

DAY CALENDAR
Thursday, April 9, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

539.0
KA 19-01050

PEOPLE
V
BRYAN E. GRISWOLD

Appeal from a judgment of the Steuben County Court (Patrick F. McAllister, J.), rendered November 29, 2018. The judgment convicted defendant, upon a plea of guilty, of unlawful surveillance in the second degree.

CAITLIN M. CONNELLY for BRYAN E. GRISWOLD Submitted

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

540.0
KA 16-01242

PEOPLE
V
KENITH K. BROWN

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 25, 2016. The judgment convicted defendant, upon a plea of guilty, of attempted criminal possession of a weapon in the second degree.

JAMES A. HOBBS for KENITH K. BROWN Submitted

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

541.0
KA 18-02296

PEOPLE
V
PATRICK C. JOHNSON

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered July 9, 2018. The judgment convicted defendant, upon a plea of guilty, of criminal possession of a controlled substance in the third degree and criminal possession of a weapon in the second degree.

DANIELLE C. WILD for PATRICK C. JOHNSON 10 minutes

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

542.0
KA 18-00616

PEOPLE
V
TYRONE JENKINS

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered January 29, 2018. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

KRISTIN M. PREVE for TYRONE JENKINS 5 minutes

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

543.0
KA 18-00243

PEOPLE
V
CORNELL LONG

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered October 17, 2016. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree and burglary in the first degree.

NICHOLAS P. DIFONZO for CORNELL LONG 5 minutes

544.0 KA 18-00388	<p>MINDY F. VANLEUVAN for THE PEOPLE OF THE STATE OF NEW YORK</p> <p>PEOPLE V CRAIG OWENS</p> <p>Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered October 20, 2017. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.</p>	5 minutes
	<p>NATHANIEL V. RILEY for CRAIG OWENS</p>	10 minutes
	<p>KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK</p>	10 minutes
545.0 KA 16-00349	<p>PEOPLE V NYJEE BOYD</p> <p>Appeal from a judgment of the Monroe County Court (Daniel J. Doyle, J.), rendered September 8, 2015. The judgment resentenced defendant upon his conviction of criminal use of a firearm in the first degree.</p>	
	<p>JAMES A. HOBBS for NYJEE BOYD</p>	15 minutes
	<p>LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK</p>	10 minutes
546.0 KA 19-01843	<p>PEOPLE V NYJEE BOYD</p> <p>Appeal from a judgment of the Monroe County Court (Daniel J. Doyle, J.), rendered July 7, 2015. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, assault in the first degree, criminal use of a firearm in the first degree and criminal possession of a weapon in the second degree (two counts).</p>	
	<p>JAMES A. HOBBS for NYJEE BOYD</p>	Submitted
	<p>LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK</p>	Submitted
547.0 CA 19-01382	<p>AL DIRSCHBERGER, PH.D. V CALVIN LAWSON</p> <p>Appeal from a decision and order of the Supreme Court, Erie County (Frank A. Sedita, J.), entered January 4, 2019. The order determined that defendant had been overpaid Medicaid benefits.</p>	
	<p>LEROI CALLWELL JOHNSON for CALVIN LAWSON</p>	15 minutes
	<p>BONNIE A. MCLAUGHLIN for AL DIRSCHBERGER, PH.D.</p>	15 minutes
548.0 CA 19-00900	<p>DAWN M. MILLER V CITY OF BUFFALO</p> <p>Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered March 5, 2019. The order granted the motion of defendants for summary judgment and dismissed the complaint.</p>	
	<p>JOHN A. COLLINS for DAWN M. MILLER</p>	10 minutes
	<p>CHRISTINA G. HOLDSWORTH for CITY OF BUFFALO</p>	15 minutes

549.0 CA 19-00479	<p>STEVEN MANNA V RICCELLI ENTERPRISES, INC.</p> <p>Appeal and cross-appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered February 13, 2019. The order, among other things, granted in part a motion for summary judgment by defendants Riccelli Enterprises, Inc. and David Beach and denied plaintiff's cross-motion for summary judgment.</p>	
	SUSAN E. OTTO for RICCELLI ENTERPRISES, INC.	20 minutes
	RON F. WRIGHT for STEVEN MANNA	15 minutes
550.0 CA 19-01190	<p>LAWRENCE PEREZ V ANTHONY ANNUCCI</p> <p>Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered May 24, 2019. The memorandum and judgment dismissed the CPLR article 78 petition.</p>	
	ADAM W. KOCH for LAWRENCE PEREZ	Submitted
	MARTIN HOTVET for ANTHONY ANNUCCI	Submitted
551.0 CA 19-01148	<p>HARVARD STEEL SALES, LLC V DANIEL BAIN</p> <p>Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered June 13, 2019. The order, among other things, granted defendant's motion for a change of venue.</p>	
	MATTHEW JOHN GARVEY for HARVARD STEEL SALES, LLC	10 minutes
	ANTHONY M. KROESE for DANIEL BAIN	10 minutes
552.0 CA 19-01018	<p>MARK C. LORQUET V TIMONEY TECHNOLOGY INC.</p> <p>Appeals from an order of the Supreme Court, Erie County (Emilio Colaiaacovo, J.), entered April 22, 2018. The order denied the motions of defendants for summary judgment.</p>	
	JAMES J. NASH for TIMONEY TECHNOLOGY INC.	15 minutes
	JAMES JOHNSTON NAVAGH for DEVON FACILITY MANAGMENT LLC	15 minutes
	JOHN A. COLLINS for MARK C. LORQUET	10 minutes
553.0 CA 19-00630	<p>CAROL J. MURPHY V CWR MANUFACTURING OF CENTRAL NY</p> <p>Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert J.), entered April 3, 2019. The order, among other things, granted plaintiff's cross-motion for summary judgment.</p>	
	JAMES L. SONNEBORN for CWR MANUFACTURING OF CENTRAL NY	15 minutes
	JON P. DEVENDORF for CAROL J. MURPHY	15 minutes

554.0 CA 19-01053	<p>HORVATH COMMUNICATIONS, INC. V TOWN OF LOCKPORT ZBA</p> <p>Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered October 31, 2018 in a proceeding pursuant to CPLR article 78. The order granted the petition in part.</p> <p>RICHARD J. LIPPES for DAVID MAROTTA 15 minutes</p> <p>JACQUELINE PHILLIPS MURRAY for HORVATH COMMUNICATIONS, INC. 15 minutes</p> <p>BRIAN D. SEAMAN for TOWN OF LOCKPORT ZBA Submitted</p>
555.0 CA 19-00516	<p style="text-align: center;">SETTLED</p> <p>JAMES KERKHOF V LASALLE AMBULANCE INC.</p> <p>Appeal from an order of the Supreme Court, Erie County (Frank A. Sedita, III, J.), entered March 1, 2019. The order, among other things, granted defendants' cross-motion for partial summary judgment dismissing plaintiffs' second cause of action, for negligent hiring, retention, management and supervision of defendant Carlos R. Rosales.</p> <p>JOHN FEROLETO for JAMES KERKHOF</p> <p>MEGHAN M. BROWN for LASALLE AMBULANCE INC.</p>
556.0 CA 19-01531	<p>HELENE F. VANEPPS V DAVID D. MANCUSO</p> <p>Appeal from a decision and order of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered March 20, 2019. The decision and order granted the motion of defendants for summary judgment and dismissed the complaint.</p> <p>CARRIE L. SMITH for HELENE F. VANEPPS 15 minutes</p> <p>CORY J. WEBER for DAVID D. MANCUSO 10 minutes</p>
557.0 CA 19-02100	<p>TARA K. RUDY V ALTMAR-PARISH-WILLIAMSTOWN CSD</p> <p>Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered May 15, 2019. The order, among other things, granted the petitioners' application to serve a late notice of claim.</p> <p>JAMES AUSTIN LONG for ALTMAR-PARISH-WILLIAMSTOWN CSD 10 minutes</p> <p>JOSHUA M. GILLETTE for TARA K. RUDY 10 minutes</p>
558.0 CA 19-02101	<p>TARA K. RUDY V ALTMAR-PARISH-WILLIAMSTOWN CSD</p> <p>Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered October 3, 2019. The order, among other things, denied respondent's motion to renew its opposition to petitioners' motion for leave to serve a late notice of claim</p> <p>JAMES AUSTIN LONG for ALTMAR-PARISH-WILLIAMSTOWN CSD Submitted</p> <p>JOSHUA M. GILLETTE for TARA K. RUDY Submitted</p>

559.0
TP 19-02228

NURI OZDEN, M.D.
V
SUNY UPSTATE MEDICAL UNIVERSITY

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 [Anthony J. Paris, J.], entered October 25, 2019) to review a determination of respondent. The determination adopted a written recommendation by a Fair Hearing panel dated October 31, 2018 which upheld a decision of the Medical Executive Committee dated June 27, 2018 that, among other things, suspended petitioner for 29 days.

LAWRENCE M. ORDWAY, JR. for NURI OZDEN, M.D.

Submitted

LETITIA JAMES for SUNY UPSTATE MEDICAL UNIVERSITY

Submitted

560.0
TP 19-02267

DAVID STRONG
V
ANGELA FERNANDEZ

Proceeding pursuant to Executive Law § 298 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Oneida County [Patrick F. MacRae, J.], entered October 11, 2019) to review a determination of respondent Angela Fernandez, as Commissioner of New York State Division of Human Rights. The determination dismissed the complaint.

JAMES M. WILLIAMS for DAVID STRONG

Submitted

AARON M. WOSKOFF for ANGELA FERNANDEZ

Submitted

MERRITT S. LOCKE for R.L.E. CORP.

15 minutes