

**DAY CALENDAR**  
**Wednesday, February 27, 2019 - 10:00 AM**  
**COURTROOM 2**

**352.0**  
**KA 15-01192**

**PEOPLE**  
**V**  
**DEVONNE PARRIS**

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered June 24, 2015. The judgment convicted defendant, upon his plea of guilty, of gang assault in the first degree.

**DAVID R. JUERGENS** for **DEVONNE PARRIS** **Submitted**

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

**353.0**  
**KA 16-01560**

**PEOPLE**  
**V**  
**BRANDON GRANT**

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered October 19, 2015. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.

**IRENE AURORA FLORES** for **BRANDON GRANT** **Submitted**

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

**354.0**  
**KA 16-01951**

**PEOPLE**  
**V**  
**RASHAUN A. HOLT**

Appeal from a judgment of the Erie County Court (David W. Foley, J.), rendered September 29, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the fifth degree.

**RICHARD L. SULLIVAN** for **RASHAUN A. HOLT** **Submitted**

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

**355.0**  
**KA 17-00760**

**PEOPLE**  
**V**  
**PEDRO ROMERO**

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered March 1, 2017. The judgment sentenced defendant to a determinate term of seven years with three years postrelease supervision upon his conviction for assault in the second degree.

**JOHN A. CIRANDO** for **PEDRO ROMERO** **Submitted**

**KENNETH H. TYLER** for **THE PEOPLE OF THE STATE OF NEW YORK** **Submitted**

**356.0**  
**KA 18-00859**

**PEOPLE**  
**V**  
**DARIUS L. BRAY**

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), rendered January 31, 2018. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.

**JOSEPH G. FRAZIER** for **DARIUS L. BRAY** **Submitted**

	THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
357.0 KA 17-00962	PEOPLE V MICHAEL GREER	
	Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered June 27, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.	
	BARBARA J. DAVIES for MICHAEL GREER	Submitted
	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
358.0 KA 16-00932	PEOPLE V OMAR I. BELLAMY	
	Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered March 30, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree, coercion in the first degree and attempted coercion in the first degree.	
	THEODORE W. STENUF for OMAR I. BELLAMY	10 minutes
	HARMONY A. HEALY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
359.0 KA 10-01859	PEOPLE V JAMES BALDWIN	
	Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered August 13, 2010. The judgment convicted defendant, upon a jury verdict, of arson in the second degree.	
	SHERRY A. CHASE for JAMES BALDWIN	10 minutes
	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
360.0 KA 16-00769	PEOPLE V OMAR I. BELLAMY	
	Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered October 25, 2015. 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 controlled substance in the fourth degree.	
	THEODORE W. STENUF for OMAR I. BELLAMY	10 minutes
	AMY LEIGH HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
361.0 KA 17-00750	PEOPLE V DERRELL AUSTIN	
	Appeal from a decision and order of the Erie County Court (Sheila A. DiTullio, J.), entered March 16, 2017. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.	

	ERIN A. KULESUS for DERRELL AUSTIN	Submitted
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
362.0 KA 16-01598	<b>PEOPLE</b> V <b>DANIEL WHITING</b>	
	Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered August 16, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	ROBERT L. KEMP for DANIEL WHITING	10 minutes
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
364.0 CAF 18-01916	<b>MATTHEW J. KINNE</b> V <b>AMANDA L. BYRD</b>	
	Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered March 20, 2018, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, awarded custody to petitioner.	
	LAWRENCE D. HASSELER for AMANDA L. BYRD	10 minutes
	PETER J. DIGIORGIO, JR., for MATTHEW J. KINNE	10 minutes
	MATTHEW A. GOETTEL, ATTORNEY FOR THE CHILD	5 minutes
365.0 CA 18-01516	<b>GARY WORKMAN</b> V <b>MICHELE DUMOUCHEL</b>	
	Appeal from an order of the Jefferson County Court (Kim Martusewicz, J.), entered June 5, 2017. The order affirmed an order of the Town of Champion Court dated October 19, 2016 which adjudged that defendant's dog should be euthanized.	
	MATTHEW ALBERT for MICHELE DUMOUCHEL	Submitted
	ADAM R. MATTESON for GARY WORKMAN	10 minutes
366.0 CA 18-02127	<b>DONALD G. COPELAND</b> V <b>CONCRETE APPLIED TECHNOLOGIES CORP.</b>	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered August 14, 2018. The order, among other things, denied in part defendants' motion to compel.	
	ANN M. CAMPBELL for CONCRETE APPLIED TECHNOLOGIES CORP.	10 minutes
	JOHN A. COLLINS for DONALD G. COPELAND	10 minutes
367.0 CA 18-01826	<b>RENEE A. WAGGONER TOY</b> V <b>THE VALLEY COMMUNITY ASSOCIATION</b>	
	Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered March 27, 2018. The order, among other things, denied defendant Valley Community Association, Inc.'s motion for summary judgment.	

	<b>MEGHAN M. BROWN for THE VALLEY COMMUNITY ASSOCIATION</b>	<b>10 minutes</b>
	<b>THOMAS P. KOTRYS for RENEE A. WAGGONER TOY</b>	<b>10 minutes</b>
<b>368.0</b>	<b>TERRENCE A. ROBINSON</b>	
<b>CA 18-01139</b>	<b>V</b>	
	<b>CITY OF BUFFALO PLANNING BOARD</b>	
	Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Joseph R. Glowia, J.), entered March 14, 2018 in a proceeding pursuant to CPLR article 78. The order and judgment dismissed the petition.	
	<b>TERRENCE A. ROBINSON for HIMSELF</b>	<b>15 minutes</b>
	<b>CHARLES W. MALCOMB for NORSTAR DEVELOPMENT USA, L.P.</b>	<b>10 minutes</b>
	<b>ROBERT E. QUINN for CITY OF BUFFALO PLANNING BOARD</b>	<b>10 minutes</b>
<b>369.0</b>	<b>PIXLEY DEVELOPMENT CORP.</b>	
<b>CA 18-01441</b>	<b>V</b>	
	<b>ERIE INSURANCE COMPANY</b>	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered January 23, 2018. The order denied the motion of plaintiff for a declaratory judgment and granted the cross motion of defendants for summary judgment dismissing the complaint.	
	<b>CORY SCHOONMAKER for PIXLEY DEVELOPMENT CORP.</b>	<b>15 minutes</b>
	<b>JENNIFER EHMAN for ERIE INSURANCE COMPANY</b>	<b>10 minutes</b>
<b>370.0</b>	<b>DALE KLUCZYNSKI</b>	
<b>CA 18-01770</b>	<b>V</b>	
	<b>ADAM ZWACK</b>	
	Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered March 23, 2018. The order denied the motion of defendants to dismiss the complaint.	
	<b>JACLYN S. WANEMAKER for ADAM ZWACK</b>	<b>15 minutes</b>
	<b>SCOTT MICHAEL DUQUIN for DALE KLUCZYNSKI</b>	<b>10 minutes</b>
<b>371.0</b>	<b>CHANDRA NIEDZWIECKI</b>	
<b>CA 18-01818</b>	<b>V</b>	
	<b>JARRETT E. YEATES</b>	
	Appeal from an order and judgment of the Supreme Court, Erie County (Tracey M. Bannister, J., for Donna M. Siwek, J.), entered July 26, 2018. The order, insofar as appealed from, granted the cross motion of plaintiff for summary judgment on negligence and proximate cause and struck defendants' ninth and tenth affirmative defenses.	
	<b>MATTHEW D. PFALZER for JARRETT E. YEATES</b>	<b>10 minutes</b>
	<b>JOHN A. COLLINS for CHANDRA NIEDZWIECKI</b>	<b>10 minutes</b>