

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

1360.0
TP 17-00887

BASHAN RUDOLPH
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.], dated May 15, 2017) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for **BASHAN RUDOLPH**

Submitted

VICTOR PALADINO for **ANTHONY ANNUCCI**

Submitted

1361.0
KA 16-00784

PEOPLE
V
AMANDA R. SNYDER

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered December 10, 2015. The judgment convicted defendant, upon her plea of guilty, of attempted criminal sexual act in the first degree.

LYLE T. HAJDU for **AMANDA R. SNYDER**

Submitted

DONNA A. MILLING for **THE PEOPLE OF THE STATE OF NEW YORK**

Submitted

1362.0
KA 15-02005

PEOPLE
V
JEFFREY BASIL

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered July 22, 2015. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

TIMOTHY P. MURPHY for **JEFFREY BASIL**

Submitted

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

Submitted

1363.0
KA 13-01186

PEOPLE
V
ANDREW L. DAYMON

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered February 27, 2013. The judgment convicted defendant, upon a jury verdict, of offering a false instrument for filing in the first degree, falsifying business records in the first degree (three counts) and insurance fraud in the fifth degree.

KATHLEEN P. REARDON for **ANDREW L. DAYMON**

Submitted

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

Submitted

1364.0
KA 14-00530

PEOPLE
V
JERRELL B. HENRY

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered January 14, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the first degree.

JAMES A. HOBBS for JERRELL B. HENRY 10 minutes

LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1365.0
KA 09-02123

PEOPLE
V
JESSIE J. BARNES

Appeal from a judgment of the Monroe County Court (Richard A. Keenan, J.), rendered August 31, 2009. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree (three counts), reckless endangerment in the first degree, criminal mischief in the second degree, reckless driving and a traffic violation.

JOHN A. CIRANDO for JESSIE J. BARNES 30 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 30 minutes

1366.0
KA 15-01204

PEOPLE
V
MARY MEYER

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered December 8, 2014. The judgment convicted defendant, upon her plea of guilty, of grand larceny in the second degree

LINDA M. CAMPBELL for MARY MEYER 10 minutes

NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1367.0
KA 14-01136

PEOPLE
V
ROSE M. CHASE

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered January 15, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, tampering with physical evidence, and endangering the welfare of a child.

GARY MULDOON for ROSE M. CHASE 15 minutes

R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1368.0
KA 15-00100

PEOPLE
V
ANDREW J. GRAVES

Appeal from a judgment of the Seneca County Court (Dennis F. Bender, J.), rendered October 6, 2014. The judgment convicted defendant, upon a jury verdict, of criminal mischief in the second degree and conspiracy in the fifth degree.

GUY A. TALIA for ANDREW J. GRAVES 10 minutes

BARRY L. PORSCHE for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1369.0
KA 15-00979

PEOPLE
V
LEROY T. REYNOLDS, JR.

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered March 4, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

DAVID R. JUERGENS for LEROY T. REYNOLDS, JR. 10 minutes

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1370.0
OP 17-00885

FRANK J. MARIANACCI, INC.
V
ROBERTA REARDON

Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Fourth Judicial Department pursuant to CPLR 506 [b] [1]) to annul the determination of respondent Roberta Reardon, Commissioner of Labor. The determination adjudged that petitioner Frank J. Marianacci, Inc., and Bryan Marianacci had willfully violated Labor Law article 8.

ANDREW JOSEPH RYAN for FRANK J. MARIANACCI, INC. Submitted

LUKE BENNETT KALAMAS for THE PIKE COMPANY, INC. Submitted

MING-QI CHU for ROBERTA REARDON Submitted

1371.0
CA 17-01140

SUI-HSU HSIEH
V
YEN-TUNG TENG

Appeal from an order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered December 20, 2016. The order, inter alia, denied the motion of defendant to vacate a judgment of divorce.

RONALD G. HULL for YEN-TUNG TENG 10 minutes

JAMES A. VALENTI for SUI-HSU HSIEH 10 minutes

1372.0
CA 17-00675

MARLENE CORNELL
V
COUNTY OF MONROE

Appeal and cross appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered June 23, 2016. The order denied the motion of defendant to dismiss the complaint and for summary judgment, denied the cross motion of plaintiff for leave to amend the notice of claim and denied the motion of plaintiff for partial summary judgment.

MATTHEW D. BROWN for COUNTY OF MONROE 15 minutes

DAVID L. MURPHY for MARLENE CORNELL 15 minutes

1373.0
CA 17-00676

MARLENE CORNELL
V
COUNTY OF MONROE

Appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered October 25, 2016. The order, insofar as appealed from, determined that defendant is equitably estopped from asserting a timely notice of claim defense.

MATTHEW D. BROWN for COUNTY OF MONROE Submitted

DAVID L. MURPHY for MARLENE CORNELL Submitted

1374.0
CA 17-01176

ALEXA FIDEN
V
WILLIAMSVILLE CSD

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered February 24, 2017. The order denied motion of defendants for summary judgment dismissing plaintiff's complaint.

JODY E. BRIANDI for WILLIAMSVILLE CSD 15 minutes

JOHN A. COLLINS for ALEXA FIDEN 10 minutes

1375.0
CA 17-00943

In the Matter of Probate Proceeding
WILL OF CHARLOTTE S. VAN LOAN

Appeal from an order of the Surrogate's Court, Onondaga County (Ava S. Raphael, S.), entered September 13, 2016. The order, among other things, granted the motion of petitioners for summary judgment.

RONALD D. HARIRI for ROBIN V. JONES 15 minutes

JOHN M. DELANEY for EDWARD C. VAN LOAN, JR. 20 minutes

1376.0
CA 17-00948

In the Matter of Probate Proceeding
WILL OF CHARLOTTE S. VAN LOAN

Appeal from a decree of the Surrogate's Court, Onondaga County (Ava S. Raphael, S.), entered September 21, 2016. The decree, among other things, admitted the instrument offered to probate as the Last Will and Testament of decedent Charlotte S. Van Loan, valid to pass real and personal property.

RONALD D. HARIRI for ROBIN V. JONES 15 minutes

JOHN M. DELANEY for EDWARD C. VAN LOAN, JR. 20 minutes

1377.0
CA 16-01936

SINCERE M.
V
STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered August 24, 2016 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 F. HIGGINS for SINCERE M. Submitted

KATHLEEN M. TREASURE for STATE OF NEW YORK Submitted

1378.0
OP 17-00987

GARY POOLER
V
HON. JOHN J. ARK

Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Fourth Judicial Department pursuant to CPLR 506 [b] [1]) to annul an order of respondent. The order adjudged that Richard Bianchi, Angelo Bianchi and Joseph Errigo are entitled to a judgment in the amount of \$162,391.19 as against petitioner.

TIMOTHY D. BOLDT for GARY POOLER 10 minutes

WILLIAM E. STORRS for HON. JOHN J. ARK 5 minutes

1379.0
CA 17-01221

NATALIE BECKWITH
V
JOHN BOWEN, M.D.

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered December 8, 2016. The order denied the motion of defendants for summary judgment.

MICHAEL P. RINGWOOD for JOHN BOWEN, M.D. 10 minutes

JEFF D. DEFRANCISCO for NATALIE BECKWITH 10 minutes

1380.0
CA 14-01794

ANTOINE MARTIN, II
V
WALTER WITKOWSKI

Appeal from an order of the Supreme Court, Erie County (Thomas P. Franczyk, A.J.), entered January 17, 2014. The order granted the motion of defendant to strike the summons and complaint and to dismiss the action.

JEANNE M. VINAL for ANTOINE MARTIN, II 15 minutes

JAMES J. NASH for WALTER WITKOWSKI 15 minutes

JENNIFER V. SHIFFMACHER for WALTER WITKOWSKI, SR. 10 minutes

1381.0
CA 14-01795

ANTOINE MARTIN, II
V
WALTER WITKOWSKI

Appeal from an order of the Supreme Court, Erie County (Thomas P. Franczyk, A.J.), entered April 14, 2014. The order denied the motion of plaintiff to renew and reargue and to amend the summons and complaint.

JEANNE M. VINAL for ANTOINE MARTIN, II Submitted

JAMES J. NASH for WALTER WITKOWSKI Submitted

JENNIFER V. SHIFFMACHER for WALTER WITKOWSKI, SR. Submitted

1382.0
CA 17-00702

LUIS ROSARIO
V
MONROE MECHANICAL SERVICES, INC.

Appeal from an order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered September 27, 2016. The order granted the motion of defendants for summary judgment and dismissed the complaint.

MICHAEL CARTER BOISVERT for LUIS ROSARIO 15 minutes

STEVEN W. WILLIAMS for MONROE MECHANICAL SERVICES, INC. 15 minutes