State of New York

Court of Appeals

Decisions

October 29, 2026

CASES

1	No. 82 The People &c., Respondent, v. David Ekukpe, Appellant.	Order affirmed, in a memorandum. Judges Garcia, Singas, Cannataro and Troutman concur. Judge Rivera dissents in an opinion, in which Chief Judge Wilson and Judge Halligan concur.
	No. 83 The People &c., Respondent, v. Tammy Nantan, Appellant.	Order reversed and case remanded to the Appellate Term, First Department, for further proceedings in accordance with the opinion herein. Opinion by Judge Rivera. Chief Judge Wilson and Judges Troutman and Halligan concur. Judge Cannataro dissents and votes to affirm in an opinion, in which Judges Garcia and Singas concur.

MOTIONS

1 Mo. No. 2026-231
In the Matter of 383 West Broadway Corp.,
Appellant,
v.
Sherif Soliman, &c. et al.,
Respondents.

Motion, insofar as it seeks leave to appeal from the portion of the Appellate Division order that affirmed the denial of appellant's motion for leave to renew, dismissed upon the ground that such portion of the order does not finally determine the proceeding within the meaning of the Constitution; motion for leave to appeal otherwise denied.
Judge Halligan took no part.

1 Mo. No. 2026-347
In the Matter of 383 West Broadway Corp.,
Appellant,
v.
Sherif Soliman, &c. et al.,
Respondents.

Motion by Martha E. Stark for leave to appear amicus curiae on the motion for leave to appeal herein granted and the brief is accepted as filed.
Judge Halligan took no part.

2 Mo. No. 2026-280
In the Matter of Advanced Orthopaedics, PLLC, &c.,
Respondent,
v.
Country-Wide Insurance Company,
Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

4 Mo. No. 2026-273
In the Matter of AL Asphalt Corporation et al.,
Appellants,
v.
Town of Hamburg, et al.,
Respondents.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.

1 Mo. No. 2026-186

Ali Baba Hotel Corp., &c., et al.,
Respondents,
v.
Alexander Prose,
Appellant,
et al.,
Defendant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2026-250

The People &c.,
Respondent,
v.
Paul Allen,
Appellant.

Motion for leave to appeal denied.
Motion for financial relief dismissed as academic.

3 Mo. No. 2026-265

In the Matter of the Claim of Gerardo Borrometi,
Appellant,
v.
Verizon et al.,
Respondents.
Workers' Compensation Board,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2026-267

The People &c.,
Respondent,
v.
Jonathan Cedeno,
Appellant.

Motion for leave to appeal denied.

1	Mo. No. 2026-253 Ana Mercedes Felipe, &c., Appellant, v. Volunteers of America-Greater New York, et al., Respondents, et al., Defendants.	Motion for leave to appeal denied. Judge Halligan took no part.
2	Mo. No. 2026-305 In the Matter of Patrick F. Fleming, &c., Appellant, v. Jeanine DeVall, Respondent.	Motion for leave to appeal dismissed for failure to demonstrate timeliness as required by the Rules of the Court of Appeals (*see* Rules of Ct of Appeals [22 NYCRR] § 500.22 [b] [2]).
2	Mo. No. 2026-281 In the Matter of George Garvey, et al., Appellants, v. City of New York, et al., Respondents.	Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements. Judge Halligan took no part.
4	Mo. No. 2026-296 In the Matter of Ivan Gilbert, Appellant, v. Daniel F. Martuscello, III, &c., Respondent.	Motion for leave to appeal denied.
1	Mo. No. 2026-293 The People &c., Respondent, v. Jeffrey Jones, Appellant.	Motion for leave to appeal denied.

1 Mo. No. 2026-183

In the Matter of Sopio Kay, &c.,
Appellant,
v.
Citibank, N.A.,
Respondent,
Fisher Island Holdings, LLC,
Respondent.

Motion for leave to appeal granted.

1 Mo. No. 2026-285

Thomas D. Kraemer,
Appellant,
v.
Florence Edelstein, et al.,
Respondents.

Motion for leave to appeal denied.
Judge Halligan took no part.

1 Mo. No. 2026-271

In the Matter of Sharay Morrison,
Appellant,
v.
New York City Department of Correction,
Respondent.

Motion for leave to appeal denied.
Judge Halligan took no part.

1 Mo. No. 2026-257

The People &c.,
Respondent,
v.
Luis Parada,
Appellant.

Motion for leave to appeal denied.

3 Mo. No. 2026-437

In the Matter of the Claim of Abid A. Qureshi,
Appellant,
v.
Rite Aid Corporation et al.,
Respondents.
Workers' Compensation Board,
Respondent.

Motion for leave to appeal denied.

2	Mo. No. 2026-266 The People &c., Respondent, v. Sagheer Rehman, Appellant.	Motion for leave to appeal denied. Motion for financial relief dismissed as academic.
1	Mo. No. 2026-431 In the Matter of Joseph Sanchez, Appellant, v. Alvin Yearwood, Respondent.	Motion for leave to appeal denied.
2	Mo. No. 2026-249 The People &c., Respondent, v. Donald Siler, Appellant.	Motion for leave to appeal denied.
2	Mo. No. 2026-315 In the Matter of Martin Soudani, &c., Appellant, v. County of Orange et al., Respondents.	Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.
1	Mo. No. 2026-292 The People &c., Respondent, v. Charles Washington, Appellant.	Motion for leave to appeal denied.

4	Mo. No. 2026-333	Motion for leave to appeal denied.

The People &c.,
Respondent,
v.
Alexander R. Watros,
Appellant.