

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

Matter of Stecker v. New York State Unified Ct. System-Office of Ct.
Admin.

2026 NY Slip Op 02123 · No. 2023-01205 · Decided April 8, 2026

SUMMARY

The Appellate Division, Second Department dismissed an appeal and dismissed as academic a CPLR article 78 proceeding challenging a determination of the New York State Office of Court Administration. The proceeding became academic because a revised determination superseded the challenged determination, and the respondent was awarded one bill of costs.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, Second Department
WRITING FOR THE COURT	Betsy Barros, J.P.; Angela G. Iannacci, J.; Helen Voutsinas, J.; Elena Goldberg Velazquez, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, Second Department
DECIDED	April 8, 2026
DOCKET	2023-01205
DISPOSITION	dismissed
PROCEDURAL POSTURE	CPLR article 78 proceeding challenging a determination of the New York State Office of Court Administration, transferred to the Appellate Division under CPLR 7804(g), with an appeal from the transfer order.
PRECEDENTIAL VALUE	Published
PARTIES	Michael Stecker v. New York State Unified Court System-Office of Court Administration

TOPICS

- mootness
- appellate procedure
- judicial review of agency action
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the appeal from the Supreme Court's transfer order should be dismissed under CPLR 5701(b) and 7804(g).
2. Whether the CPLR article 78 proceeding should be dismissed as academic after the challenged agency determination was superseded by a revised determination.

HOLDINGS

1. The appeal was dismissed pursuant to CPLR 5701(b) and 7804(g).
2. The proceeding was dismissed as academic because the revised determination dated March 15, 2023 superseded the determination challenged in the proceeding.

FACTUAL BACKGROUND

The petitioner sought review of a July 13, 2022 determination by the New York State Office of Court Administration. During the litigation, the agency issued a revised determination on March 15, 2023, which superseded the earlier determination. Because the challenged determination was no longer operative, the proceeding no longer presented a live controversy.

PROCEDURAL HISTORY

The petitioner commenced a CPLR article 78 proceeding to review the Office of Court Administration's July 13, 2022 determination. Supreme Court, Suffolk County, transferred the proceeding to the Appellate Division pursuant to CPLR 7804(g), and the petitioner appealed from that order. While the matter was pending, the agency issued a revised determination dated March 15, 2023, superseding the challenged determination.

DISPOSITION

dismissed

CASES CITED

- Matter of Stecker v. New York State Unified Ct. Sys.-Off. of Ct. Admin., Appellate Division Docket No. 2024-01090 (decided herewith)