

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

M297588  
AFA/

BETSY BARROS, J.P.  
ANGELA G. IANNACCI  
WILLIAM G. FORD  
HELEN VOUTSINAS, JJ.

---

2024-04378

DECISION & ORDER ON MOTION

Oral Clarke, et al., respondents,  
v Town of Newburgh, et al., appellants.

(Index No. 2460/2024)

---

Appeal from an order of the Supreme Court, Orange County, dated May 17, 2024. Motion by the appellants to stay all proceedings in the above-entitled action, pending hearing and determination of the appeal, to set an expedited briefing schedule, and for a preference in the calendaring of the appeal.

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

ORDERED that the branch of the motion which is to stay all proceedings in the above-entitled action, pending hearing and determination of the appeal, is denied; and it is further,

ORDERED that the branch of the motion which is to set an expedited briefing schedule is granted, and on or before July 17, 2024, the appellants shall perfect the appeal by causing the original papers constituting the record on appeal to be filed in the office of the Clerk of this Court (*see* 22 NYCRR 1250.9[a][5], 1250.14[b]), and by serving and filing the appellant's brief via NYSCEF, if applicable, or, if NYSCEF is not mandated, by serving the appellant's brief, and uploading a digital copy of the appellant's brief, with proof of service thereof, through the digital portal on this Court's website; and it is further,

ORDERED that on or before July 31, 2024, the respondents shall serve and file the respondents' brief via NYSCEF, if applicable, or, if NYSCEF is not mandated, serve the brief and upload a digital copy of the brief, with proof of service thereof, through the digital portal on this Court's website; and it is further,

ORDERED that on or before August 7, 2024, the appellants shall serve and file the reply brief via NYSCEF, if applicable, or if NYSCEF is not mandated, serve the reply brief and  
July 3, 2024

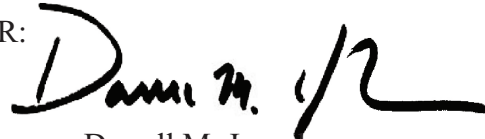
Page 1.

upload a digital copy of the reply brief, with proof of service thereof, through the digital portal on this Court's website; and it is further,

ORDERED that the branch of the motion which is for a preference in the calendaring of the appeal is granted and the appeal will be calendared expeditiously after all briefs have been filed.

BARROS, J.P., IANNACCI, FORD and VOUTSINAS, JJ., concur.

ENTER:

A handwritten signature in black ink, appearing to read "Darrell M. Joseph", with a stylized flourish extending to the right.

Darrell M. Joseph  
Clerk of the Court