

COURT OF APPEALS NEW FILINGS

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

October 30, 2020 through November 5, 2020

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 KOZIOL, A SUSPENDED ATTORNEY:

3RD Dept. App. Div. order of 9/17/20; sua sponte examination of whether the order appealed from finally determines the proceeding within the meaning of the Constitution and whether a substantial constitutional question is directly involved to support an appeal as of right;

Attorney and Client--Reinstatement--Denial of Reinstatement;

App. Div. 1) denied appellant's motion for reinstatement and separate motion for various relief, and 2) granted respondent's cross-motion for an order enjoining appellant from bringing any motion, application or proceeding in the App. Div., other than an application for reinstatement, without prior leave of the court.

SEGAL v OFFICE OF COURT ADMINISTRATION:

3RD Dept. App. Div. order of 9/18/20; denied motion; sua sponte examination of whether the order appealed from finally determines the action or proceeding within the meaning of the Constitution and whether a substantial constitutional question is directly involved to support an appeal as of right;

Appeal--Appealable Paper--Order denying motion to vacate;

App. Div., inter alia, denied appellant's motion to reargue and to transfer the motion to another App. Div. department; thereafter, inter alia, denied appellant's motion for various relief; and thereafter, denied appellant's motion to vacate orders of the App. Div. or for alternative relief.