

State of New York
Court of Appeals

Decisions

January 10, 2023

CASES

No. 20
Herman Brettler, &c.,
Appellant,
v.
Allianz Life Insurance Company of North
America,
Respondent.

Certification of question by the United States Court of Appeals for the Second Circuit, pursuant to section 500.27 of this Court's Rules of Practice, accepted and the issues presented are to be considered after briefing and argument.
Acting Chief Judge Cannataro and Judges Rivera, Garcia, Wilson, Singas and Troutman concur.

1 No. 7
In the Matter of Brookdale Physicians'
Dialysis Associates, Inc., &c.,
Respondent,
et al.,
Petitioner,
v.
Department of Finance of the City of New
York,
Appellant.

Reargument ordered for a future Court session.
Acting Chief Judge Cannataro and Judges Rivera, Garcia, Wilson, Singas and Troutman concur.

4 No. 8
Suzanne P., &c.,
Appellant,
v.
Joint Board of Directors of Erie-Wyoming
County Soil Conservation District, &c., et al.,
Respondents.

Reargument ordered for a future Court session.
Acting Chief Judge Cannataro and Judges Rivera, Garcia, Wilson, Singas and Troutman concur.

MOTIONS

3 SSD 43
In the Matter of Aaron Manor Rehabilitation
and Nursing Center, LLC, et al.,
Appellants,
v.
Howard A. Zucker, &c., et al.,
Respondents.

Appeal dismissed without costs, by the Court *sua sponte*, upon the ground that no substantial constitutional question is directly involved.

3 Mo. No. 2022-796
In the Matter of Aaron Manor Rehabilitation
and Nursing Center, LLC, et al.,
Respondents,
v.
Howard A. Zucker, &c., et al.,
Appellants.

Motion for leave to appeal granted.

3 Mo. No. 2022-632
Richard Alcantara, et al.,
Appellants,
v.
Anthony J. Annucci, &c., et al.,
Respondents.

Motion for leave to appeal granted.

2 Mo. No. 2022-709
Citibank, N.A., &c.,
Respondent,
v.
Elizabeth I. Conti-Scheurer,
Appellant,
et al.,
Defendants.

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. 2022-789
In the Matter of Clear Channel Outdoor, Inc.,
 Appellant,
 v.
City of New York, et al.,
 Respondents.
(And Another Proceeding.)

Motion for leave to appeal denied.

3 Mo. No. 2022-818
Contractors Compensation Trust,
 Respondent,
 v.
\$49.99 Sewer Man, Inc., et al.,
 Defendants,
Thos. H. Gannon and Sons, Inc.,
 Appellant.

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

1 Mo. No. 2022-602
Ruben Elberg, &c.,
 Respondent,
 v.
Crabapple Corp., et al.,
 Defendants,
Tamara Pewzner, et al.,
 Appellants.

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

1 Mo. No. 2022-694
In the Matter of David Golembiowski,
 Appellant,
 v.
Port Authority of New York and New Jersey,
 Respondent.

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

1 Mo. No. 2022-698
Bernice L. Harris et al.,
Respondents,
v.
Betsy Harris, &c. et al.,
Appellants,
Andrew Lichtenstein et al.,
Respondents.

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

1 Mo. No. 2022-836
Nella Manko,
Appellant,
v.
Dr. Dana Mannor, et al.,
Respondents,
Lenox Hill Hospital, &c. et al.,
Defendants.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the actions within the meaning of the Constitution.
Motion for poor person relief dismissed as academic. Acting Chief Judge Cannataro took no part.

Nella Manko,
Appellant,
v.
Dana Mannor, et al.,
Respondents,
"Anesthesiologist" (a fictitious name), et al.,
Defendants.

4 Mo. No. 2022-625
In the Matter of George D. Maziarz,
Appellant,
v.
Western Regional Off-Track Betting
Corporation,
Respondent.

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.

1 Mo. No. 2022-769
In the Matter of The North Flats LLC,
 Appellant,
 v.
New York City Loft Board,
 Respondent,
Cyrus Kao, et al.,
 Respondents.

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 and is not an order of the type provided for in CPLR 5602 (a) (2).

3 Mo. No. 2022-647
In the Matter of Riverkeeper, Inc.,
 Appellant,
 v.
New York State Department of
Environmental Conservation,
 Respondent.

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

1 Mo. No. 2022-788
In the Matter of Ryan Lee Properties, LLC,
 Appellant,
 v.
City of New York, et al.,
 Respondents.
(App. Div. No. 2019-3146)

Motion for leave to appeal denied.

In the Matter of Ryan Lee Properties, LLC,
 Appellant,
 v.
City of New York, et al.,
 Respondents.
(App. Div. No. 2019-4722)

1 Mo. No. 2022-787
The People &c.,
 Respondent,
 v.
Ricardo Sanchez,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2022-775
Abdus Shahid,
Appellant,
v.
Slochowsky & Slochowsky, LLP, et al.,
Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2022-776
Abdus Shahid,
Appellant,
v.
City of New York,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2022-777
Abdus Shahid,
Appellant,
v.
Martin A. Bienstock,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2022-692
The People &c.,
Respondent,
v.
Jason Skipper,
Appellant.

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

1 Mo. No. 2022-770
Tutor Perini Corporation,
Appellant,
v.
New York City Department of Transportation
et al.,
Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2022-786
US Bank, National Association, &c.,
 Respondent,
 v.
Alaba Rufai,
 Appellant,
et al.,
 Defendants.

Motion for leave to appeal dismissed upon the ground that the orders sought to be appealed from do not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2022-699
In the Matter of Elizabeth W.,
 Appellant.
Suffolk County Department of Social
Services,
 Respondent.
Jene A. et al.,
 Nonparty-Respondents.
(And Other Proceedings.)

Motion for leave to appeal denied.

2 Mo. No. 2022-717
The People &c.,
 Respondent,
 v.
Robert Walker,
 Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2022-616
In the Matter of Jun Wang,
 Appellant,
 v.
Letitia James, &c.,
 Respondent.

Motion for leave to appeal granted.