

State of New York
Court of Appeals

Decisions

October 22, 2020

CASES

1 No. 42
CNH Diversified Opportunities Master
Account, L.P., et al.,
 Appellants,
 v.
Cleveland Unlimited, Inc., et al.,
 Respondents.

Order modified, without costs, by denying defendants' motion for summary judgment and granting partial summary judgment to plaintiffs in accordance with the opinion herein and, as so modified, affirmed.
Opinion by Judge Garcia.
Chief Judge DiFiore and Judges Stein and Feinman concur.
Judge Fahey dissents and votes to affirm in an opinion in which Judges Rivera and Wilson concur.

1 No. 62
The People &c.,
 Appellant,
 v.
Reginald Goldman,
 Respondent.

Order reversed, defendant's motion to suppress denied, and case remitted to the Appellate Division, First Department, for determination of the facts and issues raised but not determined on appeal to that Court.
Opinion by Chief Judge DiFiore.
Judges Stein, Garcia and Feinman concur.
Judge Fahey concurs in result in an opinion.
Judge Rivera dissents and votes to affirm in an opinion in which Judge Wilson concurs.

3 No. 28
Marsha Hewitt,
 Appellant,
 v.
Palmer Veterinary Clinic, PC,
 Respondent,
et al.,
 Defendant.

Order modified, without costs, by denying defendant's motion for summary judgment and, as so modified, affirmed.
Opinion by Judge Stein.
Chief Judge DiFiore and Judges Garcia and Feinman concur.
Judge Wilson concurs in result in an opinion in which Judges Rivera and Fahey concur.

MOTIONS

Mo. No. 2020-664
Susan Aranoff,
Respondent,
v.
Gerald Aranoff,
Appellant.

Motion for reargument of motion for leave to appeal denied.

4 Mo. No. 2020-536
Matter of Barrett Paving Materials, Inc., et al.,
Appellants,
v.
New York State Thruway Authority, et al.,
Respondents.

Motion for leave to appeal denied.

3 Mo. No. 2020-575
The People &c.,
Respondent,
v.
Marvin Benton,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2020-551
In the Matter of the Foreclosure of Tax Liens
by County of Broome.
County of Broome,
Respondent;
John Cadore et al.,
Appellants.

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.
Motion for a stay dismissed as academic.

4 Mo. No. 2020-583
In the Matter of the Estate of Howard Max
Brusie, &c.
Lisa Fitzak,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2020-569
The People &c.,
 Respondent,
 v.
Ovidio Colon,
 Appellant.

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

4 Mo. No. 2020-537
The People &c.,
 Respondent,
 v.
Jeffrey Coon,
 Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2020-568
In the Matter of the Claim of Robert J. Coyle,
 Appellant.
Commissioner of Labor,
 Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2020-542
In the Matter of Credit Suisse Securities
(USA) LLC,
 Appellant,
 v.
Nicholas B. Finn,
 Respondent.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.
Judge Wilson took no part.

2 Mo. No. 2020-514
Gibson & Cushman Contracting, LLC, et al.,
 Respondents,
 v.
Cook Maran & Associates, Inc.,
 Appellant.

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.

4 Mo. No. 2020-552
The People &c.,
Respondent,
v.
Howard Griffith,
Appellant.

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.

4 Mo. No. 2020-581
The People &c.,
Respondent,
v.
Dominic Hamm,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2020-559
In the Matter of Town of Hempstead, et al.,
Appellants,
v.
George Maragos, &c.,
Respondent.

Motion for leave to appeal denied.

2 Mo. No. 2020-518
The People &c.,
Respondent,
v.
Jacob Jordan,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2020-567
The People &c.,
Respondent,
v.
Ronnie Lacy,
Appellant.

Motion for leave to appeal denied.
Judge Garcia took no part.

4 Mo. No. 2020-623
The People &c.,
Appellant,
v.
Ryan Laws,
Respondent.

Motion to vacate this Court's July 17, 2020 dismissal order denied.

2 Mo. No. 2020-561
Barbara Miglionico,
Appellant,
v.
Arbors Homeowners' Association, Inc., et al.,
Respondents,
et al.,
Defendant.

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.

2 Mo. No. 2020-506
The People &c.,
Respondent,
v.
Daniel K. Monko,
Appellant.

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

1 Mo. No. 2020-533
The People &c.,
Respondent,
v.
Efrain Nieves,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2020-550
Usman Oyibo,
Appellant,
v.
Huntington Hospital Medical Center, 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 action within the meaning of the Constitution.
Motion for poor person relief dismissed as academic.

1 Mo. No. 2020-509
In the Matter of Allen Patterson,
 Appellant,
 v.
City of New York, et al.,
 Respondents.

Motion for reargument of motion for leave to appeal
denied.

4 Mo. No. 2020-564
The People &c.,
 Respondent,
 v.
Beuford Richardson,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2020-513
The People &c.,
 Respondent,
 v.
Lino Rodriguez,
 Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2020-510
The People &c.,
 Respondent,
 v.
Edward Ruiz,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2020-566
Joseph A.F. Sadowski,
 Appellant,
 v.
David W. Harmon,
 Respondent.

Motion for reargument of motion for leave to appeal
denied.
Motion for a stay &c. dismissed as academic.

2 Mo. No. 2020-580
The People &c.,
Respondent,
v.
Levan Sanders,
Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2020-611
Gregory Sanders,
Appellant,
v.
Anthony J. Sangemino 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 action within the meaning of the Constitution.

3 Mo. No. 2020-500
Vicky Smith, &c.,
Appellant,
v.
Luke M. Park, et al.,
Respondents.

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

1 Mo. No. 2020-523
Burton S. Sultan,
Appellant,
v.
Michael H. Zhu, &c. et al.,
Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.
Judge Feinman took no part.

2 Mo. No. 2020-557
The People &c.,
Respondent,
v.
Jean Toussaint,
Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2020-577
In the Matter of New York State Unified
Court System,
 Appellant,
 v.
New York State Division of Human Rights et
al.,
 Respondents.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.
Chief Judge DiFiore took no part.