

Town of Montauk v Hon. Lorraine Cortez-Vasquez, as Secretary of State of State of New York, with control of, & responsibility for, Div. of Corps. of Dept. of State

Motion No:

Slip Opinion No: 2013 NY Slip Op 84889

Decided on September 12, 2013

Court of Appeals Motion Decision

Published by [New York State Law Reporting Bureau](#) pursuant to Judiciary Law § 431.

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

Town of Montauk,

Appellant,

v

Hon. Lorraine Cortez-Vasquez, as Secretary of State of the State of New York, with control of, and responsibility for, the Division of Corporations of the Department of State,

Respondent.

Appeal transferred without costs, by the Courtsua sponte, to the Appellate Division, Third Department, upon the ground that a direct appeal does not lie when questions other than the constitutional validity of a statutory provision are involved (see NY Const, art VI, §§ 3[b][2], 5[b]; CPLR 5601[b][2]).