

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FIRST DEPARTMENT

Wilson v. Archdiocese of N.Y.

Wilson, 2026 NY Slip Op 02083 (Supreme Court of the State of New York Appellate Division First Department 2026) · No. Index No. 950730/21; Appeal No. 6307; Case No. 2025-03858 · Decided April 7, 2026

SUMMARY

The Appellate Division, First Department, affirmed the denial of the Archdiocese of New York's motion for summary judgment in a Child Victims Act action alleging sexual abuse by a priest at Aquinas High School. The court held that issues of fact remained regarding whether the Archdiocese owed the plaintiff a duty of care, exercised control over the school, and had notice of the priest's propensity to abuse children.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Scarpulla, J.P.; Friedman, J.; Shulman, J.; Rodriguez, J.; Rosado, J.
JURISDICTION	New York Supreme Court, Appellate Division, First Department
DECIDED	April 7, 2026
DOCKET	Index No. 950730/21; Appeal No. 6307; Case No. 2025-03858
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff brought claims under the Child Victims Act for negligence and negligent hiring, retention, supervision, or direction. The Archdiocese moved for summary judgment dismissing the claims against it. Supreme Court, New York County, denied the motion, and the Archdiocese appealed.
STANDARD OF REVIEW	Summary judgment is proper only where the movant establishes prima facie entitlement to judgment as a matter of law; the movant must eliminate all material factual issues relevant to the claims.
PRECEDENTIAL VALUE	Published appellate decision
PARTIES	Archdiocese of New York v. Sone A. Wilson

TOPICS

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QUESTIONS PRESENTED

1. Whether the Archdiocese established prima facie that it owed plaintiff no duty of care for purposes of summary judgment.
2. Whether the Archdiocese eliminated all factual issues concerning whether it exercised sufficient control over Aquinas High School to owe plaintiff a duty of care.
3. Whether the Archdiocese eliminated all factual issues concerning its notice of the priest's propensity to abuse children.

HOLDINGS

1. The Archdiocese was not entitled to summary judgment because it failed to demonstrate prima facie that it did not owe plaintiff a duty of care.
2. The Archdiocese was not entitled to summary judgment because it failed to eliminate all issues of fact concerning whether it had notice of Parrakow's propensity to abuse children before he abused plaintiff.

KEY QUOTATIONS

“The Archdiocese's own documents and deposition testimony show that there is an issue of fact as to whether the Archdiocese operated and controlled, at least in part, Aquinas High School” ([*1])

“Here, the Archdiocese similarly failed to eliminate all issues of fact as to whether it had notice of Fr. Parrakow's propensity to abuse children before he abused plaintiff.” ([*1])

FACTUAL BACKGROUND

Sone A. Wilson alleges that she was sexually abused by Edmond Parrakow, a priest who taught at Aquinas High School while she was a student there. The Archdiocese's evidence showed that it set Parrakow's salary and benefits, approved his teaching assignment, and retained authority to remove him, although the Dominican Convent handled the school's day-to-day operations. The record also contained evidence bearing on whether the Archdiocese had notice of Parrakow's propensity to abuse children before the alleged abuse occurred.

PROCEDURAL HISTORY

Supreme Court, New York County, denied the Archdiocese's motion for summary judgment dismissing plaintiff's claims against it. The Appellate Division, First Department, unanimously affirmed the order insofar as appealed from, without costs.

DISPOSITION

affirmed

CASES CITED

- C.R. v. Episcopal Diocese of N.Y., 2025 NY Slip Op 05144, *1 (1st Dep't 2025)
- Schlesinger v. Sisters of the Order of St. Dominic, 236 A.D.3d 1074, 1076 (2d Dep't 2025)
- S.A.W. v. Archdiocese of N.Y., 246 A.D.3d 451, 451 (1st Dep't 2026)

OPINION

PER CURIAM.

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2026 NY Slip Op 02083

April 7, 2026

Appellate Division, First Department

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This decision is uncorrected and subject to revision before publication in the Official Reports.

Sone A. Wilson, Respondent,

v

Archdiocese of New York, Appellant, Aquinas High School, et al., Defendants.

Decided and Entered: April 07, 2026

Index No. 950730/21|Appeal No. 6307|Case No. 2025-03858|

Before: Scarpulla, J.P., Friedman, Shulman, Rodriguez, Rosado, JJ.

Wilson Elser Moskowitz Edelman & Dicker LLP, New York (Patrick J. Lawless of counsel), for appellant.

Hasapidis Law Offices, Scarsdale (Annette G. Hasapidis of counsel), for respondent.

Order, Supreme Court, New York County (Sabrina Kraus, J.), entered on or about May 19, 2025, which, to the extent appealed from as limited by the briefs, denied defendant Archdiocese of New York's motion for summary judgment dismissing plaintiff's claims for negligence and negligent hiring, retention, supervision, or direction as against it, unanimously affirmed, without costs.

In this action brought pursuant to the Child Victims Act, CPLR 214-g, plaintiff alleges that she was sexually abused by defendant Edmond Parrakow, a priest who taught at defendant Aquinas High School, while she was a student there.

Defendant Archdiocese's motion for summary judgment dismissing the complaint was properly denied because the Archdiocese failed to demonstrate, prima facie, that it did not owe plaintiff a

duty of care. The Archdiocese's own documents and deposition testimony show that there is an issue of fact as to whether the Archdiocese operated and controlled, at least in part, Aquinas High School (*see C.R. v Episcopal Diocese of N.Y.*, — AD3d —, —, 2025 NY Slip Op 05144, *1 [1st Dept 2025]; *Schlesinger v Sisters of the Order of St. Dominic*, 236 AD3d 1074, 1076 [2d Dept 2025]).

The record shows that defendant Dominican Convent of Our Lady of the Rosary handled Aquinas High School's day-to-day operations, but also that the Archdiocese retained at least some degree of control over the school.

For example, the Archdiocese submitted testimony showing that it set Fr. Parrakow's salary and benefits, approved the assignment of Fr. Parrakow to teach at Aquinas High School, and retained the authority to remove him.

As to the Archdiocese's argument that it lacked notice of Fr. Parrakow's propensity to abuse children, it relied on the same body of evidence as defendants Dominican Convent of Our Lady of the Rosary and Aquinas High School, which evidence we previously determined raises issues of fact as to notice (*see S.A.W. v Archdiocese of N.Y.*, 246 AD3d 451, 451 [1st Dept 2026]).

Here, the Archdiocese similarly failed to eliminate all issues of fact as to whether it had notice of Fr. Parrakow's propensity to abuse children before he abused plaintiff.

We have considered the Archdiocese's remaining contentions and find them unavailing.

THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT.

ENTERED: April 7, 2026

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