

DAY CALENDAR
Tuesday, February 20, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

218.0
KAH 17-00592

PEOPLE EX REL.
JOHN A.J. HINSPETER
V
DALE A. ARTUS

Appeal from a decision and order of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered February 6, 2017. The decision and order denied the motion of petitioner for reconsideration.

JOHN A.J. HINSPETER for HIMSELF Submitted

ERIC T. SCHNEIDERMAN for DALE A. ARTUS Submitted

219.0
KA 15-01731

PEOPLE
V
ANTHONY DRUMGOOLE

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered August 26, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree (four counts).

BRIDGET L. FIELD for ANTHONY DRUMGOOLE Submitted

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

220.0
KA 16-01275

PEOPLE
V
TYLEE D. GAINES

Appeal from a judgment of the Genesee County Court (Michael F. Pietruszka, J.), rendered May 26, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

MICHAEL S. DEAL for TYLEE D. GAINES Submitted

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

221.0
KA 12-02145

PEOPLE
V
JEFFREY J. TERBORG

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered August 16, 2012. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree and intimidating a victim or witness in the second degree

JOHN A. CIRANDO for JEFFREY J. TERBORG 15 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

222.0
KA 11-01135

PEOPLE
V
MUZZAMMIL S. HASSAN

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered March 9, 2011. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

KATHRYN B. FRIEDMAN for MUZZAMMIL S. HASSAN

15 minutes

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

15 minutes

223.0
KA 16-00130

PEOPLE

V

CISHAHAYO ALBERT

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered October 7, 2015. The judgment convicted defendant, upon his plea of guilty, of rape in the third degree.

JOHN A. CIRANDO for CISHAHAYO ALBERT

10 minutes

JASON A. MACBRIDE for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

224.0
KA 17-01655

PEOPLE

V

JENNIFER K. KENNARD

Appeal from a judgment of the Monroe County Court (Thomas R. Morse, A.J.), rendered August 23, 2016. The judgment convicted defendant, upon a jury verdict, of rape in the third degree and endangering the welfare of a child.

DAVID M. ABBATOY, JR., for JENNIFER K. KENNARD

10 minutes

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

225.0
KAH 16-00853

PEOPLE EX REL.

JASMINE VALENTIN

V

ANTHONY ANNUCCI

Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered February 11, 2016. The order denied the petition for a writ of habeas corpus.

BENJAMIN L. NELSON for JASMINE VALENTIN

15 minutes

JEFFREY W. LANG for ANTHONY ANNUCCI

10 minutes

226.0
CAF 16-01805

DANIEL C. SOUDER

V

MICHELLE COPPOLA

Appeal from an order of the Family Court, Erie County (Tracey A. Kassman, R.), entered August 29, 2016 in a proceeding pursuant to Family Court Act article 6. The order granted the petition to modify an order of custody and visitation dated May 25, 2012.

DEBORAH J. SCINTA for MICHELLE COPPOLA

5 minutes

MEGAN MISITI for DANIEL C. SOUDER

5 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD

10 minutes

227.0
CAF 16-02243

DANIEL C. SOUDER

V

MICHELLE COPPOLA

Appeal from an amended order of the Family Court, Erie County (Tracey A. Kassman, R.), entered October 18, 2016 in a proceeding pursuant to Family Court Act article 6. The amended order granted the petition to modify an order of custody and visitation dated May 25, 2012.

DEBORAH J. SCINTA for MICHELLE COPPOLA

Submitted

MEGAN MISITI for DANIEL C. SOUDER

Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD

Submitted

228.0
CAF 17-00088

JAMES DRAJEM
V
SARAH CARR

Appeal from a decision and order of the Family Court, Niagara County (John F. Batt, J.), entered December 12, 2016, in a proceeding pursuant to Family Court Act article 6. The decision and order, inter alia, granted the petition for sole custody.

KATHLEEN E. CASEY for SARAH CARR

Submitted

JAMES DRAJEM for HIMSELF

Submitted

ALVIN M. GREENE, ATTORNEY FOR CHILD

Submitted

229.0
CA 17-01234

In the Matter of
THE ESTATE OF THEODORE K. HENRY

Appeal from an order of the Surrogate's Court, Yates County (Dennis F. Bender, S.), entered August 22, 2016. The order, insofar as appealed from, denied the motion of objectant The Homestead at Soldier's and Sailor's Hospital to strike an accounting, and for other relief, and granted the cross motion of respondents to dismiss the answer and objections of objectant.

MICHAEL D. CALARCO for THE HOMESTEAD AT SOLIDERS AND SAILORS MEMORIAL HOSPITAL

Submitted

JEREMY M. SHER for BRUCE HENRY

15 minutes

KARA E. STODDART for RICHARD B. HENRY

10 minutes

230.0
OP 17-01262

SANDRA J. DOORLEY
V
MELCHOR E. CASTRO

Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Fourth Judicial Department pursuant to CPLR 506 [b] [1]) to prohibit respondent Melchor E. Castro, as Acting Monroe County Court Judge, from enforcing a disclosure order.

LEAH R. MERVINE for SANDRA J. DOORLEY

5 minutes

ERIC T. SCHNEIDERMAN for MELCHOR E. CASTRO

Submitted

TIMOTHY S. DAVIS for MARQUISE WALKER

10 minutes

231.0
CA 17-01186

In the Matter of
VILLAGE OF FREDONIA
(CIVIL SERVICE EMPLOYEES ASSOCIATION)

Appeal and cross appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered April 17, 2017 in a proceeding pursuant to CPLR article 75. The order, among other things, denied the petition to stay arbitration.

SCOTT P. HORTON for VILLAGE OF FREDONIA 15 minutes

CHARLES S. DEANGELO for CIVIL SERVICE EMPLOYEES ASSOCIATION 10 minutes

232.0
CA 17-01187

JASON JAKUBOWICZ
V
VILLAGE OF FREDONIA

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered April 17, 2017 in a proceeding pursuant to CPLR article 78. The order granted the petition.

SCOTT P. HORTON for VILLAGE OF FREDONIA Submitted

CHARLES S. DEANGELO for JASON JAKUBOWICZ Submitted

233.0
CA 17-01658

AMMIE HOURIHAN
V
SODEXO MANAGEMENT, INC.

SETTLED

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered January 11, 2017. The order, insofar, as appealed from, denied the motion of defendant to strike all claims of emotional injury from the amended bill of particulars and denied the motion of defendant to compel disclosure of the medical records pertaining to the thyroid condition of plaintiff Ammie Hourihan.

ANN M. CAMPBELL for SODEXO MANAGEMENT, INC.

JOHN A. COLLINS for AMMIE HOURIHAN

234.0
CA 17-01558

NORTHLAND EAST, LLC
V
J.R. MILITELLO REALTY, INC.

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Henry J. Nowak, J.), entered April 19, 2017. The order and judgment, among other things, granted defendant Nordel II, LLC 's motion to dismiss the complaint and granted defendant J.R. Militello Realty Inc.'s motion for summary judgment dismissing plaintiffs' complaint.

JUSTIN S. WHITE for NORTHLAND EAST, LLC 10 minutes

GUY J. AGOSTINELLI for J.R. MILITELLO REALTY, INC. 15 minutes

EARL K. CANTWELL for NORDEL II, LLC 10 minutes

235.0
CA 17-01197

RANDY AGNESS
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Diane L. Fitzpatrick, J.), entered August 23, 2016. The decision and order granted the motion of claimants for summary judgment and denied the motion of defendant for summary judgment.

BRIAN D. GINSBERG for STATE OF NEW YORK 10 minutes

BRIAN DAVID KNAUTH for RANDY AGNESS 10 minutes

235.1
CA 18-00275

RANDY AGNESS
V
STATE OF NEW YORK

Appeal from an interlocutory judgment of the Court of Claims (Diane L. Fitzpatrick, J.), entered August 30, 2017. The interlocutory judgment granted claimant summary judgment liability.

BRIAN D. GINSBERG for STATE OF NEW YORK

Submitted

BRIAN DAVID KNAUTH for RANDY AGNESS

Submitted

236.0
CA 17-01672

THOMAS P. BERGMAN
V
GREGORY C. DINANT

Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered March 13, 2017. The order, insofar as appealed from, denied the motion of plaintiff for summary judgment against said defendant.

KEITH D. MILLER for GREGORY C. DINANT

10 minutes

MATTHEW J. KAISER for THOMAS P. BERGMAN

10 minutes

237.0
CA 17-01764

FEDERICO C. GONZALEZ-DOLDAN, M.D.
V
KALEIDA HEALTH, INC.

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered January 20, 2017. The order, among other things, denied in part defendants' motion to dismiss plaintiff's complaint.

CYNTHIA GIGANTI LUDWIG for KALEIDA HEALTH, INC.

15 minutes

TIMOTHY M. HUDSON for FEDERICO C. GONZALEZ-DOLDAN, M.D.

15 minutes

238.0
CA 17-01759

SETH OLNEY
V
TOWN OF BARRINGTON

Appeal from a decision and judgment of the Supreme Court, Yates County (Dennis F. Bender, A.J.), entered May 18, 2017. The decision and judgment, inter alia, declared that the New York State Liquor Authority has exclusive jurisdiction whether petitioner should be granted a license to sell beer.

CHARLES W. MALCOMB for TOWN OF BARRINGTON

10 minutes

JONATHAN R. TANTILLO for DONALD BANZHAF

20 minutes

JESSICA LEE BRYANT for SETH OLNEY

15 minutes

DAY CALENDAR
Tuesday, February 20, 2018 - 10:00 AM
COURTROOM 2

239.0
KA 14-00974

PEOPLE
V
TAJERON WILLIAMS

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered April 3, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

LINDA M. CAMPBELL for TAJERON WILLIAMS

Submitted

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

Submitted