CASE ISSUE STATEMENTS – APRIL-MAY 2020

The calendar is subject to change. Please contact the Clerk's Office for any updated information.

If available, briefs, records and appendices can be viewed and downloaded from the Court of Appeals Public Access and Search System (Court-PASS), which is accessible from the homepage on the Court's website.

Colon v Martin (No. 26)
APL-2019-71
Municipal Corporations--Examination of Claims--Whether Supreme Court properly dismissed plaintiffs' complaint for failure to comply with General Municipal Law § 50-h; plaintiffs demanded that each plaintiff be permitted to be present while other testified at § 50-h hearing and municipal defendants refused, resulting in § 50-h hearing not being conducted; whether General Municipal Law § 50-h permits municipal defendants to exclude one claimant from the examination of another claimant.

People v David M. Holz (No. 33)
APL-2019-38
Crimes--Appeal**--**Whether Supreme Court's denial of suppression of evidence relating to a burglary count to which defendant did not plead guilty was reviewable on appeal from a judgment rendered on separate burglary count charged in the same indictment; application of CPL 710.70(2).

People v Robert Hinshaw (No. 46)
APL-2019-115
Crimes--Unlawful Search and Seizure--Whether the police had reasonable suspicion to stop defendant's vehicle; officer checked Department of Motor Vehicles (DMV) computer records for the vehicle's license plate number, which revealed that the car had been impounded and therefore should have been located on an impound lot; DMV report stated that it "should not be treated as a stolen vehicle hit" and "[n]o further action should be taken based solely upon this impounded response."

People v Limmia Page (No. 47)
APL-2019-74
Crimes--Unlawful Search and Seizure-- Whether marine interdiction agent with the U.S. Customs and Border Protection Air and Marine Operations effected a valid citizen's arrest of defendant (CPL 140.30); whether evidence seized as a result of an invalid citizen's arrest is subject to suppression.