

**DAY CALENDAR**  
**Tuesday, April 7, 2020 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

498.0  
KA 17-01892

PEOPLE  
V  
MATTHEW A. MCCRACKEN

Appeal from a judgment of the Genesee County Court (Charles N. Zambito, J.), rendered August 15, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted arson in the second degree.

SUSAN C. MINISTERO for MATTHEW A. MCCRACKEN

Submitted

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

Submitted

499.0  
KA 19-00487

PEOPLE  
V  
JEFFREY T. MILLER

Appeal from an order of the Wayne County Court (John B. Nesbitt, J.), entered December 31, 2018. The order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

BRIDGET L. FIELD for JEFFREY T. MILLER

Submitted

MICHAEL D. CALARCO for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

500.0  
KA 19-00990

PEOPLE  
V  
GREGORY S. LITTLE

Appeal from a judgment of the Steuben County Court (Philip J. Roche, J.), rendered August 22, 2018. The judgment convicted defendant, upon a plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

CAITLIN M. CONNELLY for GREGORY S. LITTLE

Submitted

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

Submitted

501.0  
KA 17-00649

PEOPLE  
V  
JAVIER VALENTIN, JR.

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered March 24, 2017. This judgment convicted defendant, upon a jury verdict of burglary in the second degree and petit larceny.

JONATHAN L. BECKER for JAVIER VALENTIN, JR.

10 minutes

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

10 minutes

502.0  
KA 16-00950

PEOPLE  
V  
THOMAS OCONNOR

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered October 28, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal mischief in the third degree

KATHLEEN P. REARDON for THOMAS OCONNOR

5 minutes

DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

503.0 KA 19-01026	<b>PEOPLE</b> <b>V</b> <b>PERRY TOLBERT</b>	<p>Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered April 18, 2019. The judgment convicted defendant, upon a plea of guilty, of attempted promoting prison contraband in the first degree.</p>	
	CAITLIN M. CONNELLY for PERRY TOLBERT		Submitted
	DONALD G. O'GEEN for THE PEOPLE OF THE STATE OF NEW YORK		Submitted
504.0 CAF 18-01947	<b>LAURA B. RESKA</b> <b>V</b> <b>MICHAEL P. BROWNE</b>	<p>Appeal from an order of the Family Court, Erie County (Tracey A. Kassman, R.), entered August 10, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded Michael P. Browne sole custody of the subject child</p>	
	DEBORAH J. SCINTA for LAURA B. RESKA		5 minutes
	MICHAEL P. BROWNE for HIMSELF		Submitted
	VERA A. VENKOVA, ATTORNEY FOR THE CHILD		5 minutes
505.0 CAF 18-02365	<b>In the Matter of</b> <b>BRYSON M.</b>	<p>Appeal from an order of the Family Court, Oswego County (James K. Eby, J.), entered December 11, 2018, in a proceeding pursuant to Social Services Law §384-b. The order terminated the parental rights of respondent.</p>	
	ROBERT J. GALLAMORE for VICTORIA M.		5 minutes
	JEFFERY G. TOMPKINS for OSWEGO COUNTY DSS		5 minutes
	COURTNEY S. RADICK, ATTORNEY FOR THE CHILD		10 minutes
506.0 CAF 18-02324	<b>In the Matter of</b> <b>MICHAEL S.</b>	<p>Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered June 9, 2017, in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, terminated respondent's parental rights with respect to the subject child.</p>	
	DAVID J. PAJAK for CHARLE S.		5 minutes
	RFEBECCA HOFFMAN for ERIE COUNTY DSS		10 minutes
	JOHN L. TRIGILIO, ATTORNEY FOR THE CHILD		5 minutes
507.0 CAF 19-01086	<b>In the Matter of</b> <b>JALYCE S.</b>	<p>Appeal from an order of the Family Court, Oneida County (James R. Griffith, J.), entered May 8, 2019 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent willfully and without just cause violated an order of disposition and sentenced him to 30 days in jail.</p>	
	MICHAEL THOMAS JOHNSON for JEFFREY S.-B.		5 minutes

	DEANA DOMENICA GATTARI for ONEIDA COUNTY DSS	5 minutes
	SUSAN B. MARRIS, ATTORNEY FOR THE CHILD	5 minutes
508.0 CA 19-01268	KEION PIERRE V ANTHONY ANNUCCI	
	Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered May 24, 2019. The judgment and order dismissed the CPLR article 78 petition.	
	ADAM W. KOCH for KEION PIERRE	Submitted
	MARTIN A. HOTVET for ANTHONY ANNUCCI	Submitted
509.0 CA 19-01238	ERIC BARKER V UNION CORRUGATING COMPANY	
	Appeals from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 19, 2019. The order, among other things, denied in part defendant Lowe's Home Centers, L.L.C.'s motion for summary judgment. and granted defendant Union Corrugating Company's motion for summary judgment.	
	DAVID M.G. KATZ for LOWE'S HOME CENTERS, LLC	10 minutes
	RALPH S. ALEXANDER for ERIC BARKER	10 minutes
510.0 CA 19-02022	DEBRA GINSBERG V BJ'S WHOLESALE CLUB, INC.	
	Appeals from an order of the Supreme Court, Monroe County (Renee Forgensi Minarek, J.), entered April 25, 2019. The order denied the motions of defendant and third-party defendant for summary judgment dismissing the complaint.	
	STEPHEN SCOTT DAVIE for BJ'S WHOLESALE CLUB, INC.	15 minutes
	RAUL E. MARTINEZ for INTERNAL BUSINESS MACHINES CORP.	15 minutes
	ROBERT P. YAWMAN, III for DEBRA GINSBERG	15 minutes
511.0 CA 19-01263	WILLIAM T. KOREN, JR. V MORGAN RAIN TREE, LLC	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered February 1, 2019. The order granted defendant Morgan Raintree, LLC's motion for summary judgment dismissing plaintiff's complaint.	
	BRIAN K. TOWEY for WILLIAM T. KOREN, JR.	15 minutes
	RAUL E. MARTINEZ for MORGAN RAIN TREE, LLC	15 minutes
512.0 CA 19-00461	In the Matter of JOSEPH M.W.	

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 1, 2019. The order, among other things, adjudged that respondent Cayuga County Department of Social Services had a valid claim (Medicaid lien) against the existing J.M.W. Supplemental Needs Trust corpus in the amount of \$2,822,650.99 and directed that he Successor Trustee of the J.M.W. Supplemental Needs Trust pay respondent Terry J.B. from said trust the total sum of \$79,884 as and for her commission for her services as Trustee of said Trust for the period April 30, 2004 to February 25, 2014.

CORY SCHOONMAKER for TERRY J. B.

15 minutes

LISA A. BLAIR for CAYUGA COUNTY DSS

Submitted

MICHAEL JOHN M. for HIMSELF

Submitted

513.0  
CA 19-01470

BRENDA J. BARNETT

V

JOHN J. DISALVO

Appeal from an amended judgment of the Supreme Court, Erie County (Paul B. Wojtaszek, J.), entered February 11, 2019. The amended judgment awarded defendants costs and disbursements upon a verdict of no cause of action.

BRIAN RUSSELL WOOD for BRENDA J. BARNETT

15 minutes

MICHAEL J. CHMIEL for JOHN J. DISALVO

15 minutes

514.0  
CA 19-00520

BRIAN S. RACHUNA

**SETTLED**

V

SHAN HUANG

Appeal from an order of the Supreme Court, Erie County (Diane M. Siwek, J.), entered January 7, 2019. The order denied the motion of plaintiff to amend the summons and complaint.

THOMAS P. KOTRYS for BRIAN S. RACHUNA

CHRISTOPHER G. FLOREALE for SHAN HUANG

515.0  
CA 19-01705

ROBERT BARRON

V

TYLER BLASETTI

Appeal from an order and judgment of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered March 19, 2019. The order and judgment, insofar as appealed from, denied in part the cross motion of plaintiff for summary judgment, granted the motion of defendant for summary judgment on the issue of serious injury and dismissed the complaint.

RON F. WRIGHT for ROBERT BARRON

15 minutes

MATTHEW C. LENAHAN for TYLER BLASETTI

10 minutes

516.0  
CA 19-01583

ERIK D. SWANSON

V

DAVID DOMINESEY

Appeal from a decision and order of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered January 22, 2019. The decision and order granted the motion of defendant for summary judgment and dismissed the complaint.

**EDWARD J. MARKARIAN for ERIK D. SWANSON**

**15 minutes**

**ANTHONY R. BRIGTHON for DAVID DOMINESEY**

**15 minutes**

**517.0  
CA 19-01065**

**JOSEPH VENDETTI**

**V**

**STEPHEN ZYWIAK**

**Appeal from a judgment of the Supreme Court, Oneida Count (Bernadette T. Clark, J.), entered December 10, 2018. The judgment awarded plaintiff money damages upon a jury verdict.**

**FREDERICK A. BRODIE for STEPHEN ZYWIAK**

**10 minutes**

**A.J. BOSMAN for JOSEPH VENDETTI**

**10 minutes**

**518.0  
CA 19-01990**

**JOSEPH VENDETTI**

**V**

**STEPHEN ZYWIAK**

**Appeal from an order of the Supreme Court, Oneida Count (Bernadette T. Clark, J.), entered December 10, 2018. The order awarded attorney's fees to plaintiff.**

**FREDERICK A. BRODIE for STEPHEN ZYWIAK**

**Submitted**

**A.J. BOSMAN for JOSEPH VENDETTI**

**Submitted**