

DAY CALENDAR
Monday, February 25, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

289.0
TP 18-01517

JONATHAN ALVARADO
V
ANTHONY ANNUCCI

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, Wyoming County [Michael M. Mohun, A.J.], entered August 23, 2018) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for JONATHAN ALVARADO

Submitted

JOSEPH M. SPADOLA for ANTHONY ANNUCCI

Submitted

290.0
KA 17-02113

PEOPLE
V
JASON SLISHEVSKY

Appeal from a decision and order of the Onondaga County Court (Gordon J. Cuffy, J.), entered September 22, 2017. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

KRISTEN MCDERMOTT for JASON SLISHEVSKY

Submitted

BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

291.0
KA 17-01782

PEOPLE
V
JOSHUA A. UERKVITZ

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered June 6, 2017. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for JOSHUA A. UERKVITZ

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

292.0
KA 18-00043

PEOPLE
V
BRUCE C. WADSWORTH

Appeal from an order of the Monroe County Court (Stephen T. Miller, A.J.), entered September 30, 2017. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for BRUCE C. WADSWORTH

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

293.0
KA 18-00242

PEOPLE
V
BRIAN WILSON

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered October 16, 2017. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

	LINDA M. CAMPBELL for BRIAN WILSON	Submitted
	NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
294.0 KA 16-01088	PEOPLE V RICHARD SPAGNUALO	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered March 18, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts) and criminal mischief in the fourth degree.	
	DARIENN POWERS for RICHARD SPAGNUALO	10 minutes
	BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
295.0 KA 17-00195	PEOPLE V CHRISTOPHER MCCULLEN	
	Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered January 23, 2017. The judgment convicted defendant, upon his plea of guilty, of scheme to defraud in the first degree and grand larceny in the fourth degree (seven counts).	
	ROBERT L. KEMP for CHRISTOPHER MCCULLEN	10 minutes
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
296.0 CAF 18-00883	DANIEL LEE FERRATELLA V ANGELA BEERS THOMAS	
	Appeal from an order of the Family Court, Stueben County (Mathew K. McCarthy, J.), entered April 25, 2018 in a proceeding pursuant to Family Court Act article 8. The order, among other things, adjudged that respondent had committed acts constituting the family offense of criminal contempt.	
	MARY P. DAVISON for ANGELA BEERS THOMAS	5 minutes
	MICHELLE A. COOKE for DANIEL LEE FERRATELLA	10 minutes
	BRITTANY LEIGH LINDER, ATTORNEY FOR THE CHILD	5 minutes
297.0 CAF 18-00745	JESSICA W. BENSON V JAMES T. SMITH	
	Appeal from an order of the Family Court, Stueben County (Mathew K. McCarthy, J.), entered April 2, 2018 in a proceeding pursuant to Family Court Act article 8. The order, among other things, directed respondent to stay away from petitioner.	
	MARY P. DAVISON for JAMES T. SMITH	5 minutes
	RAYMOND PETER KOT, II, for JESSICA W. BENSON	5 minutes
	MARYBETH D. BARNET, ATTORNEY FOR THE CHILD	5 minutes
298.0 CAF 18-00746	JESSICA W. BENSON V JAMES T. SMITH	

Appeal from an order of the Family Court, Stueben County (Mathew K. McCarthy, J.), entered April 12, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded respondent sole custody and placement of the subject child.

MARY P. DAVISON for JAMES T. SMITH Submitted

RAYMOND PETER KOT, II, for JESSICA W. BENSON Submitted

MARYBETH D. BARNET, ATTORNEY FOR THE CHILD Submitted

299.0
CAF 18-01362

JOSHUA T. ATHOE
V
NIA M. GOODMAN

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered June 6, 2018 in a proceeding pursuant to pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody of the subject child.

JEFFREY WICKS for NIA M. GOODMAN 15 minutes

JENNIFER M. LORENZ for JOSHUA T. ATHOE 10 minutes

CHRISTINE F. REDFIELD, ATTORNEY FOR THE CHILD 10 minutes

304.0
CA 18-01591

BROADWAY WAREHOUSE CO.
V
BROOKS C. ANDERSON

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered April 16, 2018. The order granted the motion of defendant to dismiss the complaint.

J. MICHAEL LENNON for BROADWAY WAREHOUSE CO. 15 minutes

JUSTIN S. WHITE for BROOKS C. ANDERSON 10 minutes

305.0
CA 18-02105

THE WALTON & WILLETT STONE BLOCK
V
CITY OF OSWEGO COMMUNITY DEVELOPMENT

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered April 16, 2018. The order granted defendant Camelot Lodge, LLC's motion to renew is motion to dismiss the complaint and upon renewal dismissed plaintiffs' complaint as against defendant Camelot Lodge, LLC.

TERRY J. KIRWAN, JR., for THE WALTON & WILLETT STONE BLOCK 15 minutes

CLIFFORD TSAN for CAMELOT LODGE, LLC 10 minutes

JON P. DEVENDORF for CITY OF OSWEGO COMMUNITY DEVELOPMENT Submitted

306.0
CA 18-00865

KARI ANN FULL
V
COUNTY OF MONROE

Appeal from a decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered July 12, 2017. The decision and order granted the motion of defendants to dismiss the complaint and for sanctions.

SCOTT MICHAEL DUQUIN for KARI ANN FULL 10 minutes

MATTHEW D. BROWN for COUNTY OF MONROE 5 minutes

307.0
CA 18-00965

NICHOLAS CARUSO
V
MICHAEL D. CHATFIELD

SETTLED

Appeal from an order of the Supreme Court, Chautauqua County (James H. Dillon, J.), entered March 19, 2018. The order, insofar as appealed from, denied the motion of defendants Michael D. Chatfield and Landstar Ranger, Inc., for summary judgment as to plaintiff, Ronald J. Caruso's claim of significant limitation of use of a body function or system.

PETER D. CANTONE for MICHAEL D. CHATFIELD

BRIAN CHAPIN YORK for RONALD J. CARUSO

308.0
CA 18-01773

BENEVOLENT AND PROTECTIVE ORDER OF ELKS
V
CREATIVE COMFORT SYSTEMS, INC.

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), entered April 10, 2018. The order, inter alia, granted the motion of plaintiffs to disqualify Rupp Baase Pfalzgraf Cunningham, LLC, from representing defendants.

R. ANTHONY RUPP, III, for CREATIVE COMFORT SYSTEMS, INC.

15 minutes

ANDREW O. MILLER for BENEVOLENT AND PROTECTIVE ORDER

10 minutes

309.0
CA 18-01590

BROADWAY WAREHOUSE, CO.
V
BUFFALO BARN BOARD, LLC

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered June 21, 2018. The order, insofar as appealed from, granted the motion of defendants Empire Building Diagnostics, Inc., and EBD Management, Inc., for summary judgment and dismissed the second amended verified complaint against said defendants.

J. MICHAEL LENNON for BROADWAY WAREHOUSE, CO.

15 minutes

ANDREW O. MILLER for EMPIRE BUILDING DIAGNOSTICS, INC.

10 minutes

310.0
CA 18-02007

MICHAEL SAVOIE
V
PAUL C. GIGLIOTTI

Appeal from an order of the Supreme Court, Niagara County (David J. Furlong, J.), entered April 24, 2018. The order, insofar as appealed from, granted the motions of defendants for summary judgment and dismissed the complaint.

WILLIAM A. QUINLAN for MICHAEL SAVOIE

15 minutes

MARK P. DELLA POSTA for PAUL C. GIGLIOTTI

15 minutes

THERESA L. PREZIOSO for TREBROS, INC.

15 minutes

311.0
CA 18-01258

JEFFREY SIMPSON
V
SYRACUSE SIGNAL SYSTEMS, INC.

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 6, 2018. The order denied the motion of defendant for summary judgment.

KEVIN R. VAN DUSER for SYRACUSE SIGNAL SYSTEMS, INC.

15 minutes

SIDNEY P. COMINSKY for JEFFREY SIMPSON

15 minutes