

DAY CALENDAR
Wednesday, February 28, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

387.0
KA 16-00295

PEOPLE
V
NICOLE L. GREEN

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered December 1, 2015. The judgment convicted defendant, upon her plea of guilty, of attempted burglary in the second degree.

BRIDGET C. STEELE for NICOLE L. GREEN

Submitted

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

Submitted

388.0
KA 13-02025

PEOPLE
V
DAVID D. HARMON

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered October 1, 2013. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree.

JAMES A. HOBBS for DAVID D. HARMON

Submitted

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

Submitted

389.0
KA 16-00443

PEOPLE
V
MARK L. BURDICK, II

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered January 25, 2016. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree

MICHAEL S. DEAL for MARK L. BURDICK, II

Submitted

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

Submitted

390.0
KA 16-01377

PEOPLE
V
COREY D. DANIELS

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered February 19, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

AARON MICHEAU for COREY D. DANIELS

10 minutes

HARMONY A. HEALY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

391.0
KA 17-01130

PEOPLE
V
JAMES CATOR

Appeal from a memorandum-decision and order of the Yates County Court (Jason L. Cook, J.), dated April 10, 2017. The memorandum-decision and order granted the motion of defendant for suppression of evidence and statements.

	LORA TRYON for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
	TIFFANY M. SORGEN for JAMES CATOR	5 minutes
392.0 KA 15-01821	PEOPLE V JAMIE R. GALARZA	
	Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered July 8, 2014. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree.	
	ROBERT L. KEMP for JAMIE R. GALARZA	10 minutes
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
393.0 KA 15-01776	PEOPLE V DENNIS RICE, JR.	
	Appeal from an adjudication of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered February 23, 2015. The adjudication convicted defendant, as a youthful offender, of robbery in the first degree.	
	KRISTEN MCDERMOTT for DENNIS RICE, JR.	Submitted
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
394.0 KA 17-01663	PEOPLE V HENRI PONTES	
	Appeal from an order of the Monroe County Court (Douglas A. Randall, J.), entered February 9, 2017. The order granted defendant's motion to dismiss the indictment.	
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
	MICHAEL T. ANSALDI for HENRI PONTES	5 minutes
395.0 CA 17-01867	RUSSELL ANTHONY CRONIN V STATE OF NEW YORK	
	Appeal from a decision and order of the Court of Claims (Renee Forgensi Minarik, J.), entered January 3, 2017. The decision and order denied the motion of claimant for leave to file a late notice of claim.	
	RENE MYATT for RUSSELL ANTHONY CRONIN	Submitted
	KATHLEEN M. TRASURE for STATE OF NEW YORK	Submitted
396.0 CA 17-01833	In the Matter of Arbitration Between THE PROFESSIONAL, CLERICAL, TECHNICAL EMPLOYEES ASSOCIATION (BOARD OF EDUCATION FOR BUFFALO CITY SCHOOL DISTRICT)	
	Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered July 7, 2017 in a proceeding pursuant to CPLR article 75. The order, among other things, granted the petition to confirm an arbitration award.	
	BETHANY CENTRONE for BOARD OF EDUCATION FOR BCSD	10 minutes
	PAUL D. WEISS for THE PROFESSIONAL, CLERICAL, TECHNICAL ASSN.	15 minutes

397.0
CA 17-01246

KENNETH PREASTER
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert J.), entered April 10, 2017. The order, among other things, granted defendant's motion to dismiss plaintiffs' amended complaint.

WOODRUFF LEE CARROLL for KENNETH PREASTER 10 minutes

MARY D'AGOSTINO for CITY OF SYRACUSE 10 minutes

398.0
CA 17-01090

MICHELLE L. HARRIS
V
MICHAEL R. HANSSEN

Appeal and cross appeal from an order of a judgment of the Supreme Court, Niagara County (Frank Caruso, J.), entered March 7, 2017. The order and judgment granted the motion of plaintiff Adam M. Prosser and dismissed the counterclaim against him, granted plaintiffs summary judgment finding defendants negligent, granted the motion of plaintiffs to amend the pleading and otherwise denied the motions of the parties.

NORMAN E.S. GREENE for MICHAEL R. HANSSEN 15 minutes

SAMUEL A. ALBA for MICHELLE L. HARRIS 10 minutes

MARTHA DONOVAN for ADAM M. PROSSER 5 minutes

399.0
CA 17-01854

ELEANOR MCQUILKIN BURNS
V
ANDREW MCINTOSH BURNS

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered June 13, 2017. The order, among other things, denied plaintiff's application to hold defendant in contempt of court.

FRANCIS C. AFFRONTI for ELEANOR MCQUILKIN BURNS 10 minutes

ANDREW MCINTOSH BURNS for HIMSELF 10 minutes

400.0
CA 17-01760

JEREMIAH G. CULLEN
V
CHAD GERALD RIDER

Appeal from an order of the Supreme Court, Oneida County (Patrick J. MacRae, J.), entered May 5, 2017. The order, among other things, denied defendant's motion for summary judgment dismissing plaintiff's complaint.

EDWARD GOZIGIAN for CHAD GERALD RIDER Submitted

J. PATRICK LANNON for JEREMIAH G. CULLEN 10 minutes

401.0
CA 16-01648

In the Matter of
STEVEN I. GOLDSTEIN

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered September 2, 2016. The order, inter alia, denied the motion of Terlesa Cowart for the imposition of sanctions.

TERLESA COWART for HERSELF 30 minutes

YOLANDA RIOS for CATHOLIC FAMILY CENTER 10 minutes

402.0 CA 16-01091	STATE OF NEW YORK V SCOTT W.	<p>Appeal from an order of the Supreme Court, Monroe County (Douglas A. Randall, A.J.), entered May 31, 2016 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, committed respondent to a secure treatment facility.</p>	<p>GARY MULDOON for SCOTT W. 20 minutes</p> <p>FREDERICK A. BRODIE for STATE OF NEW YORK 10 minutes</p>
403.0 CA 17-01830	DERRICK PERKINS V UPSTATE ORTHOPEDICS, LLP	<p>Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered July 11, 2017. The order, among other things, denied the motion of defendants Daniel M. DeMartini, P.A., and Upstate Orthopedics, LLP, for summary judgment dismissing the complaint.</p>	<p>DANIELLE MIKALAJUNAS FOGEL for UPSTATE ORTHOPEDICS, LLP 15 minutes</p> <p>DAVID E. ZUKHER for DERRICK PERKINS 10 minutes</p>
404.0 CA 17-01585	MICHAEL EDWARDS V FRANCINE M. GORMAN	<p>Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered November 16, 2016. The order, insofar as appealed from, denied plaintiffs' motion for summary judgment on the issue of liability.</p>	<p>CAROL A. MCKENNA for MICHAEL EDWARDS 10 minutes</p> <p>PATRICK B. NAYLON for FRANCINE M. GORMAN 10 minutes</p>
405.0 CA 17-01560	ROBERT SMILEY V ALLGAIER CONSTRUCTION CORP.	<p>Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered May 4, 2017. The order, among other things, granted plaintiffs' motion for partial summary judgment on the issue of liability under Labor Law § 240 (1).</p>	<p>RYAN J. MILLS for ALLGAIER CONSTRUCTION CORP. 10 minutes</p> <p>ANNE BELTZ RIMMLER for ROBERT SMILEY 10 minutes</p>
405.1 KA 13-00204	PEOPLE V CLARENCE E. COOPER, III	<p>Appeal from a judgment of the Supreme Court, Monroe County (Robert B. Wiggins, A.J.), rendered March 18, 2009. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, attempted burglary in the second degree and petit larceny.</p>	<p>MARK C. DAVISON for CLARENCE E. COOPER, III Submitted</p> <p>JOSEPH PLUKAS for PEOPLE OF THE STATE OF NEW YORK Submitted</p>