State of New York

Court of Appeals

Decisions

December 11, 2025

MOTIONS

3 Mo. No. 2025-803 The People &c., Respondent, v. Jason J. Ambrosio, Appellant.	Motion by District Attorneys Association of the State of New York for leave to file a brief amicus curiae on the appeal herein granted and the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.
4 Mo. No. 2025-416 In the Matter of Dominick B., et al. Erie County Department of Social Services, Respondent; Donald M., Appellant.	Motion for leave to appeal denied.
4 Mo. No. 2025-555 In the Matter of Corinne Beavers, Respondent, v. Kevin Beavers, Appellant. (And Another Proceeding.)	Motion, insofar as it seeks leave to appeal from so much of the Appellate Division order as concerns the second youngest child, dismissed upon the ground that the issues presented have become moot; motion for leave to appeal otherwise denied.
4 Mo. No. 2025-849 The People &c., Respondent, v. Phillip Dondorfer, Appellant.	Motion by District Attorneys Association of the State of New York for leave to file a brief amicus curiae on the appeal herein granted and the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.

4 Mo. No. 2025-401

In the Matter of Jemma M.

Onondaga County Department of Children and Family Services,
Respondent;
Ashley M.,
Appellant;
Gregory M.,
Respondent.

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

Mo. No. 2025-853

The People &c.,
Respondent,
v.
Tammy Nantan,
Appellant.

Motion for assignment of counsel granted and Twyla Carter, Esq., The Legal Aid Society, 199 Water Street, New York, NY 10038 assigned as counsel to the appellant on the appeal herein.

3 Mo. No. 2025-686

In the Matter of Michael O.,
Respondent,
v.
Victoria P.,
Appellant.

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

4 Mo. No. 2025-832

In the Matter of Mekayla S.

Erie County Department of Social Services,
Respondent;
Melanie H., &c.,
Appellant.
(And Another Proceeding.)
(App. Div. Nos. CAF 23-00194 and CAF 23-00195)

Motion by Center for Integrity in Forensic Sciences for leave to file a brief amicus curiae on the appeal herein granted and the proposed brief is accepted as filed. Two copies of the brief must be served, an original and nine copies filed, and the brief submitted in digital format within seven days.

State of New York
Supreme Court, Appellate Division
Third Judicial Department

Decided and Entered: August 21, 2025 CV-24-1610

In the Matter of MICHAEL O.,
Respondent,
v
VICTORIA P.,
Appellant.

DECISION AND ORDER ON MOTION

Motion to dismiss appeal as moot.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is granted, without costs.

Garry, P.J., Clark, Fisher and Mackey, JJ., concur.

ENTER:

Robert D Mayberger

Robert D. Mayberger
Clerk of the Court

State of New York

Court of Appeals

Decisions

April 16, 2026

CASES

No. 67

In the Matter of the Hon. Walter W. Jones, a Justice of the Canandaigua Town Court, Ontario County.

Walter W. Jones,
Petitioner;
New York State Commission on Judicial Conduct,
Respondent.

On the Court's own motion, it is determined that Honorable Walter W. Jones is suspended with pay, effective immediately, from the office of Justice of the Canandaigua Town Court, Ontario County, pursuant to New York Constitution, article VI, § 22 and Judiciary Law § 44 (8), pending review of a determination of the State Commission on Judicial Conduct.
Chief Judge Wilson and Judges Garcia, Singas, Cannataro, Troutman and Halligan concur.
Judge Rivera took no part.

2 No. 65 SSM 8

Mega Beverage Redemption Center, Inc.,
Appellant,
v.
City of Mount Vernon,
Respondent.

On review of submissions pursuant to section 500.11 of the Rules (22 NYCRR 500.11), order affirmed, with costs, and judgment absolute dismissing the complaint granted upon plaintiff's stipulation. Plaintiff has failed to demonstrate that its appeal to the Appellate Division did not present questions of fact, and the Appellate Division did not recite "either that the questions of fact have not been considered or that the court has considered the questions of fact and has determined that it would not grant a new trial or hearing upon those questions," as specified in CPLR 5615 (*see* Arthur Karger, Powers of the New York Court of Appeals, § 8:10, at 278-279 [3d ed rev 2005]). Therefore, this Court is bound to affirm and render judgment absolute (*see* CPLR 5615).
Chief Judge Wilson and Judges Rivera, Garcia, Singas, Cannataro, Troutman and Halligan concur.

2 SSD 12

In the Matter of Warren McDowell,
Appellant,
v.
Blue Point Fire Department,
Respondent.

Appeal dismissed without costs, by the Court sua sponte, upon the ground that no appeal lies as of right from the unanimous judgment of the Appellate Division absent the direct involvement of a substantial constitutional question (*see* CPLR 5601).

4 Mo. No. 2025-737

In the Matter of Tracy L. Moses,
Respondent,
v.
India S. McFarland,
Appellant,
Markeef Royal,
Respondent.

Motion for leave to appeal denied.

4 Mo. No. 2025-774

In the Matter of Tracy L. Moses,
Respondent,
v.
India S. McFarland,
Respondent,
Markeef Royal,
Appellant.

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

3 Mo. No. 2026-73

In the Matter of Michael O.,
Respondent,
v.
Victoria P.,
Appellant.

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

1 Mo. No. 2026-223

The People &c.,
Respondent,
v.
Robert Ortiz,
Appellant.

Motion for assignment of counsel granted and Caprice R. Jenerson, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, NY 10007 assigned as counsel to the appellant on the appeal herein.

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