



State of New York
Court of Appeals

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COURT OF APPEALS NEW FILINGS

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

December 20, 2024 through December 26, 2024

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 ANGELICA M.E. v DELMY S.A.-H.:

APL-2024-00162

2nd Dept. App. Div. order of 6/20/24; affirmance; leave to appeal granted by the Court of Appeals, 11/25/24;

Parent, Child and Family—Whether petitioner failed to establish, prima facie, that respondent committed the family offense of harassment in the second degree;

Family Court, Suffolk County, inter alia, granted respondent's motion to dismiss so much of the petition as alleged that respondent committed the family offense of harassment in the second degree, vacated a temporary order of protection, and dismissed the petition; App. Div. affirmed.

MATTER OF MANTILLA v NYCDHPD:

APL-2024-00148

1st Dept. App. Div. order of 9/19/24; reversal;

Public Housing—Succession Rights—Whether a rational basis exists for the determination of respondent denying petitioner’s application for succession rights to a Mitchell-Lama apartment;

Supreme Court, New York County, granted the CPLR article 78 petition seeking to annul New York City Department of Housing Preservation and Development’s final determination, dated December 27, 2021, which denied petitioner’s application seeking succession rights to his brother’s Mitchell-Lama apartment; App. Div. with two Justices dissenting, reversed, denied the petition and dismissed the proceeding.