

MOTIONS

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3-10 Mo. No. 788
In the Matter of Isidro Abascal,
Appellant,
v.
John Maczek, &c.,
Respondent.

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

2-12 Mo. No. 832
In the Matter of Anthony
Anderson,
Appellant,
v.
Glenn S. Goord, &c., et al.,
Respondents.

Motion for leave to appeal dismissed upon
the ground that the orders sought to be
appealed from do not finally determine
the proceeding within the meaning of the
Constitution.
Motion for poor person relief dismissed
as academic.

3-10 Mo. No. 882
In the Matter of Peter D. Barran,
Appellant,
v.
Department of Education of the
State of New York, et al.,
Respondents.

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

Mo. No. 1078 SSD 55
In the Matter of Frank Brown,
Appellant,
v.
Glenn S. Goord, as Commissioner
of Correctional Services,
Respondent.

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

3-10 Mo. No. 853
In the Matter of Cooke Center
for Learning and Development,
Appellant,
v.
Richard P. Mills, &c. et al.,
Respondents.

Motion, insofar as it seeks leave to
appeal from so much of the Appellate
Division order as affirmed Supreme Court's
order denying appellant's motion to renew,
dismissed upon the ground that such
portion of the order does not finally
determine the proceeding within the
meaning of the Constitution; motion for
leave to appeal otherwise denied.

2-13 Mo. No. 799
In the Matter of James D.
Coscette,
Appellant,
v.
Town of Wallkill,
Respondent.

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

2-10 Mo. No. 921
In the Matter of Croton Watershed
Clean Water Coalition, Inc.,
et al.,
Appellants,
v.
New York City Department of
Environmental Protection et al.,
Respondents.

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

1-10 Mo. No. 897
Thomas Cusanelli et al.,
Respondents,
v.
The New York City Transit
Authority,
Appellant.

Motion for leave to appeal denied.

3-10 Mo. No. 876
In the Matter of Thomas Dallio,
Appellant,
v.
Anthony Annucci, &c.,
Respondent.

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

2-10 Mo. No. 854
Danna Construction Corp., et al.,
Respondents,
v.
Utica First Insurance Company,
Appellant,
et al.,
Defendant.

Motion for leave to appeal denied.

1-13 Mo. No. 732
In the Matter of Manuel D.,
A Person Alleged to be a
Juvenile Delinquent,
Respondent.

Motion for leave to appeal denied.

Presentment Agency,
Appellant.

4-14 Mo. No. 790
Sarah J. Denio and James S.
Denio, &c.,
Respondents-Appellants,
v.
The State of New York,
Appellant-Respondent.

Motion and cross motion for leave to
appeal granted.

2-10 Mo. No. 867
In the Matter of George Denton,
Deceased.
G. Hallett Denton,
Respondent,
v.
Andrew A. Hyman, et al.,
Appellants,
et al.,
Respondents.

Motion for leave to appeal denied.

2-14 Mo. No. 758
In the Matter of Eastport
Alliance, &c., et al.,
Respondents,
v.
Jackie Lofaro, &c., et al.,
Appellants,
H.T.L., LLC,
Respondent.

Motion for leave to appeal dismissed as
untimely. The prior motion for leave to
appeal made to the Appellate Division was
untimely (see, Karger, Powers of the New
York Court of Appeals 73, at 452
[3d ed]).

2-14 Mo. No. 769
In the Matter of Eastport
Alliance, &c., et al.,
Respondents,
v.
Jackie Lofaro, &c., et al.,
Respondents,
H.T.L., LLC,
Appellant.

Motion for leave to appeal dismissed as
untimely (see, CPLR 5513[b]).

3-10 Mo. No. 901
The People &c. ex rel. William
Figueroa,
Appellant,
v.
James J. Walsh, as Superintendent
of Sullivan Correctional
Facility,
Respondent.

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

1-10 Mo. No. 753
In the Matter of Christina G.,
A Person Alleged to be a
Juvenile Delinquent,
Appellant.

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

1-14 Mo. No. 888
Francesco Guercio, et al.,
Appellants,
v.
Metlife Inc., &c.,
Respondent.

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

Metlife Inc., &c.,
Third-Party Plaintiff,
v.
One Source Facility Services,
Inc.,
Third-Party Respondent.

4-13 Mo. No. 859
In the Matter of Stanley Hall,
Appellant,
v.
Town of Henderson,
Respondent.

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

3-10 Mo. No. 674
Timothy J. Hinlicky, &c.,
Appellant,
v.
David C. Dreyfuss, et al.,
Respondents.

Motion for leave to appeal granted.

2-10 Mo. No. 810
Gregg Joseph, d/b/a Alpine
Meadows Excavating & Trucking,
Appellant,
v.
Joseph R. Iannace 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.

Mo. No. 1094 SSD 58
Marianne J. Kelly,
Respondent,
v.
John M. Kelly,
Appellant.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that it does not lie (see, CPLR 5601).

4-10 Mo. No. 805
The People &c.,
Respondent,
v.
Shawn Kennedy,
Appellant.

Motion for leave to appeal granted.

2-10 Mo. No. 850
In the Matter of Justine Sophia
Lachmann,
Respondent,
v.
Thierry H. LeJemtel,
Appellant.

Motion for leave to appeal denied.

3-10 Mo. No. 893
In the Matter of Elvin Lebron,
Appellant,
v.
Michael McGinnis, &c.,
Respondent.

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

2-10 Mo. No. 811
John Liere, et al.,
Appellants,
v.
Wide Awake Farms, LLC et al.,
Respondents.

Motion, insofar as it seeks leave to
appeal as against Wide Awake Farms, LLC,
dismissed upon the ground that as to that
party the order sought to be appealed from
does not finally determine the action
within the meaning of the Constitution;
motion for leave to appeal otherwise
denied.

2-13 Mo. No. 794
Rita Lifshits,
Respondent,
v.
Variety Poly Bags et al.,
Appellants.

Motion for leave to appeal from the
judgment entered upon the Appellate
Division order dismissed upon the ground
that the judgment is not the final
appealable paper from which leave to
appeal may be sought (see, CPLR 5611).

2-13 Mo. No. 862
Madison Equities, LLC,
Appellant,
v.
MZ Management Corp., 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.

3-10 Mo. No. 900
In the Matter of John Mandala,
Appellant,

v.

Robert Dennison, as Chair of
the New York State Board of
Parole,
Respondent.

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

2-10 Mo. No. 881
Arturo Manzo et al.,
Respondents,

v.

Nadine Gross,
Appellant,
et al.,
Defendant.

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

4-10 Mo. No. 877
In the Matter of Vanessa Miller,
Appellant,

v.

Julie M. Orbaker and John C.
Gaudu,
Respondents.

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

Mo. No. 757
Arax Minassian,
Respondent,

v.

Myron H. Temares et al.,
Appellants,
et al.,
Defendants.

Motion for leave to appeal denied.

Mo. No. 1089 SSD 57
In the Matter of Town of Montauk,
Inc.,

Appellant,

v.

Hon. George E. Pataki, Esq.,
Governor of the State of New
York, et al.,

Respondents.

Appeal transferred without costs, by the Court sua sponte, to the Appellate Division, Second Department, upon the ground that a direct appeal does not lie when questions other than the constitutional validity of a statutory provision are involved (NY Const, art VI, 3[b][2], 5[b]; CPLR 5601 [b][2]).

2-12 Mo. No. 843
In the Matter of Geraldine Moss,
et al.,

Appellants,

v.

Eliot Spitzer, &c., et al.,

Respondents.

Motion for leave to appeal denied.

2-13 Mo. No. 779
Enma Navedo-Levy, &c.,
Appellant,

v.

Methodist Hospital,
Defendant;
Commissioner of Department of
Social Services of City of New
York,

Nonparty-Respondent.

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

1- Mo. No. 895
 In the Matter of City of New
 York, et al., Respondents,
 v.
 New York City Civil Service
 Commission, Respondent,
 Michael A. Ciacchiullo,
 Appellant.

Motion for leave to appeal granted.

 In the Matter of Police Officer
 Michael A. Ciacchiullo, &c.,
 Appellant,
 v.
 Raymond W. Kelly, as Police
 Commissioner of the City of New
 York, et al., Respondents.

1-10 Mo. No. 896
 In the Matter of New York City
 Asbestos Litigation

 Anthony Tancredi et al.,
 Appellants,
 v.
 A.C. & S., Inc., 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 actions within the meaning of the
 Constitution.
 Chief Judge Kaye took no part.

2-11 Mo. No. 892
North Fork Bank,
Respondent,
v.
K. George Carvalho,
Defendant,
Donna Carvalho,
Appellant.

Donna Carvalho,
Appellant,
et al.,
Plaintiffs,

v.
New York Property Insurance
Underwriters Association, et al.,
Defendants;
Weg and Myers, P.C.,
Nonparty-Respondent.

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

Motion for poor person relief dismissed as academic.

3-10 Mo. No. 851
In the Matter of Marisabel
Novillo,
Appellant,
v.
Board of Education of Madison
Central School District, et al.,
Respondents.

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

2 Mo. No. 899
In the Matter of One Overlook
Avenue Corp.,
Respondent,
v.
New York State Division of Human
Rights,
Appellant.

Motion for leave to appeal denied.

1-10 Mo. No. 868
In the Matter of Neil Pessin
et al.,
Appellants,
v.
New York State Division of
Housing and Community Renewal,
Respondent,
Regina Metropolitan Co. Inc.,
Intervenor-Respondent.

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

1-10 Mo. No. 813
Michael Pierce,
Appellant,
v.
HSBC Mortgage Corporation (USA)
et al.,
Respondents.

Motion for leave to appeal denied.

4-10 Mo. No. 836
In the Matter of Wayne Pluta,
Appellant,
v.
New York State Office of Children
and Family Services, &c., et al.,
Respondents.

Motion for leave to appeal denied.

Mo. No. 1095 SSD 59
Pocantico Home & Land Company,
LLC, et al.,
Appellants,
Bruce C. Edelstein, et al.,
Intervenors-Appellants,
v.
Union Free School District of
the Tarrytowns, et al.,
Respondents.

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

2-14 Mo. No. 889
 Rubin Reinoso,
 Respondent,
 v.
 Ornstein Layton Management, Inc.
 et al.,
 Defendants,
 OL Miller Place, LLC,
 Appellant.
 (And a Third-Party Action.)

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.

1-10 Mo. No. 690
 River Seafoods, Inc.,
 Respondent,
 v.
 JPMorgan Chase Bank,
 Appellant.

Motion for leave to appeal granted.

Mo. No. 1081 SSD 56
 The People &c. ex rel. Javier
 Rivera,
 Appellant,
 v.
 Calvin E. West, Superintendent of
 Elmira Correctional Facility,
 et al.,
 Respondents.

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

1-10 Mo. No. 840
 Lillian Roberts, &c., et al.,
 Petitioners,
 v.
 City of New York, et al.,
 Respondents.

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

 Mark Rosenthal, &c. and Lillian
 Roberts, &c.,
 Appellants,
 v.
 City of New York, et al.,
 Respondents.

1-10 Mo. No. 858
Lillian Roberts, &c., et al.,
Appellants,
v.
City of New York, et al.,
Respondents.

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

(And Another Action.)

1-10 Mo. No. 857
Lillian Roberts, &c., et al.,
Appellants,
v.
City of New York, et al.,
Respondents.

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

Edna Williams, &c., et al.,
Appellants,
v.
City of New York, et al.,
Respondents.

2-14 Mo. No. 869
Peter Scarso,
Appellant,
v.
M.G. General Construction Corp.,
et al.,
Defendants,
M and G General Construction
Corp., &c.,
Respondent.

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.

1-10 Mo. No. 778
In the Matter of 77 Realty, LLC,
et al.,
Appellants,
v.
New York City Water Board, et
al.,
Respondents.

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

3-11 Mo. No. 777
In the Matter of Lori Skelly,
Respondent,
v.
Lance Skelly,
Appellant.

Motion for leave to appeal denied.

1-14 Mo. No. 929
In the Matter of Jeffrey Solomon,
Respondent-Appellant,
v.
Patricia J. Lancaster, as
Commissioner of Buildings of
the City of New York,
Appellant-Respondent.

Motion and cross motion for leave to
appeal denied.

2-13 Mo. No. 842
Harold Warren et al.,
Appellants,
v.
City of New York,
Respondent.

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