

June 28, 2018

CASES

3 No. 77
In the Matter of Anonymous, an Intermediate
Care Facility,
 Respondent,
 v.
David Molik, et al.,
 Appellants.

Order reversed, with costs, and matter remitted to the
Appellate Division, Third Department, for
consideration of issues raised but not determined on
appeal to that court.
Opinion by Judge Garcia.
Chief Judge DiFiore and Judges Stein, Fahey, Wilson
and Feinman concur.
Judge Rivera dissents in an opinion.

1 No. 64
Magdalena Garcia, &c., et al.,
 Respondents,
 v.
New York City Department of Health and
Mental Hygiene, et al.,
 Appellants.

Order reversed, with costs, petition insofar as it
sought to enjoin enforcement of the amendments to
the New York City Code denied, and judgment
granted declaring in respondents' favor in accordance
with the opinion herein.
Opinion by Judge Stein.
Chief Judge DiFiore and Judges Rivera, Fahey,
Garcia, Wilson and Feinman concur.

4 No. 37
The People &c.,
 Appellant,
 v.
William Morrison,
 Respondent.

Order affirmed, in a memorandum.
Judges Rivera, Stein, Fahey and Wilson concur.
Chief Judge DiFiore dissents in an opinion, in which
Judges Garcia and Feinman concur in a separate
dissenting opinion by Judge Garcia.

1 No. 36
The People &c.,
 Respondent,
 v.
Mark Nonni,
 Appellant.

Order reversed and a new trial ordered.
Opinion by Judge Rivera.
Judges Stein, Fahey and Wilson concur.
Chief Judge DiFiore dissents in an opinion, in which
Judges Garcia and Feinman concur in a separate
dissenting opinion by Judge Garcia.

1 No. 35
The People &c.,
 Respondent,
 v.
Lawrence Parker,
 Appellant.

Order reversed and a new trial ordered.
Opinion by Judge Rivera.
Judges Stein, Fahey and Wilson concur.
Chief Judge DiFiore dissents in an opinion, in which
Judges Garcia and Feinman concur in a separate
dissenting opinion by Judge Garcia.

4 No. 114 SSM 14
In the Matter of Michelle Widrick,
 Appellant;
Michael Carpinelli, &c., et al.,
 Respondents.

On review of submissions pursuant to section 500.11
of the Rules, order affirmed, with costs. "Our
reading of the collective bargaining agreement as a
whole establishes the parties' plain and unambiguous
intent to limit the right to demand ... arbitration to
[petitioner's union]" (County of Westchester v
Mahoney, 56 NY2d 756, 758 [1982]).
Chief Judge DiFiore and Judges Stein, Garcia and
Feinman concur.
Judge Wilson dissents in an opinion in which Judges
Rivera and Fahey concur.

MOTIONS

1 Mo. No. 2018-505 ✓
Oliver Douce Al-Dey,
Appellant,
v.
City of New York,
Respondent.

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

Motion for poor person relief dismissed as academic.

1 Mo. No. 2018-608
Richard Altman,
Respondent,
v.
285 West Fourth LLC,
Appellant.

Motion for reargument denied with one hundred dollars costs and necessary reproduction disbursements.

2 Mo. No. 2018-535
In the Matter of Alex Anderson, Jr.,
Appellant,
v.
Mariah Angel Carey,
Respondent.

On the Court's own motion, appeal dismissed, without costs, upon the ground that the order appealed from does not finally determine the proceeding within the meaning of the Constitution. Motion for leave to appeal dismissed upon the ground that the orders sought to be appealed from do not finally determine the proceeding within the meaning of the Constitution. Motion for ancillary relief dismissed as academic.

2 Mo. No. 2018-495
In the Matter of Milton J.B.,
Appellant,
v.
Denise A. P.-P.,
Respondent.

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.



*State of New York
Court of Appeals*

*John P. Asciello
Chief Clerk and
Legal Counsel to the Court*

*Clerk's Office
20 Eagle Street
Albany, New York 12207-1095*

Decided October 16, 2018 ✓

Mo. No. 2018-766

Oliver Douce Al-Dey,
Appellant,

v.

City of New York,
Respondent.

Motion for reargument of motion for leave to appeal denied.

State of New York

Court of Appeals

*Decided and Entered on the
sixteenth day of October, 2018*

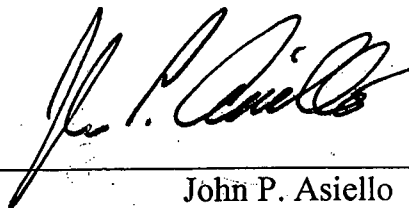
Present, Hon. Janet DiFiore, *Chief Judge, presiding.*

Mo. No. 2018-766
Oliver Douce Al-Dey,
Appellant,
v.
City of New York,
Respondent.

Appellant having moved for reargument of a motion for leave to appeal to
the Court of Appeals in the above cause;

Upon the papers filed and due deliberation, it is

ORDERED, that the motion is denied.



John P. Asiello
Clerk of the Court

**Additional material
from this filing is
available in the
Clerk's Office.**