State of New York
Court of Appeals

Vol. 46 - No. 27
7/16/26

Heather Davis, Esq.
Chief Clerk and
Legal Counsel to the Court

Clerk's Office
20 Eagle Street
Albany, New York 12207-1095
518-455-7700

COURT OF APPEALS NEW FILINGS

Preliminary Appeal Statements processed
by the Court of Appeals Clerk's Office

July 3, 2026 through July 9, 2026

Each week the Clerk's Office prepares a list of recently-filed appeals, indicating short title, jurisdictional predicate, subject matter and key issues. Some of these appeals may not reach decision on the merits because of dismissal, on motion or sua sponte, or because the parties stipulate to withdrawal. Some appeals may be selected for review pursuant to the alternative procedure of Rule 500.11. For those appeals that proceed to briefing in the normal course, the briefing schedule generally will be: appellant's brief to be filed within 60 days after the appeal was taken; respondent's brief to be filed within 45 days after the due date for the filing of appellant's brief; and a reply brief, if any, to be filed within 15 days after the due date for the filing of respondent's brief.

The Court welcomes motions for amicus curiae participation from those qualified and interested in the subject matter of these newly filed appeals. Please refer to Rule 500.23 and direct any questions to the Clerk's Office.

MATTER OF LAW OFFICE OF CYRUS JOUBIN v MANHATTAN D.A.:
APL-2026-00093
1st Dept. App. Div. order of 11/18/25; reversal; leave to appeal granted by the Court of Appeals, 6/23/26;
Records—Freedom of Information Law—Whether the Appellate Division erred in holding that a D.A. datasheet constitutes attorney work product protected by CPLR 3101 (c) and is therefore exempt from disclosure under the Freedom of Information Law, even with redaction;
Supreme Court, New York County, granted petitioner's application to annul respondent's denial of petitioner's FOIL request for agency records to the extent of directing disclosure of a data sheet with redaction of certain personal identifying information and otherwise

dismissing the CPLR article 78 proceeding; App. Div. reversed an order of Supreme Court, New York County, denied the petition, and dismissed the CPLR article 78 proceeding.

SHAH v NYS OFFICE OF MENTAL HEALTH:
APL-2026-00094
2nd Dept. App. Div. order of 5/29/26; denial of motions; whether the order appealed from finally determines the action within the meaning of the Constitution, and whether a substantial constitutional question is directly involved in the order appealed from;
Motions and Orders;
App. Div. denied motions (1) for leave to reargue or appeal to the Court of Appeals from a November 2021 Appellate Division order; and (2) in effect for leave to renew and reargue.