State of New York
Court of Appeals

Vol. 46 - No. 28
7/17/26

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COURT OF APPEALS NEW FILINGS

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

July 10, 2026 through July 16, 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.

PEOPLE by JAMES v NATIONAL RIFLE ASSOCIATION:
APL-2026-00100
1st Dept. App. Div. order of 6/2/26; affirmance; sua sponte examination of whether a substantial constitutional question is directly involved in the order appealed from;
Corporations—Not-For-Profit Corporation—Whether a 10-year ban from holding any fiduciary position as an officer or director of certain entities violates defendant's rights to freedom of speech and association; whether the Not-For-Profit Corporation Law authorizes the imposition of the ban; whether monetary damages are recoverable under a cause of action brought pursuant to Not-For-Profit Corporation Law §§ 717 and 720(a)(1)(B);

Supreme Court, New York County, after a trial, among other things, adjudged defendant Wayne LaPierre liable for violating his fiduciary duties in his role as an officer of defendant National Rifle Association of America, Inc. (NRA), directed LaPierre to repay more than $4.3 million plus prejudgment interest directly to the NRA, and barred LaPierre from holding any fiduciary position as an officer or director of the NRA or any entity under the NRA's direct control for 10 years; App. Div. affirmed.

NYSDOT v GOREE:
APL-2026-00101
2nd Dept. App. Div. order of 12/4/24; modification; leave to appeal granted by the Appellate Division, on a certified question, 6/24/26;
Native Americans—Sovereign Immunity of Tribe—Whether Native American nation officials may be sued in New York State courts to enjoin their off-reservation, ongoing violations of New York State law under a theory analogous to that announced in *Ex parte Young* (209 US 123 [1908]); whether the Appellate Division exceeded or abused its discretion by granting preliminary relief;
Supreme Court, Suffolk County, among other things, (1) denied the motion of defendants Bryan A. Polite, Launcelot A. Gumbs, Seneca Bowen, Daniel Collins, Sr., Germain Smith, Donald Williams, Jr., and Linda Franklin under CPLR 3211 (a) to dismiss the amended complaint insofar as asserted against them; and (2) denied plaintiffs' motion for a preliminary injunction enjoining defendants from constructing, operating, and maintaining the subject structures during the pendency of this action; App. Div. modified (1) by deleting the provision denying those branches of the motion of defendants Bryan A. Polite, Launcelot A. Gumbs, Seneca Bowen, Daniel Collins, Sr., Germain Smith, Donald Williams, Jr., and Linda Franklin which were pursuant to CPLR 3211(a) to dismiss so much of the first and second causes of action as sought monetary damages, penalties, and interest insofar as asserted against them, and substituting therefor a provision granting those branches of the motion, and (2) by deleting the provision thereof denying the plaintiffs' motion for a preliminary injunction enjoining the defendants from constructing, operating, and maintaining the subject structures during the pendency of this action, and substituting therefor a provision granting the motion, and, as so modified affirmed insofar as appealed from.

MATTER OF STPCVTA v DHCR:
APL-2026-00096
1st Dept. App. Div. order of 6/17/25; reversal; leave to appeal granted by the Court of Appeals, 6/23/26;
Landlord and Tenant—Rent Regulation—Whether respondent New York State Division of Housing and Community Renewal's (DHCR) policy of applying an "as necessary and comprehensive" standard to determine whether certain categories of work, including pointing and waterproofing, are depreciable under the Internal Revenue Code and thus qualify for major capital improvement rent increases violates section 26-511(c) of the Rent Stabilization Law; whether respondent DHCR erred in applying a complex-wide timeliness standard to each of owners' separate rent increase applications;
Supreme Court, New York County, among other things, granted the petition in this proceeding brought under CPLR article 78 to annul the February 26, 2021 orders of respondent New York State Division of Housing and Community Renewal (DHCR)

granting 19 applications of respondent property owners (landlord) for rent increases based on major capital improvements (MCIs), remanded for continued proceedings as to 12 of the applications, and held that the remaining 7 applications were untimely filed; App. Div. reversed, denied the petition, and dismissed the proceeding.

U.S. BANK, N.A. v WHITE:
APL-2026-00102
2nd Dept. App. Div. order of 5/20/26; affirmance; sua sponte examination of whether the order appealed from finally determines the action within the meaning of the Constitution and whether the two-Justice dissent is on a question of law;
Pleading—Amendment—Whether Supreme Court properly exercised its discretion to deny that branch of plaintiff's motion which was for leave to serve and file a supplemental summons and amended complaint to add a defendant;
Supreme Court, Nassau County, among other things, denied that branch of plaintiff's motion which was for leave to serve and file a supplemental summons and amended complaint to add Kensington Realty Development, LLC, as a defendant, and granted that branch of the cross-motion of Kensington Realty Development, LLC, which was to cancel the notice of pendency; App. Div. with two Justices dissenting, affirmed.