

DAY CALENDAR
Monday, April 1, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

397.0
TP 18-02318

JOHNSON IRRON
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered December 12, 2018) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for JOHNSON IRRON

Submitted

FRANK BRADY for ANTHONY ANNUCCI

Submitted

398.0
TP 18-02319

RICHARD J. RIVERA
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court IN the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered December 12, 2018) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for RICHARD J. RIVERA

Submitted

JULIE M. SHERIDAN for ANTHONY ANNUCCI

Submitted

399.0
KA 16-02161

PEOPLE
V
SEAN TIMMONS

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered October 14, 2016. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

SARA A. GOLDFARB for SEAN TIMMONS

Submitted

KENNETH H. TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

400.0
KA 16-01240

PEOPLE
V
GARFIELD HECTOR

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered June 17, 2016. The judgment convicted defendant, upon his plea of guilty, of offering a false instrument for filing in the first degree.

WILLIAM CLAUSS for GARFIELD HECTOR

10 minutes

BRADLEY OASTLER for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

401.0
KA 16-01833

PEOPLE
V
DEONDRA WALKER

Appeal from a judgment of the Onondaga County Court (Walter W. Hafner, Jr., A.J.), rendered September 26, 2016. The judgment convicted defendant, upon her plea of guilty, of robbery in the third degree.

PIOTR BANASIAK for DEONDRA WALKER

Submitted

KENNETH H. TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

402.0
KA 16-01656

PEOPLE
V
DAVID A. BROWN

Appeal from a judgment of the Steuben County Court (Mathew K. McCarthy, A.J.), rendered June 27, 2016. The judgment convicted defendant, upon a jury verdict, of burglary in the third degree (three counts), criminal possession of stolen property in the third degree, criminal possession of a weapon in the fourth degree and criminal possession of burglar's tools.

MARY P. DAVISON for DAVID A. BROWN

10 minutes

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

5 minutes

404.0
KA 17-00300

PEOPLE
V
JOHN R. CHRISLEY

Appeal from an order of the Genesee County Court (Charles N. Zambito, J.), dated January 31, 2017. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

JAMES M. SPECYAL for JOHN R. CHRISLEY

Submitted

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

Submitted

405.0
KA 16-01367

PEOPLE
V
LUIS GONZALEZ

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered August 1, 2016. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree.

CHRISTINE M. COOK for LUIS GONZALEZ

Submitted

BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

406.0
CAF 18-02026

In the Matter of
HAYDEN B. S.

Appeal from an order of the Family Court, Steuben County (Patrick F. McAllister, A.J.), entered September 26, 2018 in a proceeding pursuant to Family Court Act article 3. The order dismissed the petition on the court's own motion.

CRAIG A. PATRICK for STEUBEN COUNTY ATTORNEY

5 minutes

PAUL B. WATKINS , ATTORNEY FOR THE CHILD

5 minutes

407.0
CAF 17-02163

In the Matter of
NYJEEM D.

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered November 9, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, temporarily placed the subject child with petitioner.

DANIELLE BLACKABY for JOHN D. 10 minutes

ANTHONY PETER BELLETIER, JR., for SHAINA D. 5 minutes

CATHERINE Z. GILMORE for ONONDAGA COUNTY DSS Submitted

RICHARD T. WARD, ATTORNEY FOR CHILD Submitted

408.0
CAF 17-02164

In the Matter of
JOHN D., JR.

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered November 9, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, temporarily placed the subject child with petitioner.

DANIELLE BLACKABY for JOHN D. Submitted

ANTHONY PETER BELLETIER, JR., for SHAINA B. Submitted

CATHERINE Z. GILMORE for ONONDAGA COUNTY DSS Submitted

RICHARD T. WARD, ATTORNEY FOR THE CHILD Submitted

409.0
CAF 18-00582

In the Matter of
NYJEEM D.

Appeals from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered February 16, 2018 in a proceeding pursuant to Family Court Act article 10. The order, among other things, modified a prior order by vacating the release of the subject child to respondents and placing the subject child in the custody of petitioner pending a permanency hearing

DANIELLE BLACKABY for JOHN D. Submitted

ANTHONY PETER BELLETIER, JR., for SHAINA D. Submitted

CATHERINE Z. GILMORE for ONONDAGA COUNTY DSS Submitted

RICHARD T. WARD, ATTORNEY FOR THE CHILD Submitted

410.0
CAF 18-00583

In the Matter of
JOHN D., JR.

Appeals from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered February 16, 2018 in a proceeding pursuant to Family Court Act article 10. The order, among other things, modified a prior order by vacating the release of the subject child to respondents and placing the subject child in the custody of petitioner pending a permanency hearing

DANIELLE BLACKABY for JOHN D. Submitted

ANTHONY PETER BELLETIER, JR., for SHAINA B. Submitted

CATHERINE Z. GILMORE for ONONDAGA COUNTY DSS Submitted

RICHARD T. WARD, ATTORNEY FOR THE CHILD Submitted

411.0
CA 18-02325

JARED N. UNDERBERG
V
DRYDEN MUTUAL INSURANCE CO.

Appeal and cross appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.), entered June 7, 2018. The order denied the motion of defendant for summary judgment, declared that the assault and battery exclusion of defendant's policy does not apply and granted in part and denied in part the cross motion of plaintiff for summary judgment.

PHYLISS A. HAFNER for JARED N. UNDERBERG 15 minutes

ANTHONY J. PIAZZA for DRYDEN MUTUAL INSURANCE CO. 15 minutes

412.0
CAF 18-01364

SAMANTHA R. MONTGOMERY
V
WILLIAM P. LIST

Appeal from an order of the Family Court, Monroe County (Stacey Romeo, J.), entered May 17, 2018 in a proceeding pursuant to Family Court Act article 4. The order, among other things, granted petitioner's written objections to the findings of fact and conclusions of law and order of the Support Magistrate.

FRANK BERETTA for WILLIAM P. LIST 5 minutes

JUAN A. NEVAREZ for SAMANTHA R. MONTGOMERY 10 minutes

413.0
CA 18-01828

CARLA M. VELEZ
V
KEVIN A. MITCHELL, II

SETTLED

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered September 28, 2018. The order, insofar as appealed from, granted the motion of plaintiff for partial summary judgment on the issues of serious injury, negligence and proximate cause.

JANET D. CALLAHAN for KEVIN A. MITCHELL, II

CHRISTOPHER J. O'BRIEN for CARLA M. VELEZ

414.0
CA 18-02192

JAMES WICK
V
DAVID D. O'NEIL, M.D., PhD.

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered May 3, 2018. The order, insofar as appealed from, denied the motion of Mary L. Turkiewicz, M.D., Mary L. Turkiewicz, M.D., P.C., and Southtowns Radiology Associates, LLC, for summary judgment dismissing the complaint.

MARK SPITLER for MARY L. TURKIEWICZ, M.D. 10 minutes

JOHN A. COLLINS for JAMES WICK 10 minutes

415.0
CA 18-01938

UTICA MUTUAL INSURANCE COMPANY
V
ALFA MUTUAL INSURANCE CO.

SETTLED

Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (Patrick F. MacRae, J.) entered March 16, 2018. The order and judgment, among other things, dismissed the complaint in its entirety as to all defendants with prejudice.

LARRY P. SCHIFFER for UTICA MUTUAL INSURANCE COMPANY

SEAN THOMAS KELLY for ECRA POOL MEMBERS

KAREN G. FELTER for FINANCIAL SECURITY ASSURANCE CO. OF IOWA

416.0
CA 18-00394

JODY T.
V
STATE OF NEW YORK

Appeal from an amended order of the Supreme Court, Oneida County (Charles C. Merrell, J.), entered December 18, 2017 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, adjudged that petitioner is subject to strict and intensive supervision and treatment.

CAROLINE L. LEVITT for JODY T.

10 minutes

JENNIFER L. CLARK for STATE OF NEW YORK

10 minutes

417.0
TP 18-01738

JOHN KENNEDY
V
NYS OFFICE PEOPLE WITH DEV. DISABILITIES

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 [James P. Murphy, J.], entered February 5, 2018) to review a determination of respondents. The determination terminated petitioner's employment.

D. JEFFREY GOSCH for JOHN KENNEDY

10 minutes

KATHLEEN TREASURE for NYS OFFICE PEOPLE WITH DEV. DISABILITIES

10 minutes

418.0
CA 18-02115

ABDUKADIR ABDULLAHI
V
KALEIDA HEALTH

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered April 6, 2018. The order, insofar as appealed from, granted the motion of defendant Kaleida Health for a protective order.

JOHN A. COLLINS for ABDUKADIR ABDULLAHI

10 minutes

MICHAEL J. ROACH for KALEIDA HEALTH

10 minutes

419.0
CA 18-02193

ONX3, LLC
V
LEXINGTON INSURANCE COMPANY

Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (Erin P. Gall, J.), entered July 23, 2018. The order and judgment, insofar as appealed from, denied the motion of defendant Lexington Insurance Company to dismiss the complaint.

SCOTT J. SHELDON for LEXINGTON INSURANCE COMPANY

Submitted

ALAN J. PIERCE for ONX3, LLC

Submitted

DAY CALENDAR
Tuesday, April 2, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

420.0
TP 18-02287

FRANK CRAWLEY
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, Livingston County [Robert B. Wiggins, A.J.], entered December 6, 2018) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for FRANK CRAWLEY

Submitted

MARCUS J. MASTRACO for ANTHONY ANNUCCI

Submitted

421.0
TP 18-01488

JESSICA WROBLESKI
V
S. SQUIRES

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, Orleans County [Michael M. Mohun, A.J.], entered August 16, 2018) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

JESSICA WROBLESKI for HERSELF

Submitted

MARCUS J. MASTRACCO for S. SQUIRES

Submitted

422.0
KA 16-01344

PEOPLE
V
TYRON HUGGINS

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered May 11, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the first degree, criminal possession of a weapon in the third degree and criminal possession of a weapon in the fourth degree.

DANIEL J. DUBOIS for TYRON HUGGINS

Submitted

MEREDITH MOHUN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

423.0
KA 17-00564

PEOPLE
V
TERRY L. CHAMPION

Appeal from a judgment of the Steuben County Court (Marianne Furfure, A.J.), rendered January 17, 2017. The judgment convicted defendant, upon a jury verdict, of driving while ability impaired by drugs.

ROSEMARIE RICHARDS for TERRY L. CHAMPION

10 minutes

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

Submitted

424.0
KA 16-02338

PEOPLE
V
CUESHAN ALLEN

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered July 8, 2016. The judgment convicted defendant, upon his plea of guilty, of arson in the third degree

ELIZABETH S. RIKER for CUESHAN ALLEN

Submitted

KENNETH H. TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

425.0
KA 16-00639

PEOPLE

V

BRIAN GERENA

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), entered March 28, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree (two counts), criminal possession of a controlled substance in the third degree (three counts), and criminal possession of a controlled substance in the fourth degree.

MICHAEL STACHOWSKI for BRIAN GERENA

15 minutes

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

Submitted

426.0
KA 18-00854

PEOPLE

V

MARCUS DUBLINO

Appeal from a judgment of the Supreme Court, Niagara County (Matthew J. Murphy, III, A.J.), rendered July 26, 2017. The judgment convicted defendant, upon a nonjury verdict, of harassment in the second degree.

KATHLEEN E. CASEY for MARCUS DUBLINO

Submitted

LAURA THERESA JORDAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

427.0
KA 18-02153

PEOPLE

V

BILL A. THOMAS

Appeal from a judgment of the Genesee County Court (Michael F. Pietruszka, A.J.), rendered July 13, 2017. The judgment convicted defendant, upon a jury verdict, of menacing a police officer or peace officer and criminal possession of a weapon in the third degree

MAURICE JOSEPH VERRILLO for BILL A. THOMAS

15 minutes

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

10 minutes

428.0
CA 17-01725

STATE OF NEW YORK

V

MARK M.

Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered June 21, 2017 in a proceeding pursuant to Mental Hygiene Law article 10. The order determined that respondent is a dangerous sex offender requiring confinement and committed respondent to a secure treatment facility.

DANIELLE WILD for MARK M.

15 minutes

ALLYSON B. LEVINE for STATE OF NEW YORK

10 minutes

429.0
CA 18-02240

DEBORAH CLINE
V
RALPH J. CODE

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered May 21, 2018. The order and judgment, among other things, granted defendant's motion for summary judgment.

RON F. WRIGHT for DEBORAH CLINE 10 minutes

ROY Z. ROTENBERG for RALPH J. CODE 5 minutes

430.0
CA 18-01691

SANDRA RIVERA
V
ROCHESTER GENERAL HEALTH SYSTEM

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered January 27, 2018. The order granted the motion of defendant for summary judgment and dismissed the complaint.

MATTHEW J. KAISER for SANDRA RIVERA 5 minutes

JENNIFER M. SCHWARTZOTT for RGH 10 minutes

431.0
CA 18-01779

RICKEY D. SPENCER
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.) entered April 2, 2018. The order granted plaintiff's motion to compel the deposition testimony of Officers Joseph Hasset and Corey Krug and denied defendants' cross motion seeking a protective order and the stay of Officer Krug's deposition.

MAEVE E. HUGGINS for CITY OF BUFFALO Submitted

JAMES E. MORRIS for RICKEY D. SPENCER Submitted

432.0
CA 18-01719

ROBERTA MCCULLOCH
V
NEW YORK CENTRAL MUTUAL INSURANCE

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.) entered February 15, 2018. The order, among other things, denied plaintiff's motion to set aside the jury's verdict.

TIMOTHY M. HUDSON for ROBERTA MCCULLOCH 15 minutes

JEFFREY F. BAASE for NEW YORK CENTRAL MUTUAL INSURANCE 10 minutes

433.0
CA 18-01720

ROBERTA MCCULLOCH
V
NEW YORK CENTRAL MUTUAL INSURANCE

Appeal from a judgment of the Supreme Court, Niagara County (Frank Caruso, J.) entered April 17, 2018. The judgment, among other things, dismissed the plaintiff's complaint.

TIMOTHY M. HUDSON for ROBERTA MCCULLOCH Submitted

JEFFREY F. BAASE for NEW YORK CENTRAL MUTUAL INSURANCE Submitted

434.0
CA 18-02253

ROBERTA MCCULLOCH
V
NEW YORK CENTRAL MUTUAL INSURANCE

Appeal from a judgment of the Supreme Court, Niagara County (Frank Caruso, J.) entered October 22, 2018. The judgment, among other things, awarded defendant costs and disbursements.

TIMOTHY M. HUDSON for ROBERTA MCCULLOCH Submitted

JEFFREY F. BAASE for NEW YORK CENTRAL MUTUAL INSURANCE Submitted

435.0
CA 18-02394

JERON THOMPSON
V
M AND M FORWARDING OF BUFFALO, NEW YORK, INC.

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.) entered June 4, 2018. The order, among other things, denied the motion of defendant M and M Forwarding of Buffalo, New York, Inc. for summary judgment.

MATTHEW J. DUGGAN for M AND M FORWARDING OF BUFFALO, NY 10 minutes

MARC C. PANEPINTO for JERON THOMPSON Submitted

PHILIP M. GULISANO for TBT CORPORATION 10 minutes

436.0
TP 18-02163

SUNANDA KERN
V
NEW YORK STATE CENTRAL REGISTER OF CHILD ABUSE

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 [John F. O'Donnell, J.], entered November 20, 2018) 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.

SUNANDA KERN for SUNANDA KERN Submitted

WILLIAM E. STORRS for NYS CENTRAL REGISTER OF CHILD ABUSE Submitted

JOSEPH T. JARZEMBEK for ERIE COUNTY DSS Submitted

439.0
CA 18-02225

CHRISTOPHER FIELDS
V
CITY OF BUFFALO

Appeal from a judgment of the Supreme Court, Erie County (Emilio L. Colaiacovo, J.), entered July 10, 2018 in a CPLR article 78 proceeding. The judgment denied the motion of respondent to dismiss the proceeding, granted the petition and ordered respondent to provide petitioners with a defense and indemnification in an action commenced by Mohammad Ismail.

MAEVE E. HUGGINS for CITY OF BUFFALO 10 minutes

IAN HAYES for CHRISTOPHER FIELDS 10 minutes

440.0
CA 18-01187

TRAVIS J. CORNELL
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered May 24, 2018 in a CPLR article 78 proceeding. The judgment dismissed the petition.

ADAM W. KOCH for TRAVIS J. CORNELL

Submitted

JULIE M. SHERIDAN for ANTHONY ANNUCCI

Submitted

441.0
CA 18-00955

NICHOLAS L. VASSENELLI

V

CITY OF SYRACUSE

Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered February 20, 2018. The order and judgment, inter alia, granted the motion of defendants City of Syracuse, et al., for summary judgment and dismissed the complaints against them.

A.J. BOSMAN for NICHOLAS L. VASSENELLI

15 minutes

ROBERT A. BARRER for POMCO, INC.

10 minutes

DANIEL R. ROSE for SHARON ERIKSSON

10 minutes

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP.

15 minutes

MARY LOUISE CONROW for CITY OF SYRACUSE

10 minutes

442.0
CA 18-00985

NICHOLAS L. VASSENELLI

V

CITY OF SYRACUSE

Appeal from a judgment of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered February 28, 2018. The judgment awarded costs to defendant Sharon Eriksson.

A.J. BOSMAN for NICHOLAS L. VASSENELLI

Submitted

ROBERT A. BARRER for POMCO, INC.

Submitted

DANIEL R. ROSE for SHARON ERIKSSON

Submitted

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP.

Submitted

MARY LOUISE CONROW for CITY OF SYRACUSE

Submitted

443.0
CA 18-01031

NICHOLAS L. VASSENELLI

V

CITY OF SYRACUSE

Appeal from a judgment of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered February 21, 2018. The judgment awarded costs and disbursements to defendants Pomco, Inc., and Sharon Miller.

A.J. BOSMAN for NICHOLAS L. VASSENELLI

Submitted

ROBERT A. BARRER for POMCO, INC.

Submitted

DANIEL R. ROSE for SHARON ERIKSSON

Submitted

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP.

Submitted

MARY LOUISE CONROW for CITY OF SYRACUSE

Submitted

444.0
CA 18-01074

NICHOLAS L. VASSENELLI
V
CITY OF SYRACUSE

Appeal from a judgment of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered February 28, 2018. The judgment dismissed the claims against defendants PMA Management Corp. and Carol Wahl.

A.J. BOSMAN for NICHOLAS L. VASSENELLI Submitted

ROBERT A. BARRER for POMCO, INC. Submitted

DANIEL R. ROSE for SHARON ERIKSSON Submitted

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP. Submitted

MARY LOUISE CONROW for CITY OF SYRACUSE Submitted

445.0
CA 18-01081

NICHOLAS L. VASSENELLI
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered February 20, 2018. The order granted the motion of defendants Pomco Group, also known as Pomco, Inc., and Sharon Miller for summary judgment.

A.J. BOSMAN for NICHOLAS L. VASSENELLI Submitted

ROBERT A. BARRER for POMCO, INC. Submitted

DANIEL R. ROSE for SHARON ERIKSSON Submitted

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP. Submitted

MARY LOUISE CONROW for CITY OF SYRACUSE Submitted

446.0
CA 18-01082

NICHOLAS L. VASSENELLI
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered February 20, 2018. The order granted the motion of defendant Sharon Eriksson for summary judgment.

A.J. BOSMAN for NICHOLAS L. VASSENELLI Submitted

ROBERT A. BARRER for POMCO, INC. Submitted

DANIEL R. ROSE for SHARON ERIKSSON Submitted

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP. Submitted

MARY LOUISE CONROW for CITY OF SYRACUSE Submitted

447.0
CA 18-01083

NICHOLAS L. VASSENELLI
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered February 28, 2018. The order granted the motion of defendants PMA Management Corp. and Carol Wahl for summary judgment.

A.J. BOSMAN for NICHOLAS L. VASSENELLI Submitted

ROBERT A. BARRER for POMCO, INC.

Submitted

DANIEL R. ROSE for SHARON ERIKSSON

Submitted

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP.

Submitted

MARY LOUISE CONROW for CITY OF SYRACUSE

Submitted

DAY CALENDAR
Tuesday, April 2, 2019 - 10:00 AM
COURTROOM 2

448.0
CA 17-00413

HARPAL SODHI
V
DOLLAR TREE STORES, INC.

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered November 14, 2016. The order denied the motion of defendants Portage Center, LLC, and Baldwin Real Estate Corporation for summary judgment.

MICHAEL B. DIXON for TOPS MARKETS, LLC **Submitted**

ANN M. CAMPBELL for PORTAGE CENTER, LLC **Submitted**

JOHN A. COLLINS for HARPAL SODHI **Submitted**

449.0
CA 17-00416

HARPAL SODHI
V
DOLLAR TREE STORES, INC.

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered November 14, 2016. The order denied the motion of defendant Tops Markets, LLC, for summary judgment.

MICHAEL B. DIXON for TOPS MARKETS, LLC **Submitted**

ANN M. CAMPBELL for PORTAGE CENTER, LLC **Submitted**

JOHN A. COLLINS for HARPAL SODHI **Submitted**

DAY CALENDAR
Wednesday, April 3, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

457.0
KA 18-00359

PEOPLE
V
KEVIN J. DAVIS, II

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Erie County Court (Michael F. Pietruszka, J.), entered February 7, 2015. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.

SHERRY A. CHASE for KEVIN J. DAVIS, II **10 minutes**

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

450.0
TP 18-02158

DONOVAN SINGLETON
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered November 21, 2018) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated an inmate rule.

LEAH R. NOWOTARSKI for DONOVAN SINGLETON **Submitted**

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

452.0
KA 16-01448

PEOPLE
V
DEVROY SEWELL

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, A.J.), rendered February 10, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the first degree.

KRISTIN M. PREVE for DEVROY SEWELL **Submitted**

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

453.0
KA 16-00642

PEOPLE
V
PASCUAL CRUZ

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered August 30, 2012. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree and criminal use of a firearm in the first degree.

THOMAS J. EOANNOU for PASCUAL CRUZ **Submitted**

DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK **10 minutes**

454.0
KA 16-01938

PEOPLE
V
JENNIFER SAGE

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered February 25, 2016. The judgment convicted defendant, upon her plea of guilty, of vehicular manslaughter in the first degree.

DEBORAH K. JESSEY for JENNIFER SAGE

Submitted

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

Submitted

455.0
KA 15-01680

PEOPLE

V

MICHAEL A. HEAD

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered July 8, 2015. The judgment convicted defendant, upon a jury verdict, of assault in the second degree (two counts).

NANCY BIZUB for MICHAEL A. HEAD

10 minutes

LAWRENCE FRIEDMAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

456.0
KA 17-00648

PEOPLE

V

WILLIE MCKEE

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered December 9, 2016. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree, assault in the first degree, criminal possession of stolen property in the fourth degree, assault in the second degree and resisting arrest.

NATHANIEL V. RILEY for WILLIE MCKEE

10 minutes

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

10 minutes

458.0
KA 18-01290

PEOPLE

V

VICTOR DIAZ

Appeal from an order of the Monroe County Court (John L. DeMarco, J.), dated March 27, 2018. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for VICTOR DIAZ

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

459.0
CA 18-01877

GAIL G. FELLOWS

V

DOLORES ROSATI

Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered December 14, 2017. The order and judgment awarded plaintiff money damages after a nonjury trial.

GREGG A. STARCZEWSKI for DOLORES ROSATI

Submitted

MARK A. WOLBER for GAIL G. FELLOWS

Submitted

460.0
CA 18-02141

SEAN P. WILCZAK
V
CITY OF NIAGARA FALLS

Appeal from an order and judgment (one paper) of the Supreme Court, Niagara County (Daniel Furlong, J.), entered May 18, 2018. The order and judgment granted the motion of defendant to dismiss the complaint and dismissed the complaint.

MATTHEW J. BIRD for **SEAN P. WILCZAK** 10 minutes

THOMAS M. O'DONNELL for **CITY OF NIAGARA FALLS** 5 minutes

461.0
CA 18-02262

AMY WITRYOL
V
CWM CHEMICAL SERVICES, L.L.C.

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Erie County (Mark A. Montour, J.) entered May 8, 2018 in a CPLR article 78 proceeding. The judgment, among other things, granted respondents' motions to dismiss the verified petition and complaint.

ALAN J. KNAUF for **AMY WITRYOL** 20 minutes

JOSHUA M. TALLENT for **NYSDEC** 10 minutes

THOMAS R. SMITH for **CWM CHEMICAL SERVICES, L.L.C.** 15 minutes

462.0
CA 18-02281

JEFFREY R. SMITH
V
MARIANNE D.S. BAILEY

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered August 3, 2018. The order, inter alia, denied the motion of plaintiffs for summary judgment.

MICHAEL R. VACCARO for **JEFFREY R. SMITH** 15 minutes

JANET D. CALLAHAN for **MARIANNE D.S. BAILEY** 10 minutes

463.0
CA 18-02234

TERESSA CHAPLIN
V
TIM N. TOMPKINS

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered June 22, 2018. The order dismissed plaintiffs' complaint as untimely as against defendant West Main Street Partners, L P.

MO J. ATHARI for **TERESSA CHAPLIN** 10 minutes

SARAH H. MORRISSEY for **TIM N. TOMPKINS** 10 minutes

JONATHAN SABLONE for **WEST MAIN STREET PARTNERS, L.P.** 10 minutes

464.0
CA 18-02257

TERESSA CHAPLIN
V
TIM N. TOMPKINS

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered September 6, 2018. The order dismissed plaintiffs' complaint as untimely as against defendant Tim N. Tompkins.

MO J. ATHARI for **TERESSA CHAPLIN** Submitted

SARAH H. MORRISSEY for **TIM N. TOMPKINS** Submitted

JONATHAN SABLONE for WEST MAIN STREET PARTNERS, L.P.

Submitted

465.0
CA 18-02215

TODD FORMAN
V
CARRIER CORPORATION

Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered September 11, 2018. The order, among other things, denied in part defendant's motion for summary judgment.

AARON M. SCHIFFRIK for CARRIER CORPORATION

15 minutes

DAVID S. GRASSO for TODD FORMAN

10 minutes

466.0
CA 18-02191

VIRGINIA F. KLEIST
V
DANIEL STERN

Appeal from an order of the Supreme Court, Chautauqua County (James H. Dillon, J.), entered May 16, 2016. The order granted the motion of defendant for a directed verdict and dismissed the complaint.

PAUL V. WEBB, JR., for VIRGINIA F. KLEIST

15 minutes

EDWARD P. WRIGHT for DANIEL STERN

15 minutes

467.0
CA 17-02104

SHERI SCAVONE
V
CAMPBELL MEADOWS CONDOMINIUM ASSOC.

SETTLED

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered September 20, 2017. The order, among other things, granted plaintiffs' motion to dismiss defendants' affirmative defenses and counterclaim.

JOSEPH DEMARIE for CAMPBELL MEADOWS CONDOMINIUM ASSOC.

PATRICK M. MCNELIS for SHERI SCAVONE

468.0
CA 17-02105

SHERI SCAVONE
V
CAMPBELL MEADOWS CONDOMINIUM ASSOC.

SETTLED

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered November 27, 2017. The order, among other things, denied defendants' motion for an order to compel/preclude plaintiffs for failing to answer interrogatories or disclose pursuant to a demand for discovery/disclosure.

JOSEPH DEMARIE for CAMPBELL MEADOWS CONDOMINIUM ASSOC

PATRICK M. MCNELIS for SHERI SCAVONE

469.0
CA 19-00003

SHERI SCAVONE
V
CAMPBELL MEADOWS CONDOMINIUM ASSOC.

SETTLED

Appeal from a declaratory judgment and permanent injunction (one paper) of the Supreme Court, Erie County (E. Jeannette Ogden, J.) entered September 26, 2018. The declaratory judgment and permanent injunction, among other things, enjoined defendants from denying plaintiffs the placement, maintenance and/or use of a portable basketball hoop.

JOSEPH DEMARIE for CAMPBELL MEADOWS CONDOMINIUM ASSOC.

PATRICK M. MCNELIS for SHERI SCAVONE

470.0
CA 18-01687

COUNTY OF NIAGARA

V

COLLINGWOOD CONSTRUCTION CORP.

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered December 11, 2017. The order denied the motion of claimant for an award of surplus funds.

STEVEN M. COHEN for COLLINGWOOD CONSTRUCTION CORP.

10 minutes

JOHN J. OTTAVIANO for COUNTY OF NIAGARA

10 minutes

471.0
CA 18-01990

BATAVIA CITY CENTRE MERCHANTS ASSOC

V

CITY OF BATAVIA

Appeal from an order of the Supreme Court, Genesee County (Catherine R. Nugent Panepinto, J.) entered January 24, 2018. The order, among other things, granted the motion of the City of Batavia for a declaration that a Settlement Agreement, Termination of Agreements and Restated Easement Agreement entered into by the parties are binding and enforceable on non-party appellants RTMS Properties, LLC.

DAVID J. MCNAMARA for RTMS PROPERTIES LLC

10 minutes

GEORGE STILWELL VAN NEST for CITY OF BATAVIA

10 minutes

472.0
CA 18-01742

JOHN A. KELSEY

V

GERALD E. HOURIGAN, JR.

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.) entered March 21, 2018. The order, among other things, denied defendants' motion for summary judgment.

ERIN K. SKUCE for GERALD E. HOURIGAN, JR.

10 minutes

JOHN ADOLPH MAYA for JOHN A. KELSEY

15 minutes

473.0
CA 18-01954

JOHN A. KELSEY

V

GERALD E. HOURIGAN, JR.

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.) entered October 11, 2018. The order denied defendants' motion seeking renewal and reargument of their motion for summary judgment.

ERIN K. SKUCE for GERALD E. HOURIGAN, JR.

Submitted

JOHN ADOLPH MAYA for JOHN A. KELSEY

Submitted

DAY CALENDAR
Thursday, April 4, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

476.0
KA 17-00727

PEOPLE
V
JASON OCASIO

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered October 7, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ERIN A. KULESUS for JASON OCASIO Submitted

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

477.0
KA 16-02341

PEOPLE
V
CHRISTOPHER ALFANO

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered October 18, 2016. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class E felony, and aggravated unlicensed operation of a motor vehicle in the first degree.

JOHN A. CIRANDO for CHRISTOPHER ALFANO 10 minutes

R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

478.0
KA 13-01175

PEOPLE
V
ROBERT L. LATHROP

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered March 13, 2013. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.

EFTIHIA BOURTIS for ROBERT L. LATHROP 10 minutes

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

479.0
KA 18-02304

PEOPLE
V
ALEKSEY SHEVCHENKO

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered December 5, 2016. The judgment convicted defendant, upon a nonjury verdict, of rape in the first degree.

JOHN A. CIRANDO for ALEKSEY SHEVCHENKO 15 minutes

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

480.0
KA 17-01322

PEOPLE
V
KASSEEN ALLEN

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered May 3, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree (two counts).

SHERRY A. CHASE for KASSEEN ALLEN 10 minutes

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

481.0
KA 17-01323

PEOPLE
V
KASSEEN ALLEN

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered May 3, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

TIMOTHY P. MURPHY for KASSEEN ALLEN Submitted

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

482.0
KA 18-00538

PEOPLE
V
KEVIN D. HINES

Appeal from an order of the Monroe County Court (John L. DeMarco, J.), dated September 19, 2017. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

TIMOTHY S. DAVIS for KEVIN D. HINES Submitted

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

483.0
CAF 17-01475

SHAUNA L. GILROY
V
BRANDYN BACKUS

Appeal from an order of the Family Court, Seneca County (Stephen D. Aronson, J.), entered April 12, 2017 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, provided for visitation for respondent.

CHARLES J. GREENBERG for BRANDYN BACKUS 5 minutes

DAVID KELSEY ETTMAN for SHAUNA L. GILROY 5 minutes

DONNA M. CATHY, ATTORNEY FOR THE CHILD 5 minutes

484.0
CAF 17-01478

CIARA C. FASCIANA-MASTELLAR
V
BRANDYN L. BACKUS

Appeal from an order of the Family Court, Seneca County (Stephen D. Aronson, J.), entered April 12, 2017 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, provided for visitation for respondent.

CHARLES J. GREENBERG for BRANDYN L. BACKUS Submitted

DAVID KELSEY ETTMAN for CIARA C. FASCIANA-MASTELLAR Submitted

DONNA M. CATHY, ATTORNEY FOR THE CHILD Submitted

485.0
CAF 18-01011

LEON C. BLOOM
V
KATI MANCUSO

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered May 18, 2018, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of visitation.

BRIDGET L. FIELD for LEON C. BLOOM 10 minutes

KATI MANCUSO for HERSELF Submitted

	LORENZO NAPOLITANO, ATTORNEY FOR THE CHILD	Submitted
486.0 CAF 18-00438	In the Matter of HAYLEIGH C.	
	Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered March 12, 2018 in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, terminated the parental rights of respondent.	
	BRIDGET L. FIELD for RONALD S.	Submitted
	PAULA A. CAMPBELL for GENESEE COUNTY DSS	Submitted
	GARY MULDOON, ATTORNEY FOR THE CHILD	10 minutes
487.0 CA 18-02145	CHRISTOPHER PALMA V KATHLEEN M. BARONE	
	Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered August 21, 2018. The order granted the motion of plaintiffs for summary judgment on the issue of liability.	
	JAMES P. BURGIO for KATHLEEN M. BARONE	10 minutes
	EDWARD L. SMITH, III, for CHRISTOPHER PALMA	10 minutes
488.0 CA 18-01748	LATISHA D. HAMILTON V GERALD JONES	SETTLED
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered March 22, 2018. The order denied the motion of defendants to dismiss the complaint.	
	KEVIN J. GRAFF for GERALD JONES	
	NICHOLAS J. SHEMIK for LATISHA D. HAMILTON	
489.0 CA 18-01749	LATISHA D. HAMILTON V GERALD JONES	SETTLED
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered August 16, 2018. The order, insofar as appealed from, denied the motion of defendants to dismiss the complaint.	
	KEVIN J. GRAFF for GERALD JONES	
	NICHOLAS J. SHEMIK for LATISHA D. HAMILTON	
490.0 CA 18-02144	JOSEPH SCIORTINO V PAULA GLEASON	
	Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered May 11, 2018. The order granted defendants' motion for summary judgment dismissing plaintiff's complaint.	
	TIFFANY M. KOPACZ for JOSEPH SCIORTINO	10 minutes
	RICHARD T. SARAF for PAULA GLEASON	10 minutes

491.0
CA 18-02269

CHRISTOPHER WOLF
V
LEDCOR CONSTRUCTION INC.

Appeals from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered May 10, 2018. The order, among other things, granted in part plaintiff's motion for partial summary judgment.

KEITH M. FRARY for LEDCOR CONSTRUCTION INC. 10 minutes

JUDITH B. AUMAND for CAMERON GROUP, LLC 15 minutes

STEPHANIE VISCELLI for CHRISTOPHER WOLF 15 minutes

492.0
CA 18-02195

BUFFALO COUNCIL OF SUPERVISORS
V
DR. KRINER CASH

Appeal from a judgment (denominated order) of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 9, 2018 in a proceeding pursuant to CPLR article 78. The judgment denied and dismissed the petition.

PATRICK J. MACKEY for BUFFALO COUNCIL OF SUPERVISORS 10 minutes

JOEL C. MOORE for DR. KRINER CASH 10 minutes

493.0
CA 18-02338

NICHOLAS DUNKLE
V
PAVEL VAKOULICH

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered June 26, 2018. The order denied the motion of defendants for summary judgment dismissing the complaint.

BRIAN P. MINEHAN for PAVEL VAKOULICH 10 minutes

DAVID W. POLAK for NICHOLAS DUNKLE Submitted

494.0
CA 18-02353

CHANEL T. MCCARTHY, ESQ.
V
EDWARD J. WILLIAMS, JR.

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.) entered June 8, 2018. The order, among other things, granted defendants' motion for summary judgment.

JOANNA J. CHEN for CHANEL T. MCCARTHY, ESQ. 20 minutes

SCOTT R. HAPEMAN for EDWARD J. WILLIAMS, JR. 15 minutes

495.0
CA 18-01744

MEDLOCK CROSSING SHOPPING CENTER
V
STEVEN ALAN WARREN

Appeal from an order and partial judgment (one paper) of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered March 9, 2018. The order and partial judgment, inter alia, granted the motion of plaintiff for summary judgment on liability and denied the cross motion of defendants to amend their answer.

FRANK J. FIELDS for STEVEN ALAN WARREN 15 minutes

BRIAN LAUDADIO for MEDLOCK CROSSING SHOPPING CENTER 15 minutes

496.0
CA 18-02151

MEDLOCK CROSSING SHOPPING CENTER
V
STEVEN ALAN WARREN

Appeal from an order and partial judgment (one paper) of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered July 12, 2018. The order and partial judgment awarded plaintiff money damages, costs, disbursements and attorney's fees.

FRANK J. FIELDS for STEVEN ALAN WARREN

Submitted

BRIAN LAUDADIO for MEDLOCK CROSSING SHOPPING CENTER

Submitted

497.0
CA 18-02147

JENNIFER D. ROGER
V
MICHELLE SOOS

Appeal from an order of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.) entered October 19, 2018. The order denied in part the motion of defendant Jeffrey S. Ahrndt for summary judgment.

JAMES P. BURGIO for JEFFREY S. AHRNDT

10 minutes

ANDREW CONNELLY for JENNIFER D. ROGER

10 minutes

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

DAY CALENDAR
Tuesday, April 9, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

519.0
KA 15-01819

PEOPLE
V
ALI BLOODWORTH

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered August 31, 2015. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree and grand larceny in the third degree.

LINDA M. CAMPBELL for ALI BLOODWORTH 10 minutes

BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

520.0
KA 15-01447

PEOPLE
V
CARL J. FULLER, JR.

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered July 2, 2015. The judgment convicted defendant, upon a jury verdict, of criminal mischief in the third degree and resisting arrest.

JANET C. SOMES for CARL J. FULLER, JR. Submitted

DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

521.0
KA 02-00941

PEOPLE
V
NICHOLAS J. OSMAN

Appeal from a judgment of the Chautauqua County Court (John T. Ward, Jr., J.), rendered December 3, 2001. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and robbery in the second degree.

THOMAS P. THEOPHILOS for NICHOLAS J. OSMAN 15 minutes

LYNN SCHAFFER for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

522.0
KA 18-01708

PEOPLE
V
NICHOLAS OSMAN

Appeal from an order of the Chautauqua County Court (James F. Bargnesi, A.J.), dated June 14, 2016. The order settled the record on appeal from a judgment of conviction rendered December 3, 2001.

THOMAS P. THEOPHILOS for NICHOLAS J. OSMAN Submitted

LYNN SSCHAFFER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

523.0
KA 18-02206

PEOPLE
V
JAMES VERNAY

Appeal from a judgment of the Onondaga County Court (Rory McMahon, A.J.), rendered June 29, 2017. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class E felony, refusal to submit to a breath test and harassment in the second degree.

STEWART L. WEISMAN for JAMES VERNAY 15 minutes

	BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
524.0 KA 17-00748	PEOPLE V GABRIELE BALLOWE	
	Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered December 20, 2016. The judgment convicted defendant, upon her plea of guilty, of leaving the scene of an accident without reporting resulting in serious injury.	
	NICHOLAS P. DIFONZO for GABRIELE BALLOWE	20 minutes
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
525.0 KA 16-00756	PEOPLE V ISIAH GRAHAM	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered December 18, 2015. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, criminal possession of a weapon in the second degree and resisting arrest.	
	BRITTNEY NICOLE CLARK for ISIAH GRAHAM	10 minutes
	KENNETEH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
526.0 KA 16-02335	PEOPLE V AL-SHARIYFA ROBINSON	
	Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), entered December 23, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts) and arson in the second degree.	
	ROBERT L. KEMP for AL-SHARIYFA ROBINSON	10 minutes
	MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
527.0 KA 16-01536	PEOPLE V NICHOLAS OSMAN	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Chautauqua County Court (James F. Bargnesi, A.J.), dated August 12, 2016. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.	
	THOMAS P. THEOPHILOS for NICHOLAS OSMAN	15 minutes
	LYNN SCHAFFER for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
528.0 KA 17-01806	PEOPLE V SHAKUR BYRD	
	Appeal from an order of the Supreme Court, Monroe County (Alex R. Renzi, J.), entered October 10, 2017. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.	
	TIMOTHY S. DAVIS for SHAKUR BYRD	Submitted

	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
529.0 CAF 17-02141	In the Matter of ABIGAIL H.	
	Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered November 9, 2017 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of the parent.	
	JOHN A. CIRANDO for DANIEL D.	10 minutes
	MAGGIE SEIKALY for ONONDAGA COUNTY DSS	Submitted
	COURTNEY S. RADICK, ATTORNEY FOR THE CHILD	5 minutes
530.0 CAF 17-01596	In the Matter of LENNOX M.	
	Appeal from an order of the Family Court, Steuben County (Marianne Furfure, A.J.), entered July 3, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, terminated respondent's parental rights.	
	ROSEMARIE RICHARDS for SARAH M.	10 minutes
	AMY CHRISTINE KELLER for STEUBEN COUNTY DSS	10 minutes
	CHRISTINE F. REDFIELD, ATTORNEY FOR THE CHILD	10 minutes
531.0 CAF 17-01597	In the Matter of LYLE M.	
	Appeal from an order of the Family Court, Steuben County (Marianne Furfure, A.J.), entered July 3, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, terminated respondent's parental rights.	
	ROSEMARIE RICHARDS for SARAH M.	Submitted
	AMY CHRISTINE KELLER for STEUBEN COUNTY DSS	Submitted
	CHRISTINE F. REDFIELD, ATTORNEY FOR THE CHILD	Submitted
532.0 CAF 18-00023	MARLYN MARTINEZ-SAROFF V KYLA MARTINEZ-SAROFF	
	Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered November 21, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioners custody of the subject child.	
	DAVID J. PAJAK for KYLA MARTINEZ-SAROFF	5 minutes
	REBECCA J. TALMUD for MARLYN MARTINEZ-SAROFF	10 minutes
	WILLIAM D. BRODERICK, JR., ATTORNEY FOR THE CHILD	10 minutes
533.0 CA 18-01750	LUPCO MANGOVSKI V STEPHEN DIMARCO	

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.) entered December 18, 2017. The order, among other things, granted in part plaintiff's motion for a preliminary injunction.

ELIZABETH A. HOFFMAN for STEPHEN DIMARCO 10 minutes

JON P. DEVENDORF for LUPCO MANGOVSKI Submitted

534.0
CA 18-01917

LUPCO MANGOVSKI
V
STEPHEN DIMARCO

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.) entered June 25, 2018. The order, among other things, denied defendant's motion to renew plaintiff's motion for a preliminary injunction.

ELIZABETH A. HOFFMAN for STEPHEN DIMARCO Submitted

JON P. DEVENDORF for LUPCO MANGOVSKI Submitted

535.0
CA 18-02063

RODNEY BARBER
V
CHARLES SORCE

Appeal from an order of the Supreme Court, Genesee County (Emilio L. Colaiaacovo, J.), entered January 31, 2018. The order, insofar as appealed from, denied in part the motion of defendant Victor J. Anziano for summary judgment.

MATTHEW E. WHRITENOUR for VICTOR J. ANZIANO 10 minutes

BRIAN DAVID KNAUTH for RODNEY BARBER 10 minutes

536.0
CA 18-02196

AMY M. GRIMSHAW
V
JAMES D. CARELLO, JR.

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered June 21, 2018. The order denied the motion of defendant for summary judgment.

KEITH D. MILLER for JAMES D. CARELLO, JR. 10 minutes

KELSEY W. SHANNON for AMY M. GRIMSHAW 10 minutes

537.0
CA 18-01754

FRANCIS E. FURCH
V
CAROL A. KLINGLER

Appeal from a judgment of the Supreme Court, Monroe County (Renee Forgensi Minarek, A.J.), entered March 4, 2018. The judgment dismissed the complaint, with costs and disbursements, upon a jury verdict.

PATRICK J. MALONEY for FRANCIS E. FURCH 15 minutes

NELSON E. SCHULE, JR., for CAROL A. KLINGLER 10 minutes

538.0
CA 18-01502

JABR A. ALMUGANAHI
V
CANDIDO GONZALEZ

Appeal from a judgment of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered July 16, 2018. The judgment dismissed the complaint upon a verdict of no cause of action.

	GREGORY V. PAJAK for JABR A. ALMUGANAHI	10 minutes
	NORMAN E.S. GREENE for CANDIDO GONZALEZ	10 minutes
539.0 CA 18-01503	JABR A. ALMUGANAHI V CANDIDO GONZALEZ	
	Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered August 7, 2018. The order denied the motion of plaintiff for judgment notwithstanding the verdict.	
	GREGORY V. PAJAK for JABR A. ALMUGANAHI	Submitted
	NORMAN E.S. GREENE for CANDIDO GONZALEZ	Submitted
540.0 CA 18-01774	BUILDING SCIENCE SERVICES, LLC V THOMAS FOSS	SETTLED
	Appeal from an order of the Supreme Court, Erie County (Frank A. Sedita, III, J.), entered March 23, 2018. The order, inter alia, granted the motion of plaintiff for leave to amend its complaint	
	ANDREW O. MILLER for THOMAS FOSS	
	JEFFREY A. CARLINO for BUILDING SCIENCE SERVICES, LLC	
541.0 CA 18-01736	RICHARD INFARINATO V ROCHESTER TELEPHONE CORPORATION	
	Appeal and cross appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered February 8, 2018. The order, among other things, denied plaintiff's motion for partial summary judgment.	
	DAVID D. BENZ for RICHARD INFARINATO	10 minutes
	CRAIG D. PETERSON for FRONTIER TELEPHONE OF ROCHESTER	15 minutes
542.0 CA 18-02355	BERNADETTE AJA V HANS RICHTER	
	Appeal from an order of the Supreme Court, Erie County (Paul Wojtaszek, J.), entered April 27, 2018. The order denied the motion of defendant for summary judgment.	
	NORMAN E.S. GREENE for HANS RICHTER	15 minutes
	PHILIP A. MILCH for BERNADETTE AJA	15 minutes
543.0 CA 18-01684	CHERI FLORIANO-KEETCH V NYS DHR	
	Appeal from an order and judgment (one paper) of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered January 17, 2018 in a proceeding pursuant to Executive Law § 298. The order and judgment denied the petition.	
	CHARLES L. MILLER, II for CHERI FLORIANO-KEETCH	15 minutes

	MARILYN BALCACER for NYS DIVISION OF HUMAN RIGHTS	Submitted
	KEVIN R. LELONEK for NIAGARA CHARTER SCHOOL	15 minutes
543.1 CA 17-01048	JOANNE FRASCA V LEGEND DEVELOPERS, LLC	
	Appeals from a decision and order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered December 10, 2015. The order, inter alia, granted in part the motions of defendants for summary judgment.	
	MERRITT S. LOCKE for LEGEND DEVELOPERS, LLC	15 minutes
	A.J. BOSMAN for JOANNE FRASCA	15 minutes
	ROCCO L. VERSACE for TIMOTHY HOGAN, P.E.	5 minutes
	RICHARD A. LILLING for RAVEN ROCK HOMEOWNERS ASSOCIATION,	15 minutes
	MARK J. HALPIN for DAVID VICKERS	10 minutes
	KURT DAVID PARRY for ROBERT ROSSI	Submitted
543.2 CA 17-01392	ELLEN SUE SESITITO V DAVID L. VICKERS & SONS	
	Appeal and cross appeal from a judgment of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 20, 2017. The judgment awarded plaintiff money damages.	
	A.J. BOSMAN for ELLEN SUE SESITITO	Submitted
	MERRITT S. LOCKE for DAVID L. VICKERS & SONS	Submitted
543.3 CA 17-01393	RICHARD TRIFICANA V DAVID L. VICKERS & SONS	
	Appeal and cross appeal from a judgment of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 20, 2017. The judgment awarded plaintiff money damages.	
	MERRITT S. LOCKE for DAVID L. VICKERS & SONS	Submitted
	A.J. BOSMAN for RICHARD TRIFICANA	Submitted
543.4 CA 17-01394	DONALD CARDIFF V DAVID L. VICKERS & SONS	
	Appeal and cross appeal from a judgment of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 20, 2017. The judgment awarded plaintiff money damages.	
	MERRITT S. LOCKE for DAVID L. VICKERS & SONS	Submitted
	A.J. BOSMAN for DONALD CARDIFF	Submitted
543.5 CA 17-01395	DOUGLAS SINGLETON V DAVID L. VICKERS & SONS	

Appeal and cross appeal from a judgment of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 20, 2017. The judgment awarded plaintiff money damages.

MERRITT S. LOCKE for DAVID L. VICKERS & SONS

Submitted

A.J. BOSMAN for DOUGLAS SINGLETON

Submitted

543.6
CA 17-01396

RANDY J. SCHALL

V

DAVID L. VICKERS

Appeal and cross appeal from a judgment of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 20, 2017. The judgment awarded plaintiff money damages.

MERRITT S. LOCKE for DAVID L. VICKERS

Submitted

A.J. BOSMAN for RANDY J. SCHALL

Submitted

543.7
CA 17-01397

GLORIA M. IZZO

V

DAVID L. VICKERS & SONS

Appeal and cross appeal from a judgment of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 20, 2017. The judgment awarded plaintiff money damages.

MERRITT S. LOCKE for DAVID L. VICKERS & SONS

Submitted

A.J. BOSMAN for GLORIA M. IZZO

Submitted

543.8
CA 17-01398

JOANNE FRASCA

V

DAVID L. VICKERS & SONS

Appeal and cross appeal from a judgment of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 20, 2017. The judgment awarded plaintiff money damages.

MERRITT S. LOCKE for DAVID L. VICKERS & SONS

Submitted

A.J. BOSMAN for JOANNE FRASCA

Submitted

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered July 17, 2018. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for KEITH E. SPRATLEY

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

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

544.0
KA 16-01404

PEOPLE
V
CLARENCE WILLIAMS

Appeal from an order of the Monroe County Court (John L. DeMarco, J.), entered June 20, 2016. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

TIMOTHY S. DAVIS for CLARENCE WILLIAMS Submitted

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

545.0
KA 18-01805

PEOPLE
V
KEITH E. SPRATLEY

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered July 17, 2018. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for KEITH E. SPRATLEY Submitted

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

546.0
KA 17-01330

PEOPLE
V
CHERI BURTMAN

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered April 3, 2017. The judgment convicted defendant, upon her plea of guilty, of attempted criminal sale of a controlled substance in the fourth degree.

CAITLIN M. CONNELLY for CHERI BURTMAN Submitted

LORI PETTIT RIEMAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

547.0
KA 18-01501

PEOPLE
V
DAVID MANGAN

Appeal from an order of the Cayuga County Court (Mark H. Fandrich, A.J.), dated May 10, 2018. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

CHARLES A. MARANGOLA for DAVID MANGAN Submitted

BRITTANY ANTONACCI for THE PEOPLE OF THE STATE OF NEW YORK Submitted

548.0
KA 18-01340

PEOPLE
V
THOMAS CLAYTON

Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered April 24, 2017. The judgment convicted defendant, upon a jury verdict, of murder in the first degree and murder in the second degree.

BRIAN SHIFFRIN for THOMAS CLAYTON 20 minutes

WEEDEN A. WETMORE for THE PEOPLE OF THE STATE OF NEW YORK 30 minutes

549.0
KA 15-01196

PEOPLE
V
BRANDON WEST

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered March 19, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts).

KATHLEEN P. REARDON for BRANDON WEST 10 minutes

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

550.0
KA 17-00934

PEOPLE
V
SANDRO R. TIRADO

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered August 24, 2016. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, criminal use of a firearm in the first degree, assault in the first degree, criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the seventh degree.

DEBORAH K. JESSEY for SANDRO R. TIRADO 10 minutes

ASHLEY L. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

551.0
KA 11-02002

PEOPLE
V
RICO D. MCGEE

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered July 14, 2011. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the seventh degree.

BETH A. RATCHFORD for RICO D. MCGEE Submitted

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

552.0
KA 17-00364

PEOPLE
V
BONNIE R. TOMION

Appeal from a judgment of the Ontario County Court (Stephen D. Aronson, J.), rendered November 3, 2016. The judgment convicted defendant, upon a nonjury verdict, of driving while ability impaired by drugs and aggravated driving while intoxicated.

JOHN A. CIRANDO for BONNIE R. TOMION 10 minutes

V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NY 5 minutes

553.0
CAF 17-01644

ALLEN H. MORIN
V
JENNIFER M. MORIN

Appeal from an order of the Family Court, Cayuga County (Stephen D. Aronson, A.J.), entered September 5, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded father sole custody of the subject children.

HEIDI SUE CONNOLLY for JENNIFER M. MORIN 10 minutes

	MARIO J. GUTIERREZ for ALLEN H. MORIN	5 minutes
	CYNTHIA B. BRENNAN, ATTORNEY FOR THE CHILD	5 minutes
554.0	JAMES HILTON	
CAF 17-01418	V	
	KYLE HILTON	
	Appeal from an order of the Family Court, Oswego County (Thomas Benedetto, R.), entered July 27, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioners joint legal custody of the subject child with respondent Courtney C. and granted petitioners physical custody of the subject child.	
	JOHN A. CIRANDO for COURTNEY CIRELLO	10 minutes
	STEPHANIE DAVIS foR KYLE HILTON	5 minutes
	JAMES HILTON for HIMSELF	Submitted
	ETHEL HILTON for HERSELF	Submitted
	JOHN W. SPRING, JR., ATTORNEY FOR THE CHILD	5 minutes
555.0	APRIL L. STEVENS	
CAF 18-00418	V	
	JOSHUA FARRELL	
	Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered January 4, 2018 in a proceeding pursuant to Family Court Act article 8. The order granted the petition for an order of protection.	
	STEPHANIE N. DAVIS for JOSHUA FARRELL	5 minutes
	MICHAEL G. CIANFARANO for APRIL L. STEVENS	10 minutes
	WALTER JAMES BURKARD, ATTORNEY FOR THE CHILD	5 minutes
556.0	APRIL L. STEVENS	
CAF 18-00419	V	
	JOSHUA FARRELL	
	Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered January 4, 2018 in a proceeding pursuant to Family Court Act article 8. The order granted the petition for an order of protection.	
	STEPHANIE N. DAVIS for JOSHUA FARRELL	Submitted
	MICHAEL G. CIANFARANO for APRIL L. STEVENS	Submitted
	WALTER JAMES BURKARD, ATTORNEY FOR THE CHILD	Submitted
557.0	APRIL L. STEVENS	
CAF 18-00420	V	
	JOSHUA FARRELL	
	Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered January 4, 2018 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted petitioner sole legal and physical custody.	
	STEPHANIE N. DAVIS for JOSHUA FARRELL	Submitted

	MICHAEL G. CIANFARANO for APRIL L. STEVENS	Submitted
	WALTER JAMES BURKARD, ATTORNEY FOR THE CHILD	Submitted
558.0 CAF 18-00421	JOSHUA FARRELL V APRIL L. STEVENS	
	Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered January 4, 2018 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for custody.	
	STEPHANIE N. DAVIS for JOSHUA FARRELL	Submitted
	MICHAEL G. CIANFARANO for APRIL L. STEVENS	Submitted
	WALTER JAMES BURKARD, ATTORNEY FOR THE CHILD	Submitted
559.0 CA 18-01717	UP STATE TOWER CO., LLC V VILLAGE OF LAKEWOOD	
	Appeal from a judgment (denominated order and judgment) of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered January 26, 2018 in a proceeding pursuant to CPLR article 78 and a declaratory judgment action. The judgment dismissed the petition.	
	ANDREW JOHN LEJA for UP STATE TOWER CO., LLC	10 minutes
	RICHARD E. STANTON for VILLAGE OF LAKEWOOD	15 minutes
560.0 CA 18-01710	JOHN BOBIK V STATE OF NEW YORK	
	Appeal from a judgment of the Court of Claims (J. David Sampson, J.), entered January 23, 2018. The judgment dismissed the claim after a trial.	
	BRIAN M. DRATCH for JOHN BOBIK	Submitted
	VICTOR PALADINO for STATE OF NEW YORK	Submitted
561.0 CA 18-02397	SHIRLEY PATCHIN V DOLLAR TREE STORES, INC.	SETTLED
	Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered June 21, 2018. The order denied the motion of defendant for summary judgment.	
	NICHOLAS B. DAVIS for DOLLAR TREE STORES, INC.	
	CAROL A. MCKENNA for SHIRLEY PATCHIN	
562.0 OP 17-01942	CITY COUNCIL OF CITY OF JAMESTOWN V TOWN COUNCIL OF TOWN OF ELLICOTT	
	Proceeding pursuant to General Municipal Law article 17 (initiated in the Appellate Division of the Supreme Court in the Fourth Judicial Department pursuant to General Municipal Law § 712) for a declaration that a proposed annexation to the City of Jamestown is in the overall public interest.	
	STEPHANIE CAMPBELL for CITY COUNCIL OF CITY OF JAMESTOWN	15 minutes

	PIETRA LETTIEREI ZAFFRAM for TOWN COUNCIL OF ELLICOTT	15 minutes
563.0 TP 17-02197	CITY OF JAMESTOWN V TOWN COUNCIL OF TOWN OF ELLICOTT	
	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, Chautauqua County [Frank A. Sedita, III, J.], entered December 15, 2017) to review determinations of respondents. The determinations found that a proposed annexation to the City of Jamestown is not in the overall public interest.	
	STEPHANIE CAMPBELL for CITY COUNCIL OF CITY OF JAMESTOWN	Submitted
	PIETRA LETTIEREI ZAFFRAM for TOWN OF ELLICOTT	Submitted
564.0 CA 18-01598	LEVEL 3 COMMUNICATIONS, LLC V ERIE COUNTY	
	Appeals from a judgment (denominated order and judgment) of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered March 5, 2018 in a CPLR article 78 proceeding and a declaratory judgment action. The judgment, inter alia, declared that the fiber optic cables and inclosures in Erie County are not taxable under RPTL 102 (12) (ii).	
	ANTONIO M. SAVAGLIO for CITY OF LACKAWANNA	Submitted
	JENNIFER PERSICO for ERIE COUNTY	15 minutes
	JOEL R. KURTZHALTS for CITY OF BUFFALO	15 minutes
	MEGHANN N. ROEHL for LAKE SHORE CENTRAL SCHOOL DISTRICT	15 minutes
	MICHAEL RISMAN for NORTH COLLINS CENTRAL SCHOOL DISTRICT	15 minutes
	JOHN G. NICOLICH for LEVEL 3 COMMUNICATIONS, LLC	15 minutes
565.0 CA 18-00009	STATE OF NEW YORK V DANIEL J.	
	Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered November 21, 2017 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, committed respondent to a secure treatment facility.	
	PAUL B. WATKINS for DANIEL J.	10 minutes
	JONATHAN D. HITSOUS for STATE OF NEW YORK	10 minutes
566.0 CA 18-01059	STATE OF NEW YORK V DANIEL J.	
	Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered April 17, 2018 in a proceeding pursuant to Mental Hygiene Law article 10. The order denied respondent's motion for reconsideration.	
	PAUL B. WATKINS for DANIEL J.	Submitted
	JONATHAN D. HITSOUS for STATE OF NEW YORK	Submitted

567.0
CA 18-01305

TRANSPO BUS SERVICES, LLC
V
NEW YORK BUS SALES, L.L.C.

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered April 4, 2018. The order, among other things, granted defendant's motion for summary judgment dismissing plaintiff's claims.

SVETLANA K. IVY for TRANSPO BUS SERVICES, LLC 15 minutes

BELLA S. SATRA for NEW YORK BUS SALES, L.L.C. 15 minutes

568.0
CA 18-01575

LEVEL 3 COMMUNICATIONS, LLC
V
CHAUTAUQUA COUNTY

Appeal from a judgment (denominated order) of the Supreme Court, Chautauqua County (Joseph Gerace, J.H.O.), entered March 24, 2018 in a CPLR article 78 proceeding and a declaratory judgment action. The judgment dismissed the petition.

JOHN G. NICHOLICH for LEVEL 3 COMMUNICATIONS, LLC 15 minutes

MICHAEL B. RISMAN for CITY OF DUNKIRK 15 minutes

569.0
CA 18-01685

NAOMI J. ELLISON
V
ROCHESTER GENERAL HEALTH SYSTEM

Appeal from an order of the Supreme Court, Monroe County (William K. Taylor, J.), entered December 22, 2017. The order granted the motion of defendants for summary judgment and dismissed the complaint.

DAVID SCOTT STERN for NAOMI J. ELLISON 10 minutes

SVETLANA K. IVY for ROCHESTER GENERAL HEALTH SYSTEM 10 minutes

570.0
KA 17-00639

PEOPLE **SETTLED**
V
CHARLES A. LEDGER

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered January 17, 2017. The judgment convicted defendant, upon his plea of guilty, of rape in the third degree (two counts).

JAMES M. SPECYAL for CHARLES A. LEDGER

JOSEPH V. CARDONE for THE PEOPLE OF THE STATE OF NEW YORK