

January 16, 2018

MOTIONS

1 Mo. No. 2017-1235
In the Matter of 322 West 47th Street HDFC,
 Respondent,
 v.
Margie Loo,
 Appellant,
et al.,
 Respondent.

Motion for leave to appeal dismissed upon the ground that the Court of Appeals does not have jurisdiction to entertain this motion for leave to appeal from an order entered in this proceeding commenced in Civil Court of the City of New York (see NY Const, art VI, § 3[b][7]; CPLR 5602[a]). Judge Feinman took no part.

2 Mo. No. 2017-1098
In the Matter of Ifeanyi Gabriel Agu,
 Respondent,
 v.
Deborah Williams,
 Appellant;
Administration for Children's Services,
 Respondent.

Motion for leave to appeal denied.

4 Mo. No. 2017-1131
In the Matter of Carter B. et al.

Onondaga County Department of Children
and Family Services,
 Respondent;
Logan D.,
 Appellant,
et al.,
 Respondent.

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

3 Mo. No. 2017-1143
In the Matter of the Estate of Mohamed K.
Badruddin, Deceased.

Yasmin Koolsam Badruddin,
Respondent;
Yasmin Nurani Kaderali Badruddin, et al.,
Appellants.
(And Another Related Proceeding.)

Motion for leave to appeal dismissed upon the
ground that the order sought to be appealed from
does not finally determine the proceeding within the
meaning of the Constitution.
Motion for poor person relief dismissed as academic.

1 Mo. No. 2017-1021
George Beraka, M.D.,
Respondent,
v.
Danielle Biton et al.,
Appellants.

Motion for leave to appeal dismissed upon the
ground that it does not lie (see NY Const, art VI, §
3).

1 Mo. No. 2017-992
Crystal Biton,
Appellant,
v.
Baxter Healthcare Corporation, et al.,
Respondents.

Motion for leave to appeal dismissed upon the
ground that it does not lie (see NY Const, art VI, §
3).
Motion for poor person relief dismissed as academic.

1 Mo. No. 2017-1129
Crystal Biton, &c.,
Appellant,
v.
Commission on Judicial Conduct of the State
of New York, et al.,
Respondents.

Motion for leave to appeal dismissed upon the
ground that it does not lie (see NY Const, art VI, §
3).
Judge Feinman took no part.

1 Mo. No. 2017-1022
Danielle Biton et al., &c.,
Appellants,
v.
Aloft Corporate Travel, Inc., et al.,
Respondents.

Motion for leave to appeal dismissed upon the
ground that it does not lie (see NY Const, art VI, §
3).

2 Mo. No. 2017-993
Danielle Biton, et al.,
Appellants,
v.
Ameena Meer, et al.,
Respondents.

Motion for leave to appeal dismissed upon the ground that it does not lie (see NY Const, art VI, § 3).
Motion for poor person relief dismissed as academic.

1 Mo. No. 2017-1115
Crystal Biton, also known as Saphyre Redford,
Appellant,
v.
Joe Turco, et al.,
Respondents.

Motion for leave to appeal dismissed upon the ground that it does not lie (see NY Const, art VI, § 3).
Motion for poor person relief dismissed as academic.
Judge Feinman took no part.

4 Mo. No. 2017-1133
In the Matter of Brady J.C. et al.

Monroe County Department of Human Services,
Respondent;
Justin P.C.,
Appellant.

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

4 Mo. No. 2017-1105
In the Matter of Amy R. Canough,
Respondent,
v.
Todd R. Trainham,
Appellant.

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

2 Mo. No. 2017-1169
In the Matter of Nina Courant, Deceased.

Ernest D. Courant,
Appellant;
David B. Berkowitz et al.,
Respondents;
et al.,
Respondent.

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

4 Mo. No. 2017-1159
DiPizio Construction Company, Inc.,
Appellant,
Travelers Casualty and Surety Company of
America,
Respondent,
v.
Erie Canal Harbor Development Corporation,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.
Judge Fahey took no part.

1 Mo. No. 2017-1175
In the Matter of Marat Fronshtein,
Appellant,
v.
Rick D. Chandler, &c. et al.,
Respondents.

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

4 Mo. No. 2017-1162
In the Matter of Angela C. Gaspirini,
Respondent,
v.
Michael J. Rotondo,
Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.
Motion for poor person relief dismissed as academic.
Motion for a stay dismissed as academic.

4 Mo. No. 2017-1216
In the Matter of Michael J. Rotondo,
 Appellant,
 v.
Angela C. Gasparini,
 Respondent.
(And Two Other Proceedings)

Motion for leave to appeal dismissed upon the ground that the Court of Appeals does not have jurisdiction to entertain it (see NY Const, art VI, § 3; CPLR 5602).
Motion for poor person relief dismissed as academic.
Motion for a stay dismissed as academic.

1 Mo. No. 2017-1047
Getty Properties Corp. et al.,
 Respondents,
 v.
Getty Petroleum Marketing Inc.,
 Defendant,
1314 Sedgwick Ave. LLC, et al.,
 Appellants.

Motion for leave to appeal dismissed upon the ground that the May 2017 Appellate Division order sought to be appealed from does not finally determine the action within the meaning of the Constitution.
Judge Feinman took no part.

1 Mo. No. 2017-1048
One Pleasantville Road LLC,
 Appellant,
 v.
Getty Properties Corp.,
 Respondent.

Motion for leave to appeal dismissed upon the ground that the May 2017 Appellate Division order sought to be appealed from does not finally determine the action within the meaning of the Constitution.
Judge Feinman took no part.

1224 Route 22 LLC, et al.,
 Appellants,
 v.
Getty Properties Corp.,
 Respondent.

857 RT 6 Mahopac LLC, et al.,
 Appellants,
 v.
Getty Properties Corp.,
 Respondent.

3 Mo. No. 2017-1084
In the Matter of Mason H., &c.

Broome County Department of Social
Services,
Respondent;
Joseph H.,
Appellant.

Motion for leave to appeal granted.

3 Mo. No. 2017-1100
In the Matter of Daniel Jeffery,
Claimant,

v.
Frontier Cellular Verizon Wireless et al.,
Respondents.
Workers' Compensation Board,
Respondent.
Hinman, Howard & Kattell, LLP,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2017-1164
The People &c.,
Respondent,

v.
Matthew Jolley,
Appellant.

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

2 Mo. No. 2017-1111
J.W. Mays, Inc.,
Appellant,

v.
Liberty Mutual Insurance Company, et al.,
Respondents.

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

3 Mo. No. 2017-1124
In the Matter of Daniel Karlin,
 Appellant,
 v.
Anthony J. Annucci, &c.,
 Respondent.

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

4 Mo. No. 2017-1150
In the Matter of the Adoption of Kolson.

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

Janna A. et al.,
 Respondents,
 v.
Michael T.,
 Appellant.
(And Another Proceeding.)

2 Mo. No. 2017-933
In the Matter of Feng Li, a suspended
attorney.

Grievance Committee for the Ninth Judicial
District,
 Respondent;
Feng Li,
 Appellant.

On the Court's own motion, appeal, insofar as taken from the March 2017 Appellate Division order, dismissed, without costs, upon the ground that it is untimely (see CPLR 5513[a]; Eaton v State of New York, 76 NY2d 824 [1990]); appeal, insofar as taken from the July 2017 Appellate Division order, dismissed, without costs, upon the ground that the order appealed from does not finally determine the proceeding within the meaning of the Constitution. Motion, insofar as it seeks leave to appeal from the March 2017 Appellate Division order, dismissed upon the ground that it is untimely (see CPLR 5513[b]; Eaton v State of New York, 76 NY2d 824 [1990]); motion, insofar as it seeks leave to appeal from the July 2017 Appellate Division order, dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

4 Mo. No. 2017-1130
In the Matter of Matthew E. Magill,
Respondent,
v.
Lindsay A. Esposito,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2017-1052
Dawn Mosby,
Appellant,
v.
Matthew G. Parilla, &c.,
Respondent.

Motion, insofar as it seeks leave to appeal from the December 2016 Appellate Division order, dismissed as untimely (see CPLR 5513[b]); motion, insofar as it seeks leave to appeal from the September 2017 Appellate Division order, dismissed upon the ground that such order does not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2017-1158
In the Matter of Mario Nevarez,
Appellant,
v.
Jessica Pina,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2017-1106
The People &c.,
Respondent,
v.
Robert Padilla,
Appellant.

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

1 Mo. No. 2017-1141
Barton Mark Perl binder et al.,
Appellants,
v.
Board of Managers of the 411 East 53rd
Street Condominium,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.
Judge Feinman took no part.

2 Mo. No. 2017-1136
In the Matter of Natasha Phillips,
Appellant,
v.
Walter A. Nabial,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2017-1147
In the Matter of Town of Rye et al.,
Appellants,
v.
Assessor of City of Rye et al.,
Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2017-1024
In the Matter of Jonathan S., an attorney and
counselor-at-law.

Attorney Grievance Committee for the First
Judicial Department,
Respondent;
Jonathan S.,
Appellant.

On the Court's own motion, appeal dismissed,
without costs, upon the ground that the order
appealed from does not finally determine the
proceeding within the meaning of the Constitution.
Motion for a stay dismissed as academic.
Judge Feinman took no part.

4 Mo. No. 2017-1121
In the Matter of Thousand Islands Central
School District,
Appellant,
v.
Thousand Islands Education Association,
Respondent.

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

2 Mo. No. 2017-1109
Unified Window Systems, Inc., et al.,
 Respondents,
 v.
Endurance American Specialty Insurance
Company,
 Appellant,
et al.,
 Defendant.

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. 2017-1151
In the Matter of Michael Evan W.,
 Respondent,
 v.
Pamela Lyn B.,
 Appellant.

Motion for leave to appeal denied.