

DAY CALENDAR
Monday, October 16, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1155.0
TP 17-00857

STEVEN J. MAROCCIA
V
NYS DEPARTMENT OF MOTOR VEHICLES

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, Oneida County [Samuel D. Hester, J.], entered October 24, 2014) to review a determination of respondent. The determination revoked petitioner's certification to perform New York State motor vehicle inspections.

KURT D. SCHULTZ for **STEVEN J. MAROCCIA** Submitted

ROBERT M. GOLDFARB for **NYS DEPARTMENT OF MOTOR VEHICLES** Submitted

1156.0
TP 16-00896

DEAN DEROBERTS
V
NYS OFFICE OF CHILDREN AND FAMILY SERVS.

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, Onondaga County [Hugh A. Gilbert, J.], entered May 23, 2016) to review a determination of respondent. The determination denied petitioner's request that a report maintained in the New York State Central Register of Child Abuse and Maltreatment, indicating petitioner for maltreatment, be amended to unfounded.

VINCENT J. FINOCCHIO, JR., for **DEAN DEROBERTS** Submitted

JULIE M. SHERIDAN for **NYS OFFICE OF CHILDREN AND FAMILY SERVS.** Submitted

1157.0
TP 17-00866

LAWRENCE PEREZ
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, Seneca County [Dennis F. Bender, A.J.], entered May 9, 2017) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated an inmate rule.

LAWRENCE PEREZ for **HIMSELF** Submitted

MARCUS J. MASTRACCO for **ANTHONY ANNUCCI** Submitted

1158.0
KA 16-00230

PEOPLE
V
DAREN FLOYD

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered January 5, 2016. The judgment convicted defendant, upon his plea of guilty, of aggravated unlicensed operation of a motor vehicle in the first degree.

CHARLES J. GREENBERG for **DAREN FLOYD** Submitted

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

1159.0
KA 15-01073

PEOPLE
V
RONALD MCCLELLAN, JR.

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered August 8, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.

KATHLEEN A. KUGLER for RONALD MCCLELLAN, JR. 10 minutes

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1160.0
KA 15-00794

PEOPLE
V
SCOTT E. BLAUVELT AND KYLE C. NORCROSS

Appeal from an order of the Supreme Court, Cayuga County (Elma A. Bellini, J.), entered July 2, 2014. The order dismissed an indictment.

JON E. BUDELMANN for PEOPLE OF THE STATE OF NEW YORK Submitted

ADAM H. VAN BUSKIRK for SCOTT E. BLAUVELT Submitted

SCOTT A. BRENNECK for KYLE C. NORCROSS 10 minutes

1161.0
KAH 16-01019

PEOPLE EX REL.
CHARLES BROOKS
V
DEBORAH J. MCCULLOCH

Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered May 9, 2017 in a habeas corpus proceeding. The order, among other things, denied petitioner's motion for poor person status.

MARK C. DAVISON for CHARLES BROOKS 10 minutes

KATHLEEN M. TREASURE for DEBORAH J. MCCULLOCH Submitted

1162.0
CAF 16-00933

CATHY ANN EMMONS
V
SCOTT W. TOUSLEY, JR.

Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered March 18, 2016 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted sole legal and physical custody of the child to Scott W. Tousley, Jr.

JOHN A. CIRANDO for CATHY ANN EMMONS 10 minutes

STEPHANIE N. DAVIS for SCOTT W. TOUSLEY, JR. Submitted

PAMELA A. MUNSON, ATTORNEY FOR CHILD Submitted

1163.0
CAF 17-00597

CARL J. COLLINS
V
ELISHA M. WOODWARD

Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), dated June 30, 2016 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted sole legal and physical custody of the child to Carl J. Collins.

PETER J. DIGIORGIO, JR., for ELISHA M. WOODWARD 15 minutes

MICHAEL STEINBERG for CARL J. COLLINS 15 minutes

	PAMELA A. MUNSON, ATTORNEY FOR CHILD	15 minutes
1164.0 CAF 16-00341	CORY MORENO V JAN ELLIOTT	
	Appeal from an order of the Family Court, Steuben County (Marianne Furfure, A.J.), entered January 21, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that respondent's willful violations of the court's orders constituted civil contempt.	
	MARY P. DAVISON for JAN ELLIOTT	5 minutes
	CARA A. WALDMAN for CORY MORENO	10 minutes
	VIVIAN CLARA STRACHE, ATTORNEY FOR CHILD	5 minutes
1165.0 CAF 16-01541	RACHEL A. MONTALBANO V GREGORY F. BABCOCK	
	Appeal from an order of the Family Court, Oswego County (Thomas Benedetto, R.), entered July 12, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner legal and physical custody of the subject child.	
	STEPHANIE N. DAVIS for GREGORY F. BABCOCK	5 minutes
	JOHN A. CIRANDO for RACHEL A. MONTALBANO	10 minutes
	COURTNEY S. RADICK, ATTORNEY FOR CHILD	5 minutes
1166.0 CAF 16-01542	RACHEL A. MONTALBANO V GREGORY F. BABCOCK	
	Appeal from an order of the Family Court, Oswego County (Thomas Benedetto, R.), entered July 29, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner legal and physical custody of the subject child.	
	STEPHANIE N. DAVIS for GREGORY F. BABCOCK	Submitted
	JOHN A. CIRANDO for RACHEL A. MONTALBANO	Submitted
	COURTNEY S. RADICK, ATTORNEY FOR CHILD	Submitted
1167.0 CAF 16-01509	GLENN A. GARTNER V KERA H. REED	
	Appeals from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered August 18, 2016 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted petitioner sole legal and physical custody of the subject child.	
	COURTNEY S. RADICK for KERA H. REED	10 minutes
	LISA DIPOALA HABER for GLENN A. GARTNER	10 minutes
	ROGER B. WILLIAMS, ATTORNEY CHILD	10 minutes
1168.0 CA 17-00016	MICRO-LINK, LLC V TOWN OF AMHERST	

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered September 19, 2016. The order, among other things, granted defendant's motion for summary judgment and denied plaintiff's motion to compel disclosure.

R. ANTHONY RUPP, III, for MICRO-LINK, LLC 10 minutes

MARC W. BROWN for TOWN OF AMHERST 15 minutes

1169.0
CA 17-00698

In the Matter of
MICHELLE WIDRICK
(SHERIFF MICHAEL CARPINELLI)

Appeal from an order of the Supreme Court, Lewis County (Charles C. Merrell, J.), entered January 10, 2017. The order denied the motion of respondents to dismiss the petition and granted the petition to compel arbitration.

FRANK W. MILLER for LEWIS COUNTY ATTORNEY 10 minutes

STEPHEN CIOTOLI for MICHELLE WIDRICK 10 minutes

1170.0
CA 17-00732

DAVID M. BONCZAR
V
AMERICAN MULTI-CINEMA, INC.

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered March 1, 2017. The order granted the motion of plaintiff for partial summary judgment on the issue of liability pursuant to Labor Law § 240 (1).

JOSH H. KARDISCH for AMERICAN MULTI-CINEMA, INC. 15 minutes

JOHN A. COLLINS for DAVID M. BONCZAR 15 minutes

1171.0
CA 17-00682

VALERIE KOVACH
V
KATHLEEN MCCOLLUM

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered July 6, 2016. The order granted the motion of plaintiff for summary judgment on the issues of negligence, serious injury and defendants' culpable conduct defense, and denied the cross motion of defendants for summary judgment.

DEREK J. ROLLER for KATHLEEN MCCOLLUM 10 minutes

JOHN A. COLLINS for VALERIE KOVACH 10 minutes

1172.0
CA 17-00724

ROBERT M. KNAB
V
DREW ROBERTSON

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered October 14, 2016. The order denied the motion of defendant Oakgrove Construction, Inc., for summary judgment dismissing the complaint.

NANCY A. LONG for OAKGROVE CONSTRUCTION, INC. 10 minutes

JOHN A. COLLINS for ROBERT M. KNAB 10 minutes

1173.0
CA 17-00606

In the Matter of
COUNTY OF ONTARIO

Appeals from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered March 7, 2017. The order denied the motions of defendants to vacate a judgment of foreclosure.

THOMAS A. FINK for LUNDQUIST 1996 LIVING TRUST 10 minutes

JASON S. DIPONZIO for COUNTY OF ONTARIO 10 minutes

JOHN KEVIN MCANDREW for FIVE STAR BANK Submitted

1174.0
CA 17-00827

DAVID CLEERE
V
FROST RIDGE CAMPGROUND, LLC

Appeal from an order and judgment (one paper) of the Supreme Court, Genesee County (Emilio L. Colaiacovo, J.), entered November 9, 2016 The order and judgment dismissed the consolidated actions with prejudice.

JACOB H. ZOGHLIN for DAVID CLEERE 20 minutes

REID ANDREW WHITING for TOWN OF LEROY 10 minutes

JAMES M. WUJCIK for TOWN OF LEROY Z.B.A. 10 minutes

DAVID M. ROACH for FROST RIDGE CAMPGROUND, LLC 20 minutes

1175.0
CA 16-02129

ANDRE B. COOK
V
MASSACHUSETTS MUTUAL LIFE INSURANCE

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered September 19, 2016. The order granted the motion of plaintiff for summary judgment.

COLIN D. RAMSEY for MASSACHUSETTS MUTUAL LIFE INSURANCE 15 minutes

CHARLES C. RITTER, JR., for ANDRE B. COOK 15 minutes

1176.0
CA 16-02131

ANDRE B. COOK
V
MASSACHUSETTS MUTUAL LIFE INSURANCE

Appeal from a judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered September 28, 2016. The judgment awarded plaintiff money damages.

COLIN D. RAMSEY for MASSACHUSETTS MUTUAL LIFE INSURANCE Submitted

CHARLES C. RITTER, JR., for ANDRE B. COOK Submitted

DAY CALENDAR
Tuesday, October 17, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1177.0
KA 15-01256

PEOPLE
V
LEON SMITH

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered May 21, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

DAVID A. COOKE for LEON SMITH Submitted

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

1178.0
KA 16-01551

PEOPLE
V
LUIS M. GARCIA

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered August 4, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

JOSEPH G. FRAZIER for LUIS M. GARCIA Submitted

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

1180.0
KA 13-01709

PEOPLE
V
TANISHA M. DAVIS

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered September 18, 2013. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree.

MEGHAN GILLIGAN for TANISHA M. DAVIS 15 minutes

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

1181.0
KA 15-00452

PEOPLE
V
SHAVELLE L. SCOTT

Appeal from a judgment of the Steuben County Court (Marianne Furfure, A.J.), rendered August 21, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

MARY P. DAVISON for SHAVELLE L. SCOTT Submitted

JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK Submitted

1182.0
KA 16-02120

PEOPLE
V
KEVIN P. MCCABE

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered November 10, 2016. The judgment convicted defendant, upon a jury verdict, of manslaughter in the second degree and endangering the welfare of a child (two counts).

	SCOTT RIORDAN for KEVIN P. MCCABE	10 minutes
	DONNA A. MILLING for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1183.0 KA 13-00883	PEOPLE V CURTIS T. KING	
	Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered March 20, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.	
	KATHLEEN P. REARDON for CURTIS T. KING	5 minutes
	LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK	5 minutes
1184.0 CAF 16-01308	In the Matter of SEAN P.	
	Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered June 7, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondents had neglected the subject child.	
	DANIELLE BLACKABY for BRANDY P.	10 minutes
	MAGGIE SEIKALY for ONONDAGA CO. DEPT. OF CHILD & FAMILY SERVS.	Submitted
	LAURA ESTELA CARDONA, ATTORNEY FOR CHILD	5 minutes
1185.0 CAF 15-01571	In the Matter of NAVAEH G.	
	Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 11, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, terminated the parental rights of respondent.	
	DAVID J. PAJAK for ANTHONY G.	Submitted
	WILLIAM D. BRODERICK, JR., for JAHKEYA A.	10 minutes
	ROSEMARY LINDA BAPST for ERIE COUNTY D.S.S.	Submitted
	CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
1186.0 CAF 15-01718	In the Matter of NAVAEH G.	
	Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 11, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, terminated the parental rights of respondent.	
	DAVID J. PAJAK for ANTHONY G.	Submitted
	WILLIAM D. BRODERICK, JR., for ANTHONY G.	Submitted
	ROSEMARY LINDA BAPST for ERIE COUNTY D.S.S.	Submitted
	CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
1187.0 CAF 16-00949	In the Matter of JASON B.	

Appeal from an order of the Family Court, Yates County (W. Patrick Falvey, J.), entered May 18, 2016 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondents.

CARA A. WALDMAN for GERALD B. 15 minutes

ALEXANDARA BURKETT for YATES COUNTY D.S.S. 15 minutes

JOSEPH S. DRESSNER for JASON B. 15 minutes

MARYBETH D. BARNET, ATTORNEY FOR CHILD 10 minutes

1188.0
CAF 16-01287

**In the Matter of
KH'NIAYAH D.**

Appeal from an order of the Family Court, Onondaga County (Michele Pirro Bailey, J.), entered July 1, 2016 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, terminated respondents' parental rights to the subject child.

DANIELLE BLACKABY for NIANI J. 10 minutes

MAGGIE SEIKALY for ONONDAGA CO. DEPT. OF CHILD & FAMILY SERVS. Submitted

TRICIA M. DORN, ATTORNEY FOR CHILD Submitted

1189.0
CA 17-00234

**DAVID M. ISABELLA
V
JAMES F. JACKLING**

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered September 26, 2016. The order granted the motion of defendants for summary judgment.

RICHARD ALAN GOLDBERG for DAVID M. ISABELLA 15 minutes

DAVID LEE RASMUSSEN for JAMES F. JACKLING 15 minutes

1190.0
CA 17-00591

**In the Matter of
VIOLET RENNOLDS AMOROSO TRUST**

Appeal from an order of the Surrogate's Court, Monroe County (John M. Owens, S.), entered October 6, 2016. The order dismissed the petition.

EILEEN E. BUHOLTZ for PETER BRINA 10 minutes

JEFFREY M. JOHNSTONE for ARTHUR G. BRINA 15 minutes

1191.0
CA 17-00681

**BEVERLY BRADLEY
V
RAMESH KONAKANCHI, D.O.**

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered December 21, 2016. The order, among other things, denied the motion of defendant Ramesh Konakanchi, D.O., to dismiss the action as against him.

JOHN TIMOTHY LOSS for RAMESH KONAKANCHI, D.O. 15 minutes

BRIAN R. HOGAN for BEVERLY BRADLEY 10 minutes

1192.0
CA 17-00684

**KRISTINA DOLINAR
V
KALEIDA HEALTH**

Appeal from an order of the Supreme Court, Erie County (J. David Sampson, A.J.), entered August 19, 2016. The order denied defendant's motion for summary judgment dismissing plaintiff's complaint against them in its entirety.

MICHAEL J. WILLETT for KALEIDA HEALTH 15 minutes

DAVID J. WOLFF, JR., for KRISTINA DOLINAR 15 minutes

1193.0
CA 16-02034

KANDIS TIRADO
V
SARA H. KORITZ, M.D.

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered May 4, 2016. The order denied in part the motion of defendants for summary judgment dismissing plaintiffs' complaint.

KATHERINE V. MARKEL for SARA H. KORITZ, M.D. 10 minutes

GERARD A. STRAUSS for KANDIS TIRADO 15 minutes

1194.0
CA 16-02035

KANDIS TIRADO
V
SARA H. KORITZ, M.D.

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered June 16, 2016. The order granted plaintiffs' motion for leave to reargue and, upon reargument, reinstated plaintiffs' cause of action based on assault and battery.

KATHERINE V. MARKEL for SARA H. KORITZ, M.D. Submitted

GERARD A. STRAUSS for KANDIS TIRADO Submitted

1195.0
CA 17-00657

NOAH DOOLITTLE
V
NIXON PEABODY LLP

Appeal and cross appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered December 2, 2016. The order granted the motion of defendant to set aside the verdict to the extent of recalculating the award of damages and otherwise denied defendant's motion.

MICHAEL R. WOLFORD for NIXON PEABODY LLP 15 minutes

J. NELSON THOMAS for NOAH DOOLITTLE 10 minutes

1196.0
CA 17-00575

DOROTHY REAMES
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (Glen T. Bruening, J.), entered June 14, 2016. The judgment dismissed the claims against defendants.

EUGENE W. LANE for DOROTHY REAMES 15 minutes

JONATHAN D. HITSOUS for STATE OF NEW YORK 10 minutes

1197.0
CA 17-00064

DEBORAH VALERINO
V
ROBERT VALERINO

Appeal from a judgment of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered April 28, 2016 in a divorce action. The judgment, among other things, equitably distributed the marital assets.

CRAIG D. CHARTIER for ROBERT VALERINO

5 minutes

DERRICK A. SPATORICO for DEBORAH VALERINO

5 minutes

1198.0
CA 17-00833

CRAIG TSCHETTER

V

SAM LONGS' LANDSCAPING, INC.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered March 6, 2017. The order, among other things, denied the motion of defendant Sam Longs' Landscaping Inc. for summary judgement directing co-defendant Grand Island Central School District to indemnify defendant Sam Longs' Landscaping, Inc. for plaintiffs' claims.

SEAN W. COSTELLO for SAM LONGS' LANDSCAPING, INC.

15 minutes

JEREMY A. COLBY for GRAND ISLAND CENTRAL SCHOOL DIST.

10 minutes

DAY CALENDAR
Tuesday, October 17, 2017 - 10:00 AM
COURTROOM 2

1199.0
KA 14-01213

PEOPLE
V
CURTIS N. HENDERSON

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 20, 2010. The appeal was held by this Court by order entered December 23, 2016, decision was reserved and the matter was remitted to Supreme Court, Onondaga County, for further proceedings (145 AD3d 1554). The proceedings were held and completed.

PIOTR BANASIAK for CURTIS N. HENDERSON

Submitted

ROMANA A. LAVALAS for PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Wednesday, October 18, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1200.0
KA 14-01984

PEOPLE
V
ANTHONY ZAGOURSKY

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered September 19, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree.

MARIO J. GUTIERREZ for ANTHONY ZAGOURSKY Submitted

CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK Submitted

1201.0
KA 15-01194

PEOPLE
V
CRISTOBAL XOCOL TZEP

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered June 1, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.

CARA A. WALDMAN for CRISTOBAL XOCOL TZEP Submitted

V. CHRISTOPHER EAGGLESTON for PEOPLE OF THE STATE OF NEW YORK Submitted

1202.0
KA 16-00068

PEOPLE
V
WILLIAM BUDNACK

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered December 7, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted course of sexual conduct against a child in the second degree and possession of a sexual performance by a child.

BARBARA J. DAVIES for WILLIAM BUDNACK Submitted

ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK Submitted

1203.0
KA 16-00445

PEOPLE
V
HARRISON LESTER

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered October 27, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree and burglary in the second degree.

PIOTR BANASIAK for HARRISON LESTER Submitted

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

1204.0
KA 15-00160

PEOPLE
V
MARTIN GRISWOLD

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered August 21, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree, criminal possession of a controlled substance in the third degree, criminal possession of a controlled substance in the seventh degree and criminal use of drug paraphernalia in the second degree.

SARA A. GOLDFARB for MARTIN GRISWOLD

10 minutes

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

10 minutes

1205.0
KA 11-00995

PEOPLE
V
SHAWNDELL EVERSON

Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered March 2, 2011. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (three counts), criminal possession of a weapon in the third degree (five counts), criminal sale of a firearm in the third degree (four counts), criminal possession of a controlled substance in the fifth degree (four counts), robbery in the first degree (two counts), burglary in the first degree and conspiracy in the fourth degree.

KRISTEN MCDERMOTT for SHAWNDELL EVERSON

15 minutes

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

10 minutes

1206.0
KA 15-01899

PEOPLE
V
SHAWNDELL EVERSON

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), dated September 28, 2015. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.

KRISTEN MCDERMOTT for SHAWNDELL EVERSON

Submitted

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

Submitted

1207.0
KA 16-02210

PEOPLE
V
M. ROBERT NEULANDER

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered July 30, 2015. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and tampering with physical evidence.

ALEXANDRA A.E. SHAPIRO for M. ROBERT NEULANDER

15 minutes

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

10 minutes

1208.0
KA 16-01293

PEOPLE
V
M. ROBERT NEULANDER

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), rendered June 27, 2016. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CLP 440.10.

ALEXANDRA A.E. SHAPIRO for M. ROBERT NEULANDER

Submitted

JAMES MAXWELL for PEOPLE OF THE STATE OF NEW YORK

Submitted

1209.0
KA 14-01697

PEOPLE
V
DONDRE CANNON

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 5, 2014. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

PHILIP ROTHSCHILD for DONDRE CANNON 10 minutes

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

1210.0
KA 14-02144

PEOPLE
V
EDWIN FIGUEROA

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered October 8, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the first degree.

CRAIG P. SCHLANGER for EDWIN FIGUEROA 15 minutes

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

1211.0
KA 15-00600

PEOPLE
V
MARKALL WRIGHT

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered January 9, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

PHILIP ROTHSCHILD for MARKALL WRIGHT 10 minutes

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

1212.0
KA 17-00656

PEOPLE
V
SHAUN ROGERS

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered August 15, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

DONALD M. THOMPSON for SHAUN ROGERS 10 minutes

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

1213.0
CAF 16-00860

MELVIN JELKS
V
KIM WRIGHT

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered May 9, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the parties shall share joint custody of the subject child and designated petitioner the primary residential parent.

BERNADETTE HOPPE for KIM WRIGHT 10 minutes

THOMAS R. LOCHNER for MELVIN JELKS 10 minutes

JOSEPH CHARLES BANIA, ATTORNEY FOR CHILD 5 minutes

1214.0
CAF 16-00861

MELVIN JELKS
V
KIM WRIGHT

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered May 9, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that respondent willfully violated the parties' Final Order on Petition for Modification of Order of Custody and Visitation granted on May 27, 2016.

BERNADETTE HOPPE for **KIM WRIGHT** Submitted

THOMAS R. LOCHNER for **MELVIN JELKS** Submitted

JOSEPH CHARLES BANIA, ATTORNEY FOR CHILD Submitted

1215.0
CA 17-00775

JEFFREY D. PRESTON
V
NORTHSIDE COLLISION-DEWITT, LLC

Appeal from an order of the Supreme Court, Onondaga County (Spencer J. Ludington, A.J.), entered September 19, 2016. The order denied without prejudice the motion of defendants Northside Collision-Dewitt, LLC, Northside Collision-Cicero, LLC, and Northside Collision-Enterprises, LLC, for summary judgment dismissing the complaint.

WALTER DENNIS KOGUT for **NORTHSIDE COLLISION-DEWITT, LLC** 10 minutes

BRENDA L. KRETSCHMAN for **JEFFREY D. PRESTON** Submitted

1216.0
CA 17-00861

CHRISTINE PRALL
V
RYAN PRALL

Appeal from an order of the Supreme Court, Onondaga County (Martha E. Mulroy, A.J.), entered August 23, 2016. The order, insofar as appealed from, awarded defendant residential child custody.

TIMOTHY J. FENNELL for **CHRISTINE PRALL** 15 minutes

RYAN L. ABEL for **RYAN PRALL** 10 minutes

CHRISTINA CAGNINA ATTORNEY FOR CHILD 10 minutes

1217.0
CA 17-00870

NIAGARA MOHAWK POWER CORPORATION
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered March 6, 2017. The order denied defendants' motion to dismiss.

MARY D'AGOSTINO for **CITY OF SYRACUSE** 10 minutes

DUSTIN B. HOWARD for **NIAGARA MOHAWK POWER CORPORATION** 15 minutes

1218.0
CA 16-01953

KENNETH M. YOUNG
V
MADISON-ONEIDA BD. OF COOP. ED. SERVS.

Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered June 15, 2016. The order granted the motion of defendants for summary judgment and dismissed plaintiff's amended complaint.

STEPHEN CIOTOLI for **KENNETH M. YOUNG** 10 minutes

CHARLES C. SPAGNOLI for MADISON-ONEIDA BD. OF COOP. ED. SERVS. 10 minutes

1219.0
CA 17-00797

KENNETH HARRIS
V
DIRECT GENERAL INSURANCE COMPANY

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered February 15, 2017. The order, among other things, denied the motion of defendant Motor Vehicle Accident Indemnification Corporation for summary judgment.

NATHAN M. SHAPIRO for MOTOR VEHICLE ACCIDENT INDEMNIFICATION Submitted

JOHN C. CHERUNDOLO for KENNETH HARRIS Submitted

1220.0
CA 16-00885

In the Matter of
ESTATE OF FREDERICK D. CZEIZINGER

Appeal from an order of the Surrogate's Court, Onondaga County (Ava S. Raphael, S.), entered April 11, 2016. The order, among other things, denied the objections to an amended accounting by Donald K. Czeizinger, as Administrator of the Estate of Frederick D. Czeizinger.

TINA CHAMBLISS-PARTEE for HERSELF Submitted

RAYMOND J. DAGUE for DONALD K. CZEIZINGER Submitted

1221.0
CA 17-00602

CLAUDE BUSH, JR.
V
INDEPENDENT FOOD EQUIPMENT, INC.

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered December 5, 2016. The order denied the motion of defendant for summary judgment.

LISA M. ROBINSON for INDEPENDENT FOOD EQUIPMENT, INC. 10 minutes

ADAM P. MASTROLEO for CLAUDE BUSH, JR. 10 minutes

1222.0
CA 17-00256

LACEY MARIE BETTS
V
JOHN RALPH BETTS, JR.

Appeal from a judgment of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 1, 2016 in a divorce action. The judgment, inter alia, equitably distributed the assets of the parties.

ADAM H. VAN BUSKIRK for LACEY MARIE BETTS Submitted

SIMON KENNETH MOODY for JOHN RALPH BETTS, JR. Submitted

DAY CALENDAR
Wednesday, October 18, 2017 - 10:00 AM
COURTROOM 2

1224.0
TP 17-00672

LEROY JOHNSON
V
STEWART ECKERT

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 [Russell P. Buscaglia, A.J.], entered November 1, 2017) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

LEROY JOHNSON for HIMSELF Submitted

MARCUS J. MASTRACCO for STEWART ECKERT Submitted

1225.0
TP 17-00813

MARK INESTI
V
LT. RIZZO

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, Seneca County [Dennis F. Bender, A.J.], entered April 25, 2017) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

MARK INESTI for HIMSELF Submitted

JULIE M. SHERIDAN for LT. RIZZO Submitted

1227.0
KA 15-02179

PEOPLE
V
TAIWAN BALDWIN

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered June 12, 2015. The judgment convicted defendant upon a nonjury verdict, of criminal possession of a weapon in the second degree.

KRISTIN M. PREVE for TAIWAN BALDWIN 5 minutes

MICHAEL J. HILLERY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1228.0
KA 15-01279

PEOPLE
V
RASHEED I. MILTON

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), dated February 11, 2015. The order, insofar as appealed from, denied the motion of defendant pursuant to CPL 440.30 (1-a) for DNA testing.

KRISTIN M. PREVE for RASHEED I. MILTON 5 minutes

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1229.0
KA 17-00063

PEOPLE
V
JOHN DRAKE

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered November 15, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the fourth degree.

BARRY J. DONOHUE for JOHN DRAKE Submitted

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

1230.0
CAF 15-01604

**In the Matter of
DAVID M.J.B.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered August 20, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, terminated the parental rights of respondent Cynthia M. with respect to the subject child.

DAVID J. PAJAK for CYNTHIA M. Submitted

ERIC R. ZIOBRO for ERIE COUNTY D.S.S. Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD Submitted

1231.0
CAF 17-00320

**KATHLEEN PHALEN
V
JOSEPH ROBINSON, III**

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered May 12, 2016 in a proceeding pursuant to Family Court Act article 4. The order denied respondent's objection to the order of the Support Magistrate.

JUSTIN S. WHITE for JOSEPH ROBINSON, III 10 minutes

KATHLEEN PHALEN for HERSELF Submitted

1232.0
CAF 16-00712

**RONALD E. PEAY
V
MICHELLE L. PEAY**

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered April 20, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, held respondent in contempt of court.

DAVID J. PAJAK for MICHELLE L. PEAY Submitted

RONALD E. PEAY for HIMSELF Submitted

CHRISTOPHER BRECHTEL, ATTORNEY FOR CHILD 5 minutes

1233.0
CAF 16-00713

**MICHELLE L. PEAY
V
RONALD E. PEAY**

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered April 20, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied and dismissed the petition.

DAVID J. PAJAK for MICHELLE L. PEAY Submitted

RONALD E. PEAY for HIMSELF Submitted

CHRISTOPHER BRECHTEL, ATTORNEY FOR CHILD Submitted

1234.0
CAF 16-01310

RICHARD B. DEVITA
V
MARIE DEVITA

Appeal from an order of the Family Court, Erie County (Brenda M. Freedman, J.), entered June 6, 2016 in a proceeding pursuant to Family Court Act article 6. The order granted petitioners sole child custody with no access for respondent.

DENIS A. KITCHEN, JR., for MARIE DEVITA	10 minutes
MICHAEL W. COLE for RICHARD B. DEVITA	10 minutes
JESSICA NICHOLE MUSSELL, ATTORNEY FOR CHILD	5 minutes
JESSICA L. VESPER, ATTORNEY FOR CHILD	5 minutes
FRANK LONGO, ATTORNEY FOR CHILD	Submitted

1235.0
CAF 16-01311

RICHARD B. DEVITA
V
MARIE L. DEVITA

Appeal from an order of the Family Court, Erie County (Brenda M. Freedman, J.), entered June 6, 2016 in a proceeding pursuant to Family Court Act article 6. The order granted petitioners sole child custody with no access for respondent.

DENIS A. KITCHEN, JR., for MARIE L. DEVITA	Submitted
MICHAEL W. COLE for RICHARD B. DEVITA	Submitted
JESSICA NICHOLE MUSSELL, ATTORNEY FOR CHILD	Submitted
JESSICA L. VESPER, ATTORNEY FOR CHILD	Submitted
FRANK LONGO, ATTORNEY FOR CHILD	Submitted

1236.0
CAF 15-01470

THOMAS MULLETT
V
DAWN MULLETT

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 5, 2015 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of custody.

CHARLES J. GREENBERG for THOMAS MULLETT	5 minutes
TIMOTHY R. LOVALLO for DAWN MULLETT	5 minutes
MARY ANNE CONNELL, ATTORNEY FOR CHILD	5 minutes

1237.0
CA 17-00825

JOHN H. BAUSENWEIN, III
V
THOMAS J. WELSH

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered August 25, 2016. The order, among other things, denied in part the third-party plaintiffs' motion for summary judgment.

VINCENT G. SACCOMANDO for THOMAS J. WELSH	15 minutes
STEVEN P. CURVIN for TIMOTHY ALLISON	15 minutes

1238.0
CA 17-00860

JOHN KOLODZIEJSKI
V
ROBERT JASKOLA

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 31, 2017. The order, insofar as appealed from, denied the motion of defendant to compel a further independent medical exam, or to preclude proof at trial.

AALOK J. KARAMBELKAR for ROBERT JASKOLA 10 minutes

JEANNE M. VINAL for JOHN KOLODZIEJSKI 10 minutes

1239.0
CA 17-00381

JEANNE FUMERELLE
V
VISONE BROS., INC.

Appeal from an order of the Supreme Court, Erie County (Emilio L. Colaiacovo, J.), entered November 15, 2016. The order, among other things, granted the motion of defendants and cross motion of third-party defendants for summary judgment dismissing all of plaintiff's claims and any cross claims.

SCOTT R. ORNDOFF for JEANNE FUMERELLE 10 minutes

JENNA W. KLUCSIK for VISONE BROS., INC. 10 minutes

REBECCA C. CRONAUER for FHN 10 minutes

1240.0
CA 17-00828

CYNTHIA L. CHAN
V
ONYX CAPITAL, LLC

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, Jr., J.), entered November 1, 2016. The order, among other things, denied the motion of SRP-2012-4, LLC, as successor in interest to defendant Onyx Capital, LLC, to vacate the default judgment and to dismiss the plaintiff's complaint.

MICHAEL FALKOWSKI for SRP-2012-4 10 minutes

KEISHA WILLIAMS for CYNTHIA L. CHAN 10 minutes

1241.0
CA 17-00141

MANUFACTURERS AND TRADERS TRUST CO.
V
CLIENT SERVER DIRECT, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered June 10, 2016. The order denied the motion of third-party defendants for partial summary judgment against third-party defendant.

ROBERT J. FLUSKEY for MANUFACTURERS AND TRADERS TRUST CO. 15 minutes

HELEN CHAITMAN for CLIENT SERVER DIRECT, INC. 15 minutes

RODNEY O. PERSONIUS for MICHAEL WHIPPLE Submitted

1242.0
CA 16-01441

MANUFACTURERS AND TRADERS TRUST CO.
V
CLIENT SERVER DIRECT, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered June 10, 2016. The order, insofar as appealed from, granted in part the motion of plaintiff and third-party defendants for a protective order.

HELEN CHAITMAN for CLIENT SERVER DIRECT, INC. Submitted

ROBERT J. FLUSKEY for MANUFACTURERS AND TRADERS TRUST CO. Submitted

RODNEY O. PERSONIUS for MICHAEL WHIPPLE Submitted

1243.0
CA 17-00142

MANUFACTURERS AND TRADERS TRUST CO.
V
CLIENT SERVER DIRECT, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered October 17, 2016. The order denied the motion of defendants Client Server Direct, Inc., ACN Properties, LLC, Jeffrey T. Drilling and Holly Drilling to unseal the record.

HELEN CHAITMAN for CLIENT SERVER DIRECT, INC. Submitted

ROBERT J. FLUSKEY for MANUFACTURERS AND TRADERS TRUST CO. Submitted

RODNEY O. PERSONIUS for MICHAEL WHIPPLE Submitted

1244.0
CA 17-00764

GREAT LAKES MOTOR CORP.
V
PATRICK J. JOHNSON

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered July 1, 2016. The order denied the motion of plaintiff to amend the verified complaint.

SHARON MARIE PORCELLIO for GREAT LAKES MOTOR CORP. 15 minutes

WARREN B. ROSWENBAUM for PATRICK J. JOHNSON 15 minutes

1245.0
CA 17-00851

JOHN BENDER
V
LANCASTER CENTRAL SCHOOL DISTRICT

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered August 1, 2016. The order and judgment denied the motion of respondent to dismiss the petition.

SHANNON K. BUFFUM for LANCASTER CENTRAL SCHOOL DISTRICT 15 minutes

BRENDA JEAN JOYCE for JOHN BENDER 10 minutes

1246.0
CA 17-00576

JESSICA WROBEL
V
TOPS MARKETS, LLC

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered September 26, 2016. The order denied the motion of defendant for summary judgment.

HARRY T. DIXON, JR., for TOPS MARKETS, LLC 15 minutes

JAMES M. VANDETTE for JESSICA WROBEL 10 minutes

DAY CALENDAR
Thursday, October 19, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1267.1
CAE 17-01781

IRENE RILEY
V
ANTHONY M. NEDDO

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered October 2, 2017, in a proceeding pursuant to the Election Law. The order dismissed the petition and directed the Jefferson County Board of Elections to place respondent Anthony M. Neddo on the November ballot under the Law and Order Party designation for the position of Watertown City Court Judge.

DOUGLAS WALTER DRAZEN for IRENE RILEY 15 minutes

MICHAEL F. YOUNG for ANTHONY M. NEDDO 15 minutes

DAVID JOHN PAULSEN for JEFFERSON COUNTY BOARD OF ELECTIONS Submitted

1255.0
KA 16-01785

PEOPLE
V
TOMMY BRINSON

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered July 5, 2016. The judgment convicted defendant, upon his plea of guilty, 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).

ROBERT A. DINIERI for TOMMY BRINSON 15 minutes

TIMOTHY G. CHAPMAN for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1247.0
KA 15-00943

PEOPLE
V
NATHANAL J. ROOKER

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered January 13, 2015. The judgment convicted defendant, upon his plea of guilty, of rape in the third degree.

MARIO J. GUTIERREZ for NATHANAL J. ROOKER Submitted

CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK Submitted

1248.0
KA 15-02152

PEOPLE
V
BRIAN EDELSTEIN

Appeal from an order of the Monroe County Court (Christopher S. Ciaccio, J.), entered November 10, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for BRIAN EDELSTEIN Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

1249.0
KA 16-01549

PEOPLE
V
KENNETH T. MULCAHY

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered July 15, 2016. The judgment convicted defendant, upon his plea of guilty, of use of a child in a sexual performance as a sexually motivated felony.

TERESA L. PREZIOSO for KENNETH T. MULCAHY Submitted

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

1250.0
KA 14-00474

PEOPLE
V
TAJH ANDERSON

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered September 19, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

WILLIAM G. PIXLEY for TAJH ANDERSON 10 minutes

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

1251.0
KA 15-01519

PEOPLE
V
SHANON RICHARDSON

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered September 1, 2015. The judgment convicted defendant, upon a jury verdict, of prohibition of animal fighting (four counts) and overdriving, torturing and injuring animals (two counts).

NICHOLAS P. DIFONZO for SHANON RICHARDSON 10 minutes

MICHAEL J. HILLERY for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1252.0
KA 16-00179

PEOPLE
V
KENNETH PRINGLE

Appeal from an order of the Supreme Court, Erie County (Penny M. Wolfgang, J.), dated December 23, 2015. The order denied the motion of defendant pursuant to CPL 440.10

TIMOTHY P. MURPHY for KENNETH PRINGLE 10 minutes

DANIEL J. PUNCH for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1253.0
KA 09-01810

PEOPLE
V
LEROY TUFF, JR.

Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered August 7, 2009. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the first degree, criminal sale of a controlled substance in the third degree, criminal possession of a controlled substance in the third degree (two counts), criminally using drug paraphernalia in the second degree (two counts), unlawful possession of marihuana and intimidating a victim or witness in the third degree.

JOHN A. CIRANDO for LEROY TUFF, JR. 15 minutes

STEVEN G. COX for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1254.0
KA 14-02107

PEOPLE
V
GERALD L. SMITH

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered August 21, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

JAMES A. HOBBS for GERALD L. SMITH 10 minutes

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

1256.0
KA 15-01851

PEOPLE
V
DAVID L. FIORETTI

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered October 6, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of marihuana in the fifth degree.

SHERRY A. CHASE for DAVID L. FIORETTI 10 minutes

ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1257.0
KA 14-00969

PEOPLE
V
ERROL POTTINGER

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered December 31, 2013. The order denied the motion of defendant to vacate a judgment of conviction.

DAVID R. JUERGENS for ERROL POTTINGER 10 minutes

STEPHEN X. O'BRIEN for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1258.0
KA 16-00807

PEOPLE
V
PAUL J. PRIEST

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered December 21, 2015. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree and rape in the third degree.

DANIELLE WILD for PAUL J. PRIEST 10 minutes

KRISTYNA S. MILLS for PEOPLE OF THE STATE OF NEW YORK Submitted

1259.0
CA 17-00227

JOHN THOMAS GALVIN, JR.
V
SINGER REAL ESTATE, L.P.

Appeal from an order of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered April 13, 2016. The order, among other things, dismissed the complaint against all defendants in its entirety.

G. MICHAEL MILLER for JOHN THOMAS GALVIN, JR. 5 minutes

KENNETH W. GORDON for COMMISSIONERS OF THE BRIGHTON HISTO 10 minutes

STEVEN EDWARD FEDER for SINGER REAL ESTATE, L.P. 5 minutes

ADAM M. CLARK for CHERYL DINOLFO Submitted

1260.0
CA 17-00644

CERAMIC TECHNICS, LTD.
V
DESPIRIT MOSAIC & MARBLE CO., INC.

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered February 28, 2017. The order denied the motion of plaintiff for summary judgment.

JAY B. HASHMALL for CERAMIC TECHNICS, LTD. 15 minutes

RICHARD A. CLACK for DESPIRIT MOSAIC & MARBLE CO., INC. 15 minutes

1261.0
CA 17-00720

PATRICIA FINLEY
V
KEN CURRIE MOTORS, INC.

Appeal from an order of the Niagara County Court (Sara Sheldon, J.), dated June 30, 2016. The order affirmed a judgment of the Niagara Falls City Court.

SCOTT ANDREW STEPIEN for KEN CURRIE MOTORS, INC. 5 minutes

NICOLE K. PARSHALL for PATRICIA FINLEY Submitted

1262.0
CA 16-01971

In the Matter of
LORIE M. DEHIMER IRREVOCABLE TRUST

Appeals from an order of the Surrogate's Court, Oneida County (Louis P. Gigliotti, S.), entered June 9, 2016. The order denied the motions of petitioners for summary judgment, granted the motions of respondents for summary judgment and dismissed the petitions.

JOHN A. CIRANDO for LORIE M. DEHIMER 15 minutes

CECELIA R. CANNON for THOMAS A. SEARS 15 minutes

1263.0
CA 17-00809

GENEVA ASSOCIATION OF RETIRED TEACHERS
V
GENEVA CITY SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered July 25, 2016. The order, among other things, granted defendant's motion to dismiss the complaint.

EDWARD P. PERLMAN for GENEVA ASSN. OF RETIRED TEACHERS 15 minutes

CRAIG M. ATLAS for GENEVA CITY SCHOOL DISTRICT 15 minutes

1264.0
CA 17-00174

DONNA HAHER
V
DAVID J. PELUSIO, SR.

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered November 15, 2016. The order, inter alia, directed defendants to make certain payments to plaintiff.

GLENN E. PEZZULO for DAVID J. PELUSIO, SR. 15 minutes

JARED K. COOK for DONNA HAHER 15 minutes

1265.0
CA 17-00466

DONNA HAHER
V
DAVID J. PELUSIO, SR.

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered January 25, 2017. The order, inter alia, directed defendants to make certain payments to plaintiff.

GLENN E. PEZZULO for DAVID J. PELUSIO, SR.

Submitted

JARED K. COOK for DONNA HAHER

Submitted

1266.0
CA 17-00408

H. MICHAEL STROH

V

LASHARIE M. JOHNSON

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered November 15, 2016. The order and judgment granted the motions of defendants Yalanda D. Curry and Michael H. Stroh for summary judgment dismissing plaintiff's complaint.

LOUIS ROSADO for LASHARIE JOHNSON

Submitted

JOAN M. RICHTER for YALANDA D. CURRY

15 minutes

ALYSON C. CULLITON for MICHAEL H. STROH

10 minutes

1267.0
CA 17-00722

JAMES P. LOMBARDO

V

CHRISTINE A. AGOLA

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, A.J.), entered September 13, 2016. The judgment, among other things, adjudged that defendant had breached the terms of her lease agreement with plaintiff and awarded plaintiff the sum of \$48,300.

CHRISTINA A. AGOLA for HERSELF

Submitted

MATTHEW T. MOSHER for JAMES P. LOMBARDO

Submitted

DAY CALENDAR
Monday, October 23, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1268.0
KA 17-00637

PEOPLE
V
ERIC GESSNER

Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered January 29, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted sexual abuse in the first degree.

LINDA M. CAMPBELL for ERIC GESSNER 10 minutes

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

1269.0
KA 16-02266

PEOPLE
V
CHAD J. COLSRUD

Appeal from an order of the Steuben County Court (Marianne Furfure, A.J.), dated December 15, 2015. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

ROSEMARIE RICHARDS for CHAD J. COLSRUD Submitted

JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK Submitted

1270.0
KA 16-00643

PEOPLE
V
HERBERT FARRINGTON

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered January 25, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.

STEPHEN J. BIRD for HERBERT FARRINGTON 10 minutes

MICHAEL J. FLAHERTY, JR., for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1271.0
KA 16-00440

PEOPLE
V
RAMIRO ARMENDARIZ

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered January 26, 2016. The judgment convicted defendant, upon a jury verdict, of rape in the third degree and endangering the welfare of a child.

JOSHUA P. BANNISTER for RAMIRO ARMENDARIZ Submitted

JACQUELINE MCCORMICK for PEOPLE OF THE STATE OF NEW YORK Submitted

1272.0
KA 16-00562

PEOPLE
V
CHRISTOPHER SWICK

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered January 21, 2016. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree (two counts), criminal mischief in the second degree, grand larceny in the fourth degree (three counts), criminal mischief in the third degree, petit larceny (two counts) and criminal mischief in the fourth degree.

STEVEN D. SESSLER for CHRISTOPHER SWICK 10 minutes

	JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1273.0 KA 16-00563	PEOPLE V CHRISTOPHER SWICK	
	Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered January 21, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of stolen property in the fourth degree (two counts) and unauthorized use of a motor vehicle in the third degree (two counts).	
	STEVEN D. SESSLER for CHRISTOPHER SWICK	Submitted
	JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK	Submitted
1274.0 KA 13-01173	PEOPLE V TRELLIS L. PRESSLEY	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered May 15, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree and criminal sexual act in the third degree.	
	LINDA M. CAMPBELL for TRELLIS L. PRESSLEY	15 minutes
	DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1275.0 KA 13-02115	PEOPLE V JOSEPH J. SANTIAGO	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered September 24, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and criminal possession of a weapon in the second degree (two counts).	
	ALFRED O'CONNOR for JOSEPH J. SANTIAGO	10 minutes
	KELLY C. WOLFORD for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1276.0 KA 16-01024	PEOPLE V CHARLES PACE	
	Appeal from an order of the Herkimer County Court (Daniel R. King, A.J.), dated November 30, 2015. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.	
	KURT D. SCHULTZ for CHARLES PACE	Submitted
	JACQUELYN M. ASNOE for PEOPLE OF THE STATE OF NEW YORK	Submitted
1277.0 KA 15-00937	PEOPLE V JUSTIN M. NICHOLS	
	Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered October 31, 2014. The judgment convicted defendant, upon a jury verdict, of criminal contempt in the first degree and reckless endangerment in the second degree.	
	GUY A. TALIA for JUSTIN M. NICHOLS	Submitted
	JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK	5 minutes

1278.0
CAF 17-00758

ROBERT BUCHANAN
V
COLLEEN KOCKE

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenzo, J.), entered June 21, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, determined that petitioner shall continue to pay child support at the prior agreed upon amount of \$100.00 each week for the support of the subject children, except for the weeks of the summer period of placement.

LAURA J. EMERSON for COLLEEN KOCKE 15 minutes

EMILY A. VELLA for ROBERT BUCHANAN Submitted

LINDA M. SCHNELL, ATTORNEY FOR CHILD Submitted

1279.0
CAF 16-00343

In the Matter of
AYDEN W.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered February 5, 2016 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred respondent's guardianship and custody rights to petitioner.

WILLIAM D. BRODERICK, JR., for JOHN W. Submitted

ELISABETH M. COLUCCI for ERIE COUNTY D.S.S. Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD Submitted

1280.0
CA 16-01649

JAQUANDA NERO
V
ISAAC KENDRICK

Appeal from a judgment and order (one paper) of the Supreme Court, Monroe County (John J. Ark, J.), entered April 15, 2016. The judgment and order granted the motion of defendants Isaac Kendrick and Elizabeth Kendrick for summary judgment dismissing the claims of infant plaintiff Jaquanda Nero.

MO J. ATHARI for JAQUANDA NERO 10 minutes

STEVEN P. CURVIN for ISAAC KENDRICK 10 minutes

1281.0
CA 16-01354

ANTHONY BLANKS
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered June 17, 2016 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for ANTHONY BLANKS Submitted

KATE H. NEPVEU for ANTHONY ANNUCCI Submitted

1282.0
CA 16-02123

ANTHONY P. COMUSO
V
JAY A. SUPNICK

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered September 8, 2016. The order granted the motion of defendants for summary judgment dismissing the complaint.

ANTHONY P. COMUSO for HIMSELF 15 minutes

	JOSEPH W. DUNBAR for JAY A. SUPNICK	10 minutes
1283.0 CA 17-00646	NORMAN ROBINSON, JR. V SPRAGUES WASHINGTON SQUARE, LLC	
	Appeal and cross appeals from an order of the Supreme Court, Cattaraugus County (Michael L. Nenno, A.J.), entered July 7, 2016. The order, among other things, denied plaintiff's motion for partial summary judgment.	
	ANNE M. WHEELER for NORMAN ROBINSON, JR.	10 minutes
	BRENDAN H. LITTLE for SPRAGUES WASHINGTON SQUARE, LLC	15 minutes
	JENNIFER L. RODGERS for BILL GUGINO BUILDERS, INC.	15 minutes
1284.0 CA 17-00083	DAVID B. SHAW V LAUREN M. SHAW	
	Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered October 19, 2016. The order, inter alia, denied the application of plaintiff for a modification of custody.	
	MICHAEL D. SCHMITT for DAVID B. SHAW	Submitted
	VINCENT M. FERRERO for LAUREN M. SHAW	10 minutes
1285.0 CA 17-00210	ROGER D. ELWELL V ROBERT SHUMAKER	
	Appeal from a judgment of the Supreme Court, Chautauqua County (Timothy J. Walker, A.J.), entered March 17, 2016. The judgment, insofar as appealed from, dismissed the complaint.	
	MICHAEL JAMES WRONA for ROGER D. ELWELL	10 minutes
	ROBERT SHUMAKER for HIMSELF	Submitted
	MARJORIE SHUMAKER for HIMSELF	Submitted
1286.0 CA 17-00175	CITY OF BUFFALO CITY SCHOOL DISTRICT V LPCIMINELLI, INC.	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered September 9, 2016. The order, among other things, granted in part the motion of defendant LPCiminelli, Inc. to dismiss.	
	DANIEL J. ALTIERI for CITY OF BUFFALO CITY SCHOOL DISTRICT	15 minutes
	BENJAMIN ZUFFRANIERI, JR., for LPCIMINELLI, INC.	15 minutes
1287.0 CA 17-00176	CITY OF BUFFALO CITY SCHOOL DISTRICT V LPCIMINELLI, INC.	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered December 8, 2016. The order, among other things, dismissed plaintiff City of Buffalo City School District's second, third, sixth and seventh causes of action in Action No. 1 and granted LPCiminelli's petition in Action No. 2.	
	DANIEL J. ALTIERI for CITY OF BUFFALO CITY SCHOOL DISTRICT	Submitted

BENJAMIN ZUFFRANIERI, JR., for LPCIMINELLI, INC.

Submitted

**1288.0
CA 17-00721**

SADASHIV S. SHENOY, M.D.

V

KALEIDA HEALTH

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered November 2, 2016. The order denied the motion of defendant Ralph Benedict, M.D. for summary judgement dismissing plaintiff's complaint in its entirety.

JOSEPH W. DUNBAR for RALPH BENEDICT, M.D.

15 minutes

MATTHEW JOHN GARVEY for SADASHIV S. SHENOY, M.D.

15 minutes

**1289.0
CA 17-00868**

PAMELA KRACKER

V

LIAM P. O'CONNOR

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered February 21, 2017. The order denied the motion of defendant for summary judgment on the issue of serious injury.

MATTHEW D. PFALZER for LIAM P. O'CONNOR

10 minutes

KENNETH A. SZYSZKOWSKI for PAMELA KRACKER

10 minutes

DAY CALENDAR
Tuesday, October 24, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1290.0
KA 14-01964

PEOPLE
V
RONDALE COOPER

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 29, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree and criminal possession of a weapon in the second degree.

PIOTR BANASIAK for RONDALE COOPER Submitted

NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK Submitted

1291.0
KA 14-01966

PEOPLE
V
RONDALE COOPER

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 29, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree (two counts).

PIOTR BANASIAK for RONDALE COOPER Submitted

NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK Submitted

1292.0
KA 13-00150

PEOPLE
V
JYQUALE J. THOMAS

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered December 19, 2012. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

BRIDGET L. FIELD for JYQUALE J. THOMAS 10 minutes

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

1293.0
KA 16-00441

PEOPLE
V
RAYMOND J. COLEMAN, JR.

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered February 19, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree, assault in the second degree (two counts) and criminal possession of a weapon in the second degree.

NICHOLAS P. DIFONZO for RAYMOND J. COLEMAN, JR. Submitted

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

1294.0
KA 15-00854

PEOPLE
V
DONALD RODGERS, JR.

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered April 27, 2015. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree.

EDWARD P. PERLMAN for DONALD RODGERS, JR. Submitted

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

1295.0
KA 15-00973

PEOPLE
V
HEIDI H. STUMBO

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered March 20, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the first degree, criminal possession of stolen property in the fourth degree, hindering prosecution in the third degree and tampering with physical evidence.

CARA A. WALDMAN for HEIDI H. STUMBO 15 minutes

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

1296.0
KA 15-00096

PEOPLE
V
ANTONIO MARTIN-BROWN

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered December 4, 2014. The judgment convicted defendant, upon a nonjury verdict, of murder in the second degree and petit larceny.

BARBARA J. DAVIES for ANTONIO MARTIN-BROWN 10 minutes

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1297.0
KA 13-01973

PEOPLE
V
NICOLE PRUITT

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered November 7, 2013. The judgment convicted defendant, upon her plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

DANIELLE WILD for NICOLE PRUITT 15 minutes

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

1298.0
KA 16-00367

PEOPLE
V
STANLEY SMITH

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered February 4, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

DEBORAH K. JESSEY for STANLEY SMITH 5 minutes

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1299.0
KA 15-01820

PEOPLE
V
JOAN A. GLIWSKI

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered April 30, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of stolen property in the third degree.

ERIN A. KULESUS for JOAN A. GLIWSKI 10 minutes

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

1300.0
KA 15-02145

PEOPLE
V
TONY ROOKARD

Appeal from a judgment of Erie County Court (Michael F. Pietruszka, J.), rendered October 30, 2015. The judgment convicted defendant, after a nonjury trial, of criminal possession of a controlled substance in the fifth degree.

ROBERT L. KEMP for TONY ROOKARD 10 minutes

JULIE BENDER FISKE for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1301.0
OP 17-00829

THOMAS J. DEACON
V
HON. RONALD D. PLOETZ

SETTLED

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 Hon. Ronald D. Ploetz, Cattaraugus County Court. The determination adjudged that the pistol permit issued to petitioner shall remain suspended for an additional two years.

PALOMA A. CAPANNA for THOMAS J. DEACON

KATE H. NEPVEU for HON. RONALD D. PLOETZ

ERIC M. FIRKEL for TIMOTHY S. WHITCOMB

1302.0
CA 16-01952

JOHN GUIDO
V
COUNTY OF CAYUGA

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered July 29, 2016. The order granted the motion of third-party defendant Philip Gottlieb, M.D., to vacate the note of issue and certificate of readiness, and denied the cross motion of plaintiffs to sever the third-party action

JOHN A. CIRANDO for JOHN GUIDO 15 minutes

CHARLES CHRISTIAN SPAGNOLI for COUNTY OF CAYUGA 10 minutes

RYAN T. EMERY for PHILIP GOTTLIEB, M.D. 10 minutes

JAMES E. EAGAN for AUBURN COMMUNITY HOSPITAL 15 minutes

1303.0
CA 17-00160

DAVID PHILLIPS
V
BUFFALO HEART GROUP, LLP

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered September 30, 2016. The order dismissed plaintiff's complaint in its entirety, on the merits and with prejudice.

THERESA M. WALSH for DAVID PHILLIPS 15 minutes

SALLY J. BROAD for BUFFALO HEART GROUP, LLP 10 minutes

1304.0
CA 17-00816

LISA SAINSBURY
V
FLORIAN BRZEZINSKI

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered August 1, 2016. The order denied the motion of plaintiff for a directed verdict and the motion of plaintiff to set aside a verdict.

R. COLIN CAMPBELL for LISA SAINSBURY 15 minutes

TIFFANY L. D'ANGELO for FLORIAN BRZEZINSKI 10 minutes

1305.0
CA 17-00326

JOANNE MORELAND
V
DAVID HUCK

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered September 14, 2016. The order granted the motion of defendants for summary judgment dismissing the complaint, denied the motion of plaintiff for partial summary judgment, denied the cross motion of plaintiff to strike affidavits and directed defendants to transfer certain escrow funds to plaintiff.

JENNIFER L. FRIEDMAN for JOANNE MORELAND 10 minutes

MICHAEL J. WILLETT for DAVID HUCK 10 minutes

1306.0
CA 17-00843

OCTAVIA PORCHA
V
GRACE BINETTE

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered August 24, 2016. The order, insofar as appealed from, denied in part motions to quash a subpoena duces tecum

HILARY C. BANKER for HUBERT F. RIEGLER, M.D. 10 minutes

DAVID F. BOWEN for GRACE BINETTE 10 minutes

RONALD F. WRIGHT, JR., for OCTAVIA PORCHA 10 minutes

1307.0
CA 17-00821

CAROL L. JONES
V
TOWN OF CARROLL

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered January 9, 2017. The order, among other things, granted the motion of Sealand Waste LLC, to intervene as a plaintiff.

PAUL V. WEBB, JR., for TOWN OF CARROLL 15 minutes

ALAN J. KNAUF for SEALAND WASTE LLC 15 minutes

DAVID R. STAPLETON for CAROL L. JONES Submitted

1308.0
CA 16-00827

MARITA E. HYMAN
V
SUSAN N. BURGESS

Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered August 28, 2015. The order dismissed the entire action.

MARITA E. HYMAN for HERSELF Submitted

SUSAN N. BURGESS for HERSELF Submitted

1309.0
CA 16-00828

MARITA E. HYMAN
V
SUSAN N. BURGESS

Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered December 2, 2015. The order denied plaintiff's motion to reargue the Court's order entered August 28, 2015, which dismissed the entire action.

MARITA E. HYMAN for HERSELF

Submitted

SUSAN N. BURGESS for HERSELF

Submitted

1310.0
CA 16-01250

In the Matter of
THE WILL OF GRACIA CAMPBELL

Appeal from an order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered May 3, 2016. The order, insofar as appealed from, constructed the wills of Gracia M. Campbell and Marjorie K. C. Kloop and determined valid the disposition of Gracia M. Campbell.

LAWRENCE J. KONCELIK, JR., for GRACIA E. CAMPBELL

Submitted

JAMES P. DOMAGALSKI for HIMSELF

Submitted

AMANDA L. LOWE for HSBC USA, N.A.

Submitted

1311.0
CA 17-00085

KEYBANK NATIONAL ASSOCIATION
V
PHILIP J. SIMAO

Appeals from a judgment of the Supreme Court, Jefferson County (James P. McClusky, J.), entered October 5, 2016 in a foreclosure action. The judgment, among other things, directed the sale of the mortgaged premises.

JAN S. KUBLICK for PHILIP J. SIMAO

10 minutes

JOHN A. CIRANDO for KEYBANK NATIONAL ASSOCIATION

10 minutes

1312.0
CA 17-00784

KEYBANK NATIONAL ASSOCIATION
V
PHILIP J. SIMAO

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered September 9, 2016. The order granted plaintiff's motion for a judgment of foreclosure, an amendment of principal due, and attorney fees.

JAN S. KUBLICK for PHILIP J. SIMAO

Submitted

JOHN A. CIRANDO for KEYBANK NATIONAL ASSOCIATION

Submitted

DAY CALENDAR
Wednesday, October 25, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1313.0
KA 15-02161

PEOPLE
V
JERRY T. SADDLER, JR.

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered November 18, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree

TIMOTHY P. MURPHY for JERRY T. SADDLER, JR. Submitted

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

1314.0
KA 16-00468

PEOPLE
V
LATISHA MAXWELL

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered December 2, 2015. The judgment convicted defendant, upon her plea of guilty, of kidnapping in the second degree (three counts) and criminal possession of a weapon in the second degree.

LYLE T. HAJDU for LATISHA MAXWELL 10 minutes

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1315.0
KA 16-00618

PEOPLE
V
MARVIN ROBERTS

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered December 1, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

THOMAS G. SCHULTZ for MARVIN ROBERTS 15 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 15 minutes

1316.0
KA 16-01082

PEOPLE
V
JAMES R. VETTER, JR.

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered August 5, 2015. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree and endangering the welfare of a child.

MICHAEL STACHOWSKI for JAMES R. VETTER, JR. 15 minutes

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1317.0
KA 15-01504

PEOPLE
V
JOSHUA C. BUTERA

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered September 12, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

JANET C. SOMES for JOSHUA C. BUTERA Submitted

	STEPHEN X. O'BRIEN for PEOPLE OF THE STATE OF NEW YORK	Submitted
1318.0 KA 14-01083	PEOPLE V BRIAN K. TRAVIS	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered May 1, 2014. The judgment convicted defendant, upon his plea of guilty, of failure to register as a sex offender.	
	LORENZO NAPOLITANO for BRIAN K. TRAVIS	10 minutes
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1319.0 KA 14-01084	PEOPLE V BRIAN K. TRAVIS	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered May 1, 2014. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.	
	LORENZO NAPOLITANO for BRIAN K. TRAVIS	Submitted
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	Submitted
1320.0 KA 16-00221	PEOPLE V JASMINE MILTON	
	Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered January 27, 2016. The judgment convicted defendant, upon her plea of guilty, of assault in the first degree.	
	ROBERT L. KEMP for JASMINE MILTON	10 minutes
	DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK	5 minutes
1322.0 CAF 16-02137	JAMIE T. CLAUSELL V FLOR A. SALAME	
	Appeal from an order of the Family Court, Monroe County (John J. Rivoli, J.H.O.), entered April 27, 2016 in a proceeding pursuant to Family Court Act article 8. The order granted petitioner an order of protection.	
	LEIGH ANN CHUTE for FLOR A. SALAME	15 minutes
	JAMIE T. CLAUSELL for HIMSELF	Submitted
1323.0 CAF 16-01245	LYDIA A.C. V GREGORY S.	
	Appeal from an order of the Family Court, Jefferson County (Peter A. Schwertmann, A.J.), entered June 23, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner visitation with the subject child.	
	MICHAEL STEINBERG for GREGORY S.	10 minutes
	LYDIA A. CRESTANI for HERSELF	Submitted
	JUSTIN F. BROTHERTON, ATTORNEY FOR CHILD	Submitted

1324.0
CAF 17-00121

**In the Matter of
JOSHUA**

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered August 9, 2016. The order dismissed the petition for adoption.

MICHAEL STEINBERG for GREGORY S. Submitted

LYDIA A. CRESTANI for HERSELF Submitted

JUSTIN F. BROTHERTON, ATTORNEY FOR CHILD Submitted

1325.0
CAF 16-01455

**In the Matter of
SALVATORE A.M.**

Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered on July 15, 2016 pursuant to Family Court Act article 7. The order, among other things, placed respondent in the custody of the Commissioner of Social Services of Monroe County.

CHARLES J. PLOVANICH for SALVATORE A.M. 5 minutes

PAUL DAVID IRVING for MONROE COUNTY PROBATION DEPARTMENT 5 minutes

1326.0
CA 17-00651

**LAWRENCE TUZZOLINO
V
DIANNE TUZZOLINO**

Appeal from a judgment of the Supreme Court, Monroe County (James J. Piampiano, J.), entered July 18, 2016 in a divorce action. The judgment, insofar as appealed from, incorporated the parties' written separation agreement of October 31, 2013 and modification agreement of July 7, 2014 and ordered the parties to comply with those agreements.

RONALD G. HULL for LAWRENCE TUZZOLINO 15 minutes

SUSAN JONES for DIANNE TUZZOLINO 10 minutes

1327.0
CA 17-00668

**LAWRENCE TUZZOLINO
V
DIANNE TUZZOLINO**

Appeal from an order of the Supreme Court, Monroe County (James J. Piampiano, J.), entered July 18, 2016 in a divorce action. The order denied the motion of plaintiff to vacate, set aside and rescind the parties' written separation agreement of October 31, 2013 and modification agreement of July 7, 2014.

RONALD G. HULL for LAWRENCE TUZZOLINO Submitted

SUSAN JONES for DIANNE TUZZOLINO Submitted

1328.0
CA 17-00844

**MICHAEL P. MALONEY
V
BAUDILIO RODRIGUEZ**

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered July 18, 2016. The order denied the motion of defendants City of Buffalo and City of Buffalo Police Department for summary judgment.

DAVID M. LEE for CITY OF BUFFALO 10 minutes

SAMUEL R. MISERENDINO for MICHAEL P. MALONEY Submitted

1329.0
CA 16-01844

PRIMAX PROPERTIES, LLC
V
MONUMENT AGENCY, INC.

Appeals from an order and judgment (one paper) of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered August 9, 2016. The order and judgment, among other things, granted plaintiff's motion for summary judgment.

JAMES M. KERNAN for MONUMENT AGENCY, INC. 10 minutes

SCOTT PATON for PRIMAX PROPERTIES, LLC 10 minutes

WOODRUFF LEE CARROLL for PETER C. EARLE 10 minutes

1330.0
CA 17-00247

In the Matter of
LACKAWANNA PROFESSIONAL FIRE FIGHTERS ASSN.
(CITY OF LACKAWANNA)

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered March 9, 2016. The order vacated the award of an arbitrator.

TERRY M. SUGRUE for LACKAWANNA PROFESSIONAL FIRE FIGHTER 15 minutes

KEITH A. O'HARA for CITY OF LACKAWANNA 10 minutes

1331.0
CA 17-00645

DLJ MORTGAGE CAPITAL, INC.
V
BILAL M. HUZAIR

Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered August 23, 2016. The order, among other things, granted plaintiff's motion for summary judgment.

ISAAC ZIMMERMAN for BILAL M. HUZAIR Submitted

DAVID V. MIGNARDI for DLJ MORTGAGE CAPITAL, INC. Submitted

1332.0
CA 16-01383

GEORGE FACCIO
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered June 17, 2016 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for GEORGE FACCIO Submitted

ZAINAB A. CHAUDHRY for ANTHONY ANNUCCI Submitted

1333.0
CA 17-00433

BD. OF ED. OF PALMYRA-MACEDON CENTRAL SCHOOL DISTRICT
V
FLOWER CITY GLASS CO., INC.

Appeal from an order of the Supreme Court, Wayne County (Matthew A. Rosenbaum, J.), entered July 14, 2016. The order, among other things, granted plaintiff's application for a holding finding that the summons and complaint filed on September 11, 2015 is timely under CPLR § 204 (b).

JEFFREY P. DIPALMA for FLOWER CITY GLASS CO., INC. 15 minutes

NICOLE MARLOW-JONES for BD. OF ED. OF PALMYRA-MACEDON CSD 10 minutes

1334.0
CA 17-00434

BD. OF ED. OF PALMYRA-MACEDON CENTRAL SCHOOL DISTRICT
V
FLOWER CITY GLASS CO., INC.

Appeal from an order of the Supreme Court, Wayne County (Matthew A. Rosenbaum, J.), entered December 5, 2016. The order, among other things, denied in part the motion of defendants Flower City Glass Co., Inc., Flower City Glass Associates, LLC, Flower City Glass Co. of New York, LLC and Flower City Glass to dismiss plaintiff's complaint.

JEFFREY P. DIPALMA for FLOWER CITY GLASS CO., INC.

Submitted

NICOLE MARLOW-JONES for BD. OF ED. OF PALMYRA-MACEDON CSD

Submitted

1335.0
CA 16-01817

STEPHEN T. DIVITO
V
SHANNON B. MEEGAN

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered January 19, 2016. The order, among other things, adjudged that defendant has clear title to 1197 Harris Road, Webster, New York.

FRANK A. ALOI for STEPHEN T. DIVITO

10 minutes

PETER J. GLENNON for SHANNON B. MEEGAN

10 minutes

1336.0
CA 17-00055

STEPHEN T. DIVITO
V
SHANNON B. MEEGAN

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered August 4, 2016. The order, among other things, dismissed the complaint in its entirety.

FRANK A. ALOI for STEPHEN T. DIVITO

Submitted

PETER J. GLENNON for SHANNON B. MEEGAN

Submitted

1337.0
CA 17-00197

VICENTE HERNANDEZ
V
AUBURN REAL ESTATE CO., INC.

Appeals from an order of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered September 13, 2016. The order, insofar as appealed from, granted the motion of plaintiffs for partial summary judgment on liability pursuant to Labor Law § 240 (1) and denied the cross motions of defendants for summary judgment.

KEVIN R. VAN DUSER for AUBURN REAL ESTATE CO., INC.

15 minutes

BRADY O'MALLEY for VICENTE HERNANDEZ

10 minutes

DAY CALENDAR
Thursday, October 26, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1338.0
KA 14-01664

PEOPLE
V
COLBY CLAYFIELD

Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered September 9, 2010. The judgment convicted defendant, upon a jury verdict, of conspiracy in the second degree.

FRANK J. NEBUSH, JR., for COLBY CLAYFIELD Submitted

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

1339.0
KA 15-02166

PEOPLE
V
VERNELL ROBERSON

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered December 17, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ALAN WILLIAMS for VERNELL ROBERSON 10 minutes

JULIE BENDER FISKE for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1340.0
KA 16-00557

PEOPLE
V
ANTUAN M. STANLEY

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrigh, A.J.), rendered January 26, 2016. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree and criminal possession of a weapon in the third degree.

DAVID P. ELKOVITCH for ANTUAN M. STANLEY Submitted

CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1341.0
KA 15-00041

PEOPLE
V
BRYAN R. WALKER

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered August 4, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree

JANET C. SOMES for BRYAN R. WALKER 5 minutes

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

1342.0
KA 16-00008

PEOPLE
V
MICHAEL FLOYD

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered December 15, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ROBERT L. KEMP for MICHAEL FLOYD 10 minutes

	STEPHEN EARNHART for PEOPLE OF THE STATE OF NEW YORK	5 minutes
1343.0 KA 14-01024	PEOPLE V DONTE S. TWILLIE	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered January 3, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of marihuana in the third degree.	
	JANET C. SOMES for DONTE S. TWILLIE	5 minutes
	LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK	5 minutes
1344.0 CAF 16-00594	In the Matter of BROOKE T.	
	Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered March 28, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had severely abused the subject child.	
	SALVATORE FREDERICK LANZA for JUSTIN T.	Submitted
	KRISTOPHER STEVENS for JEFFERSON COUNTY D.S.S.	10 minutes
	LYDIA L. YOUNG, ATTORNEY FOR CHILD	Submitted
1345.0 CA 16-02320	DELPHI HEALTHCARE PLLC V PETRELLA PHILLIPS LLP	
	Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered September 22, 2016. The order denied in part defendants' motion to dismiss plaintiffs' complaint in its entirety.	
	WILLIAM G. BALLAINE for PETRELLA PHILLIPS LLP	15 minutes
	D. CHARLES ROBERTS for DELPHI HEALTHCARE PLLC	10 minutes
1346.0 CA 17-00075	ESSEX INSURANCE COMPANY V NDC REALTY, INC.	
	Appeal from an order and judgment (one paper) of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered April 15, 2016. The order and judgment, inter alia, declared that plaintiff has no remaining duty to defend and indemnify defendant NDC Realty, Inc.	
	MICHAEL J. SKONEY for SCOTT LIGER	15 minutes
	SHARON ANGELINO for ESSEX INSURANCE COMPANY	15 minutes
1347.0 CA 17-00826	JAMES MALEK V VILLAGE OF DEPEW	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered December 7, 2016. The order denied defendant's motion for summary judgment dismissing plaintiff's complaint and granted plaintiff's cross motion to amend his bill of particulars.	
	ALYSON C. CULLITON for VILLAGE OF DEPEW	15 minutes
	A. PETER SNODGRASS for JAMES MALEK	10 minutes

1348.0
CA 17-00082

BROWN & BROWN, INC.
V
THERESA A. JOHNSON

Appeal and cross appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered August 25, 2016. The order, among other things, denied partial enforcement of the non-solicitation covenant contained in an employment agreement signed by defendant, Theresa A. Johnson.

THOMAS J. CAHILL for BROWN & BROWN, INC. 20 minutes

PRESTON LEE ZARLOCK for THERESA A. JOHNSON 20 minutes

1349.0
CA 17-00804

TRACY HICKMOTT
V
GEORGE STUCK

Appeal from an amended order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered August 18, 2016. The amended order, inter alia, granted defendants the right to enter upon the land of plaintiff to paint their fence, once per year in even numbered years.

MICHAEL STEINBERG for TRACY HICKMOTT 10 minutes

MICHAEL D. LEESS for GEORGE STUCK Submitted

1350.0
CA 16-01924

JOSHUA A. JIMERSON
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (Michael E. Hudson, J.), entered June 2, 2016. The order denied the motion of claimants for partial summary judgment on the issue of liability.

JOEL L. DANIELS for KENNETH VAN AERNAM 15 minutes

CHERYL MEYERS BUTH for JOSHUA A. JIMERSON Submitted

KATE H. NEPVEU for STATE OF NEW YORK 10 minutes

1351.0
CA 17-00309

TERRI A. MCDONALD
V
WHITNEY HIGHLAND HOMEOWNERS' ASSN.

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered September 22, 2016. The order granted the motion of defendants for summary judgment dismissing plaintiff's complaint.

FRANK GAETANO MONTEMALO for TERRI A. MCDONALD 15 minutes

AIMEE LAFEVER KOCH for WHITNEY HIGHLAND HOMEOWNERS' ASSN. 15 minutes

1352.0
CA 17-00310

TERRI A. MCDONALD
V
WHITNEY HIGHLAND HOMEOWNERS' ASSN.

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered September 22, 2016. The order granted the motion of defendants to dismiss plaintiff's complaint.

FRANK GAETANO MONTEMALO for TERRI A. MCDONALD Submitted

AIMEE LAFEVER KOCH for WHITNEY HIGHLAND HOMEOWNERS' ASSN. Submitted

1353.0
CA 17-00291

CAROL A. SANTILLO
V
THOMAS J. SANTILLO

Appeal from an amended order of the Supreme Court, Monroe County (James J. Piampiano, J.), entered August 10, 2016. The amended order, among other things, denied the motion of defendant to vacate the Qualified Domestic Relations Order entered on February 9, 1996.

JEFFREY L. TURNER for THOMAS J. SANTILLO 10 minutes

THEODORE S. KANTOR for CAROL A. SANTILLO 10 minutes

1354.0
CA 17-00292

CAROL A. SANTILLO
V
THOMAS J. SANTILLO

Appeal from an order of the Supreme Court, Monroe County (James J. Piampiano, J.), entered November 7, 2016. The order denied defendant's motion to reargue and renew his prior motion to vacate the Qualified Domestic Relations Order entered on February 9, 1996.

JEFFREY L. TURNER for THOMAS J. SANTILLO Submitted

THEODORE S. KANTOR for CAROL A. SANTILLO Submitted

1355.0
CA 16-01999

KRAMBU PORTER
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered June 17, 2016 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for KRAMBU PORTER Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI Submitted

1356.0
CA 16-01612

GLASCO WRIGHT
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (Michael E. Hudson, J.), entered August 1, 2016. The order denied the motion of claimant for a default judgment.

GLASCO WRIGHT for HIMSELF Submitted

KATHLEEN M. LANDERS for STATE OF NEW YORK Submitted

1357.0
CAF 17-00163

In the Matter of
ELLIE JO L.H.

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered January 13, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, temporarily removed the subject child from respondent's care.

JOHN A. CIRANDO for DEBRA A.M. 15 minutes

MELISSA L. KOFFS, ATTORNEY FOR THE CHILD 15 minutes

1358.0
CAF 17-00164

MELISSA L.K.
V
DEBRA A.M.

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered January 13, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, temporarily removed the subject child from respondent's care.

JOHN A. CIRANDO for DEBRA A.M.

Submitted

MELISSA L. KOFFS, ATTORNEY FOR CHILD

Submitted

1359.0
CAF 17-02244

In the Matter of
ELLIE JO L.H.

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered January 13, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject child.

JOHN A. CIRANDO for DEBRA A.M.

Submitted

MELISSA L. KOFFS, ATTORNEY FOR THE CHILD

Submitted