

S.D.N.Y.–N.Y.C.  
14-cv-8235  
Crotty, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 12<sup>th</sup> day of November, two thousand nineteen.

Present:

Richard C. Wesley,  
Debra Ann Livingston,  
Joseph F. Bianco,  
*Circuit Judges.*

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Joseph Cracco,

*Plaintiff-Appellee,*

v.

19-1129

Cyrus R. Vance, Jr.,

*Defendant-Appellant,*

City of New York, et. al.,

*Defendants.*

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Appellant moves for vacatur of the district court's judgment and certain decisions, dismissal of this appeal as moot, and remand for dismissal of the action. Two non-parties move to file an amicus curiae response to the Appellant's motion. Upon due consideration it is hereby ORDERED that that the motion to file an amicus curiae response is GRANTED. See Fed. R. App. P. 2. It is further ORDERED that Appellant's motion is DENIED without prejudice to the mootness issue being further addressed in the parties' appellate briefs along with the merits of the appeals. In addition to all other matters the parties wish to address in their appellate briefs, they must address the scope of declaratory relief granted by the district court and the current and potential use of the definition of "gravity knife" in New York Penal Law § 265.00(5) in prosecutions and other proceedings under other provisions of law.

The Appellant is directed to file a scheduling notification within 14 days of the date of entry of this order pursuant to Second Circuit Local Rule 31.2.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

  
