

**DAY CALENDAR**  
**Wednesday, November 29, 2017 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1407.0  
KA 16-00637

**PEOPLE**  
**V**  
**ANTOINE SANDERS**

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered April 28, 2015. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree (five counts) and criminal possession of a weapon in the second degree.

NICHOLAS P. DIFONZO for ANTOINE SANDERS Submitted

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

1408.0  
KA 16-00727

**PEOPLE**  
**V**  
**JASON E. TUTTY**

Appeal from an order of the Supreme Court, Monroe County (John L. DeMarco, J.), entered August 19, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for JASON E. TUTTY Submitted

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

1409.0  
KA 16-00534

**PEOPLE**  
**V**  
**RAYMOND L. LEACH, JR.**

Appeal from an order of the Genesee County Court (Michael F. Pietruszka, A.J.), entered March 29, 2016. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

ERIN A. KULESUS for RAYMOND L. LEACH, JR. Submitted

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

1410.0  
KA 17-00007

**PEOPLE**  
**V**  
**HENRI J. ALFIERE**

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered November 17, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the second degree.

JOSEPH G. FRAZIER for HENRI J. ALFIERE Submitted

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

1411.0  
KA 15-00847

**PEOPLE**  
**V**  
**TOREY D. SMITH**

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered September 3, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

JOHN A. CIRANDO for TOREY D. SMITH Submitted

1412.0 KA 16-01947	<b>R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK</b> <b>PEOPLE</b> <b>V</b> <b>EARL J. WILSON</b>	Submitted
	<p>Appeal from a judgment of the Seneca County Court (Dennis F. Bender, J.), rendered August 19, 2016. The judgment convicted defendant, upon his plea of guilty, of aggravated vehicular homicide, aggravated vehicular homicide (two counts) and manslaughter in the second degree (two counts).</p>	
	<b>J. SCOTT PORTER for EARL J. WILSON</b>	10 minutes
	<b>BARRY L. PORSCH for THE PEOPLE OF THE STATE OF NEW YORK</b>	10 minutes
1414.0 KA 14-01577	<b>PEOPLE</b> <b>V</b> <b>VANGIE M. NAVARRO</b>	
	<p>Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered July 2, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts), criminal possession of a controlled substance in the seventh degree, criminal sale of marihuana in the third degree and criminal sale of marihuana in the fourth degree.</p>	
	<b>JOHN A. CIRANDO for VANGIE M. NAVARRO</b>	15 minutes
	<b>JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK</b>	10 minutes
1415.0 KA 17-00008	<b>PEOPLE</b> <b>V</b> <b>HENRI J. ALFIERE</b>	
	<p>Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered November 17, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the second degree.</p>	
	<b>JOSEPH G. FRAZIER for HENRI J. ALFIERE</b>	Submitted
	<b>THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK</b>	Submitted
1416.0 KA 15-00765	<b>PEOPLE</b> <b>V</b> <b>ROMEO WILLIAMS</b>	
	<p>Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered October 22, 2014. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and assault in the second degree.</p>	
	<b>PIOTR BANASIAK for ROMEO WILLIAMS</b>	10 minutes
	<b>JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK</b>	10 minutes
1417.0 CA 16-01639	<b>JEFFREY'S AUTO BODY, INC.</b> <b>V</b> <b>ALLSTATE INSURANCE COMPANY</b>	
	<p>Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (James P. Murphy, J.), entered December 10, 2015. The order and judgment, among other things, granted the motion of defendants for summary judgment dismissing the complaint.</p>	

	<b>CECELIA R. CANNON for JEFFREY'S AUTO BODY, INC.</b>	<b>15 minutes</b>
	<b>KENNETH M. ALWEIS for ALLSTATE INSURANCE COMPANY</b>	<b>10 minutes</b>
<b>1418.0</b> <b>CA 16-01640</b>	<b>NICK'S GARAGE, INC.</b> <b>V</b> <b>ALLSTATE INSURANCE COMPANY</b>	
	Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (James P. Murphy, J.), entered December 10, 2015. The order and judgment, among other things, granted the motion of defendants for summary judgment dismissing the complaint.	
	<b>CECELIA R. CANNON for NICK'S GARAGE, INC.</b>	<b>Submitted</b>
	<b>KENNETH M. ALWEIS for ALLSTATE INSURANCE COMPANY</b>	<b>Submitted</b>
<b>1419.0</b> <b>CA 17-00714</b>	<b>MURNANE BUILDING CONTRACTORS, LLC</b> <b>V</b> <b>CAMERON HILL CONSTRUCTIONS, LLC</b>	
	Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered June 24, 2016. The order granted the motion of defendant Syracuse University to dismiss the complaint and to vacate a mechanic's lien.	
	<b>JEREMY M. SMITH for MURNANE BUILDING CONTRACTORS, LLC</b>	<b>15 minutes</b>
	<b>JOHN G. POWERS for SYRACUSE UNIVERSITY</b>	<b>10 minutes</b>
	<b>JOHN CHERUNDOLO for CAMERON HILL CONSTRUCTIONS, LLC</b>	<b>Submitted</b>
<b>1420.0</b> <b>OP 17-00237</b>	<b>DWIGHT DELEE</b> <b>V</b> <b>HON. JOHN J. BRUNETTI</b>	
	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]). Petitioner seeks a writ of prohibition barring his retrial as being in violation of the principles of double jeopardy.	
	<b>CHARLES A. KELLER, III, for DWIGHT DELEE</b>	<b>10 minutes</b>
	<b>JAMES P. MAXWELL for WILLIAM J. FITZPATRICK, D.A.</b>	<b>10 minutes</b>
	<b>ERIC T. SCHNEIDERMAN for HON. JOHN J. BRUNETTI</b>	<b>Submitted</b>
<b>1421.0</b> <b>CA 17-01123</b>	<b>MD3 HOLDINGS, LLC</b> <b>V</b> <b>AUGUST BUERKLE</b>	
	Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered February 7, 2017. The order granted the motion of plaintiff for summary judgment, denied the cross motion of defendant for summary judgment and awarded plaintiff money damages.	
	<b>MICHAEL J. KAWA for AUGUST BUERKLE</b>	<b>Submitted</b>
	<b>DAVID MICHAEL CAPRIOTTI for MD3 HOLDINGS, LLC</b>	<b>10 minutes</b>
<b>1422.0</b> <b>CA 17-01181</b>	<b>MARY K. RUGG</b> <b>V</b> <b>GERALD J. O'DONNELL</b>	

Appeal from an order of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered September 7, 2016. The order denied the motion of plaintiffs for summary judgment and granted the cross motion of defendants for leave to serve a second amended answer with counterclaim.

J. ERIC CHARLTON for MARY K. RUGG

15 minutes

ERIN K. SKUCE for GERALD J. O'DONNELL

10 minutes

1423.0  
CA 17-01165

In the Matter of  
CITY OF WATERTOWN  
(WATERTOWN PROFESSIONAL FIREFIGHTERS)

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered March 14, 2017 in a proceeding pursuant to CPLR article 75. The order denied and dismissed the petition.

TERENCE MICHAEL O'NEIL for CITY OF WATERTOWN

15 minutes

NATHANIEL G. LAMBRIGHT for WATERTOWN PROF. FIREFIGHTERS ASSOC.

15 minutes

1424.0  
CA 17-01162

JOHN CHILINSKI  
V  
DEBORAH MALONEY

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered May 17, 2017. The order denied the motion of defendants for summary judgment.

MICHELLE M. DAVOLI for DEBORAH MALONEY

15 minutes

DAVID E. ZUKHER for JOHN CHILINSKI

10 minutes

1425.0  
CA 16-01918

JOEL PROVIDENCE  
V  
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered August 18, 2016 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

LEAH R. NOWOTARSKI for JOEL PROVIDENCE

Submitted

KATE H. NEPVEU for ANTHONY ANNUCCI

Submitted

1426.0  
CA 17-00554

LISA J. RIPICH  
V  
GREGORY G. RIPICH

Appeal and cross appeal from an order of the Supreme Court, Onondaga County (Martha E. Mulroy, A.J.), entered June 15, 2016. The order, among other things, granted defendant's motion for a downward modification of child support.

LINDA M. CAMPBELL for LISA J. RIPICH

20 minutes

JON W. BRENIZER for GREGORY G. RIPICH

10 minutes

1427.0  
CA 17-00994

2305 GENESEE ST., LLC  
V  
CITY OF UTICA

**Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered August 26, 2016. The order granted defendant's motion for summary judgment dismissing plaintiff's complaint.**

**MARK A. WOLBER for 2305 GENESEE ST., LLC**

**Submitted**

**KATHRYN FESTINE HARTNETT for CITY OF UTICA**

**Submitted**