

CASE ISSUE STATEMENTS - MARCH 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.

TUESDAY, MARCH 17

American International Specialty Lines Ins. Co. v Allied Capital Corp. (No. 23)

APL-2019-0040

Arbitration—Award in Excess of Arbitrator’s Powers—Whether the arbitration panel exceeded its authority when it reconsidered the partial final award it had previously issued—common law doctrine of functus officio; arbitration proceeding arising out of litigation involving an insurance claim payment; summary judgment.

People v Donna Middleton (No. 24)

APL-2019-00025

Crimes— Official Misconduct —Whether the information sufficiently established the “intent to obtain a benefit” element of Penal Law § 195.00 (1)—whether the acts charged fell outside defendant’s “official duties”; prisons and prisoners.

People v Robert Maffei (No. 25)

APL-2019-0023

Crimes— Right to Counsel —Effective Representation—Whether counsel’s failure to challenge a juror who stated he was not certain he could be impartial deprived defendant of the effective assistance of counsel; whether defendant raised a “mixed claim” of ineffective assistance of counsel that should have been raised in a CPL 440.10 motion rather than on direct appeal.