

DAY CALENDAR
Monday, February 27, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

220.0
KA 16-00216

PEOPLE
V
TINA KRENKEL

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered January 12, 2016. The judgment convicted defendant, upon her plea of guilty, of criminal possession of a controlled substance in the seventh degree.

JOSEPH G. FRAZIER for TINA KRENKEL Submitted

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK Submitted

221.0
KA 15-01529

PEOPLE
V
ANDREW J. ASKINS

Appeal from an order of the Ontario County Court (William F. Kocher, J.), entered November 20, 2013. The order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

MARY P. DAVISON for ANDREW J. ASKINS Submitted

JAMES B. RITTS for PEOPLE OF THE STATE OF NEW YORK Submitted

222.0
KA 15-00909

PEOPLE
V
MICHAEL A. KING, JR.

Appeal from a decision and order of the Genesee County Court (Robert C. Noonan, J.), dated April 24, 2015. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

NICHOLAS P. DIFONZO for MICHAEL A. KING, JR. Submitted

WILLIAM G. ZICKL for PEOPLE OF THE STATE OF NEW YORK Submitted

223.0
KA 15-00984

PEOPLE
V
MICHAEL NEWMAN

Appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered April 27, 2015. The order determined that defendant is a level three risk, pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for MICHAEL NEWMAN Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

224.0
KA 11-02039

PEOPLE
V
TERRIE J. RUSH

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, J.), rendered August 12, 2011. The judgment convicted defendant, upon a jury verdict, of identity theft in the first degree and criminal possession of a forged instrument in the second degree.

	DEENA K. MUELLER for TERRIE J. RUSH	10 minutes
	LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK	10 minutes
225.0 KA 16-00510	PEOPLE V GARY THIBODEAU	
	Appeal from a decision and order of the Oswego County Court (Daniel R. King, J.), dated March 2, 2016. The decision and order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.	
	LISA A. PEEBLES for GARY THIBODEAU	15 minutes
	GREGORY S. OAKES for PEOPLE OF THE STATE OF NEW YORK	15 minutes
226.0 KA 15-00994	PEOPLE V DWAYNE HOLLEY	
	Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered October 4, 2012. The judgment convicted defendant, upon a nonjury verdict, of robbery in the first degree.	
	ROBERT L. KEMP for DWAYNE HOLLEY	10 minutes
	DANIEL J. PUNCH, for PEOPLE OF THE STATE OF NEW YORK	10 minutes
227.0 KA 15-00665	PEOPLE V TWAN CONWAY	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), dated March 24, 2015. The order denied the motion of defendant to vacate the judgment of conviction pursuant to CPL 440.10.	
	ALAN WILLIAMS for TWAN CONWAY	10 minutes
	MICHAEL J. HILLERY for PEOPLE OF THE STATE OF NEW YORK	10 minutes
228.0 KA 16-00647	PEOPLE V MICHAEL D. STEVENS	
	Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered April 12, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and resisting arrest.	
	LESLIE R. LEWIS for MICHAEL D. STEVENS	10 minutes
	STEVEN G. COX for PEOPLE OF THE STATE OF NEW YORK	10 minutes
229.0 KA 11-01294	PEOPLE V STEPHEN D. TAYLOR	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered May 19, 2011. The judgment convicted defendant, upon a jury verdict of criminal possession of a weapon in the second degree (two counts) and criminal possession of a weapon in the third degree.	
	BRIDGET L. FIELD for STEPHEN D. TAYLOR	10 minutes

	LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK	Submitted
230.0 KA 15-00341	PEOPLE V STEPHEN D. TAYLOR	
	Appeal from a decision and order of the Monroe County Court (Victoria M. Argento, J.), entered January 5, 2015. The decision and order denied the CPL article 440 motion of defendant.	
	BRIDGET L. FIELD for STEPHEN D. TAYLOR	Submitted
	LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK	Submitted
231.0 KA 14-02247	PEOPLE V RICHARD M. SWITTS	
	Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered December 8, 2014. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the second degree (six counts), sexual abuse in the second degree (two counts), sexual abuse in the third degree (three counts).	
	LINDA M. CAMPBELL for RICHARD M. SWITTS	15 minutes
	AMY LEIGH HALLENBECK for PEOPLE OF THE STATE OF NEW YORK	15 minutes
232.0 KA 15-02066	PEOPLE V RICHARD M. SWITTS	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Oswego County Court (Donald E. Todd, J.), entered November 5, 2015. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of criminal sexual act in the second degree (six counts), sexual abuse in the second degree (two counts), sexual abuse in the third degree (three counts).	
	LINDA M. CAMPBELL for RICHARD M. SWITTS	Submitted
	AMY LEIGH HALLENBECK for PEOPLE OF THE STATE OF NEW YORK	Submitted
233.0 CA 16-00596	ALBERT G. FRACCOLA, JR. V 1ST CHOICE REALTY, INC.	
	Appeal from a decision, order and judgment (denominated order) of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered July 20, 2015. The decision, order and judgment determined that plaintiff had engaged in frivolous conduct and awarded defendant Phyllis Fraccola attorney's fees of \$1200.	
	ALBERT G. FRACCOLA, JR., for HIMSELF	10 minutes
	JAY G. WILLIAMS, III, for CHAD CARTENSEN	10 minutes
234.0 CA 15-02101	DENIS AKGUN V STATE OF NEW YORK	

Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered November 10, 2015. The order, insofar as appealed from, directed that petitioner be placed on strict and intensive supervision and treatment.

BRYCE THERRIEN for DENIS AKGUN

Submitted

ALLYSON B. LEVINE for STATE OF NEW YORK

10 minutes

235.0
CA 16-00235

DANA S. HORVATH

V

JAMES M. HUTCHINSON, JR.

Appeal from a judgment of the Supreme Court, Jefferson County (James P. McClusky, J.), entered June 26, 2015. The judgment, among other things, granted the parties a divorce, nunc pro tunc.

LIONEL HECTOR for JAMES M. HUTCHINSON, JR.

10 minutes

KEITH B. CAUGHLIN for DANA S. HORVATH

10 minutes

236.0
CA 16-00289

MOUNTAIN MEADOWS CAMPERS ASSOCIATION

V

CAMPERS RESORTS, INC.

Appeal from a decision and order the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered April 28, 2015. The decision and order, insofar as appealed from, denied in part the motion of plaintiff for summary judgment and granted the cross motion of defendants for summary judgment.

ANN M. CAMPBELL for MOUNTAIN MEADOWS CAMPERS ASSOCIATION

15 minutes

MICHAEL E. FERDMAN for CAMPERS RESORTS, INC.

15 minutes

237.0
CA 16-00779

JERAD M. ZARNOCH

V

ROBERT W. LUCKINA

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered July 23, 2015. The order, insofar as appealed from, denied the motion of plaintiff to dismiss the affirmative defense of special employment.

EDWARD C. COSGROVE for JERAD M. ZARNOCH

15 minutes

VINCENT J. ROSSI, JR., for ROBERT W. LUCKINA

10 minutes

238.0
CA 16-00780

JERAD M. ZARNOCH

V

ROBERT W. LUCKINA

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered January 5, 2016. The judgment and order dismissed the complaint upon a jury verdict and denied the motion of plaintiff to set aside the verdict.

EDWARD C. COSGROVE for JERAD M. ZARNOCH

Submitted

VINCENT J. ROSSI, JR., for ROBERT W. LUCKINA

Submitted

239.0
CA 16-01305

DANIELLE N. CARR

V

CHRISTOPHER F. SHEEHAN

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered October 9, 2015. The order granted the motion of plaintiffs to enforce a settlement agreement.

TIMOTHY J. FENNELL for CHRISTOPHER F. SHEEHAN

10 minutes

DAVID B. GEURTSSEN for DANIELLE N. CARR

10 minutes

240.0
CA 16-00137

LEROY PIERCE

V

STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Joseph E. Fahey, A.J.), entered December 23, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, continued petitioner's commitment to a secure treatment facility.

MICHAEL HIGGINS for LEROY PIERCE

10 minutes

FRANK BRADY for STATE OF NEW YORK

10 minutes

241.0
CA 15-01757

EDWARD FERRIS

V

GEORGE MERCIER

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered January 23, 2015. The order granted the motion of defendants to dismiss the complaint, dismissed the complaint and awarded defendants disbursements and attorney's fees in the amount of \$3,549.

EDWARD FERRIS for HIMSELF

Submitted

F. MICHAEL OSTRANDER for GEORGE MERCIER

15 minutes

242.0
CA 16-01420

BETHLEHEM STEEL CORPORATION

V

COUNTY OF ERIE

Appeal from an order and judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered October 13, 2015. The order and judgment granted the motion of respondents for leave to amend their answers, granted the motion of respondents for summary judgment and denied the motion of petitioner for summary judgment.

CRAIG A. LESLIE for BETHLEHEM STEEL CORPORATION

10 minutes

DANIEL A. SPITZER for COUNTY OF ERIE

15 minutes

DAY CALENDAR
Tuesday, February 28, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

260.0
CA 16-01329

AIDEN GONZALEZ
V
TAMMY POVOSKI

Appeal and cross appeals from a decision and order of the Supreme Court, Steuben County (Joseph W. Latham, A.J.), entered October 2, 2015. The decision and order denied the respective motions and cross motions of the parties for summary judgment.

CHRISTINE GASSER for VILLAGE OF ADDISON	15 minutes
CHRISTOPHER G. JOHNSON for ELIZABETH SNOW	10 minutes
SHEILA FINN SCHWEDES for TAMMY POVOSKI	Submitted
LAUREN M. MILLER for SULLIVAN TRAIL CONSTRUCTION CO., INC.	10 minutes
PATRICIA A. MOONEY for CORNING NATURAL GAS CORPORATION	15 minutes

243.0
KA 14-01655

PEOPLE
V
JOSEPH ELIOFF

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered March 21, 2014. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree.

PIOTR BANASIAK for JOSEPH ELIOFF	Submitted
JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	Submitted

244.0
KA 14-00207

PEOPLE
V
WESLEY A. SMITH

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered December 3, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree (two counts).

JANET C. SOMES for WESLEY A. SMITH	Submitted
STEPHEN X. O'BRIEN for PEOPLE OF THE STATE OF NEW YORK	Submitted

245.0
KA 14-01059

PEOPLE
V
WAYNE A. PRYCE

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered October 2, 2013. The judgment convicted defendant, upon his plea of guilty, of bail jumping in the second degree

JOHN A. CIRANDO for WAYNE A. PRYCE	10 minutes
JASON A. MACBRIDE for PEOPLE OF THE STATE OF NEW YORK	5 minutes

246.0
KA 14-00479

PEOPLE
V
TERRENCE D. BEARD

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered February 24, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree (two counts).

MARY P. DAVISON for TERRENCE D. BEARD 5 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 5 minutes

247.0
KA 16-00427

PEOPLE
V
CARL N. LIGHTFOOT

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered January 13, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

JOSEPH G. FRAZIER for CARL N. LIGHTFOOT Submitted

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK Submitted

248.0
TP 15-00796

KHALID EMERSON
V
NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Erie County [John A. Michalek, J.], entered May 8, 2015 to review a determination of respondent. The determination denied the application of petitioner to amend an indicated report of child abuse.

DIANE MARIE CIURCZAK for KHALID EMERSON Submitted

JOSEPH M. SPADOLA for NYS OFFICE OF CHILDREN & FAMILY SERVS. Submitted

249.0
TP 16-01478

MICHAEL LAFFERTY
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered August 26, 2016) to review a determination of respondent. The determination revoked petitioner's parole.

LEAH R. NOWOTARSKI for MICHAEL LAFFERTY Submitted

FRANK BRADY for ANTHONY ANNUCCI Submitted

250.0
KA 14-00990

PEOPLE
V
WAYNE A. PRYCE

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered January 11, 2012. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

JOHN A. CIRANDO for WAYNE A. PRYCE 10 minutes

JASON A. MACBRIDE for PEOPLE OF THE STATE OF NEW YORK 5 minutes

251.0
KAH 14-00819

PEOPLE EX REL.
ERICK M. CAMPBELL
V
SUPERINTENDENT J. COLVIN

Appeal from a decision, order and judgment of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered January 16, 2014. The decision, order and judgment, insofar as appealed from, denied the motion of petitioner for default judgment and denied and dismissed the application for a writ of habeas corpus.

PETER J. DIGIORGIO, JR., for ERICK M. CAMPBELL

10 minutes

BRIAN D. GINSBERG for SUPERINTENDENT J. COLVIN

10 minutes

252.0
CAF 16-00650

CLIFFORD E. DRAKE
V
BELLE ROSE RILEY

Appeal from an order of the Family Court, Steuben County (Gerald J. Alonzo, Jr., J.), entered April 6, 2016, in a proceeding pursuant to Family Court Act article 8. The order, among other things, directed respondent to refrain from having any contact with petitioner.

MARY P. DAVISON for BELLE ROSE RILEY

5 minutes

CHRISTINE M. VALKENBURGH for CLIFFORD E. DRAKE

5 minutes

WENDY S. SISSON, ATTORNEY FOR CHILD

5 minutes

253.0
CAF 16-00919

DIANA HARRISON
V
STEVEN HARRISON

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered August 15, 2015 in a proceeding pursuant to Family Court Act article 4. The order denied petitioner's objections to an order of the Support Magistrate, which dismissed the petition with prejudice.

KRISTIN L. ARCURI for DIANA HARRISON

Submitted

KEITH IRWIN KADISH for STEVEN HARRISON

Submitted

254.0
CA 16-01395

JACOB MARTINEZ
V
CITY OF BUFFALO

Appeal and cross appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered November 9, 2015. The order denied the motion of plaintiff for summary judgment on negligence, granted the motion of plaintiff for summary judgment on the issue of serious injury and declared that the reckless disregard standard of Vehicle and Traffic Law § 1103 (b) applies.

JOHN A. COLLINS for JACOB MARTINEZ

10 minutes

DAVID M. LEE for CITY OF BUFFALO

10 minutes

255.0
CA 16-01300

CHRISTINE M. MICHAEL
V
GINA M. WAGNER

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered January 11, 2016. The order, among other things, denied defendant Gina M. Wagner's cross motion for summary judgment dismissing plaintiff's complaint.

LAURENCE D. BEHR for GINA M. WAGNER

10 minutes

	JOHN A. COLLINS for CHRISTINE M. MICHAEL	10 minutes
256.0 CA 16-00835	DAVID J. PACY V COWEN HOLDINGS, INC.	
	Appeal from an order of the Supreme Court, Chautauqua County (Paul B. Wojtaszek, J.), entered February 2, 2016. The order granted the motion of defendants Alliance Laundry Holdings, LLC, Alliance Laundry Systems, LLC, and Raytheon Commercial Laundry, LLC, for summary judgment dismissing plaintiffs' complaint.	
	JOHN A. COLLINS for DAVID J. PACY	10 minutes
	THOMAS JOSEPH SPEYER for COWEN HOLDINGS, INC.	15 minutes
257.0 CA 16-01739	TIME CAP DEVELOPMENT CORP. V COLONY INSURANCE COMPANY	
	Appeal and cross appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (James P. Murphy, J.), entered September 9, 2016. The order and judgment denied the motion of defendant/third-party plaintiff, Colony Insurance Company for renewal of its prior cross motion for summary judgment and denied the cross motion of third-party defendant Cincinnati Insurance Company for summary judgment	
	S. DWIGHT STEPHENS for COLONY INSURANCE COMPANY	10 minutes
	KEVIN R. VAN DUSER for TIME CAP DEVELOPMENT CORP.	10 minutes
	FRANK MISITI for CINCINNATI INSURANCE COMPANY	15 minutes
258.0 CA 16-01580	REBECCA A. AMERMAN V CAITLYN S. REEVES	
	Appeal from an order of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered March 8, 2016. The order denied the motion of plaintiff for summary judgment on the issue of negligence against defendant Alan M. Brown.	
	MICHAEL G. BERSANI for REBECCA A. AMERMAN	10 minutes
	JUSTIN P. HARMOM for ALAN M. BROWN	10 minutes
259.0 CA 16-01328	JENNIFER WAITE V TOWN OF CHAMPION	
	Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J., entered December 16, 2015. The order dismissed the verified CPLR article 78 petition.	
	BRADLEY M. PINSKY for JENNIFER WAITE	15 minutes
	ROBERT JAMES SLYE for TOWN OF CHAMPION	10 minutes
263.0 CA 15-01920	TIME CAP DEVELOPMENT CORP. V COLONY INSURANCE COMPANY	

Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (James P. Murphy, J.), entered July 21, 2015. The order and judgment, among other things, denied the cross motion of third-party plaintiff-appellant seeking a declaration that third-party defendant is a co-insurer for plaintiff on a 50/50 basis in the underlying action.

S. DWIGHT STEPHENS for COLONY INSURANCE COMPANY	10 minutes
KEVIN R. VAN DUSER for TIME CAP DEVELOPMENT CORP.	10 minutes
FRANK MISITI for CINCINNATI INSURANCE COMPANY	15 minutes

DAY CALENDAR
Tuesday, February 28, 2017 - 10:00 AM
COURTROOM 2

264.0
KA 12-00113

PEOPLE
V
RAYSHON DAYS

Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered August 24, 2011. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

PHILIP ROTHSCHILD for RAYSHON DAYS

Submitted

VICTORIA M. WHITE for PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Wednesday, March 1, 2017 - 10:00 AM
COURTROOM 2

265.0
TP 16-01480

EDDIE MCLOYD
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered August 26, 2016) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for EDDIE MCLOYD

Submitted

PATRICK A. WOODS for ANTHONY ANNUCCI

Submitted

266.0
KA 15-00565

PEOPLE
V
DENNIS J. CALKINS

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered January 5, 2015. The judgment convicted defendant, upon his plea of guilty, of unlawful manufacture of methamphetamine in the third degree.

TIMOTHY P. MURPHY for DENNIS J. CALKINS

Submitted

KATHERINE K. BOGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

267.0
KA 14-00575

PEOPLE
V
KEVIN V. BYNG

Appeal from a judgment of the Onieda County Court (Barry M. Donalty, J.), rendered September 2, 2011. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree.

PETER J. DIGIORGIO, JR., for KEVIN V. BYNG

Submitted

STEVEN G. COX for PEOPLE OF THE STATE OF NEW YORK

Submitted

268.0
KA 14-00574

PEOPLE
V
KEVIN V. BYNG

Appeal from a judgment of the Onieda County Court (Barry M. Donalty, J.), rendered September 8, 2011. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the third degree.

PETER J. DIGIORGIO, JR., for KEVIN V. BYNG

Submitted

STEVEN G. COX for PEOPLE OF THE STATE OF NEW YORK

Submitted

269.0
KA 14-01674

PEOPLE
V
WILLIE D. MCKOY, JR.

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered April 23, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree (three counts).

MARK C. DAVISON for WILLIE D. MCKOY, JR.

Submitted

MELANIE J. BAILEY for PEOPLE OF THE STATE OF NEW YORK

Submitted

270.0
KA 16-01650

PEOPLE
V
ROBERT WYCHE

Appeal from a decision and order of the Supreme Court, Erie County (Russell P. Buscaglia, J.), dated June 1, 2016. The decision and order granted the motion of defendant to merge the kidnapping in the second degree count of the indictment with the robbery in the second degree count of the indictment.

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK

10 minutes

BARBARA J. DAVIES for ROBERT WYCHE

10 minutes

271.0
KA 09-02205

PEOPLE
V
JAMES A. ZEITZ

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered March 19, 2004. The judgment convicted defendant, upon a jury verdict, of course of sexual conduct against a child in the first degree, rape in the second degree and endangering the welfare of a child.

EDWARD P. PERLMAN for JAMES A. ZEITZ

Submitted

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK

Submitted

272.0
KA 15-00935

PEOPLE
V
WILFREDO MORALES

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered January 22, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.

BARBARA J. DAVIES for WILFREDO MORALES

Submitted

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK

Submitted

273.0
KA 15-01099

PEOPLE
V
JACOB MELVIN

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered March 18, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

TIMOTHY P. MURPHY for JACOB MELVIN

5 minutes

NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK

5 minutes

274.0
KA 15-01098

PEOPLE
V
JACOB MELVIN

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered March 18, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of assault in the second degree (two counts).

TIMOTHY P. MURPHY for JACOB MELVIN

Submitted

NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK

Submitted

275.0
KA 13-01770

PEOPLE
V
DALVAN ROBINSON

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered August 19, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree, sexual abuse in the first degree and rape in the third degree.

ANTHONY JOSEPH LANA for DALVAN ROBINSON

Submitted

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK

Submitted

276.0
KA 16-01335

PEOPLE
V
MICHAEL SWEAT

Appeal from a memorandum and decision of the Supreme Court, Erie County (Penny M. Wolfgang, J.), entered May 16, 2016. The memorandum and decision granted the suppression motion of defendant.

NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK

5 minutes

MICHAEL STACHOWSKI for MICHAEL SWEAT

15 minutes

277.0
CAF 15-00955

MICHAEL P. EASLEY
V
KIARA RAMOS

Appeal from a decision and order of the Family Court, Erie County (Mary G. Carney, J.), entered May 11, 2015, in a proceeding pursuant to Family Court Act article 6. The decision and order granted the petition of petitioner for visitation to the extent of permitting correspondence.

ELIZABETH J. CIAMBRONE for MICHAEL P. EASLEY

10 minutes

RACHEL KATHARINE MARRERO for KIARA RAMOS

Submitted

AUDREY ROSE HERMAN, ATTORNEY FOR CHILD

5 minutes

278.0
CA 16-01325

EUGENE MARGERUM
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered October 23, 2015. The order denied the motion of defendants for a protective order.

JASON E. MARKEL for CITY OF BUFFALO

15 minutes

ANDREW P. FLEMING for JOSEPH FAHEY

10 minutes

279.0
CA 16-00118

LYNN LIKOS
V
NIAGARA FRONTIER TRANSIT METRO SYSTEM

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered October 30, 2015. The judgment granted the defendant a judgment of no cause of action after a jury trial.

STEPHEN R. FOLEY for LYNN LIKOS

15 minutes

VICKY-MARIE BRUNETTE for NIAGARA FRONTIER TRANSIT METRO

15 minutes

280.0
CA 16-01380

CTS CONTRACTING, INC.

V

TOWN OF CHEEKTOWAGA

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered April 27, 2016. The order, among other things, denied defendant's motion for summary judgment dismissing plaintiff's complaint.

KEVIN LOFTUS for TOWN OF CHEEKTOWAGA

10 minutes

STEVEN W. KLUTKOWSKI for CTS CONTRACTING, INC.

10 minutes

281.0
CA 16-01165

SHARA A. ARMPRESTER

V

MICHAEL J. ERICKSON, JR.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered September 18, 2015. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment on the issue of serious injury.

LAURENCE D. BEHR for MICHAEL J. ERICKSON, JR.

10 minutes

CARRIE L. SMITH for SHARA A. ARMPRESTER

10 minutes

282.0
CA 16-01655

JOHN MANN, SR.

V

AUTOZONE NORTHEAST, INC.

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered May 11, 2016. The order denied defendant's motion for summary judgment.

MEGHAN M. BROWN for AUTOZONE NORTHEAST, INC.

10 minutes

PHILIP A. MILCH for JOHN MANN, SR.

10 minutes

283.0
CA 16-01578

GERALDINE H. BURGWARDT

V

RANDY F. BURGWARDT

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered October 7, 2015. The order denied plaintiff's motion for summary judgment.

SHARON STERN-GERSTMAN for GERALDINE H. BURGWARDT

15 minutes

WILLIAM E. SZCZEPANSKI for RANDY F. BURGWARDT

10 minutes

284.0
CA 16-01306

KAYLYN PEREZ

V

JOSE PEREZ-BRACHE

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered January 7, 2016. The order denied the application of defendant to terminate maintenance.

KELLY A. FERON for JOSE PEREZ-BRACHE

10 minutes

CHRISTOPHER S. MATTINGLY for KAYLYN PEREZ

10 minutes

285.0
CA 16-00574

DOROTHY SLOMCZEWSKI

V

JAMES A. ROSS

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered January 19, 2016. The judgment awarded plaintiff money damages upon a jury verdict.

DONALD B. EPPERS for JAMES A. ROSS

20 minutes

TERRENCE P. HIGGINS for DOROTHY SLOMCZEWSKI

15 minutes

286.0
CA 16-01579

MICHELLE SWIATOWY TUTTLE

V

STATE FARM MUTUAL AUTOMOBILE INSURANCE

Appeal from an order of the Supreme Court, Genesee County (Mark Grisanti, A.J.), entered December 29, 2015. The order granted the motion of defendant for summary judgment on the issue of coverage and denied the cross motion of plaintiff for summary judgment.

PETER M. JASEN for MICHELLE SWIATOWY TUTTLE

15 minutes

BENJAMIN R. WOLF for STATE FARM MUTUAL AUTOMOBILE INSURANCE

15 minutes

DAY CALENDAR
Wednesday, March 1, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

303.0
CA 16-01457

MAA-SHARDA, INC.
V
FIRST CITIZENS BANK & TRUST CO.

Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbuam, J.), entered November 17, 2015. The order, inter alia, granted the motions of defendants to dismiss the amended complaint and dismissed the amended complaint.

ROBERT J. LUNN for MAA-SHARDA, INC. 10 minutes

MEGHAN K. MCGUIRE for FIRST CITIZENS BANK & TRUST CO. 10 minutes

JOHN C. NUTTER for INDUS PVR, LLC 15 minutes

287.0
TP 16-01409

STANLEY L. HOWARD
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered August 16, 2016) to review a determination of respondent. The determination found after a Tier III hearing that petitioner violated various inmate rules.

NORMAN P. EFFMAN for STANLEY L. HOWARD Submitted

ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI Submitted

288.0
KA 15-02153

PEOPLE
V
ADAM J. SEABOLT

Appeal from a decision and order of the Monroe County Court (Christopher S. Ciaccio, J.), entered November 24, 2015. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for ADAM J. SEABOLT Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

289.0
KA 15-00253

PEOPLE
V
STEPHEN W. MILES

Appeal from a judgment of the Orleans County Court (James J. Punch, J.), rendered December 22, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fifth degree.

TIMOTHY P. MURPHY for STEPHEN W. MILES Submitted

KATHERINE K. BOGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

290.0
KA 14-01913

PEOPLE
V
ERICA P. RECORD

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered February 7, 2014. The judgment convicted defendant, upon her plea of guilty, of burglary in the second degree and petit larceny.

CARA A. WALDMAN for ERICA P. RECORD Submitted

JEFFREY R. FRIESEN for PEOPLE OF THE STATE OF NEW YORK Submitted

291.0
KA 14-01831

PEOPLE
V
JESSE K. COLEY

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered August 28, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

WILLIAM G. PIXLEY for JESSE K. COLEY 10 minutes

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK 10 minutes

292.0
KA 16-01381

PEOPLE
V
CHARLES J. TAN

Appeal from an oral decision of the Monroe County Court (James J. Piampiano, J.), rendered November 5, 2015. The oral decision granted the application for a trial order of dismissal.

KELLY CHRISTINE WOLFORD for PEOPLE OF THE STATE OF NEW YORK 15 minutes

BRIAN C. DECAROLIS for CHARLES J. TAN 10 minutes

293.0
KA 15-01839

PEOPLE
V
KATHLEEN M. PRITCHARD

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered September 9, 2015. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree

ANJAN K. GANGULY for KATHLEEN M. PRITCHARD 15 minutes

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK 15 minutes

294.0
KA 14-01615

PEOPLE
V
FREDDIE JACKSON

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered May 15, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the third degree, assault in the second degree and criminal contempt in the second degree.

SARA A. GOLDFARB for FREDDIE JACKSON 10 minutes

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

295.0
KA 13-00427

PEOPLE
V
WILLIE J. HUITT

Appeal from a judgment of the Monroe County Court (James P. Piampiano, J.), rendered February 13, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the second degree (two counts).

BRIDGET L. FIELD for WILLIE J. HUITT 10 minutes

DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK 10 minutes

296.0
KA 14-00246

PEOPLE
V
HERBERT FARLEY

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered January 22, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the first degree.

WILLIAM CLAUSS for HERBERT FARLEY 10 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 10 minutes

297.0
KA 16-01433

PEOPLE
V
MICHAEL DEITZ

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered January 25, 2016. The judgment convicted defendant, upon his plea of guilty, of predatory sexual assault against a child.

BRUCE R. BRYAN for MICHAEL DEITZ 10 minutes

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

298.0
CA 16-01126

RICHARD COOPER SETTLED
V
BENAKA, INC.

Appeal from an order of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered March 24, 2016. The order, insofar as appealed from, granted the motion of plaintiffs for partial summary judgment on liability pursuant to Labor Law § 240 (1).

L. DAMIEN COSTANZA for BENAKA, INC.

DONALD A. WHITE for RICHARD COOPER

299.0
CA 16-01520

DAVID H. PEELLE
V
TOWN OF IRONDEQUOIT

Appeal from an amended decision and order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered December 1, 2015. The amended decision and order, inter alia, denied in part the motion of plaintiffs to amend their complaint.

BRIDGET A. O'TOOLE for DAVID H. PEELLE 10 minutes

DAVID F. BOWEN for TOWN OF IRONDEQUOIT 10 minutes

300.0
CA 16-01312

B. THOMAS GOLISANO
V
VITTOCH INTERIORS LTD.

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered May 9, 2016. The order denied defendants' motion for summary judgment dismissing plaintiff's complaint.

DAVID A. ROTHENBERG for VITTOCH INTERIORS LTD.

15 minutes

GLENN E. PEZZULO for B. THOMAS GOLISANO

15 minutes

302.0
CA 16-01473

THOMAS E. PIEKUNKA

V

C. ROBERT STRAUBING

Appeal from a decision and order of the Supreme Court, Wayne County (Dennis M. Kehoe, A.J.), entered January 8, 2016. The decision and order denied in part the motion of plaintiffs for summary judgment.

MICHAEL J. WEGMAN for THOMAS E. PIEKUNKA

10 minutes

JOHN L. BULGER for C. ROBERT STRAUBING

10 minutes

304.0
CA 16-01557

ANNE-MARIE RUSSO

V

DENNIS B. PEARSON

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered May 27, 2016. The order denied plaintiff's motion for summary judgment on the issues of negligence and serious injury.

ROBERT A. QUATTROCCI for ANNE-MARIE RUSSO

10 minutes

MATTHEW J. LARKIN for DENNIS B. PEARSON

10 minutes

305.0
CA 16-01218

CLAIRE MCCORMACK

V

UNIVERSITY OF ROCHESTER

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), rendered October 27, 2015. The order denied the motion of defendants Westfall Cardiology, LLC, and Adel B. Soliman, M.D., for summary judgment.

KATHLEEN B. BENESH for UNIVERSITY OF ROCHESTER

10 minutes

JEFFREY S. ALBANESE for WESTFALL CARDIOLOGY, LLP

10 minutes

DOMINIC PELLEGRINO for CLAIRE MCCORMACK

10 minutes

306.0
CA 16-01219

CLAIRE MCCORMACK

V

UNIVERSITY OF ROCHESTER

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), rendered October 27, 2015. The order denied the motion of defendant University of Rochester for summary judgment.

KATHLEEN B. BENESH for UNIVERSITY OF ROCHESTER

Submitted

JEFFREY S. ALBANESE for WESTFALL CARDIOLOGY, LLP

Submitted

DOMINIC PELLEGRINO for CLAIRE MCCORMACK

Submitted

307.0
CA 16-00939

MATTER OF ESTATE OF

ANTHONY J. THOMAS

Appeal from an order of the Surrogate's Court, Monroe County (John M. Owens, S.), entered March 4, 2016. The order, among other things, granted respondent's motion for partial summary judgment.

EDWARD C. RADIN for JOSEPH M. THOMAS

10 minutes

ANTHONY J. ADAMS, JR., for TOM J. THOMAS

15 minutes

308.0
CA 16-00940

**MATTER OF ESTATE OF
ANTHONY J. THOMAS**

Appeal from an order of the Surrogate's Court, Monroe County (John M. Owens, S.), entered March 25, 2016. The order, among other things, denied and dismissed the original petition, the supplemental petition and the fee petition.

EDWARD C. RADIN for JOSEPH M. THOMAS

Submitted

ANTHONY J. ADAMS, JR., for TOM J. THOMAS

Submitted

DAY CALENDAR
Thursday, March 2, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

309.0
TP 16-01446

ADOLPHUS BARKOR
V
CITY OF BUFFALO

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Erie County [Catherine Nugent Panepinto, J.], entered August 19, 2016) to review a determination of respondent. The determination denied petitioner benefits pursuant to General Municipal Law § 207-c.

CATHERINE ANNE CREIGHTON for ADOLPHUS BARKOR Submitted

MARY B. SCARPINE for CITY OF BUFFALO Submitted

310.0
TP 16-01391

AMG MANAGING PARTNERS, LLC
V
NEW YORK STATE DIVISION OF HUMAN RIGHTS

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Erie County [Diane Y. Devlin, J.], entered May 26, 2016) to review a determination of respondent. The determination, among other things, ordered petitioners Michael Aronica, Michael Giangreco and respondent John Suppa to pay respondent Brittany Fragale the sum of \$65,000 for pain and suffering incurred as result of discriminatory actions.

JUSTIN S. WHITE for AMG MANAGING PARTNERS, LLC 15 minutes

TONI ANN HOLLIFIELD for NYS DIVISION OF HUMAN RIGHTS 15 minutes

CHRISTOPHER DAVID GALASSO for BRITTANY FRAGALE 15 minutes

JOHN SUPPA for HIMSELF Submitted

311.0
KA 15-00075

PEOPLE
V
ROBERT J. SAMPSON, JR.

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered August 5, 2013. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

JOHN A. CIRANDO for ROBERT J. SAMPSON, JR. 10 minutes

HARMONY A. HEALY for PEOPLE OF THE STATE OF NEW YORK Submitted

312.0
KA 15-00076

PEOPLE
V
ROBERT J. SAMPSON, JR.

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered August 5, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

JOHN A. CIRANDO for ROBERT J. SAMPSON, JR. Submitted

HARMONY A. HEALY for PEOPLE OF THE STATE OF NEW YORK Submitted

313.0
KA 12-02143

PEOPLE
V
RICKEY D. FORD

Appeal from a judgment of the Monroe County Court (Alex R. Renzi, J.), rendered September 12, 2012. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.

KIMBERLY F. DUGUAY for RICKEY D. FORD 10 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 10 minutes

314.0
KA 14-01958

PEOPLE
V
FRANK VANALST

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered July 30, 2014. The judgment revoked a conditional discharged and imposed a term of incarceration.

MARY P. DAVISON for FRANK VANALST 10 minutes

R. MICHAEL TANTILLO for PEOPLE OF THE STATE OF NEW YORK Submitted

315.0
KA 14-01959

PEOPLE
V
FRANK VANALST

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered July 30, 2014. The judgment convicted defendant, upon a jury verdict of criminal sale of a controlled substance in the third degree (two counts) and criminal possession of a controlled substance in the third degree (two counts).

MARY P. DAVISON for FRANK VANALST Submitted

R. MICHAEL TANTILLO for PEOPLE OF THE STATE OF NEW YORK Submitted

316.0
KA 15-00977

PEOPLE
V
KURT A. MCCALL

Appeal from an order of the Monroe County Court (James J. Piampiano, J.), entered April 27, 2015. The order determined that defendant is a level three risk, pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for KURT A. MCCALL Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

317.0
KA 11-01819

PEOPLE
V
MARIE R. SIMMONS

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered July 1, 2011. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.

JANET C. SOMES for MARIE R. SIMMONS 10 minutes

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK 10 minutes

318.0
KA 15-01503

PEOPLE
V
CALVIN CLANTON

Appeal from a judgment of the Monroe County Court (Vincent M. DiNolfo, J.), rendered May 7, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

DANIELI EVANS for CALVIN CLANTON 10 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 10 minutes

319.0
KA 14-01049

PEOPLE
V
ORLANDO J. ALICEA

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered January 31, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree (four counts) and criminal possession of a controlled substance in the third degree.

JOHN A. CIRANDO for ORLANDO J. ALICEA 10 minutes

R. MICHAEL TANTILLO for PEOPLE OF THE STATE OF NEW YORK Submitted

320.0
KA 14-00930

PEOPLE
V
ORLANDO J. ALICEA

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered January 31, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

JOHN A. CIRANDO for ORLANDO J. ALICEA Submitted

R. MICHAEL TANTILLO for PEOPLE OF THE STATE OF NEW YORK Submitted

321.0
KA 13-00434

PEOPLE
V
RONELL L. MCFADDEN

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered March 7, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree and criminal sexual act in the first degree (two counts).

BRIDGET L. FIELD for RONELL L. MCFADDEN 10 minutes

DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK 10 minutes

322.0
KA 14-02016

PEOPLE
V
JASON SLISHEVSKY

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered January 21, 2014. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree.

KRISTEN MCDERMOTT for JASON SLISHEVSKY Submitted

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK Submitted

323.0
CA 16-00435

JULIE CLACK
V
MAGDI E. SAYEGH, M.D.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered November 30, 2015. The order granted the motion of defendants Sisters of Charity Hospital, Catholic Health Systems, Inc., Jodi Ball, M.D., Jaime Rehmann, M.D., and Robin Bockack, N.N.P., for a protective order.

JENNIFER L. FAY for JULIE CLACK 15 minutes

JASON T. BRITT for SISTERS OF CHARITY HOSPITAL 15 minutes

324.0
CA 16-01042

LANDSMAN DEVELOPMENT CORP.
V
RLI INSURANCE COMPANY

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered August 13, 2015. The order, among other things, reinstated the third-party complaint.

STEVEN R. DYKI for TECHNOLOGY INSURANCE COMPANY 15 minutes

SANJEEV DEVABHAKTHUNI for LANDSMAN DEVELOPMENT CORP. Submitted

TIMOTHY E. DELAHUNT for RLI INSURANCE COMPANY 15 minutes

JOSEPH B. RIZZO for GARY MILITELLO Submitted

325.0
CA 16-00689

ANITA A. VITULLO
V
NEW YORK CENTRAL MUTUAL FIRE INSURANCE CO.

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegal, J.), entered July 7, 2015. The order, among other things, denied defendant's motion to enforce the settlement agreement entered between the parties.

MARCO CERCONE for NEW YORK CENTRAL MUTUAL FIRE INS. CO. 10 minutes

HARRY A. CUMMINS for ANITA A. VITULLO 10 minutes

326.0
CA 16-00146

HSBC BANK USA, N.A.
V
W.A. READ KNOX

Appeal from an order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered July 13, 2015. The order, insofar as appealed from, denied the petition of HSBC Bank USA, N.A., to modify a decree of May 18, 2011, by adding Aurora Knox as a member of the class of remainder beneficiaries, by declaring that damages to the subject Trust following the Appellate Division determination of June 19, 2012, have been fully satisfied and by determining that the adult beneficiaries of the subject Trust are bound by terms of a high/low settlement agreement.

RICHARD T. SULLIVAN for HSBC BANK USA, N.A. 15 minutes

ACEA M. MOSEY for AURORA KNOX 15 minutes

LINDA LALLI STARK for W.A. READ KNOX 15 minutes

JOHN L. SINATRA, JR., for SEYMOUR H. KNOX, IV Submitted

327.0
CA 16-00572

JANE HASTEDT
V
BOVIS LEND LEASE HOLDING, INC.

Appeals from a duplicate original decision and order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered August 10, 2015. The duplicate original decision and order, inter alia, granted in part the motion of plaintiff for summary judgment on liability pursuant to Labor Law § 240 (1).

JENNA W. KLUCSIK for K.C. MASONRY, INC. 20 minutes

PATRICK M. CARUANA for BOVIS LEND LEASE HOLDING, INC. 15 minutes

CLAIRE G. BOPP for GEORGE A. NOLE & SONS, INC. 20 minutes

ALEXANDER J. WULWICK for JANE HASTEDT 15 minutes

328.0
CA 16-01543

JAN C. SHINE
V
PAUL R. SHINE

Appeal and cross appeal from a judgment of the Supreme Court, Erie County (James H. Dillon, J.), entered December 4, 2015. The judgment, among other things, adjudged that defendant is to pay plaintiff \$6,000 per month in spousal maintenance until March 1, 2025.

JAMES P. RENDA for PAUL R. SHINE 15 minutes

JAMES M. SHAW for JAN C. SHINE 15 minutes

329.0
CA 16-00724

FREDERICK MCMILLIAN
V
JOHN B. LEMPKE

Appeal from an order of the Supreme Court, Erie County (Russell P. Buscaglia, J.), entered April 5, 2016. The order denied the CPLR article 78 petition.

FREDERICK MCMILLIAN for FREDERICK MCMILLIAN Submitted

PETER H. SCHIFF for JOHN B. LEMPKE Submitted

330.0
CA 16-01568

ANITA A. VITULLO
V
NEW YORK CENTRAL MUTUAL FIRE INSURANCE CO.

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered November 16, 2015. The order, among other things, denied plaintiff's motion for summary judgment.

HARRY A. CUMMINS for ANITA A. VITULLO 10 minutes

MARCO CERCONI for NEW YORK CENTRAL MUTUAL FIRE INS. CO. 15 minutes

331.0
CA 16-01627

HSBC BANK USA N.A.
V
SEYMOUR H. KNOX, IV

Appeal from a memorandum and order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered January 28, 2016. The memorandum and order, among other things, denied HSBC Bank USA, N.A.'s motion seeking to deny the transfer of the Trust assets until the remanded damages issue and the issue of whether the adult income beneficiaries are bound by terms of a high/low agreement were determined.

RICHARD T. SULLIVAN for HSBC BANK USA N.A. 10 minutes

LINDA LALLI STARK for SEYMOUR H. KNOX, IV 15 minutes

ACEA M. MOSEY for AURORA KNOX 10 minutes

DAY CALENDAR
Thursday, March 2, 2017 - 10:00 AM
COURTROOM 2

332.0
KA 13-00818

PEOPLE
V
JUSTIN JONES

Appeal from a judgment of the Supreme Court, Monroe County (John J. Ark, J.), rendered August 14, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

JANE I. YOON for JUSTIN JONES

Submitted

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Monday, March 6, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

333.0
TP 16-01392

TARA DIXON FUNDERGURG
V
NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Erie County [Deborah A. Chimes, J.], entered August 9, 2016) to review a determination of respondent. The determination limited and revoked petitioner's license to operate a group family day care.

CANDACE LAUREN MORRISON for **TARA DIXON FUNDERGURG** 10 minutes

PATRICK A. WOODS for **NYS OFFICE OF CHILDREN AND FAMILY SERVS.** 10 minutes

334.0
KA 15-01855

PEOPLE
V
ROBERT SAFFOLD

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), entered August 8, 2013, pursuant to the 2009 Drug Reform Act. The order denied the application of defendant to be resentenced upon defendant's 2003 conviction of criminal possession of a controlled substance in the third degree and criminal possession of a controlled substance in the fifth degree.

EVAN B. HANNAY for **ROBERT SAFFOLD** Submitted

JAMES P. MAXWELL for **PEOPLE OF THE STATE OF NEW YORK** Submitted

335.0
KA 15-01448

PEOPLE
V
JAMAL ASFOUR

Appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered July 2, 2015. The order determined that defendant is a level three risk, pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for **JAMAL ASFOUR** Submitted

NANCY GILLIGAN for **PEOPLE OF THE STATE OF NEW YORK** Submitted

336.0
KA 15-00922

PEOPLE
V
MAURICE R. HOWIE

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered June 4, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts) and robbery in the first degree (two counts).

LYLE T. HAJDU for **MAURICE R. HOWIE** 15 minutes

ASHLEY R. LOWRY for **PEOPLE OF THE STATE OF NEW YORK** 15 minutes

337.0
KA 15-01852

PEOPLE
V
RONALD HOUGH, SR.

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered March 19, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the first degree.

KATHRYN B. FRIEDMAN for RONALD HOUGH, SR.

Submitted

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK

Submitted

338.0
KA 14-00631

PEOPLE
V
NOEL R. RIVERA

Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.), rendered March 21, 2011. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree and burglary in the first degree (two counts).

DAVID R. JUERGENS for NOEL R. RIVERA

5 minutes

DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK

5 minutes

339.0
CAF 15-02177

In the Matter of
CHRISTIAN C.-B.

Appeals from an order of the Family Court, Livingston County (Robert B. Wiggins, J.), entered November 24, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, terminated the respondents' parental rights.

LYLE T. HAJDU for CHRISTOPHER V.B.

5 minutes

BRIDGET L. FIELD for RENEE E.C.

10 minutes

JOHN T. SYLVESTER for LIVINGSTON COUNTY D.S.S.

Submitted

FARES A. RUMI, ATTORNEY FOR CHILD

10 minutes

340.0
CAF 15-02107

In the Matter of
CAMERON B.

Appeal from an order of the Family Court, Chautauqua County (Jeffrey A. Piazza, J.), entered December 1, 2015, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent had neglected the subject child.

DAVID J. PAJAK for NICOLE C.

Submitted

REBECCA L. DAVISON-MARCH for CHAUTAUQUA COUNTY D.H.S.

Submitted

RACHEL LOUISE MITCHELL, ATTORNEY FOR CHILD

Submitted

341.0
CAF 16-00255

In the Matter of
CHLOE W.

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenno, J.), entered January 29, 2016, in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred the guardianship and custody rights of the subject child to petitioner.

LYLE T. HAJDU for AMY W.

10 minutes

STEPHEN J. RILEY for CATTARAUGUS COUNTY D.S.S.

10 minutes

SARA E. ROOK, ATTORNEY FOR CHILD

5 minutes

342.0
CAF 15-01710

WILLIAM LANTZ
V
CYNTHIA PETERS

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered September 18, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that petitioner shall have primary physical placement of the subject child.

DAVID J. PAJAK for CYNTHIA PETERS 5 minutes

KELIANN M. ARGY for WILLIAM LANTZ Submitted

EMILY A. VELLA, ATTORNEY FOR CHILD 5 minutes

343.0
CA 16-01641

RYAN M. FORRESTEL
V
MARGUERITA M.C. JONKMAN

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered December 15, 2015. The order, insofar as appealed from, denied the petition of defendant for sole custody and to limit the visitation of plaintiff.

MARGUERITA M.C. JONKMAN for HERSELF 20 minutes

JOHN P. PIERI for RYAN M. FORRESTEL 15 minutes

KRISTIN L. ARCURI, ATTORNEY FOR CHILD Submitted

344.0
CA 16-01646

RYAN M. FORRESTEL
V
MARGUERITA M.C. JONKMAN

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered December 15, 2015. The order, inter alia, denied the cross motion of defendant to compel plaintiff to abide by an order of the Family Court dated August 24, 2015.

MARGUERITA M.C. JONKMAN for HERSELF Submitted

JOHN P. PIERI for RYAN M. FORRESTEL Submitted

KRISTIN L. ARCURI, ATTORNEY FOR CHILD Submitted

345.0
CA 16-01647

RYAN M. FORRESTEL
V
MARGUERITA M.C. JONKMAN

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered December 18, 2015. The order denied the motion of defendant for recusal.

MARGUERITA M.C. JONKMAN for HERSELF Submitted

JOHN P. PIERI for RYAN M. FORRESTEL Submitted

KRISTIN L. ARCURI, ATTORNEY FOR CHILD Submitted

347.0
CA 16-00971

LINDA SCHNEIDER
V
CORPORATE PLACE, LLC

Appeal from an order of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered March 15, 2016. The order denied the motion of defendants for summary judgment.

MARC A. SCHULZ for CORPORATE PLACE, LLC

15 minutes

LEO G. FINUCANE for LINDA SCHNEIDER

15 minutes

348.0
CA 16-01296

CAITLIN WESTON

V

JOSE MARTINEZ

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered December 17, 2015. The order denied defendant Cianciana Property Management, LLC's motion for summary judgment.

BRIAN P. RILEY for CIANCIANA PROPERTY MANAGEMENT, LLC

15 minutes

LAUREN M. YANNUZZI for JOSE MARTINEZ

Submitted

LORI ROBB MONAGHAN for CAITLIN WESTON

15 minutes

349.0
CA 16-01168

TOWN OF AURORA

V

VILLAGE OF EAST AURORA

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered October 20, 2015. The order denied the motion of plaintiff for summary judgment; dismissed the complaint; and declared that plaintiff is responsible for the expenses of repairing the Brooklea Drive Bridge in the Village of East Aurora and any other bridge in the Village of East Aurora which defendant has not assumed control care and maintenance.

RONALD P. BENNETT for TOWN OF AURORA

10 minutes

PAUL DAVID WEISS for VILLAGE OF EAST AURORA

10 minutes

350.0
CA 15-02034

KAMALA D. HARRIS

V

SENECA PROMOTIONS, INC.

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered December 2, 2015. The order denied the motion of Native Wholesale Supply Company for a protective order and directed respondent Seneca Promotions, Inc., to comply with the disclosure demands of petitioner.

PATRICK J. MACKEY for NATIVE WHOLESALE SUPPLY COMPANY

10 minutes

LAURIE STYKA BLOOM for KAMALA D. HARRIS

10 minutes

351.0
CA 16-01342

JOHN C. BLASE

V

JOSEPH C. BLASE

Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered October 30, 2015. The order denied the motion of defendant for summary judgment.

MARK A. WOLBER for JOSEPH C. BLASE

10 minutes

MICHAEL J. LAUCELLO for JOHN C. BLASE

10 minutes

352.0
CA 15-01953

KIAMBU PORTER
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered October 27, 2015 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for KIAMBU PORTER

Submitted

ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI

Submitted

353.0
CA 16-01570

DOLORES A. DEPCZYNSKI
V
JAMES MERMIGAS

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered June 23, 2016. The order denied defendants' motion for summary judgment dismissing plaintiff's complaint.

THOMAS PAUL DURKIN for JAMES MERMIGAS

10 minutes

ELLEN B. STURM for DOLORES A. DEPCZYNSKI

10 minutes

354.0
CA 16-01626

JOSEPH W. ROCHE
V
KATHLEEN LORENZO-ROCHE

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered May 25, 2016 in a post-divorce proceeding. The order, among other things, adjudged that defendant is entitled to the entry of a Domestic Relations Order awarding her the right to receive \$833 per month from plaintiff's New York State Teachers Retirement System pension benefit.

KELLY V. ZARCONE for JOSEPH W. ROCHE

10 minutes

KATI M. POLEON for KATHLEEN LORENZO-ROCHE

10 minutes

DAY CALENDAR
Monday, March 6, 2017 - 10:00 AM
COURTROOM 2

355.0
KA 12-02153

PEOPLE
V

ANTHONY T. HENDERSON, JR.

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered September 26, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

JANET C. SOMES for **ANTHONY T. HENDERSON, JR.**

Submitted

SCOTT MYLES for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

DAY CALENDAR
Tuesday, March 7, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

356.0
KA 15-00319

PEOPLE
V
FRANKLIN G. WARNER

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered September 15, 2014. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the second degree and promoting an obscene sexual performance by a child.

ROBERT TUCKER for FRANKLIN G. WARNER Submitted

JAMES B. RITTS for PEOPLE OF THE STATE OF NEW YORK Submitted

357.0
KA 15-02144

PEOPLE
V
RYAN S. SMITH

Appeal from an order of the Niagara County Court (Sara Sheldon, J.), entered November 30, 2015. The order determined that defendant is a level two risk, pursuant to the Sex Offender Registration Act.

PATRICIA M. MCGRATH for RYAN S. SMITH Submitted

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK Submitted

358.0
KA 15-00534

PEOPLE
V
MARK J. MALTESE

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered March 4, 2015. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree (three counts), burglary in the third degree, criminal mischief in the second degree and grand larceny in the third degree.

BRIDGET L. FIELD for MARK J. MALTESE 10 minutes

SHIRLEY A. GORMAN for PEOPLE OF THE STATE OF NEW YORK 10 minutes

359.0
KA 14-01882

PEOPLE
V
EBONY S. MACK

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered July 22, 2014. The judgment convicted defendant, upon her plea of guilty, of aggravated driving while intoxicated with a child passenger (two counts), aggravated driving while intoxicated, driving while intoxicated (two counts) and endangering the welfare of a child.

JANET C. SOMES for EBONY S. MACK 5 minutes

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK 5 minutes

360.0
KA 15-00958

PEOPLE
V
DALE F. LEESON

Appeal from a decision and order of the Ontario County Court (Frederick G. Reed, J.), entered May 19, 2014. The decision and order determined defendant to be a level three risk pursuant to the Sex Offenders Registration Act.

MARK C. DAVISON for DALE F. LEESON

Submitted

JEFFREY L. TAYLOR for PEOPLE OF THE STATE OF NEW YORK

Submitted

361.0
CAF 14-02200

MICHELE A. SLOMA
V
ERIC M. SLOMA

Appeal from an order of the Family Court, Oneida County (James R. Griffith, J.), entered February 6, 2014, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted petitioner physical custody of the parties' child.

RICHARD L. WOLFE for ERIC M. SLOMA

15 minutes

MICHELE A. SLOMA for HERSELF

Submitted

JULIE GIRUZZI-MOSCA, ATTORNEY FOR CHILD

5 minutes

362.0
CAF 15-00350

MICHELE SLOMA
V
ERIC SLOMA

Appeal from a decision and order of the Family Court, Oneida County (James R. Griffith, J.), entered March 14, 2014, in a proceeding pursuant to Family Court Act article 6. The decision and order dismissed the motion of respondent to vacate an order entered February 6, 2014.

RICHARD L. WOLFE for ERIC SLOMA

Submitted

MICHELE SLOMA for HERSELF

Submitted

JULIE GIRUZZI-MOSCA, ATTORNEY FOR CHILD

Submitted

363.0
CAF 16-00399

RYAN J. FISHER
V
LESLIE A. FISHER

Appeal from a decision and order of the Family Court, Wyoming County (Terrence M. Parker, J.), entered February 22, 2016, in a proceeding pursuant to Family Court Act article 6. The decision and order, directed inter alia, that the residence of the parties' child shall be in New York.

MICHAEL STEINBERG for LESLIE A. FISHER

10 minutes

ADAM W. KOCH for RYAN J. FISHER

5 minutes

MARY ANNE CONNELL, ATTORNEY FOR CHILD

10 minutes

364.0
CAF 15-01702

In the Matter of
MADELYNN T.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 4, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, adjudged that respondent had abandoned the subject child.

DAVID J. PAJAK for REBECCA M.

Submitted

AMBER R. POULOS for ERIE COUNTY D.S.S.

Submitted

	CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
365.0 CAF 15-01084	In the Matter of BABY B.W.	
	Appeal from an order of the Family Court, Oneida County (James R. Griffith, J.), entered July 13, 2015, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent had neglected the subject child.	
	PETER J. DIGIORGIO, JR., for TRACY B.H.	10 minutes
	DENISE J. MORGAN for ONEIDA COUNTY D.S.S.	5 minutes
	JOHN G. KOSLOSKY, ATTORNEY FOR CHILD	Submitted
366.0 CAF 16-00454	JASON L. ROHR V BARBARA L. YOUNG	
	Appeal from an order of the Family Court, Jefferson County (Eugene J. Lagone, Jr., J.), entered March 18, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that respondent Barbara L. Young shall have visitation of the subject children one Saturday per month for two hours.	
	PALOMA A. CAPANNA for BARBARA L. YOUNG	10 minutes
	MATTHEW J. PORTER for JASON L. ROHR	10 minutes
	KIMBERLY ANN WOOD for AIMEE ROHR	Submitted
	LISA WELDON, ATTORNEY FOR CHILD	10 minutes
367.0 CAF 14-01629	In the Matter of HAROLD C., JR.	
	Appeal from a decision and order of the Family Court, Erie County (Margaret O. Szczur, J.), entered August 22, 2014, in a proceeding pursuant to Family Court Act article 10. The decision and order directed that respondent receive mental health treatment at Mid-Erie Treatment Services.	
	DAVID J. PAJAK for ARIELLE B.	Submitted
	NICHOLAS G. LOCICERO for ERIE COUNTY D.S.S.	Submitted
	AUDREY ROSE HERMAN, ATTORNEY FOR CHILD	5 minutes
368.0 CA 16-00415	RONALD L. HAWE V TODD DELMAR	
	Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered December 18, 2015. The order granted the motion to dismiss the complaint pursuant to CPLR 3216.	
	P. MICHAEL SHANLEY for RONALD L. HAWE	Submitted
	CHRISTOPHER M. MILITELLO for TODD DELMAR	10 minutes
369.0 CA 16-01489	JOHN PESTILLO SETTLED V COUNTY OF MONROE	

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered December 8, 2015. The order, insofar as appealed from, granted the motion of plaintiff to serve a late notice of claim on defendant County of Monroe.

MATTHEW BROWN for COUNTY OF MONROE

JAMES M. O'KEEFE for JOHN PESTILLO

370.0
CA 16-01302

CHRISTOPHER J. BURKE
V
ARCADIS G&M

Appeals from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered October 2, 2015. The order, among other things, granted plaintiffs' motion to compel discovery.

MARSHALL BROAD for NIAGARA MOHAWK ENERGY, INC.

10 minutes

GAIL J. MCNALLY for ARCADIS G&M

15 minutes

VINCENT J. ROSSI, JR., for CHRISTOPHER J. BURKE

10 minutes

371.0
CA 16-01222

PAUL MARINACCIO, SR.
V
TOWN OF CLARENCE

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered January 14, 2016. The order granted the motion of defendant to dismiss the complaint and dismissed the complaint.

R. ANTHONY RUPP, III, for PAUL MARINACCIO, SR.

10 minutes

MICHAEL P. MCCLAREN for TOWN OF CLARENCE

10 minutes

372.0
CA 15-01539

TYRONE DAVIS
V
STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered July 1, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, continued petitioner's commitment to a secure treatment facility.

JOHN A. CIRANDO for TYRONE DAVIS

15 minutes

KATHLEEN M. TREASURE for STATE OF NEW YORK

10 minutes

373.0
CA 16-01466

WALTER KENNEDY
V
OSWEGO CITY SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr, J.), entered February 24, 2016. The order, among other things, denied plaintiff's motion for permission to serve a late notice of claim on defendant.

MICHAEL PATRICK KENNY for WALTER KENNEDY

30 minutes

CHRISTOPHER M. MILITELLO for OSWEGO CITY SCHOOL DISTRICT

10 minutes

374.0
CA 16-01573

VINCENT E. BREGE
V
TOWN OF TONAWANDA

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered June 23, 2016. The order denied the motion of plaintiff for leave to file and serve a late notice of claim.

ERIC B. GROSSMAN for VINCENT E. BREGE

10 minutes

RYAN LANCE GELLMAN for TOWN OF TONAWANDA

10 minutes

375.0
CA 16-01384

LINDSAY A. HELENBROOK

V

DENNIS J. HELENBROOK

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered December 17, 2015. The order denied the motion of plaintiff for summary judgment and dismissed the summons with notice of plaintiff.

LINDSAY A. HELENBROOK for HERSELF

Submitted

DENNIS J. HELENBROOK for HIMSELF

Submitted

376.0
CA 16-01396

DONALD GOOLEY

V

BOARD OF EDUCATION

Appeal from an order of the Supreme Court, Herkimer County (Norman J. Siegel, J.), entered April 29, 2016. The order denied defendants' motion for summary judgment.

CHRISTOPHER M. MILITELLO for BOARD OF EDUCATION

10 minutes

STEPHEN CIOTOLI for DONALD GOOLEY

10 minutes

DAY CALENDAR
Wednesday, March 8, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

377.0
TP 16-01408

GERMONE THREAT
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered August 16, 2016) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for GERMONE THREAT Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI Submitted

378.0
TP 16-00337

RAMONN DRISCOLL
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Oneida County [Bernadette T. Clark, J.], entered February 11, 2016) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

RAMONN DRISCOLL for HIMSELF Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI Submitted

379.0
KA 16-00437

PEOPLE
V
ANTHONY D. BONES

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered January 13, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the fifth degree.

JOSEPH G. FRAZIER for ANTHONY D. BONES Submitted

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK Submitted

380.0
KA 15-00971

PEOPLE
V
JONATHAN ARCHIBALD

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered October 29, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the second degree

SHERRY A. CHASE for JONATHAN ARCHIBALD 10 minutes

NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK 10 minutes

381.0
KA 15-01254

PEOPLE
V
RODNEY HAWKINS

Appeal from a judgment of the Chautauqua County Court (John T. Ward, J.), rendered January 26, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

LYLE T. HAJDU for RODNEY HAWKINS

Submitted

ANDREW M. MOLITOR for PEOPLE OF THE STATE OF NEW YORK

Submitted

382.0
KA 15-01729

PEOPLE
V
PRESTON S. DAIGLER

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered July 14, 2015. The judgment convicted defendant upon his plea of guilty, of attempted robbery in the second degree

BENJAMIN L. NELSON for PRESTON S. DAIGLER

10 minutes

SHIRLEY A. GORMAN for PEOPLE OF THE STATE OF NEW YORK

10 minutes

383.0
KA 15-00636

PEOPLE
V
RONALD T. SPOOR

Appeal from a judgment of the Supreme Court, Seneca County (Daniel J. Doyle, J.), rendered February 6, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

CHARLES J. GREENBERG for RONALD T. SPOOR

10 minutes

BARRY L. PORSCHE for PEOPLE OF THE STATE OF NEW YORK

Submitted

384.0
KA 14-01561

PEOPLE
V
CANDACE J. CARTAGENA

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered August 26, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

TIMOTHY P. MURPHY for CANDACE J. CARTAGENA

15 minutes

DANIEL J. PUNCH for PEOPLE OF THE STATE OF NEW YORK

10 minutes

385.0
CAF 14-01363

In the Matter of
JAYLA A.

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered June 30, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondents had neglected the subject children.

CHARLES J. GREENBERG for ISAAC C.

5 minutes

NATALIE MUNOZ STUTZ for ERIE COUNTY D.S.S.

10 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD

10 minutes

387.0
CA 16-01357

CHRISTOPHER R. MARRIOTT
V
VIRGINIA A. CAPPELLO

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered February 26, 2016. The order denied the motion of plaintiff to preclude the testimony and report of Dr. Michael P. Santa Maria.

MATTHEW JOHN GARVEY for CHRISTOPHER R. MARRIOTT

10 minutes

KRIS E. LAWRENCE for VIRGINIA A. CAPPELLO

10 minutes

388.0
CA 16-01150

JACQUELINE FLEMING

V

EARNSTEIN SANGSTER

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered October 1, 2015. The order, among other things, granted defendant's motion for summary judgment dismissing plaintiff's complaint.

LOUIS ROSADO for JACQUELINE FLEMING

10 minutes

JOSHUA ISRAEL RAMOS for EARNSTEIN SANGSTER

10 minutes

389.0
CA 16-00977

MARIA S. DALMAU

V

VERTIS, INC.

Appeal from an order of the Supreme Court, Monroe County (Debra A. Martin, J.), entered March 2, 2016. The order, insofar as appealed from, granted the motion of defendant Price Rite for summary judgment dismissing the cross claims of defendants Vertis, Inc., Catch the Wind, LLC, Light Bulb, LLC, On the River, LLC, and 1230 University Avenue, LLC, and dismissed said cross claims.

ELISE L. CASSAR for VERTIS, INC.

10 minutes

ASHELY M. EMERY for PRICE RITE

10 minutes

390.0
CA 16-01345

THOMAS P. JOUSMA

V

DR. VENKATESWARA R. KOLLI

Appeals from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered March 2, 2016. The order, among other things, adjudged that all of the records produced for an in camera review are discoverable and that plaintiffs are entitled to depose defendant Dr. Venkateswara R. Kolli regarding all previously undisclosed information.

VICTOR A. OLIVERI for KALEIDA HEALTH

15 minutes

JOHN PATRICK DANIEU for DR. VENKATESWARA R. KOLLI

10 minutes

CAREY C. BEYER for THOMAS P. JOUSMA

10 minutes

391.0
CA 16-01605

TIM KOPASZ

V

CITY OF BUFFALO

Appeal from an amended order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered August 29, 2016. The amended order, insofar as appealed from, granted the motion of plaintiff for summary judgment finding that Labor Law § 240 (1) and 12 NYCRR 12-5.18 (b) were violated and denied in part the cross motion of defendants for summary judgment.

PATRICK J. HINES for CITY OF BUFFALO

15 minutes

	ANNE M. WHEELER for TIM KOPASZ	15 minutes
392.0 CA 16-01307	DAVID KUBIAK V DANIEL DERENDA	
	Appeal from an order of the Supreme Court, Erie Count (Deborah A. Chimes, J.), entered October 27, 2015. The order denied the CPLR article 78 petition and granted the motion of respondents to dismiss the petition.	
	JASON R. DIPASQUALE for DAVID KUBIAK	15 minutes
	CINDY T. COOPER for DANIEL DERENDA	15 minutes
393.0 CA 16-01572	MILDRED LINGENFELTER V DELEVAN TERRACE ASSOCIATES	
	Appeal from an order of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty, III, J.), entered May 9, 2016. The order denied defendant William Krotz Contracting's motion for summary judgment.	
	ANDREW D. MERRICK for WILLIAM KROTZ CONTRACTING	10 minutes
	BRIAN G. STAMM for MILDRED LINGENFELTER	10 minutes
394.0 CA 16-00096	MICHAEL A. SERRANO V THOMAS A. GILRAY, JR.	
	Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered October 8, 2015. The order granted the motion of defendant Corpus Christi Church for summary judgment and dismissed the complaint and all cross claims against said defendant.	
	JOSEPH A. MATTELIANO for MICHAEL A. SERRANO	15 minutes
	THOMAS JOSEPH SPEYER for CORPUS CHRISTI CHURCH	10 minutes
	ERIC S. BERNHARDT for MARCY A. SHEEHAN	15 minutes
395.0 CA 16-00967	MICHAEL A. SERRANO V THOMAS A. GILRAY, JR.	
	Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered April 4, 2016. The order granted the motion of defendant Marcy C. Sheehan for summary judgment and dismissed the complaint against said defendant.	
	JOSEPH A. MATTELIANO for MICHAEL A. SERRANO	Submitted
	THOMAS JOSEPH SPEYER for CORPUS CHRISTI CHURCH	Submitted
	ERIC S. BERNHARDT for MARCY A. SHEEHAN	Submitted
396.0 CA 16-00666	AMY REID V CARRIE LEVY	
	Appeal from a decision and order of the Supreme Court, Chautauqua County (Paul B. Wojtaszek, J.), entered November 20, 2015. The decision and order denied the motion of plaintiff to set aside a jury verdict and for a new trial.	

ERIC M. SHELTON for AMY REID

15 minutes

TODD C. BUSHWAY for CARRIE LEVY

15 minutes

397.0
CA 16-00667

AMY REID

V

CARRIE LEVY

Appeal from a judgment of the Supreme Court, Chautauqua County (Paul B. Wojtaszek, J.), entered December 29, 2015. The judgment granted defendants no cause of action.

ERIC M. SHELTON for AMY REID

Submitted

TODD C. BUSHWAY for CARRIE LEVY

Submitted

398.0
CA 16-00840

JOSEPH M. BRAINARD

V

CINDY BARDEN

Appeal from an order and judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered March 7, 2016. The order and judgment granted the motion of defendants Cindy Barden, John Barden and Double Down Transport NY, Inc., for summary judgment on their third counterclaim and awarded said defendants money damages.

ANTHONY J. CERVI for JOSEPH M. BRAINARD

Submitted

WILLIAM F. SAVINO for CINDY BARDEN

Submitted

DAY CALENDAR
Wednesday, March 8, 2017 - 10:00 AM
COURTROOM 2

416.0
CA 16-01604

DAVID VIDEAN
V
NRG ENERGY, INC.

Appeal from an order and judgment (one paper) of the Supreme Court, Livingston County (Dennis S. Cohen, J.), entered January 28, 2016. The order and judgment granted defendants' motion for summary judgment dismissing plaintiff's complaint and denied plaintiff's cross motion for summary judgment.

BRADLEY P. KAMMHOLZ for **DAVID VIDEAN**

10 minutes

KENNETH M. ALWEIS for **NRG ENERGY, INC.**

10 minutes

399.0
KA 15-02151

PEOPLE
V
ERIC G. NILSEN

Appeal from a decision and order of the Supreme Court, Monroe County (Francis A. Affronti, J.), entered November 24, 2015. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for **ERIC G. NILSEN**

Submitted

NANCY GILLIGAN for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

400.0
KA 14-00856

PEOPLE
V
ERICK GODLEY

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered April 21, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the second degree.

PHILIP ROTHSCHILD for **ERICK GODLEY**

Submitted

JAMES P. MAXWELL for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

402.0
KA 15-02073

PEOPLE
V
DARSHAWN T. JOHNSON

Appeal from a decision and order of the Monroe County Court, (Christopher S. Ciaccio, J.), entered October 23, 2015 the decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for **DARSHAWN T. JOHNSON**

Submitted

NANCY GILLIGAN for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

403.0
KA 16-01415

PEOPLE
V
JERRY MASSEY

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 12, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

JOHN A. CIRANDO for JERRY MASSEY

15 minutes

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK

10 minutes

404.0
KA 15-00426

PEOPLE
V
KAHLID A. KABIR

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered January 13, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

MATTHEW J. RICH for KAHLID A. KABIR

10 minutes

KELLY CHRISTINE WOLFORD for PEOPLE OF THE STATE OF NEW YORK

10 minutes

405.0
KA 14-01824

PEOPLE
V
SHALLAMAR L. HAYWARD-CRAWFORD

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered August 12, 2014. The judgment convicted defendant, upon a jury verdict, of arson in the third degree; arson in the fourth degree (two counts); attempted insurance fraud in the fourth degree; and conspiracy in the fifth degree.

GARY MULDOON for SHALLAMAR L. HAYWARD-CRAWFORD

15 minutes

R. MICHAEL TANTILLO for PEOPLE OF THE STATE OF NEW YORK

10 minutes

406.0
KA 14-01535

PEOPLE
V
JEFFREY MILLER

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered November 29, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the second degree, criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

DAVID R. JUERGENS for JEFFREY MILLER

10 minutes

KELLY CHRISTINE WOLFORD for PEOPLE OF THE STATE OF NEW YORK

10 minutes

407.0
KA 15-00129

PEOPLE
V
JAMES D. MINCKLER

Appeal from a judgment of the Oswego County Court (James M. Metcalf, A.J.), rendered March 7, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

JOHN A. CIRANDO for JAMES D. MINCKLER

15 minutes

COURTNEY E. HAVILAND for PEOPLE OF THE STATE OF NEW YORK

10 minutes

408.0
CAF 15-01737

ANTHONY ALLEN
V
TAMARA BOSWELL

Appeal from an order of the Family Court, Monroe County (William W. Polito, R.), entered September 2, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, eliminated petitioner's right to overnight visitation with his son on alternative weekends.

DAVID R. JUERGENS for ANTHONY ALLEN

10 minutes

EDWARD D'AMICO for TAMARA BOSWELL

Submitted

TANYA CONLEY, ATTORNEY FOR CHILD

5 minutes

409.0
CAF 15-01927

In the Matter of
BRADY J.C.

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered November 4, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, transferred the guardianship and custody of the subject children to petitioner.

JANE I. YOON for DAMARIS FABIOLA R.

10 minutes

CAROL LYNN EISENMAN for MONROE COUNTY D.H.S.

10 minutes

TANYA CONLEY, ATTORNEY FOR CHILD

5 minutes

410.0
CA 16-01611

LINZY FANCETT
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered April 22, 2016. The order denied the motion of defendant for summary judgment.

JOHN A. SICKINGER for CITY OF SYRACUSE

10 minutes

PATRICIA A. LYNN-FORD for LINZY FANCETT

10 minutes

411.0
CA 16-01124

COUNTY OF JEFFERSON
V
ONONDAGA DEVELOPMENT, LLC

Appeal from an order of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered March 25, 2016. The order, among other things, granted plaintiff's motion for summary judgment.

JAN S. KUBLICK for ONONDAGA DEVELOPMENT, LLC

15 minutes

TERESA M. BENNETT for COUNTY OF JEFFERSON

15 minutes

412.0
CA 16-01422

JOSHUA JOHNSON
V
JOSHUA W. THOMPSON

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered April 7, 2016. The order, insofar as appealed from, denied the motion of plaintiffs to dismiss affirmative defenses of culpable conduct and the seatbelt defense.

EUGENE W. LANE for JOSHUA JOHNSON

10 minutes

KRISTIN L. NORFLEET for JOSHUA W. THOMPSON

10 minutes

413.0
CA 16-01566

O'BRIEN & GERE, INC.
V
G.M. MCCROSSIN, INC.

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered December 17, 2015. The order granted defendant's motion for partial summary judgment on the issue of liability.

FRANCIS R. RIVETTE for O'BRIEN & GERE, INC.

10 minutes

JANET D. CALLAHAN for G.M. MCCROSSIN, INC.

10 minutes

414.0
CA 16-01522

SUE STOYELL

V

LISA F. BRESEE

Appeal from an order of Cayuga County Court (Thomas G. Leone, J.), entered April 29, 2016. The order affirmed a judgment of the Town of Sempronius Justice Court entered on July 8, 2015.

TRISTA F. O'HARA for LISA F. BRESEE

15 minutes

MICHAEL D. QUILL for SUE STOYELL

5 minutes

415.0
CA 16-01390

FRANK CZERESZKO

V

STEVE A. PROCOPIO, JR., D.D.S.

Appeal and cross appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered November 13, 2015. The order, insofar as appealed from, granted in part and denied in part the motion of defendants for summary judgment.

DAVID B. SNYDER for FRANK CZERESZKO

10 minutes

JOHN W. VANDENBURGH for STEVE A. PROCOPIO, JR., D.D.S.

10 minutes

417.0
CA 16-00863

CARLOS M. SUAREZ ALFONSO

V

EDWIN R. LOPEZ

Appeal from a memorandum decision and order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered February 9, 2016. The memorandum decision and order granted the motion of defendant United Parcel Service, Inc., to dismiss the complaint against it.

VICTOR L. PRIAL for CARLOS M. SUAREZ ALFONSO

15 minutes

THOMAS OWEN O'CONNOR for UNITED PARCEL SERVICE, INC.

20 minutes

418.0
CA 16-01496

ALISON M. CARBONE

V

JON W. BRENIZER

Appeal from an order of the Supreme Court, Oneida County (Deborah H. Karalunas, J.), entered December 3, 2015. The order granted the motion of defendants to dismiss the complaint.

EVA BRINDISI PEARLMAN for ALISON M. CARBONE

10 minutes

NICOLE MARLOW-JONES for JON W. BRENIZER

10 minutes

DAY CALENDAR
Thursday, March 9, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

419.0
KA 15-00648

PEOPLE
V
JAMES C. JONES

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered January 12, 2015. The judgment revoked a term of probation and imposed a term of incarceration.

TIMOTHY P. MURPHY for JAMES C. JONES Submitted

KELLY M. BALCOM for PEOPLE OF THE STATE OF NEW YORK Submitted

420.0
KA 14-01881

PEOPLE
V
KALIL T. WALKER

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered June 25, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and assault in the second degree.

JAMES A. HOBBS for KALIL T. WALKER 10 minutes

KELLY CHRISTINE WOLFORD for PEOPLE OF THE STATE OF NEW YORK 10 minutes

421.0
KA 15-01685

PEOPLE
V
JOSHUA M. FURBECK

Appeal from a judgment of the Oswego County Court (Walter W. Hafner, Jr., J.), rendered August 24, 2012. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree.

COURTNEY S. RADICK for JOSHUA M. FURBECK 10 minutes

AMY LEIGH HALLENBECK for PEOPLE OF THE STATE OF NEW YORK 10 minutes

422.0
KA 16-01514

PEOPLE
V
TIMOTHY JOYCE

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered October 26, 2015. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the second degree (two counts).

BRUCE R. BRYAN for TIMOTHY JOYCE 30 minutes

VICTORIA M. WHITE for PEOPLE OF THE STATE OF NEW YORK 10 minutes

423.0
KAH 15-00936

PEOPLE EX REL. **SETTLED**
DANIEL SANTANA
V
HAROLD GRAHAM

Appeal from a memorandum and judgment of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered April 22, 2015. The memorandum and judgment denied the petition for a writ of habeas corpus.

MARIO J. GUTIERREZ for DANIEL SANTANA

KATHLEEN M. LANDERS for HAROLD GRAHAM

424.0
KAH 15-01739

PEOPLE EX REL.
VALARAE GREEN
V
THOMAS J. STICHT

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered July 8, 2015. The order, among other things, dismissed the petitions.

BENJAMIN L. NELSON for VALARAE GREEN

5 minutes

HEATHER MCKAY for THOMAS J. STICHT

5 minutes

425.0
CAF 15-00832

In the Matter of
ICEIES B.

Appeal from an order of the Family Court, Oneida County (James R. Griffith, J.), entered December 23, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject child.

PETER J. DIGIORGIO, JR., for SHACOYA L.

10 minutes

JOHN A. HERBOWY for ONEIDA COUNTY D.S.S.

10 minutes

PAUL A. NORTON, ATTORNEY FOR CHILD

10 minutes

426.0
CAF 15-01709

FRANK L. STANTON
V
NINA M. KELSO

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered June 4, 2015, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted petitioner physical custody of the child of the parties.

BRIDGET L. FIELD for NINA M. KELSO

10 minutes

FRANK L. STANTON for HIMSELF

Submitted

BRIAN P. DEGNAN, ATTORNEY FOR CHILD

10 minutes

427.0
CAF 16-00061

MARION F. NOREAULT
V
MARJORIE A. OLMSTEAD-GROGG

Appeal from an order of the Family Court, Onondaga County (William W. Rose, R.), entered December 14, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the parties shall have joint legal custody of the subject child, with residential custody with petitioners.

DANIELLE BLACKABY for MARJORIE A. OLMSTEAD-GROGG

10 minutes

MARION F. NOREAULT for HERSELF

Submitted

PAUL P. NOREAULT for HIMSELF

Submitted

SCOTT A. HALSEY for HIMSELF

Submitted

PAUL LEGRAND CHAPMAN, ATTORNEY FOR CHILD

10 minutes

429.0
CAF 16-01476

ERIN J. SMITH
V
JEFFERSON COUNTY D.S.S

Appeal from an order of the Family Court, Jefferson County (Eugene J. Langone, Jr., J.), entered November 6, 2015 in a proceeding pursuant to Family Court Act article 4. The order, among other things, denied respondent's written objections to the order of the Support Magistrate.

JOSEPH P. HUGHSON for JEFFERSON COUNTY D.S.S.

Submitted

ERIN J. SMITH for HIMSELF

Submitted

430.0
CA 15-02042

HERBERT FARRINGTON
V
ANTHONY ANNUCCI

Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered October 27, 2015. The memorandum and judgment dismissed the CPLR article 78 petition.

ADAM W. KOCH for HERBERT FARRINGTON

Submitted

FRANK BRADY for ANTHONY ANNUCCI

Submitted

431.0
CA 16-01606

MICHAEL AMALFI, SR.
V
KIMBERLY RAY

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered January 29, 2016. The order granted the motion of defendants to dismiss the complaint.

DONALD W. O'BRIEN, JR., for MICHAEL AMALFI, SR.

15 minutes

MICHAEL JOHN GRYGIEL for KIMBERLY RAY

15 minutes

432.0
CA 16-01070

DARELYN CLAUSE
V
WILLIAM J. FLYNN, JR., M.D.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered March 23, 2016. The order granted defendants' motion to dismiss the complaint and all cross claims against them.

JARROD W. SMITH for DARELYN CLAUSE

15 minutes

MICHAEL J. WILLETT for WILLIAM J. FLYNN, JR., M.D.

10 minutes

433.0
CA 16-01577

DYLAN DEUSER
V
PRECISION CONSTRUCTION & DEVELOPMENT

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered March 26, 2016. The order, insofar as appealed from, denied the motion of defendant Precision Construction and Development for summary judgment dismissing plaintiff's complaint.

MELISSA A. FOTI for PRECISION CONSTRUCTION & DEVELOPMENT

10 minutes

BRIAN L. CINELLI for DYLAN DEUSER

10 minutes

434.0
CA 15-02091

THOMAS HILL
V
ANTHONY ANNUCCI

Appeal from a memorandum and judgment of the Supreme Court, Wyoming County, (Michael M. Mohun, A.J.), entered November 13, 2015. The memorandum and judgment dismissed the CPLR article 78 petition.

NORMAN P. EFFMAN for THOMAS HILL

Submitted

WILLIAM E. STORRS for ANTHONY ANNUCCI

Submitted

435.0
CA 16-01207

GORDON GANNON
V
TODD SADEGHIAN

Appeal from an order and judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered October 1, 2015. The order and judgment, insofar as appealed from, granted the motion of defendant Ross M. Baigent for summary judgment dismissing plaintiffs' causes of action for breach of contract and tortious interference with contract, denied the motion of plaintiffs for summary judgment against Baigent and denied as moot the motion of plaintiffs to preclude Baigent from offering any evidence at trial.

STEPHEN FRANCIS SZYMONIAK for GORDON GANNON

10 minutes

CHARLES VON SIMSON for ROSS M. BAIGENT

10 minutes

436.0
CA 16-01266

MIA KADAH
V
KEITH N. BYRD

Appeal from a decision and order of the Supreme Court, Onondaga County (Walter Hafner, Jr., A.J.), entered January 8, 2016. The decision and order denied the motion of plaintiff for leave to renew a prior notice to dismiss the complaint or to vacate the order dismissing the complaint.

MATTHEW J. KAISER for MIA KADAH

10 minutes

HEATHER K. ZIMMERMAN for KEITH N. BYRD

10 minutes

437.0
CA 15-01584

SHMUEL SHMUELI
V
WHITESTAR DEVELOPMENT CORP.

Appeal from a decision and order of the Supreme Court, Niagara County (Timothy J. Walker, A.J.), entered June 12, 2015. The decision and order granted the motion of defendant for a directed verdict and dismissed the complaint.

MARK F. HEINZE for SHMUEL SHMUELI

15 minutes

RALPH C. LORIGO for WHITESTAR DEVELOPMENT CORP.

15 minutes