

DAY CALENDAR
Tuesday, February 27, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

365.0
KA 17-01306

PEOPLE
V
JAMES M. KNIGHT

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered September 22, 2015. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree and criminal possession of a weapon in the third degree.

SIMON KENNETH MOODY for JAMES M. KNIGHT Submitted

AMANDA CASSELMAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

366.0
KA 16-00585

PEOPLE
V
STEVEN J. JOHNSON

Appeal from a judgment of the Orleans County Court (James B. Punch, J.), rendered June 29, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted criminal sale of a controlled substance in the third degree.

CAITLIN M. CONNELLY for STEVEN J. JOHNSON Submitted

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

367.0
KA 17-00609

PEOPLE
V
LISA M. KISH

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered March 1, 2016. The judgment convicted defendant, upon her plea of guilty, of promoting prison contraband in the first degree.

JOSEPH G. FRAZIER for LISA M. KISH Submitted

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

368.0
KA 15-01987

PEOPLE
V
MATTHEW BENNETT

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered November 10, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

DANIELLE WILD for MATTHEW BENNETT Submitted

JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

369.0
KA 16-00951

PEOPLE
V
TIMOTHY R. BROOKS

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered April 18, 2016. The judgment convicted defendant, upon a jury verdict, of attempted robbery in the third degree.

	HILARY P. GERZHOY for TIMOTHY R. BROOKS	10 minutes
	JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
370.0 KA 16-00620	PEOPLE V DAVID M. CAREY	
	Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered March 2, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the second degree.	
	SHERRY A. CHASE for DAVID M. CAREY	10 minutes
	ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
371.0 KA 16-01138	PEOPLE V GREGORY BORCYK	
	Appeal from a decision and order of the Monroe County Court (Vincent M. DiNolfo, J.), dated January 4, 2016. The decision and order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.	
	JONATHAN I. EDELSTEIN for GREGORY BORCYK	15 minutes
	STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
372.0 KA 14-00395	PEOPLE V DAVID J. STEINMETZ, JR.	
	Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered October 30, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal mischief in the third degree	
	JOHN A. CIRANDO for DAVID J. STEINMETZ, JR.	10 minutes
	JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
373.0 KA 15-01424	PEOPLE V JOWSHEED M. MORALES	
	Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered April 15, 2015. The judgment convicted defendant, upon a jury verdict, of rape in the first degree, rape in the third degree, criminal mischief in the fourth degree, harassment in the second degree, criminal contempt in the first degree (two counts), criminal contempt in the second degree (12 counts) and criminal solicitation.	
	MARK C. DAVISON for JOWSHEED M. MORALES	10 minutes
	V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
374.0 CAF 17-00678	CLEAVON CLARK, III V MONICA D. KITTLES	

Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered March 2, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody of the subject child.

KATHLEEN P. REARDON for MONICA D. KITTLES 10 minutes

JANET C. SOMES for CLEAVON CLARK, III 10 minutes

MAROUN G. AJAKA, ATTORNEY FOR CHILD 5 minutes

375.0
CA 17-01662

ANGELA L. DARNLEY
V
DIANE L. RANDAZZO

Appeals from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered July 21, 2017. The order denied the motions of defendant Diane L. Randazzo and plaintiffs for summary judgment on the issue of liability.

ALYSON C. CULLITON for DIANE L. RANDAZZO 15 minutes

ANDREW CONNELLY for ANGELA L. DARNLEY 15 minutes

376.0
CA 17-01442

MICHAEL BUREL
V
NYS OFFICE OF MENTAL HEALTH

Appeal from an order of the Supreme Court, Monroe County (William K. Taylor, J.), entered March 23, 2017. The order dismissed the verified petition.

GREGORY T. MYERS for MICHAEL BUREL 15 minutes

LAURA ETLINGER for NYS OFFICE OF MENTAL HEALTH 10 minutes

377.0
CA 16-01221

JANET M. HINES
V
JOSHUA J. HINES

Appeal from an order of the Supreme Court, Onondaga County (Kevin G. Young, J.), entered December 9, 2015. The order, among other things, awarded defendant sole legal custody of the subject child and primary physical residence of the subject child.

PAUL B. WATKINS for JANET M. HINES 10 minutes

CHRISTINE F. REDFIELD for JOSHUA J. HINES 10 minutes

SCOTT A. OTIS, ATTORNEY FOR CHILD 10 minutes

378.0
CAF 17-00264

JANET HINES
V
JOSHUA HINES

Appeal and cross appeal from an order of the Family Court, Oswego County (James K. Eby, J.), entered December 29, 2016 in a proceeding pursuant to Family Court Act article 6. The order among other things, awarded petitioner sole legal and physical custody of the subject child.

PAUL B. WATKINS for JANET HINES Submitted

CHRISTINE F. REDFIELD for JOSHUA HINES Submitted

SCOTT A. OTIS, ATTORNEY FOR CHILD Submitted

379.0
CA 17-01244

STANLEY PARKER
V
TOWN OF ALEXANDRIA

Appeal from an order and judgment (one paper) of the Supreme Court, Jefferson County (James P. McClusky, J.), entered April 6, 2017. The order and judgment, among other things, declared invalid Town of Alexandria Local Law No. 2 of 2009, Town of Alexandria Local Law No. 2 of 2014 and the August 10, 2011 resolution of the Town Board of Town of Alexandria.

KEVIN M. MCARDLE for STANLEY PARKER 10 minutes
MICHAEL F. YOUNG for ELLEN PECK 10 minutes
ROBERT JAMES SLYE for TOWN OF ALEXANDRIA 10 minutes

380.0
CA 17-00080

JEFF BRISBANE
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered November 10, 2016 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for JEFF BRISBANE Submitted
BRIAN D. GINSBERG for ANTHONY ANNUCCI Submitted

381.0
CAF 16-01336

SCOTT SHEPHERD
V
JAMIE STOCKER

Appeals from an order of the Family Court, Lewis County (Daniel R. King, J.), entered June 21, 2016 in a proceeding pursuant to Family Court Act article 6. The order denied the petition.

PETER J. DIGIORGIO, JR., for SCOTT SHEPHERD 10 minutes
DONALD R. GERACE for JAMIE STOCKER 10 minutes
SCOTT A. OTIS, ATTORNEY FOR CHILD 10 minutes

382.0
CA 17-01301

CAMPAIGN FOR BUFFALO HISTORY
V
CITY OF BUFFALO

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered September 21, 2016. The order and judgment denied the petition/complaint in its entirety as to respondent/defendant Ellicott Development Co.

RICHARD J. LIPPES for CAMPAIGN FOR BUFFALO HISTORY 15 minutes
JESSICA M. LAZARIN for CITY OF BUFFALO 10 minutes
COREY A. AUERBACH for THE CROSBY COMPANY Submitted
SHANNON M. HENEGHAN for ELLICOTT DEVELOPMENT CO. Submitted

383.0
CA 17-01288

RENEE Y. PHILLIPS
V
TIMOTHY SAVAGE

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered April 11, 2017. The order granted the motion of defendant to dismiss the verified complaint.

FRANK S. FALZONE for RENEE Y. PHILLIPS

10 minutes

BETSY F. VISCO for TIMOTHY SAVAGE

10 minutes

384.0
CA 17-01827

HEATHER ENOS-GROFF

V

LAURA M. SCHUMACHER

Appeal from an order of the Supreme Court, Ontario County (Craig Doran, J.), entered April 17, 2017. The order granted the motion of defendants Laura M. Schumacher, Daniel Schumacher, John Schumacher and Schum-Acres & Assoc., Inc., for summary judgment dismissing the complaint.

PETER ROLPH for HEATHER ENOS-GROFF

10 minutes

BRIAN R. BIGGIE for LAURA M. SCHUMACHER

10 minutes

385.0
CAF 16-01632

NICHOLAS J. KAMMEYER

V

JAMI R. MANGES-MERRIMAN

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered August 8, 2016, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted primary physical custody of the subject child to petitioner.

STEPHANIE N. DAVIS for JAMI R. MANGES-MERRIMAN

5 minutes

RUTHANNE G. SANCHEZ for NICHOLAS J. KAMMEYER

5 minutes

SCOTT A. OTIS, ATTORNEY FOR CHILD

10 minutes

386.0
CAF 16-01633

NICHOLAS J. KAMMEYER

V

JAMI R. MANGES-MERRIMAN

Appeal from an amended order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered August 11, 2016, in a proceeding pursuant to Family Court Act article 6. The amended order, inter alia, granted primary physical custody of the subject child to petitioner.

STEPHANIE N. DAVIS for JAMI R. MANGES-MERRIMAN

Submitted

RUTHANNE G. SANCHEZ for NICHOLAS J. KAMMEYER

Submitted

SCOTT A. OTIS, ATTORNEY FOR CHILD

Submitted

386.1
CA 17-01309

SAMUEL, SON & CO., INC.

SETTLED

V

THOMAS F. CELA

Appeal and cross appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, Jr., J.), entered January 31, 2017. The order denied plaintiff's motion for partial summary judgment and denied defendants' cross motion for summary judgment dismissing the amended complaint or alternatively, for leave to amend their answer to the amended complaint.

HOWARD ERIC BERGER for SAMUEL, SON & CO., INC.

DAVID TEMES for THOMAS F. CELA