



State of New York
Court of Appeals

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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 24, 2026 through July 30, 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 STECKER v UCS:

APL-2026-00109

2nd Dept. App. Div. order of 4/8/26; confirmed determination; sua sponte examination of whether a substantial constitutional question is directly involved in the order appealed from;

Administrative Law—Judicial Review—Whether the finding that petitioner committed misconduct was supported by substantial evidence; Whether the challenged determination violated petitioner's First Amendment rights to free speech and the free exercise of religion; Whether the imposition of the

administrative penalty of termination constituted an abuse of discretion as a matter of law;

App. Div. in a proceeding under CPLR article 78 to review a revised determination of the New York State Office of Court Administration dated March 15, 2023, which adopted the report and recommendation of a hearing officer dated June 27, 2022, made after a hearing, finding that petitioner was guilty of misconduct, terminated petitioner's employment as a court officer, which proceeding was transferred under CPLR 7804(g) by order of Supreme Court, Suffolk County, confirmed the revised determination, denied the petition, and dismissed the proceeding.

MATTER OF ZELINSKY v COMMISSIONER OF TAXATION:

APL-2026-00107

3rd Dept. App. Div. order of 7/2/26; confirmed determination; sua sponte examination of whether a substantial constitutional question is involved in the order appealed from;

Taxation—Personal Income Tax—Whether petitioner's income from a New York law school was taxable as New York source income under the convenience of the employer rule when petitioner worked from his Connecticut home during the pandemic; whether respondent's application of the convenience rule comports with Due Process and the dormant Commerce Clauses;

App. Div., in a CPLR article 78 proceeding commenced in the Appellate Division under Tax Law § 2016 to review a determination by the Tax Appeals Tribunal sustaining personal income tax assessment imposed under Tax Law article 22, confirmed the determination and dismissed the petition.