

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

ADM 2020-0506

Pursuant to the power vested in it under section 85 of the Judiciary Law (Judiciary Law § 85), the Appellate Division of the Supreme Court for the Second Judicial Department hereby:

ORDERS that Administrative Order 2020-0317.2, issued March 17, 2020, is hereby rescinded; and further,

ORDERS that new deadlines are established for briefs in all criminal appeals pending before this Court, which were due to be filed between March 16, 2020, and May 6, 2020, and which have not yet been filed, as follows:

- (1) The deadline for briefs which were due to be filed between March 16, 2020, and March 31, 2020, is July 6, 2020;
- (2) The deadline for briefs which were due to be filed between April 1, 2020, and April 15, 2020, is July 20, 2020;
- (3) The deadline for briefs which were due to be filed between April 16, 2020, and May 6, 2020, is August 3, 2020;

and all such briefs shall be served in accordance with section 1250.1(c) of the Rules of Practice of the Appellate Division (22 NYCRR §1250.1[c]) and via e-mail, and a digital copy with proof of service shall be deemed filed by being uploaded through the digital portal on this Court's website https://www.nycourts.gov/courts/AD2/Digital_Submission.shtml, on or before those deadlines, and hard copy filings may be made but are not required pending further order or directive of this Court; and further,

ORDERS that all motions with the exception of those in which filing deadlines were set by order or by directive of the Clerk of the Court, which were returnable between March 16, 2020, and May 5, 2020, are adjourned as follows:

- (1) Motions which were returnable between March 16, 2020, and March 31, 2020, are adjourned to, and are now, returnable on May 18, 2020;
- (2) Motions which were returnable between April 1, 2020, and April 15, 2020, are adjourned to, and are now, returnable on June 1, 2020;
- (3) Motions which were returnable between April 16, 2020, and May 6, 2020, are adjourned to, and are now, returnable on June 15, 2020;

and any opposition or, where permitted, reply papers in relation thereto shall be served in accordance with section 1250.1(c) of the Rules of Practice of the Appellate Division (22 NYCRR §1250.1[c]) and via e-mail and shall be deemed filed upon a digital copy with proof of

service being uploaded through the digital portal on this Court's website https://www.nycourts.gov/courts/AD2/Digital_Submission.shtml , on or before those dates, and hard copy filings may be made, but are not required, pending further order or directive of this Court; and further,

ORDERS that new deadlines have been set for records, appendices, and briefs in all matters being actively managed by this Court pursuant to section 670.3(b) of the Procedural Rules of the Second Department (22 NYCRR § 670.3[b]), and for papers in response to scheduling and certification orders which were due to be filed and which remain outstanding, as follows:

- (4) The deadline for records, appendices, and briefs, and for papers in response to scheduling and certification orders, which were due to be filed between March 16, 2020, and March 31, 2020, is June 5, 2020;
- (5) The deadline for records, appendices, and briefs, and for papers in response to scheduling and certification orders, which were due to be filed between April 1, 2020, and April 15, 2020, is June 19, 2020;
- (6) The deadline for records, appendices and briefs, and for papers in response to scheduling and certification orders, which were due to be filed between April 16, 2020, and May 6, 2020, is July 6, 2020;

and all such records, appendices, and briefs shall be served in accordance with section 1250.1(c) of the Rules of Practice of the Appellate Division (22 NYCRR §1250.1[c]) and via e-mail, and shall be deemed filed upon a digital copy with proof of service being uploaded through the digital portal on this Court's website https://www.nycourts.gov/courts/AD2/Digital_Submission.shtml , on or before those dates, but no hard copy filings shall be made pending further order or directive of this Court, and all such papers in response to scheduling and certification orders shall be e-mailed to AD2-activecasemgmt@nycourts.gov and to each other party to the appeal, on or before those dates; and further,

ORDERS that no further extensions of time shall be granted beyond the deadlines set forth herein, except that, in the case of extreme hardship, an application may be made to the Clerk of the Court by e-mail at ad2clerk@nycourts.gov on which the other parties to the appeal shall be copied; and further,

ORDERS that the parties shall comply with any other filing deadlines set by the Clerk of the Court or her designee, or by order of this Court, in the manner so directed or ordered; and further,

ORDERS that filing and other deadlines set forth in any order of this Court, the Practice Rules of the Appellate Division (22 NYCRR part 1250), the Rules of Practice of this Court (22 NYCRR part 670), or Electronic Filing Rules of the Appellate Division (22 NYCRR part 1245), or a prior directive of the Clerk of the Court, in relation to non-actively-managed civil matters not heretofore addressed continue to be suspended until further directive of this Court.

DATED: Brooklyn, New York
May 6, 2020

For the Court:

A handwritten signature in black ink, appearing to read 'A. D. R.', with a long horizontal stroke extending to the right.

ALAN D. SCHEINKMAN
Presiding Justice