

**DAY CALENDAR**  
**Monday, April 8, 2019 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

**499.0**  
**KA 17-00932**

**PEOPLE**  
**V**  
**MARK D. KULCZYK**

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered April 20, 2017. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

KRISTIN M. PREVE for MARK D. KULCZYK

Submitted

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

Submitted

**500.0**  
**KA 15-00259**

**PEOPLE**  
**V**  
**ANDRE T. MCCANTS**

Appeal from a judgment of the Supreme Court, Monroe County (John B. Gallagher, Jr., J.), rendered October 6, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree.

TIMOTHY S. DAVIS for ANDRE T. MCCANTS

Submitted

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

10 minutes

**501.0**  
**KA 17-01147**

**PEOPLE**  
**V**  
**SAMUEL A. GOODMAN**

Appeal from a judgment of the Supreme Court, Ontario County (Craig J. Doran, J.), rendered March 8, 2017. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree, robbery in the second degree (two counts), unlawful imprisonment in the first degree, assault in the second degree, criminal possession of a weapon in the third degree, grand larceny in the third degree, grand larceny in the fourth degree, identity theft in the second degree and criminal possession of stolen property in the fourth degree.

MARK C. DAVISON for SAMUEL A. GOODMAN

Submitted

V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NY

Submitted

**502.0**  
**KA 17-01507**

**PEOPLE**  
**V**  
**ROGER CORNELL**

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered July 24, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted arson in the second degree.

ALAN WILLIAMS for ROGER CORNELL

Submitted

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

Submitted

**503.0**  
**KA 17-02024**

**PEOPLE**  
**V**  
**KRISTA M. WEIR**

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered November 4, 2016. The judgment convicted defendant, upon her plea of guilty, of kidnapping in the second degree.

	CARA A. WALDMAN for KRISTA M. WEIR	5 minutes
	KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
504.0 KA 17-00287	PEOPLE V EWAN REID	
	Appeal from a judgment of the Herkimer County Court (John J. Brennan, A.J.), rendered May 10, 2012. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree (two counts).	
	JOHN HERBOWY for EWAN REID	10 minutes
	MICHELLE K. FASSETT for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
505.0 KA 16-00754	PEOPLE V MOHSIN H. ALSAAIDI	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered September 3, 2015. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class D felony, aggravated unlicensed operation of a motor vehicle in the first degree and refusal to take a breath test.	
	JEFFREY WICKS for MOHSIN H. ALSAAIDI	10 minutes
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
506.0 KA 18-01284	PEOPLE V JAMES BADGLEY	
	Appeal from an order of the Onondaga County Court (Matthew J. Doran, J.), entered April 6, 2018. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.	
	BRITTNEY NICOLE CLARK for JAMES BADGLEY	Submitted
	BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
507.0 CA 18-02396	JAMES C. SUTTON V WILLIAMSVILLE SUBURBAN, LLC	
	Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered May 15, 2018. The order denied the motion of plaintiff for a default judgment and granted the cross motion of defendants Williamsville Suburban, LLC, Golden Living Centers, LLC and Safire Rehabilitation of Amherst, LLC an extension of time to file an answer.	
	SCOTT R. ORNDOFF for JAMES C. SUTTON	10 minutes
	ADELA APRODU for WILLIAMSVILLE SUBURBAN, LLC	10 minutes
508.0 CA 18-00994	PARAMAX CORPORATION V VOIP SUPPLY, LLC	
	Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, Jr., J.), entered April 24, 2018. The order, among other things, denied in part defendants' motion to dismiss plaintiff's first, third, fourth, and fifth causes of action.	

	KEVIN R. LELONEK for VOIP SUPPLY, LLC	10 minutes
	BENJAMIN M. ZUFRANIERI, JR., for PARAMAX CORPORATION	10 minutes
509.0 CA 18-01363	PAUL MICHAEL LEEDER V DAVID P. ANTONUCCI	
	Appeal from an order and judgment (one paper) of the Supreme Court, Jefferson County (James P. Murphy, J.), entered February 26, 2018. The order and judgment granted the cross motion of the defendant for summary judgment and dismissed the complaint.	
	NEIL M. GINGOLD for PAUL MICHAEL LEEDER	15 minutes
	DAVID P. ANTONUCCI for HIMSELF	Submitted
510.0 CA 18-01693	UPS CAPITAL CORPORATION V WIRELESS JACK.COM, INC.	
	Appeal from an order of the Supreme Court, Monroe County (William K. Taylor, J.), entered March 28, 2018. The order, among other things, denied defendants' motion to vacate a default judgment.	
	FRANK A. ALOI for WIRELESS JACK.COM, INC.	10 minutes
	TIMOTHY LYSTER for UPS CAPITAL CORPORATION	15 minutes
512.0 CA 18-02224	EILEEN A. GARDINER V DAVID R. HALLERAN, M.D.	
	Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered April 19, 2018. The order granted the motion of defendants Lawrence C. Calabrese, M.D., and St. Joseph's Imaging ASSOC.ates, PLLC, for summary judgment and dismissed the complaint against said defendants.	
	MICHAEL S. PORTER for EILEEN A. GARDINER	15 minutes
	CHRISTOPHER F. DEFRANCESCO for LAWRENCE C. CALABRESE, M.D.	15 minutes
513.0 CA 18-02310	ELAINE WOODWARD V DANIEL CIAMARICONE	
	Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered September 14, 2018. The order, insofar as appealed from, granted the motions of defendants for summary judgment dismissing the complaint.	
	ROBERT A. QUATTROCCI for ELAINE WOODWARD	15 minutes
	KEITH D. MILLER for DANIEL CIAMARICONE	10 minutes
	PAUL HANSON for KIMBERLY SALOTTO	10 minutes
514.0 CA 18-02352	DENNIS BUCHOVECKY V S & J MORRELL, INC.	

Appeal from an order of the Supreme Court, Ontario County (Craig J. Doran, J.) entered July 10, 2018. The order, among other things, granted plaintiffs' motion to dismiss the counterclaim of defendant S & J Morrell, Inc.

MICHAEL C. PRETSCH for S & J MORRELL, INC.

15 minutes

JACOB H. ZOGHLIN for DENNIS BUCHOVECKY

10 minutes

515.0  
CA 18-01653

**THE IDEAL YOU WEIGHT LOSS CENTER**  
**V**  
**SHERI ZILLIOUX**

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, Jr., J.), entered August 15, 2018. The order denied the motion of third-party defendants to dismiss the third-party complaint.

J. MICHAEL LENNON for THE IDEAL YOU WEIGHT LOSS CENTER

15 minutes

JON F. MINEAR for SHERI ZILLIOUX

Submitted

516.0  
CA 18-02329

**JENNIFER M. CHINN-YANCEY**  
**V**  
**JENNA BORING**

Appeal from an order of the Supreme Court, Orleans County (Tracey A. Bannister, J.), entered June 7, 2018. The order denied the motion of Jenna Boring for summary judgment dismissing the complaint.

NORMAN E.S. GREENE for JENNA BORING

10 minutes

JOHN A. COLLINS for JENNIFER M. CHINN-YANCEY

10 minutes

517.0  
CA 18-02236

**DAROLYN A. KOCH**  
**V**  
**HELEN T. HEATHER**

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered June 5, 2018. The order, insofar as appealed from, granted in part the motion of defendant for summary judgment.

RACHEL A. EMMINGER for HELEN T. HEATHER

10 minutes

A. PETER SNODGRASS for DAROLYN A. KOCH

15 minutes

518.0  
CA 18-02280

**STATE FARM FIRE & CASUALTY COMPANY**  
**V**  
**SCOTT PENNOCK**

Appeal and cross appeal for an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered May 31, 2018. The order denied the respective motions of the parties for summary judgment

MATTHEW E. WHRITENOUR for SCOTT PENNOCK

10 minutes

STUART DAVID MARKOWITZ for STATE FARM FIRE & CASUALTY

10 minutes