

COURT OF APPEALS NEW FILINGS

Preliminary Appeal Statements processed
by the Court of Appeals Clerk's Office

December 15, 2017 through December 21, 2017

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 Rule 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 Rule 500.23 and direct any questions to the Clerk's Office.

L & L ASSOCIATES HOLDING CORP. v GITLITZ, &c., et al.:
2ND Dept. App. Div. 10/31/17; denial of motion; sua sponte examination whether the order appealed from finally determines the action within the meaning of the Constitution and whether a substantial constitutional question is directly involved to support an appeal as of right;
Appeal--Appellate Division--Motion for a stay denied by the Appellate Division;
Supreme Court, Nassau County, granted plaintiff's motion for summary judgment, and directed plaintiff to submit a proposed order on notice; and thereafter, granted plaintiff's motion for summary judgment and appointed a referee; App. Div. denied appellant Castelle's motion to stay all proceedings in this tax lien foreclosure action pending determination of appeals from two Supreme Court, Nassau County orders, and to consolidate the appeals.