

NEW YORK STATE COURT OF APPEALS
22 NYCRR §500.22 - MOTION FOR LEAVE TO APPEAL IN CIVIL CASES

- ◆ **Filing and Notice 500.22(a)** - In addition to the submission in digital format required by subsection 500.22(e) of this section, movant shall file an original and one copy of its motion, unless permitted to proceed pursuant to subsection 500.21(g), with proof of service of one copy on each other party. The motion shall be noticed for a return date in compliance with CPLR 5516 and subsection 500.21(b) of this Part.
- ◆ **Content 500.22(b)** - The motion shall be a single document, bound on the left, and shall contain in the order here indicated:
 - (1) A notice of motion (see CPLR 2214).
 - (2) A statement of the procedural history of the case, including a showing of the timeliness of the motion.
 - (3) A showing that this Court has jurisdiction of the motion and of the proposed appeal, including that the order or judgment sought to be appealed from is a final determination or comes within the special class of nonfinal orders appealable by permission of the Court of Appeals (see CPLR 5602(a)(2)).
 - (4) A concise statement of the questions presented for review and why the questions presented merit review by this Court, such as that the issues are novel or of public importance, present a conflict with prior decisions of this Court, or involve a conflict among the departments of the Appellate Division. Movant shall identify the particular portions of the record where the questions sought to be reviewed are raised and preserved.
 - (5) A disclosure statement pursuant to subsection [500.1\(f\)](#) of this Part, if required.
 - (6) Copies of the order or judgment sought to be appealed from with notice of entry, as well as copies of all relevant orders, opinions or memoranda rendered in the courts below. The papers shall state if no opinion was rendered.
- ◆ **Additional Documents 500.22(c)** - Movant shall file with its motion one copy of the record below, or appendix if the appendix method was used in the court below, and one copy of the briefs filed below by each of the parties in digital format only, unless a request to be relieved of the digital filing requirements is submitted pursuant to subsection 500.2(e) of this Part. If a request to be relieved of the digital filing requirements is submitted pursuant to subsection 500.2(e) of this Part, movant shall file with its motion one unbound copy of the record below, or appendix if the appendix method was used in the court below, and one unbound copy of the briefs filed below by each of the parties.
- ◆ **Opposing Papers 500.22(d)** - In addition to the submission in digital format required by subsection 500.22(e) of this section, respondent may file an original and one copy of papers in opposition to the motion, with proof of service of one copy on each other party. The opposing papers shall state concisely respondent's argument for dismissal or denial of the motion.
- ◆ **Companion Submission in Digital Format 500.22(e)** - Unless a request to be relieved of the digital filing requirement is submitted pursuant to subsection 500.2(e) of this Part, each party shall submit in digital format its motion or opposition papers. Movant shall also submit in digital format one copy of the record below, or appendix if the appendix was used in the court below, and one copy of the briefs filed below by each of the parties. The motion, opposition and papers filed in the court below in digital format shall be identical to the filed original printed motion or opposition papers and papers filed in the court below, except it need not contain an original signature. All material submitted under this section shall comply with the technical specifications and instructions for submission available from the Clerk's Office. The companion motion and opposition papers in digital format shall be submitted no later than seven days after the return date of the motion.
- ◆ **Disclosure Statement §500.1(f)** - All papers filed by or on behalf of a corporation or other business entity shall contain a disclosure statement listing all its parents, subsidiaries and affiliates, or state that no such parents, subsidiaries and affiliates exist.