



State of New York
Court of Appeals

Heather Davis, Esq.
Chief Clerk and
Legal Counsel to the Court

Clerk's Office
20 Eagle Street
Albany, New York 12207-1095
518-455-7700

January 29, 2026

Sent via e-mail only

Troutman Pepper Locke LLP
Attn: Bennet J. Moskowitz, Esq.
875 3rd Avenue
New York, NY 10022-6225

Cullen and Dykman LLP
Attn: Nicholas J. Faso, Esq.
80 State Street, Suite 900
Albany, NY 12207-2541

Re: Williams v Board of Elections
APL-2026-00010

Dear Counselors:

The Court has received your respective preliminary appeal statements and proposed orders to show cause. The proposed orders to show cause were reviewed by Judge Cannataro, who signed an order bringing on motions for a stay. No interim stay relief was granted.

You must serve the signed order to show cause as directed therein and provide proof of such service. You must submit the \$45 civil motion in a form permitted by Rule 500.3.

The Court is determining whether it has jurisdiction for the appeals (CPLR 5601). The Court is providing you an opportunity to address these jurisdictional questions:

1. whether simultaneous appeals lie to this Court and the Appellate Division from the same order;
2. whether the order appealed from finally determines the action within the meaning of the Constitution;
3. whether the only issue involved is the constitutional validity of a statute so as to support a direct appeal pursuant to CPLR 5601 (b) (2).

Williams v Board of Elections

January 29, 2026

-Page 2-

All parties may file letters responsive to this inquiry no later than 5:00 p.m. on Wednesday, February 4, 2026, with proof of service on each other party.

Questions may be directed to the Clerk's Office at 518-455-7700.

Very truly yours,

A handwritten signature in black ink, appearing to read "Heather Davis", with a long horizontal flourish extending to the right.

Heather Davis

HD/RMM/ks

cc: Hon. Anthony Cannataro
Christopher D. Dodge, Esq.
Kevin G. Murphy, Esq.
Andrea Trento, Esq.

State of New York Court of Appeals

Present, Hon. Anthony Cannataro, *Associate Judge*

Michael Williams et al.,
Respondents,

v.

Board of Elections of the State of New York, et al.,
Respondents,

Peter S. Kosinski, et al.,
Appellants,

Nicole Malliotakis, et al.,
Intervenors-Appellants.

Appellants and Intervenors-Appellants having separately appealed to the Court of Appeals and having separately filed proposed orders to show cause seeking to bring on motions to stay the order of Supreme Court, New York County, dated January 21, 2026, in the above-titled matter and requesting interim stay relief as to the same order; and upon due consideration, it is hereby:

ORDERED that respondents are directed to show cause at a motion term to be held on Wednesday, February 4, 2026, why an order should not be entered granting a stay of the January 21, 2026 Supreme Court order; and it is further

ORDERED that appellants and intervenors-appellants serve a copy of this order and all supporting papers upon counsel for all other parties no later than January 29, 2026 by email and overnight service. Any papers opposing the motion shall be served and filed, as directed by the Clerk's Office, no later than 5:00 p.m. on the return date of the motion; and it is further.

ORDERED, that no interim stay relief is granted.



Hon. Anthony Cannataro
Associate Judge, Court of Appeals

Dated: New York, New York
January 29, 2026