

MOTION NO. (969/21) CA 20-01042. -- IN THE MATTER OF THE ESTATE OF RALPH W. BURROWS, ALSO KNOWN AS R.W. BURROWS, ALSO KNOWN AS RALPH WILLIAM BURROWS, ALSO KNOWN AS BILL BURROWS, DECEASED. -- JI TING WANG BURROWS, ALSO KNOWN AS JANE BURROWS, AND EVAN DREYFUSS, PETITIONERS-RESPONDENTS; MARCIA BURROWS, AS GUARDIAN OF AVA BURROWS AND AUDREY BURROWS, RESPONDENT-APPELLANT. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., SMITH, LINDLEY, AND CURRAN, JJ. (Filed July 1, 2022.)

MOTION NO. (1078/21) KA 20-00591. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V MARK MCDERMOTT, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: PERADOTTO, J.P., LINDLEY, CURRAN, AND BANNISTER, JJ. (Filed July 1, 2022.)

MOTION NO. (1090/21) CA 21-00479. -- IN THE MATTER OF THE P. & E. T. FOUNDATION. -- JOHN BLAIR, ESQ., PETITIONER-APPELLANT; CYNTHIA T. DOYLE, ROBERT M. DOYLE, MOLLIE T. BYRNES, JOHN H. BYRNES, PETER BYRNES, MOLLY DOYLE, DONNA OWENS, JAMES WEISS, DAVID WELBOURN AND CHARITABLE BENEFICIARIES, RESPONDENTS-RESPONDENTS. -- Motion for reargument or leave to appeal to the Court of Appeals and other relief denied. PRESENT: PERADOTTO, J.P., LINDLEY, CURRAN, AND BANNISTER, JJ. (Filed July 1, 2022.)

MOTION NOS. (48-50/22) CA 21-00526, CA 21-00527 AND CA 21-00529. -- NATIONAL AIR CARGO, INC., NATIONAL AIR CARGO HOLDINGS, CHRIS ALF,

PERSONALLY, PLAINTIFFS-APPELLANTS, ET AL., PLAINTIFFS, V JENNER & BLOCK, LLP, HARTER, SECREST & EMERY, LLP, DEFENDANTS-RESPONDENTS, ET AL., DEFENDANT. (APPEAL NOS. 1-3.) -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: CENTRA, J.P., NEMOYER, CURRAN, AND BANNISTER, JJ. (Filed July 1, 2022.)

KAH 21-00213. -- THE PEOPLE OF THE STATE OF NEW YORK EX REL. RICHARD MILLS, PETITIONER-APPELLANT, V SUPERINTENDENT STIGHT, WYOMING CORRECTIONAL FACILITY, ANDREW CUOMO, GOVERNOR, RESPONDENTS-RESPONDENTS. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., SMITH, LINDLEY, AND CURRAN, JJ. (Filed July 1, 2022.)

KA 21-00997. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V LAWRENCE A. ATKINS, DEFENDANT-APPELLANT. -- Judgment unanimously affirmed. Counsel's motion to be relieved of assignment granted (*see People v Crawford*, 71 AD2d 38 [1979]). (Appeal from Judgment of Cayuga County Court, Mark Fandrich, A.J. - Criminal Possession Stolen Property, 4th Degree). PRESENT: WHALEN, P.J., PERADOTTO, NEMOYER, CURRAN, AND BANNISTER, JJ. (Filed July 1, 2022.)

KA 21-00453. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ROBERT C. LEWIS, DEFENDANT-APPELLANT. -- The case is held, the decision is reserved, the motion to relieve counsel of assignment is granted and new counsel is to be assigned. Memorandum: In 2013, defendant was convicted

upon a jury verdict of rape in the first degree and was sentenced to a determinate term of imprisonment of eight years and five years' postrelease supervision. The judgment was affirmed (*People v Lewis*, 140 AD3d 1593 [4th Dept 2016]). In 2021, defendant was resentenced to a period of postrelease supervision of ten years. Defendant appealed the resentence, and his assigned appellate counsel has moved to be relieved of the assignment pursuant to *People v Crawford* (71 AD2d 38 [4th Dept 1979]). Upon a review of the record, we conclude that a nonfrivolous issue exists with respect to whether the court violated CPL 380.20 (see *People v Adams*, 203 AD3d 1684, 1685 [4th Dept 2022]). Therefore, we relieve counsel of his assignment and assign new counsel to brief this issue, as well as any other issues that counsel's review of the record may disclose. (Appeal from Resentence of Steuben County Court, Chauncey Joseph Watches, J.). PRESENT: WHALEN, P.J., PERADOTTO, NEMOYER, CURRAN, AND BANNISTER, JJ. (Filed July 1, 2022.)