

COURT OF APPEALS NEW FILINGS

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

November 17, 2017 through November 23, 2017

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.

PAPPAS, MATTER OF v NASSAU COUNTY SUPREME COURT, et al.:
2nd Dept., App. Div., judgment of 11/1/17; dismissal; sua sponte examination whether a substantial constitutional question is directly involved to support an appeal as of right;
Proceeding Against Body or Officer--Prohibition--Mandamus--whether the remedies of prohibition or mandamus lie; whether petitioner demonstrated a clear legal right to the relief sought; claimed restraint on free speech; claimed due process and equal protection violations;
App. Div. denied the petition and dismissed the CPLR article 78 proceeding.

WILLIAMS, MATTER OF v APPEALS BOARD OF ADMINISTRATIVE
ADJUDICATION BUREAU, STATE DEPARTMENT OF MOTOR VEHICLES, et al.:
2ND Dept. App. Div. order of 9/27/17; affirmance; sua sponte
examination whether a substantial constitutional question is
directly involved to support an appeal as of right;
Proceeding Against Body or Officer--Dismissal of Petition--Denial
of application for new driver license--claimed due process
violations; motor vehicles--operator's license;
Supreme Court, Kings County, in a CPLR article 78 proceeding to
review a 12/31/13 determination of the New York State Department
of Motor Vehicles Administrative Appeals Board affirming the
denial of petitioner's application for a new driver license,
denied the petition and dismissed the proceeding; App. Div.
affirmed.