 'Advanced Search: New York Official Reports' form.

Advanced Search: New York Official Reports

Use at least one field to create a Boolean Terms & Connectors query.

Find documents that have

All of these terms
e.g., construction defect (searched as construction & defect)

Term frequency

Any of these terms
e.g., physician surgeon (searched as physician OR surgeon)

Term frequency

This exact phrase
e.g., medical malpractice (searched as "medical malpractice")

Term frequency

But not any of these terms
e.g., residence domicile (searched as "% residence domicile")

Thesaurus
Add synonyms and related concepts to your Terms & Connectors search

Document Fields (Boolean Terms & Connectors Only)

Date (DA)
All

Party Name (TI)

Citation (CI)

Summary (SU)

Headnote (HE)

Connectors and Expanders

&	AND
/s	In same sentence
or	OR
+s	Preceding within sentence
/p	In same paragraph
""	Phrase
+p	Preceding within paragraph
%	But not
SPACE	OR
/n	Within n terms of
!	Root expander
+n	Preceding within n terms of
*	Universal character
#	Prefix to turn off plurals and equivalents

Thomson Reuters Westlaw

Viewing the Official Reports Version of a Case

Method 1: Searches conducted in the New York Official Reports content category will generate search results that link directly to the Official Reports version of a case. Use the hyperlinked case name to navigate to the Official Reports version.

The screenshot shows the Thomson Reuters Westlaw interface. The search bar contains the query "advanced: CI(NY3d) & \"selective silence\"". The results are displayed under the heading "New York Official Reports (3)".

The left sidebar contains a "Filter" section with a "Select multiple" toggle, a "Filter category" dropdown set to "New York Official Reports", and a "Search within results" search box. Below these are expandable filter categories: Jurisdiction, Date, Reported Status, Party Name, Docket Number, Previously Viewed, Documents in Folders, and Annotated Documents.

The main results area shows three cases:

- 1. People v Chery**
Court of Appeals of New York · November 01, 2016 · 28 N.Y.3d 139 · 65 N.E.3d 684 · 159 · 23 Citing References
Appeal, by permission of an Associate Judge of the Court of Appeals, from an order of the Appellate Division of the Supreme Court in the First Judicial Department, entered April 16, 2015....
1 - 4 of 6 snippets
...affirmed. HEADNOTES Crimes Right to Remain Silent Evidence of Defendant's **Selective Silence** In Spontaneous Statement to Police—Permissible Use to Impeach Defendant's...
...did not err in allowing the People to use defendant's **selective silence**, while making a spontaneous postdetention statement to police, to impeach...
...Review—Inquiries Beyond Scope of Ruling Permitting Use of Defendant's **Selective Silence** In Spontaneous Statement to Police for Impeachment 2) Defendant failed...
...of the trial court's ruling permitting them to use defendant's **selective silence**, while making a spontaneous postdetention statement to police, to impeach...
- 2. People v Pavone**
Court of Appeals of New York · December 17, 2015 · 26 N.Y.3d 629 · 47 N.E.3d 56 · 199 · 99 Citing References
Appeal, by permission of an Associate Judge of the Court of Appeals, from an order of the Appellate Division of the Supreme Court in the Third Judicial Department, entered May 29, 2014. The...
1 of 1 snippet
...Court did not address whether the "People's use of (defendant's) **selective silence** also violated the State and Federal Constitutions"). We now conclude...
- 3. People v Williams**
Court of Appeals of New York · April 11, 2015 · 25 N.Y.3d 185 · 31 N.E.3d 103 · 34 · 92 Citing References
Appeal, by permission of an Associate Judge of the Court of Appeals, from an order of the Appellate Division of the Supreme Court in the Fourth Judicial Department, entered June 7, 2013....
1 - 4 of 23 snippets
...reversed. HEADNOTES Crimes Right to Remain Silent Evidence of Defendant's **Selective Silence** during Custodial Interrogation—Impermissible Use by Prosecutor during Case-in...

The third result, "People v Williams", is circled in orange in the original image.

Thomson Reuters Westlaw

Viewing the Official Reports Version of a Case

The screenshot displays the Thomson Reuters Westlaw interface. At the top, the navigation bar includes 'THOMSON REUTERS WESTLAW EDGE', 'LRB', 'History', 'Folders', 'My links', 'Notifications', and 'Sign out'. A search bar contains the text 'New York Official Reports' and 'advanced: CI(NY3d) & "selective silence"'. Below the search bar, the case title 'People v Williams' is shown, along with its citation: 'Court of Appeals of New York - April 7, 2015 - 25 N.Y.3d 185 - 31 N.E.3d 103 - 8 N.Y.S.3d 641 - 2015 N.Y. Slip Op. 02866 (Approx. 12 pages)'. The interface includes a 'Document' tab and various navigation options like 'Original terms'. On the left, a sidebar lists 'Summary', 'Headnotes', 'Points Of Counsel', 'Opinion Of The Court', and 'Dissent'. The main content area shows the case title 'The People of the State of New York, Respondent v Paul Williams, Appellant.' and the court 'Court of Appeals of New York'. A 'New York Official Reports' logo is circled in orange in the upper right corner of the case content area. The summary text begins with 'Appeal, by permission of an Associate Judge of the Court of Appeals, from an order of the Appellate Division of the Supreme Court in the Fourth Judicial Department, entered June 7, 2013.'

Tip: Look for the logo. The Official Reports version of a case features the Official Reports logo in the upper right corner.

Thomson Reuters Westlaw

Viewing the Official Reports Version of a Case

Method 2: Searches conducted outside of the New York Official Reports content category will not generate search results that link directly to the Official Reports version of a case. Use the hyperlinked official citation found in the search results list—not the hyperlinked case name—to navigate to the Official Reports version.

The screenshot shows the Thomson Reuters Westlaw interface. At the top, the navigation bar includes 'THOMSON REUTERS WESTLAW EDGE', 'LRB', 'History', 'Folders', 'My links', 'Notifications', and 'Sign out'. The search bar contains the query 'adv: CI(NY3d) & "selective silence"' and the jurisdiction is set to 'New York'. A left-hand sidebar lists various content types, with 'Cases' selected and showing 3 results. The main content area displays a search result for 'People v. Chery', a Court of Appeals of New York case from November 01, 2018. The citation '28 N.Y.3d 139' is circled in orange. Below the citation, the synopsis and background information are visible, including the holding and a concurring opinion by Rivera, J. A snippet section at the bottom shows four snippets of text related to the case.

Content types	Filters
Overview	2
Cases	3
Trial Court Orders	0
Statutes & Court Rules	0
Secondary Sources	0
Practical Law	0
Regulations	0
Public Records	0
Administrative Decisions & Guidance	0
Arbitration Materials	0
Briefs	0
Expert Materials	0
Forms	0
Jury Verdicts & Settlements	0
Key Numbers	0
Proposed & Adopted Regulations	0
Proposed & Enacted Legislation	0
Trial Court Documents	0

Cases (3)

1 - 3 Sort: Date (Default)

Select all items - No items selected

1. **People v. Chery**
Court of Appeals of New York. - November 01, 2018. - **28 N.Y.3d 139** - 35 N.E.3d 684 - 159 - 23 Citing References

CRIMINAL JUSTICE - Witnesses. Defendant's selective silence while making spontaneous statement to police was admissible for impeachment.
▼ Hide synopsis

Background: Defendant was convicted in the Supreme Court, New York County, Daniel P. Conviser, J., of first-degree robbery and two counts of second-degree robbery. He appealed. The Supreme Court, Appellate Division, 127 A.D.3d 533, 6 N.Y.S.3d 252, affirmed. Leave to appeal was granted.

Holding: The Court of Appeals, DiFiore, C.J., held that defendant's selective silence while making spontaneous postdetention statement to police was admissible to impeach his trial testimony.

Affirmed.

Rivera, J., filed concurring opinion.

1 - 4 of 4 snippets

...Holding: The Court of Appeals, DiFiore, C.J., held that defendant's selective silence while making spontaneous postdetention statement to police was admissible to...

...1444 Silence 410 1445 k. In general. (Formerly 410k347 Defendant's selective silence while making spontaneous postdetention statement to police was admissible to...

...it was error to allow the People to use defendant's selective silence, while making a spontaneous postdetention statement to the police, to...

...the People to impeach the defendant's trial testimony with his selective silence during cross-examination. Omissions from a non-exculpatory, spontaneous, pre...

Thomson Reuters Westlaw

Viewing the Official Reports Version of a Case

Method 3: Click the "View New York Official Reports version" hyperlink in the upper left-hand corner of the National Reporter System version of a case.

The screenshot displays the Thomson Reuters Westlaw Edge interface. At the top, the navigation bar includes 'THOMSON REUTERS WESTLAW EDGE', 'LRB', 'History', 'Folders', 'My links', 'Notifications', and 'Sign out'. A search bar contains the query 'adv: CI(NY3d) & "selective silence"' and the jurisdiction 'New York'. The main content area shows the case 'People v. Williams' from the Court of Appeals of New York, dated April 7, 2015. The case is cited as 25 N.Y.3d 185, 31 N.E.3d 103, 8 N.Y.S.3d 641, 2015 N.Y. Slip Op. 02866 (Approx. 12 pages). The interface includes a sidebar with navigation options like 'Synopsis', 'West Headnotes', 'Attorneys and Law Firms', 'Opinion Of The Court', 'Dissent', and 'All Citations'. The main text area displays the case title 'The PEOPLE of the State of New York, Respondent, v. Paul WILLIAMS, Appellant.' and the date 'April 7, 2015.' Below this is a 'Synopsis' section with a 'Background' paragraph. A link 'View New York Official Reports version' is circled in orange in the upper left-hand corner of the case text area. Other elements include a 'Distinguished by' note, an 'Original Image of 31 N.E.3d 103 (PDF)' link, and a 'Related documents' button.

Thomson Reuters Westlaw

Accessing the New York Official Reports Digest Content Category

Method 1: Click the hyperlinked classifications in the Official Reports version of a case.

The screenshot displays the Thomson Reuters Westlaw Edge interface. At the top, the navigation bar includes 'THOMSON REUTERS WESTLAW EDGE', 'LRB', 'History', 'Folders', 'My links', 'Notifications', and a 'Sign out' button. A search bar contains the query 'adv: CI(NY3d) & "selective silence"' and the jurisdiction 'New York'. Below the search bar, the case title 'People v Pavone' is shown, along with its citation: 'Court of Appeals of New York · December 17, 2015 · 26 N.Y.3d 629 · 47 N.E.3d 56 · 26 N.Y.S.3d 728 · 2015 N.Y. Slip Op. 09315 (Approx. 17 pages)'. The interface includes tabs for 'Document', 'Filings (0)', 'Negative Treatment (1)', 'History (3)', 'Citing References (99)', and 'Table of Authorities'. A toolbar at the bottom of the case view shows '2 of 3 results', 'Original terms', and various utility icons. The case text is displayed in a clean, professional font. The headnotes section is titled 'HEADNOTES' and lists several legal topics: 'Crimes', 'Right to Remain Silent', and 'Due Process Violation - Use of Defendant's Post-Arrest Silence to Impeach Extreme Emotional Disturbance Defense'. The 'Crimes' link is circled in orange. Below the headnotes, a paragraph of text describes the appeal, and a citation 'People v Pavone, 117 AD3d 1329, affirmed.' is provided.

THOMSON REUTERS
WESTLAW EDGE

LRB History Folders My links Notifications ? Sign out

All content adv: CI(NY3d) & "selective silence" New York Search Tips > Advanced >

← People v Pavone Related documents

Court of Appeals of New York · December 17, 2015 · 26 N.Y.3d 629 · 47 N.E.3d 56 · 26 N.Y.S.3d 728 · 2015 N.Y. Slip Op. 09315 (Approx. 17 pages)

Document Filings (0) Negative Treatment (1) History (3) Citing References (99) Table of Authorities Fullscreen

2 of 3 results Original terms Page Go

New York Official Reports

Distinguished by People v. Henderson, N.Y., May 10, 2016

View National Reporter System version

26 N.Y.3d 629, 47 N.E.3d 56, 26 N.Y.S.3d 728, 2015 N.Y. Slip Op. 09315

****1** The People of the State of New York, Respondent
v
Anthony V. Pavone, Appellant.

Court of Appeals of New York
199
Argued November 18, 2015
Decided December 17, 2015

CITE TITLE AS: People v Pavone

SUMMARY

Appeal, by permission of an Associate Judge of the Court of Appeals, from an order of the Appellate Division of the Supreme Court in the Third Judicial Department, entered May 29, 2014. The Appellate Division affirmed a judgment of the Clinton County Court (Patrick R. McGill, J.), which had convicted defendant, upon a jury verdict, of murder in the first degree (two counts) and criminal possession of a weapon in the second degree.

People v Pavone, 117 AD3d 1329, affirmed.

HEADNOTES

Crimes
Right to Remain Silent
Due Process Violation - Use of Defendant's Post-Arrest Silence to Impeach Extreme Emotional Disturbance Defense

(1) In a prosecution arising after defendant shot and killed his former longtime lover and her romantic partner, in which defendant's post-arrest silence was used to challenge his credibility regarding possible fabrication of his extreme emotional

Thomson Reuters Westlaw

Accessing the New York Official Reports Digest Content Category

Method 2: Click "State Materials" on the Westlaw home page, select "New York," and then click "New York Official Reports Materials" under "Tools & Resources" in the blue column on the right-hand side of the page. From the New York Official Reports Materials home page, select "New York Official Reports Digest (Second & Third Series)," again under "Tools & Resources."

The screenshot displays the Thomson Reuters Westlaw Edge interface. At the top, the navigation bar includes 'THOMSON REUTERS WESTLAW EDGE', 'LRB', 'History', 'Folders', 'My links', 'Notifications', a help icon, a user profile icon, and a 'Sign out' button. Below the navigation bar is a search bar with the text 'New York Official Report...' and 'Search New York Official Reports Materials'. The main content area shows the breadcrumb 'Home > Cases > New York State & Federal Cases > New York State Cases' and the title 'New York Official Reports Materials'. There are buttons for 'Edit favorites' and 'Copy link'. Below the title, it says 'Search all New York Official Reports Materials above or browse to specific content below.' A list of categories is shown on the left, including 'New York Official Reports', 'New York Official Reports (Unreported)', 'New York Official Reports - Appellate Motion Decisions (Unreported)', 'New York Official Reports - Front Matter', 'New York Official Reports - Table of Cases', and 'New York Official Reports - Table of Cases Affected'. On the right, a 'Tools & Resources' sidebar is visible, containing links for 'New York State & Federal Dockets', 'New York Official Reports Digest (First Series)', 'New York Official Reports Digest (Second & Third Series)' (which is circled in orange), 'New York Law Reports Style Manual', and 'Court of Appeals of New York - New Filings'.

Thomson Reuters Westlaw

Accessing Scope Notes in the New York Official Reports Digest Content Category

Scope Notes describe the types of decisions that are categorized under each classification heading. They are contained within the New York Official Reports Digest content category and can be accessed by hovering the cursor over the classification heading and then clicking the "i" that appears.

The screenshot shows the Thomson Reuters Westlaw interface. At the top, there is a navigation bar with 'THOMSON REUTERS WESTLAW EDGE' and various user options like 'LRB', 'History', 'Folders', 'My links', 'Notifications', and 'Sign out'. Below this is a search bar with the text 'New York Official Report...' and 'Search New York Official Reports Digest (Second & Third Series)'. The main content area displays 'New York Official Reports Digest (Second & Third Series)' with options to 'Edit favorites' and 'Copy link'. A sidebar on the right contains a 'Title Search' box. The main list of categories includes 'Abandoned Property - See Property', 'Abatement and Revival', 'Abortion', 'Abstracts of Title', 'Accession', 'Accord and Satisfaction', 'Accounts and Accounting', 'Actions', 'Employment Relationships', 'Environmental Conservation', 'Equity', 'Escheat', 'Escrows', 'Estates', 'Estoppel', 'Evidence', 'Parliamentary Law', 'Parole', 'Parties', 'Partition', 'Partnership', 'Party Walls', 'Patents', 'Paupers', and 'Pawnbrokers and Moneylenders'. The 'Evidence' category is circled in red, and an information icon 'i' is visible next to it.

Clicking the "i" brings up the Scope Note.

The screenshot shows a popup window titled 'Evidence'. It contains the following text:
Overview of Topic:
General principles and rules of evidence applicable to civil actions and proceedings
Matters Included:
Judicial notice; presumptions and inferences; burden of proof; admissibility of evidence, including relevancy, materiality and competency; circumstantial evidence; best and secondary evidence; hearsay evidence, including reputation, family history and pedigree; admissions against interest; spontaneous declarations and excited utterances (res gestae); documentary evidence; photographic evidence; business records; parol evidence; evidence of custom and usage; opinion and scientific evidence, including examination and testimony of experts; Dead Man's Statute
Related Topics and Matters Treated Elsewhere:
Evidence in administrative proceedings - see Administrative Law (Hearings)
Relevancy and sufficiency of evidence of particular causes of action - see Adverse Possession; Contracts; Negligence; Fraud and other specific topics
Rules of evidence peculiar to particular forms of actions or special proceedings - see Bankruptcy; Habeas Corpus; Proceeding against Body or Officer; References and other specific topics
Evidence in paternity proceedings - see Children Born out of Wedlock
Evidence in criminal proceedings - see Crimes
Discovery of evidence; discovery and inspection - see Disclosure
Estoppel to assert, prove or deny facts - see Estoppel
A 'Close' button is located at the bottom of the popup.

Thomson Reuters Westlaw

Searching the New York Official Reports Digest Content Category

Use natural language or terms and connectors in the main search bar on the New York Official Reports Digest content category home page. The entire Digest may be searched at once, or the search may be limited to a single or multiple classification heading(s). To limit the search to a specific classification heading, check the box to the left of the heading.

The screenshot displays the Thomson Reuters Westlaw interface. At the top, the navigation bar includes 'THOMSON REUTERS WESTLAW EDGE' and various user options like 'LRB', 'History', 'Folders', 'My links', 'Notifications', and 'Sign out'. A search bar contains the text 'New York Official Report...' and 'hearsay & evidence'. Below the search bar, the breadcrumb trail reads 'Home > Cases > New York State & Federal Cases > New York State Cases > New York Official Reports Materials'. The main heading is 'New York Official Reports Digest (Second & Third Series)'. There are buttons for 'Edit favorites' and 'Copy link'. A note states 'Coverage begins with 1940.' Below this, there are selection controls: 'Select all content', '1 item selected', 'Clear Selection', '0 items selected', and a 'View' dropdown menu set to 'Headnotes' with a checked 'Specify Content to Search' option. A grid of classification headings is shown, with 'Evidence' checked. To the right, there is a 'Title Search' box with the placeholder 'Search headings' and a 'Search' button.

THOMSON REUTERS
WESTLAW EDGE

LRB History Folders My links Notifications ? Sign out

New York Official Report... hearsay & evidence Search Tips

Home > Cases > New York State & Federal Cases > New York State Cases > New York Official Reports Materials

New York Official Reports Digest (Second & Third Series)

Edit favorites Copy link

Coverage begins with 1940.

Select all content 1 item selected Clear Selection 0 items selected View Headnotes Specify Content to Search

<input type="checkbox"/> Abandoned Property - See Property	<input type="checkbox"/> Employment Relationships	<input type="checkbox"/> Parliamentary Law
<input type="checkbox"/> Abatement and Revival	<input type="checkbox"/> Environmental Conservation	<input type="checkbox"/> Parole
<input type="checkbox"/> Abortion	<input type="checkbox"/> Equity	<input type="checkbox"/> Parties
<input type="checkbox"/> Abstracts of Title	<input type="checkbox"/> Escheat	<input type="checkbox"/> Partition
<input type="checkbox"/> Accession	<input type="checkbox"/> Escrows	<input type="checkbox"/> Partnership
<input type="checkbox"/> Accord and Satisfaction	<input type="checkbox"/> Estates	<input type="checkbox"/> Party Walls
<input type="checkbox"/> Accounts and Accounting	<input type="checkbox"/> Estoppel	<input type="checkbox"/> Patents
<input type="checkbox"/> Actions	<input checked="" type="checkbox"/> Evidence	<input type="checkbox"/> Paupers
		<input type="checkbox"/> Pawnbrokers and Moneylenders

Title Search
Search headings
Search

Thomson Reuters Westlaw

Tips for Facilitating Official Reports Research on Westlaw

Method 1: Add the Official Reports content category to your "Favorites."



Home > Cases > New York State & Federal Cases > New York State Cases > New York Official Reports Materials

New York Official Reports

[Add to Favorites](#) [Copy link](#)

Browse recent documents below or search all New York Official Reports above. [?](#)

10 most recent documents

1 Breslin v Macy's, Inc.

Supreme Court, Appellate Division, First Department, New York - December 20, 2022 - --- N.Y.S.3d ---- - 2022 WL 17813618 - 595233/18, 16932, 157503/17, 2021-03259

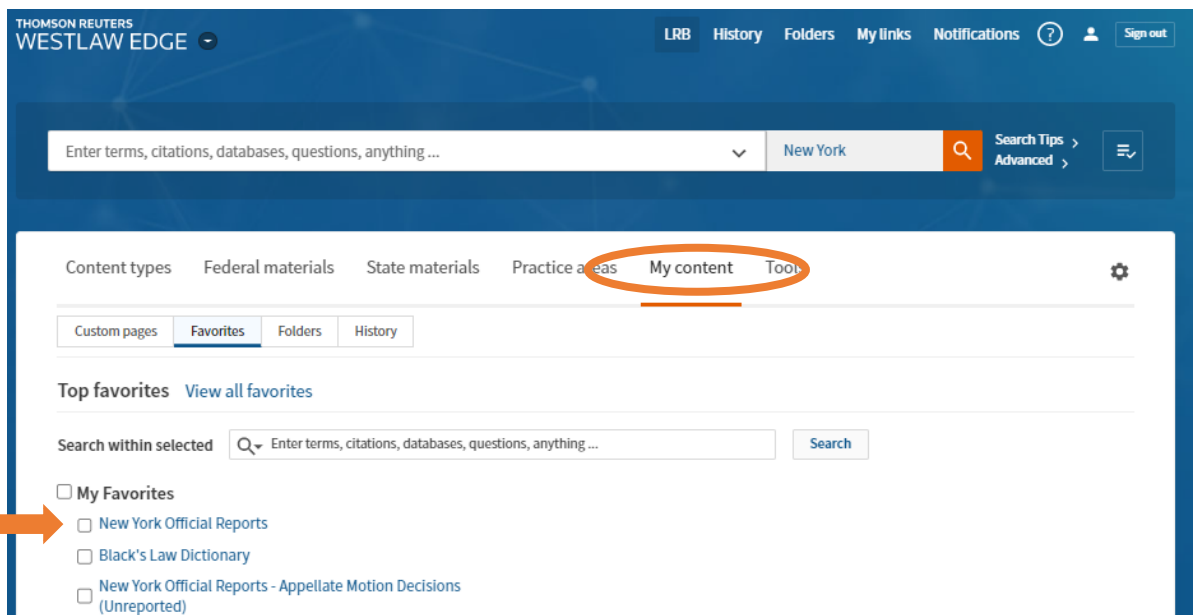
Order, Supreme Court, New York County (Alexander M. Tisch, J.), entered on or about July 30, 2021, which, to the extent appealed from as limited by the briefs, denied plaintiff's motion for...

2 People v Graves

Supreme Court, Appellate Division, First Department, New York - December 20, 2022 - --- N.Y.S.3d ---- - 2022 WL 17813622 - 2819/16, 2018-1238, 16271

Judgment, Supreme Court, New York County (Anthony J. Ferrara, J.), rendered May 4, 2017, convicting defendant, upon his plea of guilty, of criminal possession of a forged instrument in the...

The Official Reports content category will now appear in "My content" in the "Favorites" menu.



Thomson Reuters Westlaw

Tips for Facilitating Official Reports Research on Westlaw

Method 2: Create a Westlaw Custom Page featuring the Official Reports.

The screenshot displays the Thomson Reuters Westlaw Edge interface. At the top, the navigation bar includes 'THOMSON REUTERS WESTLAW EDGE', 'LRB', 'History', 'Folders', 'My links', 'Notifications', a help icon, a user profile icon, and a 'Sign out' button. Below the navigation bar is a search bar with 'LRB' selected and a search icon. The main content area shows 'Westlaw Edge Home' and 'LRB'. A 'Set as start page' button is visible. Below this, there are options to 'Select All' or 'Clear All', and a 'Manage Page' button. The main content area features a list of items under the heading 'New York Official Reports', which is circled in orange. The list includes a checked checkbox next to 'New York Official Reports' and a sub-item 'New York Official Reports Digest (Second & Third Series)' with a 'Click To Search' link.

Other Electronic Resources

Additional Resources Available on the LRB Website

In addition to free access to the Official Reports via the New York Slip Opinion Service and the New York Official Reports Service, the Law Reporting Bureau provides free access to the following resources on its website, www.nycourts.gov/reporter, which may be useful to court employees, attorneys and the public:

1. New York Official Reports Citator
2. Legal Research Portal
3. Court of Appeals New Filings
4. New York Law Reports Style Manual

New York Official Reports Citator

About the Citator

The New York Official Reports Citator provides the approved "cite-as" case name for all decisions published in the Official Reports. Additionally, the official citation, slip opinion citation, decision date, court, judge and docket number for each decision is listed. Finally, each decision from the Third Series of the Official Reports (i.e., NY3d, AD3d, Misc 3d) that cites to the retrieved decision will be displayed. The Third Series records are hyperlinked to the full-text decision in the Slip Opinion Service.

The Citator service is similar to the "Citing References" feature on Thomson Reuters Westlaw and is available free of charge to the public.

Citation Record:

Case Name:	Sean R. v BMW of N. Am., LLC
Judge:	Pigott
Slip Citation:	2016 NY Slip Op 01000
Official Citation:	26 NY3d 801
Decision Date:	02-11-2016
Court:	Court of Appeals
Docket No:	
Later Case History:	
Prior Case History:	115 AD3d 432

Cases Citing Your Decision:

Case Name:	Official Citation:	Slip Citation:
Singh v Siddique	52 Misc 3d 1204(A)	2016 NY Slip Op 50987(U)

[Return to Search Page](#)

New York Official Reports Citator

Access and Searching

Navigate to the Citator via the hyperlinks in the LRB website header under Resources or by selecting the Citation Services hyperlink under Quick Links on the home page.

Searches of the Citator can be conducted using party names, official citation and slip opinion citation.

The screenshot shows the 'New York Official Reports Citator Service' search interface. It features a title bar at the top, followed by the instruction 'Search by Party Name, Official Citation Or Slip Citation'. Below this are three search input sections: 1) 'Enter One or More Party Name(s):' with a text input field and a 'Find All Words '(AND)'' dropdown menu; 2) 'Enter a complete Official Citation below:' with a text input field, an example '(e.g., 3 NY3d 234):', and a dropdown menu showing 'NY3d'; 3) 'Enter a complete Slip Citation below:' with a text input field, an example '(e.g., 2004 NY Slip Op 00201)', and a dropdown menu showing 'NY Slip Op'. At the bottom are 'Search' and 'Reset' buttons.

User Tip: Use the New York Official Reports Citator and the New York Slip Opinion Service simultaneously by opening two browser windows, one for the Citator and the other to view the decisions being researched.

Legal Research Portal

The Legal Research Portal is a collection of free legal research tools available on the Internet. Navigate to the Portal via hyperlinks in the LRB website header and footer under Resources. Some helpful links include:

- New York Codes, Rules and Regulations Digital Archive
 - Fully searchable and dating 1945 through 2001
- Laws of New York
 - Browse or search New York bills and laws courtesy of the State Legislature
- US Government Publishing Office
 - Free online access to the United States Code, the Federal Register, various Congressional documents and the Code of Federal Regulations
- Various state agency opinions and local government legal resources, some of which are not available on Westlaw or Lexis
- Legal writing resources covering clarity in writing, writing in plain English, grammar, punctuation and diction.

New York Official Reports *Legal Research Portal*

[NY Court](#) | [NY Agency](#) | [NY Legislative](#) | [NYC & Local](#) | [Ethics](#) | [Comprehensive](#) | [Federal](#) | [Miscellaneous](#) | [Legal Writing](#)

Legal Writing Resources: Clarity, Plain English, Grammar, Punctuation, Diction

Practice Law Institute, Thinking Like a Writer: A Lawyer's Guide to Effective Writing and Editing, [The Principles of Super-Clarity](#)

Federal Register, Drafting Legal Documents, [Principles of Clear Writing](#)

Federal Register, Drafting Legal Documents, [Preferred Expressions](#)

Hon. Gerald Lebovits, [A Collection of Works on Legal and Judicial Writing](#)

U.S. Securities and Exchange Commission, A Plain English Handbook: How to Create Clear SEC Disclosure Documents, [Writing in Plain English](#) (Aug. 1998)

William Strunk, Jr., The Elements of Style (1999), portions available on [Bartleby.com](#)

Capital Community College Foundation, [Guide to Grammar and Writing](#)

Purdue University, [The Purdue Online Writing Lab \(OWL\)](#)

[Merriam-Webster Online Dictionary](#)

Court of Appeals New Filings

The Court of Appeals New Filings service provides a list of recently-filed appeals in the state's highest court, indicating short title, jurisdictional predicate, subject matter and key issues.

Navigate to the New Filings via the hyperlink in the LRB website header under Decisions or by selecting the hyperlink under Quick Links on the home page.

Search the New Filings by selecting the desired date range and using **Edit > Find on this page** (or Ctrl + F) on your browser.

The New Filings may also be searched in full on Thomson Reuters Westlaw in the Court of Appeals of New York - New Filings content category.



New York Official Reports Most Recent Decisions Court of Appeals

You are in: [Home](#) > [Decisions](#) > Court of Appeals New Filings

Quick Search: [Site](#) [Decisions](#) [Motions](#)

[HOME](#) [DECISIONS](#) [ADVANCED SEARCH](#) [STYLE MANUAL](#) [RESEARCH](#) [CITATION SERVICES](#)

Archives

[2010](#) [2011](#) [2012](#) [2013](#) [2014](#) [2015](#) [2016](#) [2017](#) [2018](#) [2019](#) [2020](#) [2021](#)

COURT OF APPEALS NEW FILINGS 2022

Each week, the Clerk's Office prepares a list of recently-filed appeals, indicating short title, jurisdictional predicate, subject matter and key issues. Some of these appeals may not reach decision on the merits because of dismissal, on motion or sua sponte, or because the parties stipulate to withdrawal. Some appeals may be selected for review pursuant to the alternative procedure of Rules of the Court of Appeals (22 NYCRR) § 500.11. For those appeals that proceed to briefing in the normal course, the briefing schedule generally will be: appellant's brief to be filed within 60 days after the appeal was taken; respondent's brief to be filed within 45 days after the due date for the filing of appellant's brief; and a reply brief, if any, to be filed within 15 days after the due date for the filing of respondent's brief.

The Court welcomes motions for amicus curiae participation from those qualified and interested in the subject matter of these newly filed appeals. Please refer to Rules of the Court of Appeals (22 NYCRR) § 500.23 and direct any questions to the Clerk's Office.

PRELIMINARY APPEAL STATEMENTS FILED IN THE NEW YORK COURT OF APPEALS FROM:
11/18/22-12/8/22
10/28/22-11/17/22
10/14/22-10/27/22
10/7/22-10/13/22
9/30/22-10/6/22
9/23/22-9/29/22
9/16/22-9/22/22

Law Reports Style Manual

Access

The electronic version of the Style Manual is available in PDF and HTML format. The PDF version can be downloaded and saved or printed for future local reference. The HTML version can be viewed in your web browser.

Navigate to the electronic Style Manual via hyperlinks in the LRB website header and footer under Resources or by selecting the hyperlink under Quick Links on the home page.

New York Official Reports

Law Reports Style Manual

Since 1956, the New York Law Reports Style Manual has been issued by the Law Reporting Bureau, an agency of the Unified Court System, as a guide for the preparation of opinions for publication in the Official Reports. The manual focuses on New York source material and covers five primary areas: citation, abbreviation, capitalization, quotation, and word style and usage.

The current version of the Style Manual, effective January 3, 2023, is available in HTML and Adobe PDF format. The online version is updated annually. Information concerning the availability of print copies of the Style Manual may be obtained from the Law Reporting Bureau by email (LRBpublications@nycourts.gov), phone (518-453-6900), or mail (17 Lodge Street, Albany, NY 12207).

Current Style Manual

The HTML version of the 2022 edition of the Style Manual is fully hyperlinked and includes online search capabilities. The PDF version of the 2022 edition of the Style Manual may be viewed online or downloaded.

2022 HTML Version

2022 PDF Version

Style Manual Archives

2017: [HTML](#) [PDF](#)


2012: [HTML](#) [PDF](#)

2007: [HTML](#) [PDF](#)

Law Reports Style Manual

Benefits of Using the Electronic Style Manual

The print version of the Style Manual is issued every five years; the current is the 2022 edition, effective January 3, 2023. The online version is updated annually, in both the PDF and HTML formats. The annual updates are not distributed in print; thus, the updates are accessible only online. Each annual update is announced in the “What's New” box on the LRB website home page.

Both electronic versions of the Style Manual are searchable, making navigation to a specific topic fast and easy. A search bar populates automatically upon opening the HTML version. To search the PDF version, use the search feature  (or Ctrl + F).

The HTML version also features a hyperlinked table of contents. The hyperlinks navigate you directly to the selected part, section, or subsection.

[PART I: CITATION STYLE](#)

[1.0 CITATION STYLE IN GENERAL](#)

[1.1 ELEMENTS OF A CITATION](#)

[1.1\(a\)](#) Case Citation Elements

[1.1\(b\)](#) Statutory Citation Elements

[1.1\(c\)](#) Citation to Range of Pages, Sections or Similar Elements

[1.2 PLACEMENT OF CITATIONS](#)

[1.2\(a\)](#) Where to Place

[1.2\(b\)](#) Citations in Running Text

[1.2\(c\)](#) Citations within Parentheses

[\(1\)](#) How to Reference

[\(2\)](#) Punctuation

[1.2\(d\)](#) Citations in Footnotes

[1.2\(e\)](#) Citational Footnote Style

[\(1\)](#) Running Text Style

[\(2\)](#) Citations within Parentheses Style

[\(3\)](#) Textual Footnotes

[1.2\(f\)](#) Footnote Numbers in Relation to Punctuation

Contact the LRB

Please contact the Law Reporting Bureau with questions regarding the content of this user guide or about the Official Reports generally.

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Subscription Email: LRBPublications@nycourts.gov

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