

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

Matter of Mackey v. Mennin

Mackey, 2026 NY Slip Op 03072 (Supreme Court of the State of New York Appellate Division First Department 2026) · No. Motion No. M-1948; Appeal No. 6650; Case No. 2026-01529 · Decided May 14, 2026

SUMMARY

The Appellate Division, First Department denied Lashawn Mackey's application for relief under article 78 of the New York Civil Practice Law and Rules and dismissed the petition without costs or disbursements. The court also denied the motion for a stay.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Manzanet-Daniels, J.P.; Kennedy, J.; Friedman, J.; Gesmer, J.; Rosado, J.
JURISDICTION	New York Supreme Court, Appellate Division, First Department
DECIDED	May 14, 2026
DOCKET	Motion No. M-1948; Appeal No. 6650; Case No. 2026-01529
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner presented an application to the Appellate Division pursuant to article 78 of the Civil Practice Law and Rules and separately moved for a stay.
PRECEDENTIAL VALUE	Published intermediate appellate decision
PARTIES	Lashawn Mackey v. Felicia Anne Mennin, Alvin L. Bragg, Jr.

TOPICS

- appellate procedure
- civil procedure
- remedies

PRACTICE AREAS

- Civil procedure
- Appellate procedure
- Remedies

QUESTIONS PRESENTED

1. Whether the petitioner's article 78 application should be granted.
2. Whether the motion for a stay should be granted.

HOLDINGS

1. The Appellate Division denied the application and dismissed the petition.
2. The motion for a stay was denied.

KEY QUOTATIONS

"It is unanimously ordered that the application be and the same hereby is denied and the petition dismissed, without costs or disbursements." (*1)

FACTUAL BACKGROUND

The opinion does not set out the underlying facts or the nature of the challenged governmental action. It records only that Lashawn Mackey presented an article 78 application to the Appellate Division and sought a stay.

PROCEDURAL HISTORY

The opinion contains no description of proceedings in a lower court. The Appellate Division denied the article 78 application, dismissed the petition without costs or disbursements, and denied the motion for a stay.

DISPOSITION

dismissed

OPINION

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PER CURIAM.

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May 14, 2026

Appellate Division, First Department

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

In the Matter of Lashawn Mackey, Petitioner,

v

Felicia Anne Mennin, et al., Respondents.

Decided and Entered: May 14, 2026

Motion No. M-1948|Appeal No. 6650|Case No. 2026-01529| Before: Manzanet-Daniels, J.P., Kennedy, Friedman, Gesmer, Rosado, JJ. New York County Defender Services, New York (Jessica Horani of counsel), for petitioner. Letitia James, Attorney General State of New York (James B. Cooney of counsel), for Hon. Felicia Mennin, respondent. Alvin L. Bragg, Jr., District Attorney, New York (Franklin R. Guenthner of counsel), for Alvin L. Bragg, Jr., respondent. [*1] The above-named petitioner having presented an application to this Court praying for an order, pursuant to article 78 of the Civil Practice Law and Rules, Now, upon reading and filing the papers in said proceeding, and due deliberation having been had thereon, It is unanimously ordered that the application be and the same hereby is denied and the petition dismissed, without costs or disbursements. M-1948 - *Matter of Mackey v Mennin* Motion for stay, denied. THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT. ENTERED: May 14, 2026

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PER CURIAM.

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M-1948 - *Matter of Mackey v Mennin*

Motion for stay, denied.

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

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