

DAY CALENDAR
Monday, March 30, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

378.0
KA 19-00588

PEOPLE
V
VINCE M.F.

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered February 28, 2019. The judgment revoked a term of probation and imposed a term of incarceration.

ADAM H. VAN BUSKIRK for VINCE M.F.

Submitted

CHRISTOPHER T. VALDINA for THE PEOPLE OF THE STATE OF NY

Submitted

379.0
KA 19-00864

PEOPLE
V
WILBERT WILSON, JR.

Appeal from a decision and order of the Wayne County Court (Daniel G. Barrett, J.), entered March 6, 2019. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

BRIDGET L. FIELD for WILBERT WILSON, JR.

Submitted

BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

380.0
KA 19-00528

PEOPLE
V
CHESTER J. THOMAS

Appeal from a decision and order of the Supreme Court, Monroe County (Vincent M. DiNolfo, J.), entered November 24, 2018. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

TIMOTHY S. DAVIS for CHESTER J. THOMAS

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

381.0
KA 17-00203

PEOPLE
V
MARCUS A. NORMAN

Appeal from a judgment of the Chautauqua County Court (Michael M. Mohun, J.), rendered September 29, 2016. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

JOHN A. CIRANDO for MARCUS A. NORMAN

10 minutes

MARILYN FIORE-LEHMAN for THE PEOPLE OF THE STATE OF NEW YORK

15 minutes

382.0
KA 16-02302

PEOPLE
V
JOHN W. WALLS

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti J.), rendered July 29, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

A. VINCENT BUZARD for JOHN W. WALLS

10 minutes

383.0 KA 17-01786	<p>DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK</p> <p>PEOPLE V LEONARD WEATHER</p> <p>Appeal from a judgment of the Oneida County Court (Matthew J. Doran, J.), rendered June 16, 2017. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.</p>	10 minutes
	<p>DAVID J. PAJAK for LEONARD WEATHER</p>	5 minutes
	<p>STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK</p>	10 minutes
384.0 KA 19-00991	<p>PEOPLE V SHANNON E. TERWILLIGER</p> <p>Appeal from a judgment of the Cayuga County Court (Mark H. Fandrigh, J.), rendered March 19, 2019. The judgment convicted defendant, upon her plea of guilty, of attempted burglary in the second degree.</p>	
	<p>CHARLES A. MARANGOLA for SHANNON E. TERWILLIGER</p>	Submitted
	<p>CHRISTOPHER T. VALDINA for THE PEOPLE OF THE STATE OF NY</p>	Submitted
385.0 KA 16-01315	<p>PEOPLE V HERMES A. ALMODOVAR</p> <p>Appeal from a judgment of the Supreme Court, Monroe County (Judith A. Sinclair, J.), rendered June 15, 2016. The judgment convicted defendant upon a jury verdict, of attempted criminal possession of a weapon in the second degree and menacing in the second degree.</p>	
	<p>ZACHARY RUETZ for HERMES A. ALMODOVAR</p>	10 minutes
	<p>LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK</p>	10 minutes
386.0 CAF 18-02178	<p>JAMES M. MULLEN, JR. V JACKIE ELAINE MULLEN</p> <p>Appeal from a decision and order of the Family Court, Oneida County (Julia M. Brouillette, J.), entered October 31, 2018, in a proceeding pursuant to Family Court Act article 6. The decision and order awarded primary physical custody to maternal grandmother.</p>	
	<p>PETER J. DIGIORGIO, JR. for JAMES M. MULLEN, JR.</p>	10 minutes
	<p>PAUL A. NORTON for JACKIE ELAINE MULLEN</p>	5 minutes
	<p>MARK P. MALAK, ATTORNEY FOR THE CHILD</p>	5 minutes
387.0 CAF 18-01918	<p>CURTIS FLAKES V SCHUMON JONES</p> <p>Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered August 23, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the parties shall have joint and shared custody of the subject child.</p>	
	<p>ELIZABETH J. CIAMBRONE for SCHUMON JONES</p>	10 minutes
	<p>MICHAEL M. BLOTNIK for CURTIS FLAKES</p>	5 minutes

	JOSEPH J. SCINTA, JR., ATTORNEY FOR THE CHILD	5 minutes
388.0 CAF 18-02326	ASHLEY M. WANDERSEE V DAVID E. PRETTO	
	Appeal from an order of the Family Court, Monroe County (Kristin F.Splain, R.), entered October 25, 2018 in a proceeding pursuant to Family Court Act article 8. The order, among other things, directed respondent to stay away from petitioner.	
	TIMOTHY S. DAVIS for DAVID E. PRETTO	Submitted
	ASHLEY M. WANDERSEE for HERSELF	Submitted
389.0 CA 18-01429	BENJAMIN L. JOLLEY V AGOSTINHA R. LANDO	
	Appeal from a decision and order of the Supreme Court, Steuben County (Joseph W. Latham, A.J.), entered December 12, 2017. The decision and order, among other things, equitably distributed marital property.	
	MICHAEL A. ROSENHOUSE for AGOSTINHA R. LANDO	15 minutes
	ANTHONY N. ELIA for BENJAMIN L. JOLLEY	15 minutes
390.0 CA 19-02050	AARON LOWN V ANTHONY J. ANNUCCI	
	Appeal from an order of the Supreme Court, Erie County (Dennis Ward, J.), entered November 4, 2019. The order denied and dismissed the CPLR article 78 petition.	
	ANDREW STECKER for AARON LOWN	10 minutes
	LAURA ETLINGER for ANTHONY J. ANNUCCI	10 minutes
391.0 CA 19-01333	LOUIS MICHAEL MAGNANO V ALLEGANY CO-OP INSURANCE COMPANY	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered January 2, 2019. The order granted the motion of defendant Allegany Co-Op Insurance Company for summary judgment dismissing plaintiff's complaint.	
	SCOTT MICHAEL DUQUIN for LOUIS MICHAEL MAGNANO	10 minutes
	STUART B. SHAPIRO for ALLEGANY CO-OP INSURANCE COMPANY	15 minutes
392.0 CA 19-01231	KEVIN M. CUNNINGHAM V MARY AGNES MANOR MANAGEMENT, L.L.C.	
	Appeal from an order of the Supreme Court, Erie County (Jeannette E. Ogden, J.), entered May 9, 2019. The order granted the motion of defendants Mary Agnes Manor Management, L.L.C., Mary Agnes Manor Realty, L.L.C., and Neil Zyskind to dismiss plaintiff's complaint and denied plaintiff's cross-motion to amend the complaint.	
	WILLIAM S. FRIEDLANDER for KEVIN M. CUNNINGHAM	15 minutes
	PATRICK B. CURRAN for MARY AGNES MANOR MANAGEMENT, L.L.C.	15 minutes

393.0 CA 19-00719	DAVID G. V STATE OF NEW YORK	
	Appeal from an order of the Supreme Court, Oneida County (Gerald J. Popeo, A.J.), entered February 19, 2019. The order, insofar as appealed from, denied the motion of petitioner for a change of venue.	
	BENJAMIN D. AGATA for DAVID G.	10 minutes
	LAURA ETLINGER for STATE OF NEW YORK	10 minutes
394.0 CA 19-01517	BENJAMIN L. JOLLEY V AGOSTINHA R. LANDO	
	Appeal from an order of the Supreme Court, Steuben County (Robert B. Wiggins, A.J.), dated January 31, 2019 in a divorce action. The order, among other things, granted plaintiff's motion to enforce the terms of an equitable distribution order.	
	MICHAEL A. ROSENHOUSE for AGOSTINHA R. LANDO	10 minutes
	ANTHONY N. ELIA for BENJAMIN L. JOLLEY	15 minutes
395.0 CA 19-01520	BENJAMIN L. JOLLEY V AGOSTINHA R. LANDO	
	Appeal from an order of the Supreme Court, Steuben County (Robert B. Wiggins, A.J.), dated March 14, 2019 in a divorce action. The order, among other things, directed defendant to execute the deeds to certain properties by April 1, 2019.	
	MICHAEL A. ROSENHOUSE for AGOSTINHA R. LANDO	Submitted
	ANTHONY N. ELIA for BENJAMIN L. JOLLEY	Submitted
396.0 CA 18-02292	CARRIER CORPORATION V ALLSTATE INSURANCE COMPANY	
	Appeal and cross appeal from a decision and order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered November 21, 2018. The decision and order granted plaintiffs' motions for partial summary judgment, granted the motion of defendant Fireman's Fund Insurance Company for partial summary judgment on defense costs and denied the motion of defendant Fireman's Fund Insurance Company for partial summary judgment on exhaustion of insurance coverage.	
	MICHAEL A. KOTULA for FIREMAN'S FUND INSURANCE COMPANY	15 minutes
	ALAN J. PIERCE for CARRIER CORPORATION	15 minutes
397.0 CA 19-01774	RICK NASH V GARY R. SCHOPFER, DDS	
	Appeal from a decision and order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered March 28, 2019. The decision and order dismissed the complaint.	
	JOSEPH S. COTE, III for RICK NASH	10 minutes
	CHRISTINA M. VERRONE JULIANO for GARY R. SCHOPFER, DDS	15 minutes

398.0
CA 19-01971

In the Matter of
CITY OF JAMESTOWN
(KENDALL CLUB POLICE BENEVOLENT ASSOCIATION, INC.)

Appeal from an order and judgment of the Supreme Court, Chautauqua County (James H. Dillon, J.), entered April 3, 2019. The order and judgment denied the petition to vacate an arbitration award and granted the cross petition to confirm an arbitration award

TERENCE MICHAEL O'NEIL for CITY OF JAMESTOWN 15 minutes

CHARLES S. DEANGELO for KENDALL CLUB POLICE BENEVOLENT
ASSN 15 minutes

DAY CALENDAR
Tuesday, March 31, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

399.0
KA 19-00884

PEOPLE
V
TAYLOR I. BECKSTEAD

Appeal from a judgment of the Jefferson County Court (Kim H Martusewicz, J.), rendered December 12, 2018. The judgment convicted defendant, upon her plea of guilty, of burglary in the first degree.

CAITLIN M. CONNELLY for TAYLOR I. BECKSTEAD **Submitted**

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

400.0
KA 16-02127

PEOPLE
V
CHARLENE M. MESS

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered June 23, 2016. The judgment convicted defendant, upon her plea of guilty, of manslaughter in the first degree.

ADAM W. KOCH for CHARLENE M. MESS **Submitted**

WENDY LEHMAN for THE PEOPLE OF THE STATE OF NEW YORK **Submitted**

401.0
KA 16-01474

PEOPLE
V
JOHNNELL N. WEBB

Appeal from a judgment of the Monroe County Court (Thomas R., Morse, A.J.), rendered July 12, 2016. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree.

JANET C. SOMES for JOHNNELL N. WEBB **Submitted**

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

402.0
KA 18-01048

PEOPLE
V
RUSSELL ADAMS

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered September 5, 2017. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

BARBARA J. DAVIES for RUSSELL ADAMS **Submitted**

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

403.0
KA 19-02061

PEOPLE
V
DUSTYN LIEPKE

Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered July 17, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the second degree.

JOHN A. CIRANDO for DUSTYN LIEPKE **10 minutes**

DARIENN P. BALIN for THE PEOPLE OF THE STATE OF NEW YORK **10 minutes**

404.0 KA 16-01831	<p>PEOPLE V TASHJ Y. SIMPSON</p> <p>Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered December 21, 2015. The judgment convicted defendant, upon a non-jury verdict of robbery in the second degree</p> <p>BENJAMIN L. NELSON for TASHJ Y. SIMPSON</p> <p>SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>5 minutes</p> <p>Submitted</p>
405.0 KA 16-01503	<p>PEOPLE V OLASUNKANMI S. ADEJUMO</p> <p>Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered July 21, 2016. The judgment convicted defendant, upon a plea of guilty, of attempted criminal possession of a forged instrument in the second degree.</p> <p>ALAN WILLIAMS for OLASUNKANMI S. ADEJUMO</p> <p>DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>5 minutes</p> <p>5 minutes</p>
406.0 KA 18-00871	<p>PEOPLE V JAMES FENTON</p> <p>Appeal from a judgment of the Yates County Court (Jason L. Cook, J.), rendered February 15, 2018. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.</p> <p>JOHN A. CIRANDO for JAMES FENTON</p> <p>R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>15 minutes</p> <p>10 minutes</p>
407.0 CAF 19-00790	<p>In the Matter of NAJUAN W.</p> <p>Appeal from an order of the Family Court, Jefferson County (Eugene J. Langone, Jr., J.), entered April 19, 2019, in a proceeding pursuant to Social Services Law § 384-b. The order, insofar as appealed from, determined that respondent had abandoned the subject child.</p> <p>LYNNE MARIE BLANK for STEPHON W.</p> <p>MICHAEL WERNER for JEFFERSON COUNTY DSS</p> <p>JUSTIN F. BROTHERTON, ATTORNEY FOR THE CHILD</p>	<p>Submitted</p> <p>Submitted</p> <p>Submitted</p>
408.0 CAF 19-00860	<p>In the Matter of NAJUAN W.</p> <p>Appeal from an order of the Family Court, Jefferson County (Eugene J. Langone, Jr., J.), entered April 26, 2019, in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.</p> <p>LYNNE MARIE BLANK for STEPHON W.</p> <p>MICHAEL WERNER for JEFFERSON COUNTY DSS</p> <p>JUSTIN F. BROTHERTON, ATTORNEY FOR THE CHILD</p>	<p>Submitted</p> <p>Submitted</p> <p>Submitted</p>

409.0 CAF 18-02176	<p>In the Matter of MARIA M.</p> <p>Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered November 1, 2018, in a proceeding pursuant to Social Services Law §384-b. The order terminated the parental rights of respondent.</p> <p>CHARLES J. GREENBERG for KRISTIN M.</p> <p>NATALIE MUNOZ STUTZ for ERIE COUNTY DSS</p> <p>JESSICA L. VESPER, ATTORNEY FOR THE CHILD</p>	<p>5 minutes</p> <p>10 minutes</p> <p>10 minutes</p>
410.0 CAF 18-02267	<p>In the Matter of MARIA M.</p> <p>Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered November 16, 2018, in a proceeding pursuant to Social Services Law §384-b. The order terminated the parental rights of respondent.</p> <p>CHARLES J. GREENBERG for KRISTIN M.</p> <p>NATALIE MUNOZ STUTZ for ERIE COUNTY DSS</p> <p>JESSICA L. VESPER, ATTORNEY FOR THE CHILD</p>	<p>Submitted</p> <p>Submitted</p> <p>Submitted</p>
411.0 CAF 19-00538	<p>AARON E. ALWARDT V ERIN L. CONNOLLY</p> <p>Appeal and cross-appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered February 27, 2019 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the subject child shall reside primarily with respondent.</p> <p>MARY SPEEDY HAJDU for AARON E. ALWARDT</p> <p>BRIDGET L. FIELD for ERIN L. CONNOLLY</p> <p>DAVID J. PAJAK, ATTORNEY FOR THE CHILD</p>	<p>10 minutes</p> <p>5 minutes</p> <p>5 minutes</p>
412.0 CA 19-01975	<p>JAMES STOCK, JR. V AIR & LIQUID SYSTEMS CORP.</p> <p>Appeal and cross appeal from a decision and order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered April 25, 2019. The decision and order denied the motion of defendant Jenkins Bros. to set aside the verdict and dismiss the complaint and denied the motion of plaintiff for an award of damages for loss of future household services.</p> <p>JEFFREY C. FEGAN for JENKINS BROS.</p> <p>SETH A. DYMOND for JAMES STOCK, JR.</p>	<p>15 minutes</p> <p>15 minutes</p>
413.0 CA 19-02179	<p>MARC MCSWEENEY V NORFOLK SOUTHERN RAILWAY COMPANY</p> <p>Appeal from an order of the Supreme Court, Erie County (Tracy A. Bannister, J.) entered May 1, 2019. The order, among other things, granted in part plaintiff's motion for summary judgment against defendant Norfolk Southern Railway Company.</p> <p>DAVID E. LEACH for NORFOLK SOUTHERN RAILWAY COMPANY</p>	<p>15 minutes</p>

	ALAN D. VOOS for MARC MCSWEENEY	10 minutes
414.0 CA 19-02057	DEEPIKA REDDY V GILLES R.R. ABITBOL	
	Appeal from a decision and order of the Supreme Court, Onondaga County (Gregory Gilbert, J.), entered June 24, 2019. The decision and order denied the motion of plaintiff to vacate an order dated December 7, 2018.	
	DEEPIKA REDDY for HERSELF	30 minutes
	GILLES R.R. ABITBOL for HIMSELF	Submitted
415.0 CA 16-02217	NORA ALMONTASER V ROSWELL PARK CANCER INSTITUTE CORP.	
	Appeal from an order of the Court of Claims (Renee Forgensi Minarik, J.), entered July 25, 2016. The order granted defendant's motion to compel claimants to produce less restrictive HIPPA compliant authorizations and a supplemental bill of particulars.	
	PHILIPP LEE RIMMLER for NORA ALMONTASER	10 minutes
	MICHAEL J. WILLETT for ROSWELL PARK CANCER INSTITUTE CORP.	15 minutes
416.0 CA 19-01098	JULIE RITCHIE V BRIAN RITCHIE	
	Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered May 16, 2019. The order, among other things, denied plaintiff's application for an order of protection, vacated an order of protection issued by the Monroe County Family Court on or about April 22, 2019, and suspended plaintiff's custody rights with respect to her two children.	
	GARY MULDOON for JULIE RITCHIE	15 minutes
	MICHAEL D. SCHMITT for BRIAN RITCHIE	Submitted
	PAUL B. WATKINS , ATTORNEY FOR THE CHILD	5 minutes
417.0 CA 19-01852	BRENDA C. MORRIS-WILTON V EUPHORIA SALON & SPA	
	Appeal from an order of the Supreme Court, Erie County (Diane Devlin, J.), entered June 26, 2019. The order, among other things, granted plaintiff's cross-motion for partial summary judgment to the extent that it sought a judgment on liability.	
	THEODORE M. BAUM for BECKER ENTERPRISES, INC.	15 minutes
	STEPHEN BOYD for BRENDA C. MORRIS-WILTON	15 minutes
418.0 CA 19-01790	BRYAN MERRY V FRANK J. EDWARDS, M.D.	
	Appeal and cross appeal from a decision and order of the Supreme Court, Allegany County (Thomas P. Brown, A.J.), entered February 8, 2019. The decision and order, inter alia, denied the motion of plaintiff for summary judgment.	

	RICHARD P. VALENTINE for BRYAN MERRY	15 minutes
	MARYLOU K. ROSHIA for ALICIA S. CALAGIOVANNI	15 minutes
419.0	DAWN AYERS	
CA 19-00964	V	
	PIONEER CENTRAL SCHOOL DISTRICT	
	Appeal from an order of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty III, J.), entered October 11, 2018. The order, insofar as appealed from, granted defendants' motion for summary judgment dismissing plaintiff's complaint.	
	ANNE BELTZ RIMMLER for DAWN AYERS	15 minutes
	MARINA A. MURRAY for PIONEER CENTRAL SCHOOL DISTRICT	15 minutes
420.0	JUDITH L. BAUER	
CA 19-00534	V	
	COUNTY OF ERIE	
	Appeal from an order of the Supreme Court, Erie County (Emilio Colaiacovo, J.), entered February 13, 2019. The order granted the motion of defendants Town of Cheektowaga and Cheektowaga Police Department for summary judgment.	
	RYAN C. JOHNSEN for JUDITH L. BAUER	15 minutes
	MARYLOU K. ROSHIA for TOWN OF CHEEKTOWAGA	15 minutes

DAY CALENDAR
Tuesday, March 31, 2020 - 10:00 AM
COURTROOM 2

421.0
KA 16-01617

PEOPLE
V
MICHAEL MORRIS

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered May 9, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the first degree and assault in the first degree.

BRITTNEY NICOLE CLARK for MICHAEL MORRIS

Submitted

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

Submitted

DAY CALENDAR
Wednesday, April 1, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

422.0
KA 16-00928

PEOPLE
V
TAQUAN JONES

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered February 16, 2016. The judgment convicted defendant, upon a plea of guilty, of robbery in the first degree.

ANTHONY F. BRIGANO for TAQUAN JONES

Submitted

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

Submitted

423.0
KA 17-01592

PEOPLE
V
ANTHONY THOMPSON

Appeal from a judgment of the Erie County Court (David W. Foley, A.J.), rendered November 30, 2016. The judgment convicted defendant, upon a plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the third degree.

SHERRY A. CHASE for ANTHONY THOMPSON

Submitted

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

Submitted

424.0
KA 18-00856

PEOPLE
V
SEAN M. VICKERS

Appeal from a judgment of the Genesee County Court (Charles N. Zambito, J.), rendered January 5, 2018. The judgment convicted defendant, upon a plea of guilty, of course of sexual conduct with a child in the first degree (two counts) .

DAVID J. PAJAK for SEAN M. VICKERS

Submitted

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

Submitted

425.0
KA 19-00815

PEOPLE
V
ROBERT WASYL

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered February 8, 2019. The judgment convicted defendant, upon a plea of guilty, of attempted burglary in the second degree.

JOSEPH G. FRAZIER for ROBERT WASYL

Submitted

LAURA THERESA JORDAN for THE PEOPLE OF THE STATE OF NY

Submitted

426.0
KA 18-01369

PEOPLE
V
HOLIDAY JOHNSON

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered May 14, 2018. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

BARBARA J. DAVIES for HOLIDAY JOHNSON

5 minutes

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

5 minutes

427.0 KA 17-00964	<p>PEOPLE V SARAH J. BRADBURY</p> <p>Appeal from a judgment of the Supreme Court, Ontario County (Craig J. Doran, J.), rendered April 7, 2017. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class E felony (two counts).</p> <p>DAVID M. ABBATOY, JR. for SARAH J. BRADBURY</p> <p>V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF N</p>	<p>10 minutes</p> <p>5 minutes</p>
428.0 KA 16-02102	<p>PEOPLE V FRANK THOMAS</p> <p>Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered June 10, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree, reckless endangerment in the first degree and menacing a police officer.</p> <p>J. SCOTT PORTER for FRANK THOMAS</p> <p>BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>15 minutes</p> <p>10 minutes</p>
429.0 KA 18-00586	<p>PEOPLE V PEDRO L. COLON</p> <p>Appeal from a judgment of the Wayne County Court (John B. Nesbitt, J.), rendered November 9, 2017. The judgment convicted defendant, upon a jury verdict, of criminally negligent homicide and criminal possession of a weapon in the third degree.</p> <p>ROBERT A. DINIERI for PEDRO L. COLON</p> <p>BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>15 minutes</p> <p>Submitted</p>
430.0 KA 15-00127	<p>PEOPLE V MARVIN E. SPENCER</p> <p>Appeal from a judgment of the Monroe County court (Douglas A. Randall, J.), rendered October 28, 2014. The judgment convicted defendant, upon a non jury verdict, of assault in the first degree.</p> <p>KIMBERLY J. CZAPRANSKI for MARVIN E. SPENCER</p> <p>LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>10 minutes</p> <p>10 minutes</p>
431.0 KA 18-02400	<p>PEOPLE V BROCK HYDE</p> <p>Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered August 14, 2018. The judgment convicted defendant, upon a plea of guilty, of reckless assault of a child and assault in the second degree.</p> <p>STEVEN D. SESSLER for BROCK HYDE</p> <p>JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>10 minutes</p> <p>5 minutes</p>

432.0 KAH 18-02417	PEOPLE EX REL. CURTIS MIDDLEBROOKS V PAUL M. GONYEA	
	Appeal from an order of the Supreme Court, Erie County (Paul B. Wojtaszek, J.), entered October 24, 2018. The order, insofar as appealed from, denied the petition for a writ of habeas corpus.	
	KRISTIN M. PREVE for CURTIS MIDDLEBROOKS	Submitted
	LETITIA JAMES for PAUL M. GONYEA	Submitted
433.0 CA 19-01198	THEODORE NALBONE V VANDERBILT PROPERTIES, INC.	
	Appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.), entered June 4, 2019. The order granted the motion of plaintiffs for leave to amend the summons and complaint to allege a direct cause of action against third-party defendant United Materials.	
	CHRISTOPHER G. FLOREALE for UNITED MATERIALS	15 minutes
	MICHAEL J. SKONEY for THEODORE NALBONE	15 minutes
	GERARD E. O'CONNOR for VANDERBILT PROPERTIES, INC.	Submitted
	ALAN J. DEPETERS for CMC CONCRETE, LLC	Submitted
434.0 CA 19-01505	BRIAN MITCHELL V PO N. LAM, M.D.	
	Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered July 18, 2019. The order denied in part defendants' motion to dismiss plaintiff's complaint.	
	MATTHEW J. VANBEVEREN for PO N. LAM, M.D.	10 minutes
	JOSEPH S. COTE, III for BRIAN MITCHELL	10 minutes
435.0 CA 19-01782	JACQUELINE MARIE THOMPSON V WALTER HALL, M.D.	
	Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered April 2, 2019. The order granted the motion of defendant for summary judgment and dismissed the complaint.	
	JOSEPH S. COTE, III for JACQUELINE MARIE THOMPSON	15 minutes
	CATHERINE A. GALE for WALTER HALL, M.D.	15 minutes
436.0 CA 19-00261	THOMAS POLKA V MOUNT ST. MARY'S HOSPITAL	
	Appeal from an order and judgment of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered February 6, 2019. The order and judgment granted the motions of defendants for a directed verdict and dismissed the complaint.	
	CATHERINE B. DEMPSEY for THOMAS POLKA	15 minutes
	JOHN M. VISCO for MOUNT ST. MARY'S HOSPITAL	Submitted

	J. MARK GRUBER for MARC KLEMENTOWSKI, M.D.	15 minutes
	ANN M. CAMPBELL for KYLE R. ANDREWS	15 minutes
437.0 CA 19-00505	TERRY L.M. V MARY M.	
	Appeal from a supplemental order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered March 14, 2019. The order authorized the sale of certain real property.	
	MATTHEW ALBERT for TERRY L.M.	Submitted
	BRADLEY SCOTT LOLIGER for MARY M.	10 minutes
	SARAH JANE DUVALL for CENTER FOR ELDER LAW & JUSTICE	10 minutes
438.0 CA 19-00506	TERRY L.M. V CENTER FOR ELDER LAW & JUSTICE	
	Appeal from a supplemental order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered March 14, 2019. The order authorized the sale of certain real property.	
	MATTHEW ALBERT for TERRY L.M.	Submitted
	BRADLEY SCOTT LOLIGER for MARY M.	Submitted
	SARAH JANE DUVALL for CENTER FOR ELDER LAW & JUSTICE	Submitted
439.0 CA 19-02079	ANDREW KOWALYK V JOHN J. JONES, III	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered May 6, 2019. The order, among other things, denied plaintiff's motion for partial summary judgment as to the issue of negligence as against defendants John J. Jones, III, Adesa Buffalo, Adesa New York, LLC and KAR Auction Services.	
	COLIN CAMPBELL for ANDREW KOWALYK	10 minutes
	JODY E. BRIANDI for JOHN J. JONES, III	15 minutes
440.0 CA 19-00800	TARGETED LEASE CAPITAL, LLC V WHEEL EQUIPMENT LEASING LLC	
	Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered April 25, 2019. The order, among other things, granted in part and denied in part plaintiff's motion for summary judgment.	
	PRESTON LEE ZARLOCK for WHEEL EQUIPMENT LEASING LLC	15 minutes
	ARTHUR G. BAUMEISTER, JR. for TARGETED LEASE CAPITAL, LLC	10 minutes
441.0 CA 19-00802	TARGETED LEASE CAPITAL, LLC V WHEEL EQUIPMENT LEASING LLC	
	Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered April 26, 2019. The judgment, among other things, awarded plaintiff the sum of \$114,219.06 as against defendant Wheel Equipment Leasing, LLC.	

	PRESTON LEE ZARLOCK for WHEEL EQUIPMENT LEASING LLC	Submitted
	ARTHUR G. BAUMEISTER, JR. for TARGETED LEASE CAPITAL, LLC	Submitted
442.0 CA 19-01711	In the Matter of Arbitration Between CHRISTINE O'CONNELL (STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY)	
	Appeal from a judgment of the Supreme Court, Erie County (Catherine N. Panepinto, J.), entered February 1, 2019. The judgment awarded petitioner money damages upon an arbitration award.	
	STEVEN E. PEIPER for STATE FARM MUTUAL AUTOMOBILE INSURANCE	15 minutes
	TIMOTHY G. O'CONNELL for CHRISTINE O'CONNELL	20 minutes
443.0 CA 19-01712	In the Matter of Arbitration Between CHRISTINE O'CONNELL (STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY)	
	Appeal from an order of the Supreme Court, Erie County (Catherine N. Panepinto, J.), entered February 4, 2019. The order granted the motion of petitioner confirm an arbitration award and denied the cross motion of respondent to vacate an arbitration award.	
	STEVEN E. PEIPER for STATE FARM MUTUAL AUTOMOBILE INSURANCE	Submitted
	TIMOTHY G. O'CONNELL for CHRISTINE O'CONNELL	Submitted
444.0 CA 19-01713	In the Matter of Arbitration Between CHRISTINE O'CONNELL (STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY)	
	Appeal from an order of the Supreme Court, Erie County (Catherine N. Panepinto, J.), entered March 22, 2019. The order denied the application of respondent permitting payment into court.	
	STEVEN E. PEIPER for STATE FARM MUTUAL AUTOMOBILE INSURANCE	Submitted
	TIMOTHY G. O'CONNELL for CHRISTINE O'CONNELL	Submitted
445.0 CA 19-01994	ALLY FINANCIAL INC. V LARUE F. JONATHAN	
	Appeal from an order of the Supreme Court, Genesee County (Charles N. Zambito, A.J.), entered February 5, 2019. The order granted the motion of defendant for summary judgment.	
	MATTHEW ALAN PARHAM for LARUE F. JONATHAN	10 minutes
	LOVE AHUJA for ALLY FINANCIAL INC.	15 minutes
446.0 CA 19-01996	ALLY FINANCIAL INC. V LARUE F. JONATHAN	
	Appeal from a judgment of the Supreme Court, Genesee County (Charles N. Zambito, A.J.), entered February 15, 2019. The judgment awarded plaintiff money damages.	
	MATTHEW ALAN PARHAM for LARUE F. JONATHAN	Submitted
	LOVE AHUJA for ALLY FINANCIAL INC.	Submitted

DAY CALENDAR
Thursday, April 2, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

447.0
KA 16-01255

PEOPLE
V
JERALD J. DAVIS, JR.

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered April 19, 2016. The judgment convicted defendant, upon a plea of guilty, of robbery in the second degree

JANET C. SOMES for JERALD J. DAVIS, JR.

Submitted

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

Submitted

448.0
KA 16-02099

PEOPLE
V
JERALD J. DAVIS, JR.

Appeal from a resentence of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered October 4, 2016. Defendant was resented upon his conviction of robbery in the second degree.

JANET C. SOMES for JERALD J. DAVIS, JR.

Submitted

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

Submitted

449.0
KA 19-01043

PEOPLE
V
KEVIN A. DUKES

Appeal from a decision and order of the Monroe County Court (John L. DeMarco, J.), entered April 12, 2019. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

TIMOTHY S. DAVIS for KEVIN A. DUKES

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

450.0
KA 19-02097

PEOPLE
V
KEYNONE COLE

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered May 31, 2019. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree and criminal possession of a weapon in the second degree.

PAUL GORDON DELL for KEYNONE COLE

10 minutes

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

10 minutes

451.0
KA 18-00078

PEOPLE
V
JOSEPH W. SHANTZ

Appeal from a judgment of the Supreme Court, Ontario County (Craig J. Doran, J.), rendered July 27, 2016. The judgment convicted defendant, upon his plea of guilty, of unlawful surveillance in the second degree.

CARA A. WALDMAN for JOSEPH W. SHANTZ

Submitted

452.0 KA 19-01732	<p>V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NY</p> <p>PEOPLE V HECTOR SERRANO</p> <p>Appeal from a decision and order of the Monroe County Court (Stephen T. Miller, A.J.), entered June 18, 2019. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.</p>	Submitted
	<p>DAVID R. JUERGENS for HECTOR SERRANO</p>	Submitted
	<p>NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK</p>	Submitted
453.0 KA 16-01117	<p>PEOPLE V MATTHEW STEPHANY</p> <p>Appeal from a judgment of the Livingston Count Court (Robert B. Wiggins, J.), rendered March 29, 2016. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the fifth degree, criminal possession of a controlled substance in the fifth degree and unlawful sale of marihuana in the fourth degree (two counts).</p>	
	<p>ALLYSON L. KEHL-WIERZBOWSKI for MATTHEW STEPHANY</p>	10 minutes
	<p>JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NY</p>	10 minutes
454.0 KA 19-00164	<p>PEOPLE V CHRISTOPHER M. SWEM</p> <p>Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered September 7, 2018. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the first degree, assault in the second degree, criminal possession of a weapon in the third degree and tampering with physical evidence (two counts).</p>	
	<p>CAITLIN M. CONNELLY for CHRISTOPHER M. SWEM</p>	10 minutes
	<p>PARICIA L. DZIUBA for THE PEOPLE OF THE STATE OF NEW YORK</p>	Submitted
455.0 KA 19-01240	<p>PEOPLE V CHRISTOPHER M. SWEM</p> <p>Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered November 18, 2018. The judgment resentenced defendant upon his conviction for criminal possession of a weapon in the third degree.</p>	
	<p>CAITLIN M. CONNELLY for CHRISTOPHER M. SWEM</p>	Submitted
	<p>KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK</p>	Submitted
456.0 KA 18-01561	<p>PEOPLE V NAARON DUNBAR</p> <p>Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered July 21, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.</p>	

	SARA A. GOLDFARB for NAARON DUNBAR	10 minutes
	KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
457.0 KA 18-01562	PEOPLE V NAARON DUNBAR	
	Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered July 21, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.	
	SARA A. GOLDFARB for NAARON DUNBAR	Submitted
	KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
458.0 KA 19-00205	PEOPLE V JAMES BALTAZAR	
	Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered December 4, 2018. The judgment convicted defendant, upon a jury verdict, of assault in the second degree	
	STEVEN D. SESSLER for JAMES BALTAZAR	10 minutes
	JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NY	5 minutes
459.0 CAF 19-00859	In the Matter of NOVALEIGH B.	
	Appeal from an order of the Family Court, Chautauqua County (Michael J. Sullivan, J.), entered April 15, 2019 in proceedings pursuant to Family Court Act article 10. The order, among other things, denied the Attorney for the Child's motion to stay the Order of Disposition.	
	MARY SPEEDY HAJDU for NOVALIEGH B.	10 minutes
	REBECCA L. DAVISON-MARCH for CHAUTAUQUA COUNTY DSS	Submitted
	SALLY RIBAUDO JAROSZYNSKI for JENNIFER B.	Submitted
	DARREN B. for HIMSELF	Submitted
460.0 CAF 19-01963	In the Matter of NOVALEIGH B.	
	Appeal from an order of the Family Court, Chautauqua County (Michael J. Sullivan, J.), entered April 26, 2019 in proceedings pursuant to Family Court Act article 10. The order, among other things, adjudged that the subject child was neglected by respondent and returned the child to respondent's care.	
	MARY SPEEDY HAJDU for NOVALEIGH B.	Submitted
	REBECCA L. DAVISON-MARCH for CHAUTAUQUA COUNTY DSS	Submitted
	SALLY RIBAUDO JAROSZYNSKI for JENNIFER BERNARD	Submitted
461.0 CAF 18-01303	DOUGLAS B. ANDROSS V TIFFANY P. AIELLO	

Appeal from an order of the Family Court, Onondaga County (Julie Ann Gordon, J.), entered May 15, 2018 in proceedings pursuant to Family Court Act article 6. The order, among other things, adjudged that the parties shall have joint custody of the subject child with the primary residence and placement to be with petitioner.

TIFFANY P. AIELLO for HERSELF Submitted

SUSAN KATHLEEN DUKE for DOUGLAS B. ANDROSS 10 minutes

MAUREEN POLEN, ATTORNEY FOR THE CHILD Submitted

462.0
CA 19-01355

MELANIE TURCSIK
V
PHILLIP GRIFFIN

Appeal from an order and judgment of the Supreme court, Monroe County (Ann Marie Taddeo, J.), entered July 19, 2019. The order and judgment denied the petition and dismissed the proceeding.

JONATHAN G. JOHNSEN for MELANIE TURCSIK 15 minutes

JENNIFER L. CLARK for PHILLIP GRIFFIN 10 minutes

463.0
CA 19-01085

DONALD F. PICK
V
MIDROX INSURANCE COMPANY

Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered May 3, 2019. The order granted defendant's motion for summary judgment dismissing plaintiff's complaint.

MICHELE E. DETRAGLIA for DONALD F. PICK 10 minutes

MATTHEW C. RONAN for MIDROX INSURANCE COMPANY 10 minutes

464.0
CA 19-01106

CIRCLE T STERLING, LLC
V
TOWN OF STERLING ZBA

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered May 31, 2019 in a proceeding pursuant to CPLR article 78. The order, among other things, denied and dismissed the petition.

NADINE C. BELL for CIRCLE T STERLING, LLC 10 minutes

KEVIN M. COX for TOWN OF STERLING ZBA 10 minutes

NEIL M. GINGOLD for DR. VIRGINIA M. FICHERA 15 minutes

465.0
CA 19-01648

TJJK PROPERTIES, LLC
V
A.E.Y. ENGINEERING, D.P.C.

Appeal from an order of the Supreme Court, Wayne County (John B. Nesbitt, A.J.), entered August 12, 2019. The order, among other things, denied in part defendant's motion for summary judgment dismissing plaintiff's complaint in its entirety.

BRITTANY L. HANNAH for A.E.Y. ENGINEERING, D.P.C. 15 minutes

GLENN E. PEZZULO for TJJK PROPERTIES, LLC 15 minutes

466.0 CA 19-01074	<p>JAMES LUPPINO V JENNIFER G. FLANNERY</p> <p>Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered November 19, 2018. The order denied the motion of plaintiff for a new trial on the issue of damages.</p> <p>WILLIAM A. QUINLAN for JAMES LUPPINO 15 minutes</p> <p>MICHAEL J. WILLETT for CATHOLIC HEALTH SYSTEM 10 minutes</p>
467.0 CA 19-00787	<p>LINDSAY ANN WROBEL SETTLED V WOODFORD PROPERTY MANAGEMENT, LLC</p> <p>Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered April 25, 2019. The order denied the motion to defendant for summary judgment dismissing the complaint.</p> <p>LAUREN M. MILLER for WOODFORD PROPERTY MANAGEMENT, LLC</p> <p>CORY SCHOONMAKER for LINDSAY ANN WROBEL</p>
468.0 CA 19-02060	<p>AMY PIZZOLI V NEW HARTFORD CENTRAL SCHOOL DISTRICT</p> <p>Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered July 30, 2019. The order, among other things, granted plaintiff's motion to quash a subpoena to take a non-party deposition of Dr. Elaine Mau and denied defendants' cross-motion for summary judgment.</p> <p>FRANK W. MILLER for NEW HARTFORD CENTRAL SCHOOL DISTRICT 10 minutes</p> <p>MARC JONAS for AMY PIZZOLI 10 minutes</p>
469.0 CA 19-01872	<p>BRITTNEY BAILEY V AMERICAN FLEET MAINTENANCE, INC.</p> <p>Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (William K. Taylor, J.), entered September 24, 2019. The order and judgment, among other things, granted in part defendant's motion for summary judgment.</p> <p>TIMOTHY C. BELLAVIA for BRITTNEY BAILEY 15 minutes</p> <p>ALYSON C. CULLITON for AMERICAN FLEET MAINTENANCE, INC. 15 minutes</p>
470.0 CA 19-02130	<p>DEUTSCHE BANK NATIONAL TRUST COMPANY V EDWARD J. LEWIS</p> <p>Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered April 29, 2019. The order denied plaintiff's motion for summary judgment and granted defendant Edward J. Lewis's cross motion for summary judgment dismissing the complaint and for permission to amend the Answer to include a counterclaim.</p> <p>TIMOTHY W. SALTER for DEUTSCHE BANK NATIONAL TRUST COMPANY 15 minutes</p> <p>RUSSELL W. DOMBROW for EDWARD J. LEWIS 10 minutes</p>

DAY CALENDAR
Thursday, April 2, 2020 - 10:00 AM
COURTROOM 2

471.0
KA 16-00980

PEOPLE
V
KHARYE JARVIS

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered June 2, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree (two counts).

DAVID R. JUERGENS for KHARYE JARVIS

Submitted

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Monday, April 6, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

472.0
KA 17-00073

PEOPLE
V
RICHARD L. SAMPSON

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered July 6, 2016. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class D felony, and aggravated unlicensed operation of a motor vehicle in the first degree.

JOHN A. CIRANDO for RICHARD L. SAMPSON

Submitted

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

5 minutes

473.0
KA 19-00977

PEOPLE
V
GERALD J. ORTIZ

Appeal from an order of the Wayne County Court (John B. Nesbitt, J.), entered October 25, 2018. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

BRIDGET L. FIELD for GERALD J. ORTIZ

Submitted

BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

474.0
KA 19-00548

PEOPLE
V
CHELLSIE BLUE

Appeal from an order of the Monroe County Court (Vincent M. Dinolfo, J.), entered February 8, 2019. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for CHELLSIE BLUE

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

475.0
KA 18-01175

PEOPLE
V
STEFFAN J. MILLER

Appeal from a judgment of the Steuben County Court (Marianne Furfure, J.), rendered January 24, 2018. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and endangering the welfare of a child.

STEVEN A. FELDMAN for STEFFAN J. MILLER

Submitted

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

Submitted

476.0
KA 15-01202

PEOPLE
V
DON WILLIAMS

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered July 8, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree and criminal possession of a weapon in the second degree.

HELEN SYME for DON WILLIAMS

10 minutes

477.0 KA 18-01370	<p>LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK</p> <p>PEOPLE V STEVEN P. KNORR</p> <p>Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered March 15, 2018. The judgment convicted defendant, upon a plea of guilty, of sexual abuse in the first degree.</p>	10 minutes
	<p>DANIELLE C. WILD for STEVEN P. KNORR</p>	5 minutes
	<p>KAYLAN C. PORTER for THE PEOPLE OF THE STATE OF NEW YORK</p>	5 minutes
478.0 KA 15-00651	<p>PEOPLE V KEION PETERSON</p> <p>Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered February 17, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.</p>	
	<p>GUY A. TALIA for KEION PETERSON</p>	5 minutes
	<p>JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK</p>	5 minutes
479.0 CAF 19-00845	<p>NICHOLAS COIA V MARINA SAAVEDRA</p> <p>Appeal from an order of the Family Court, Monroe County (Julia A. Gordon, R), entered March 29, 2019 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted respondent's motion to dismiss the petition.</p>	
	<p>DAVID R. JUERGENS for NICHOLAS COIA</p>	10 minutes
	<p>KATHLEEN P. REARDON for MARINA SAAVEDRA</p>	10 minutes
	<p>ELIZABETH DEV. MOELLER, ATTORNEY FOR THE CHILD</p>	Submitted
480.0 CAF 19-00425	<p>In the Matter of JACIEON M.</p> <p>Appeal from an order of the Family Court, Monroe County (Caroline E. Morrison, A.J.), entered February 13, 2019 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Markeef R., neglected the subject children.</p>	
	<p>PAUL B. WATKINS for MARKEEF R.</p>	10 minutes
	<p>CAROL LYNN EISENMAN for MONROE COUNTY DSS</p>	10 minutes
	<p>ALISON CHRISTINE BATES, ATTORNEY FOR THE CHILD</p>	Submitted
481.0 CAF 18-00422	<p>SIVASUBRAMANIAM THURARAJAH V KANDASAMY MANJULA</p> <p>Appeal from an order of the Supreme Court, Erie County (Deborah A. Haendiges, J.), entered January 31, 2018, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, adopted the recommendations of the Referee.</p>	
	<p>PAMELA THIBODEAU for SIVASUBRAMANIAM THURARAJAH</p>	5 minutes

	CHARLES J. GREENBERG for KANDASAMY MANJULA	5 minutes
	LEAH A. BOUQUARD, ATTORNEY FOR THE CHILD	5 minutes
482.0 CAF 18-01579	MONROE COUNTY CSEU V ROBERT M. HEMMINGER	
	Appeal from a decision and order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered July 30, 2018, in a proceeding pursuant to Family Court Act article 4. The decision and order, inter alia, denied the objections of respondent to the order of a Support Magistrate.	
	JANET C. SOMES for ROBERT M. HEMMINGER	5 minutes
	ELIZABETH DEUTSCH TAFFE for MONROE COUNTY CSEU	10 minutes
483.0 CA 19-00355	STATE OF NEW YORK V JEDEDIAH H.	
	Appeal from an order of the Supreme Court, Ontario County (Craig J. Doran, J.), entered November 14, 2018 in a proceeding pursuant to Mental Hygiene Law article 10. The order, inter alia, determined that respondent violated the conditions of strict and intensive supervision and that he is a dangerous sex offender requiring confinement.	
	NEIL T. CAMPBELL for JEDEDIAH H.	10 minutes
	FRANK BRADY for STATE OF NEW YORK	10 minutes
484.0 CA 19-00145	JULIANNE RIZZO V NATIONAL MAINTENANCE CONTRACTING CO.	
	Appeal from an order of the Supreme Court, Niagara County (Henry J. Nowak, J.), entered January 23, 2019. The order granted the cross motion of Samuel D. Lehr and National Maintenance Contracting Corp. to reargue the court's decision of July 12, 2018 and upon reargument the court adhered to its original decision granting plaintiff 20% ownership of defendant National Maintenance Contracting Corp.	
	EDWARD P. PERLMAN for NATIONAL MAINTENANCE CONTRACTING CO.	15 minutes
	DAVID HAKAN ELIBOL for JULIANNE RIZZO	15 minutes
485.0 CA 19-01410	NATIONSTAR MORTGAGE, LLC V MARIE L. GOODMAN	
	Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered December 24, 2018 in a foreclosure action. The order, among other things, granted plaintiff's motion to reargue and renew; rescinded Gregory Goodman's intervenor status; and declared that Gregory Goodman's claimed life estate interest in the subject premises is invalid and void.	
	BRIAN J. HUTCHISON for GREGORY GOODMAN	10 minutes
	MARC W. BROWN for NATIONSTAR MORTGAGE, LLC	10 minutes
486.0 CA 19-00496	WAYNE J. V STATE OF NEW YORK	

Appeal from an order of the Oneida County Court (Walter Hafner, Jr., J.), entered January 10, 2019. The order, inter alia, continued the commitment of petitioner to a secure treatment center.

MARK C. DAVISON for WAYNE J.

10 minutes

FRANK BRADY for STATE OF NEW YORK

10 minutes

487.0
CA 19-00497

WAYNE J.
V
STATE OF NEW YORK

Appeal from a decision and order of the Oneida County Court (Walter Hafner, Jr., J.), entered February 13, 2019. The decision and order denied the motion of petitioner to vacate a prior order pursuant to CPLR 4404 (b).

MARK C. DAVISON for WAYNE J.

Submitted

FRANK BRADY for STATE OF NEW YORK

Submitted

488.0
CA 19-02020

RONALD KENNICK, JR.
V
PATRICK DEVELOPMENT, INC.

SETTLED

Appeal and cross-appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.) entered April 22, 2019. The order, among other things, denied in part defendant Cannon Design Inc.'s motion for summary judgment and denied plaintiffs' cross-motion for partial summary judgment.

JEFFREY F. BAASE for CANNON DESIGN, INC.

JOHN A. COLLINS for RONALD KENNICK, JR.

489.0
CA 19-01590

NS162, LLC
V
MATTHEW G. SPEARS

SETTLED

Appeal from an order of the Supreme Court, Chautauqua County (James H. Dillon, J.), entered August 7, 2019. The order, inter alia, denied the motion for a default judgment.

MICHAEL FALKOWSKI for NS162, LLC

MATTHEW G. SPEARS for MATTHEW G. SPEARS

KAYLA J. AUSTIN for HERSELF

490.0
CA 19-00829

KORI GRASHA
V
TOWN OF AMHERST

Appeal from an order and judgment of the Supreme Court, Erie County (Paula M. Feroleto, J.), entered November 16, 2018. The order and judgment awarded plaintiff money damages upon a jury verdict.

NORMAN E.S. GREENE for TOWN OF AMHERST

15 minutes

ROLAND M. CERCONE for KORI GRASHA

Submitted

491.0
CA 19-00830

KORI GRASHA
V
TOWN OF AMHERST

Appeal from an order of the Supreme Court, Erie County (Paula M. Feroletto, J.), entered November 19, 2018. The order denied in part the motion of defendant Town of Amherst to set aside a verdict.

NORMAN E.S. GREENE for TOWN OF AMHERST

Submitted

ROLAND M. CERCONE for KORI GRASHA

Submitted

492.0
CA 19-02157

TOWN OF OGDEN

V

LOUIS LAVILLA

Appeal from a decision and order of the Monroe County Court (Sam L. Valleriani, J.), entered May 17, 2019. The decision and order affirmed a judgment of the Justice Court of the Town of Ogden entered November 30, 2018, which ordered respondent to euthanize his dog.

MATTHEW ALBERT for LOUIS LAVILLA

15 minutes

DANIEL G SCHUM for TOWN OF OGDEN

15 minutes

493.0
CA 19-00770

SARA KIELLY

SETTLED

V

LAURINE JONES

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered October 4, 2018. The order, inter alia, held respondents in contempt.

JOSEPH M. SPADOLA for DEBORAH MCCULLOCH

BRUCE C. ENTELISANO for SARA KIELLY

494.0
CA 19-01792

SARA KIELLY

SETTLED

V

LAURINE JONES

Appeals from a decision and order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered January 25, 2019. The decision and order, insofar as appealed from, found respondents and Mental Hygiene Legal Services in contempt of court.

JOSEPH SPADOLA for DEBORAH MCCULLOCH

BRUCE C. ENTELISANO for SARA KIELLY

495.0
CA 19-02031

SARA KIELLY

SETTLED

V

LAURINE JONES

Appeal from an order of Supreme Court, Erie County (Erin P. Gall, J.), entered May 15, 2019. The order, inter alia, denied the motion of respondents to dismiss the proceeding.

JOSEPH M. SPADOLA for DEBORAH MCCULLOCH

BRUCE C. ENTELISANO for SARA KIELLY

DAY CALENDAR
Monday, April 6, 2020 - 10:00 AM
COURTROOM 2

496.0
KA 12-00996

PEOPLE
V
CHEYENNE J. KOONS

Appeal from a judgment of the Steuben County Court (Marianne Furfure, A.J.), rendered February 18, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the second degree.

ROSEMARIE RICHARDS for CHEYENNE J. KOONS **Submitted**

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

497.0
KA 12-00997

PEOPLE
V
CHEYENNE J. KOONS

Appeal from a judgment of the Steuben County Court (Marianne Furfure, A.J.), rendered February 18, 2011. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the second degree.

ROSEMARIE RICHARDS for CHEYENNE J. KOONS **Submitted**

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

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	PEOPLE V PERRY TOLBERT	
	<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	LAURA B. RESKA V MICHAEL P. BROWNE	
	<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	In the Matter of BRYSON M.	
	<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	In the Matter of MICHAEL S.	
	<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	In the Matter of JALYCE S.	
	<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 Forgens 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

DAY CALENDAR
Wednesday, April 8, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

519.0
TP 19-01983

ROCHESTER REDEVELOPMENT, LLC
V
NEW YORK STATE DEC

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Monroe County [James J. Piampiano, J.], entered July 29, 2019) to review a determination of respondents. The determination denied the application of petitioner for a freshwater wetland permit.

AMY K. KENDALL for ROCHESTER REDEVELOPMENT, LLC **10 minutes**

DUSTIN J. BROCKNER for NEW YORK STATE DEC **10 minutes**

520.0
KA 18-00658

PEOPLE
V
MOHAMED JUMALE

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered March 10, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

ERIN A. KULESUS for MOHAMED JUMALE **10 minutes**

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

521.0
KA 17-00620

PEOPLE
V
JUDITH C. KELLEY

Appeal from a judgment of the Monroe County Court (Victoria M. Argenti, J.), rendered August 4, 2016. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class D felony (two counts).

CAITLIN M. CONNELLY for JUDITH C. KELLEY **Submitted**

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

522.0
KA 18-01286

PEOPLE
V
SKYLER A. CARLSON

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered September 25, 2017. The judgment convicted defendant, upon a jury verdict, of rape in the first degree, rape in the third degree and sexual abuse in the first degree.

JAMES M. SPECYAL for SKYLER A. CARLSON **15 minutes**

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

523.0
KA 19-01423

PEOPLE
V
DAMION R. RUVALCABA

Appeal from an order of the Monroe County Court (Sam L. Valleriani, J.), dated April 5, 2019. The order dismissed count one of the indictment charging the crime of strangulation in the second degree and reduced count one to criminal obstruction of breathing or blood circulation.

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

	JANET C. SOMES for DAMION R. RUVALCABA	5 minutes
524.0 KA 18-00282	PEOPLE V JAVARIUS BUMPERS	
	Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered January 2, 2015. The judgment convicted defendant, upon a plea of guilty, of robbery in the first degree.	
	SHERRY A. CHASE for JAVARIUS BUMPERS	Submitted
	MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
525.0 KA 18-00492	PEOPLE V JASON E. CARPENTER	
	Appeal from a judgment of the Genesee County Court (Charles N. Zambito, J.), rendered January 26, 2018. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.	
	SUSAN C. MINISTERO for JASON E. CARPENTER	10 minutes
	SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
526.0 KA 18-01171	PEOPLE V SHANNON MARCUS	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered January 4, 2018. The judgment convicted defendant, upon her plea of guilty, of criminal possession of a controlled substance in the fourth degree.	
	KATHY E. MANLEY for SHANNON MARCUS	10 minutes
	KENNETH H. TYLER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
527.0 KA 18-00862	PEOPLE V DAVID L. COTTON	
	Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered February 16, 2018. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree, sexual abuse in the first degree, aggravated criminal contempt, aggravated harassment in the second degree and criminal contempt in the second degree.	
	BRIDGET L. FIELD for DAVID L. COTTON	10 minutes
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
528.0 CA 19-00643	ELDERWOOD AT AMHERST V HOWARD A. ZUCKER, M.D., J.D.	
	Appeal from a judgment of the Supreme Court, Monroe County (William K. Taylor, J.), entered September 20, 2018 in a proceeding pursuant to CPLR article 78. The judgment granted the petition.	
	KATHLEEN M. TREASURE for HOWARD A. ZUCKER, M.D., J.D.	10 minutes
	BRIAN MARC FELDMAN for ELDERWOOD AT AMHERST	15 minutes

530.0 CA 19-01226	<p>JOHN DOE 1 V SYRACUSE UNIVERSITY</p> <p>Appeal from a memorandum decision and order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered January 8, 2019. The memorandum decision and order denied in part the CPLR article 78 petition.</p> <p>DANIELLE C. WILD for JOHN DOE 3 15 minutes</p> <p>JOHN G. POWERS for SYRACUSE UNIVERSITY 15 minutes</p>
532.0 CA 19-01995	<p>MICHAEL CHURCHILL V TOWN OF HAMBURG</p> <p>Appeal from a judgment of the Supreme Court, Erie County (Dennis E. Ward, J.), entered May 22, 2019 in a proceeding pursuant to CPLR article 78. The judgment denied the petition.</p> <p>JOHN CHARLES GARAS for MICHAEL CHURCHILL 15 minutes</p> <p>ADAM C. FERRANDINO for TOWN OF HAMBURG 10 minutes</p>
533.0 CA 19-00633	<p>ELDERWOOD AT CHEEKTOWAGA V HOWARD A. ZUCKER, M.D.</p> <p>Appeal from a decision and judgment of the Supreme Court, Monroe County (William K. Taylor, J.), entered January 28, 2019. The decision and judgment granted the CPLR article 78 petition, annulled the determination of respondents and remanded for further proceedings.</p> <p>KATHLEEN M. TREASURE for HOWARD A. ZUCKER, M.D. 10 minutes</p> <p>BRIAN MARC FELDMAN for ELDERWOOD AT CHEEKTOWAGA 15 minutes</p>
534.0 CA 19-01568	<p>MICHAEL J. CARLSON, SR. V AMERICAN INTERNATIONAL GROUP, INC.</p> <p>Appeal from a decision and order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered February 6, 2019. The order granted the motions of defendants to dismiss the complaint.</p> <p>TIMOTHY M. HUDSON for MICHAEL J. CARLSON, SR. 15 minutes</p> <p>KEVIN D. SZCZEPANSKI for AMERICAN INTERNATIONAL GROUP, INC. 15 minutes</p> <p>PAUL KOVNER for AMERICAN ALTERNATIVE INSURANCE CO. 5 minutes</p> <p>PATRICK J. LAWLESS for DHL EXPRESS (USA), INC. 15 minutes</p>
535.0 CA 19-00751	<p>STATE OF NEW YORK V ORLANDO T.</p> <p>Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered February 11, 2019 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, committed respondent to a secure treatment facility.</p> <p>EMILY M. NORTH for ORLANDO T. 10 minutes</p> <p>FREDERICK A. BRODIE for STATE OF NEW YORK 10 minutes</p>

536.0
CA 19-00874

RICHARD TIMMONS
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Renee Forgeni Minarik, J.), entered November 27, 2018. The decision and order granted the motion of defendant to dismiss the claim and dismissed the claim.

RICHARD TIMMONS for HIMSELF

Submitted

OWEN DEMUTH for STATE OF NEW YORK

Submitted

537.0
CA 19-01801

DELAWARE OPERATIONS ASSOCIATES LLC
V
NEW YORK STATE DEPARTMENT OF HEALTH

Appeal from an order and judgment of the Supreme Court, Erie County (Frank A. Sedita, III, J.), entered March 15, 2019. The order and judgment granted the motion of respondent to dismiss the petition, denied the motion of petitioner to extend the time to serve the petition and dismissed the petition.

JENNIFER J. NEARY for DELAWARE OPERATIONS ASSOCIATES LLC

Submitted

KATHLEEN M. TREASURE for NYS DEPARTMENT OF HEALTH

Submitted

538.0
CA 19-00642

ELDERWOOD AT GRAND ISLAND
V
HOWARD A. ZUCKER, M.D.

Appeal from a judgment of the Supreme Court, Monroe County (William K. Taylor, J.), entered September 20, 2018 in a CPLR article 78 proceeding. The judgment vacated and annulled the disallowance of occupational services reimbursement.

KATHLEEN M. TREASURE for HOWARD A. ZUCKER, M.D.

10 minutes

BRIAN MARC FELDMAN for ELDERWOOD AT GRAND ISLAND

15 minutes

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	STEVEN MANNA V RICCELLI ENTERPRISES, INC.	
	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.	
	SUSAN E. OTTO for RICCELLI ENTERPRISES, INC.	20 minutes
	RON F. WRIGHT for STEVEN MANNA	15 minutes
550.0 CA 19-01190	LAWRENCE PEREZ 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 memorandum and judgment dismissed the CPLR article 78 petition.	
	ADAM W. KOCH for LAWRENCE PEREZ	Submitted
	MARTIN HOTVET for ANTHONY ANNUCCI	Submitted
551.0 CA 19-01148	HARVARD STEEL SALES, LLC V DANIEL BAIN	
	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.	
	MATTHEW JOHN GARVEY for HARVARD STEEL SALES, LLC	10 minutes
	ANTHONY M. KROESE for DANIEL BAIN	10 minutes
552.0 CA 19-01018	MARK C. LORQUET V TIMONEY TECHNOLOGY INC.	
	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.	
	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	CAROL J. MURPHY V CWR MANUFACTURING OF CENTRAL NY	
	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.	
	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