

**DAY CALENDAR**  
**Wednesday, January 11, 2017 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

62.0  
CA 16-01003

**FREDERICK G. KNIGHT**  
V  
**ROBERT HOLLAND**

Appeal from a judgment of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered January 29, 2016. The judgment, among other things, awarded plaintiff the sum of \$671,179.28 as against defendants.

CAROL R. FINOCCHIO for ROBERT HOLLAND

15 minutes

JANET D. CALLAHAN for FREDERICK G. KNIGHT

10 minutes

47.0  
TP 16-01143

**PATRICK JEANTY**  
V  
**HAROLD GRAHAM**

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, Cayuga County [Thomas G. Leone, A.J.], entered June 27, 2016) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated various inmate rules.

PATRICK JEANTY for HIMSELF

Submitted

MARCUS J. MASTRACCO for HAROLD GRAHAM

Submitted

48.0  
KA 15-01103

**PEOPLE**  
V  
**MATTHEW SYMONDS**

Appeal from an order of the Livingston County Court (Robert B. Wiggins, J.), entered March 5, 2015. The order determined that defendant is a level two risk, pursuant to the Sex Offender Registration Act.

CHARLES J. GREENBERG for MATTHEW SYMONDS

Submitted

JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

49.0  
KA 14-01058

**PEOPLE**  
V  
**MICHAEL HAND**

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered April 1, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the first degree.

JOHN A. CIRANDO for MICHAEL HAND

10 minutes

LORA TRYON for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

50.0  
KA 13-02168

**PEOPLE**  
V  
**JACQUELINE MARJI**

Appeal from a judgment of the Supreme Court, Onondaga County John J. Brunetti, A.J.), rendered August 22, 2013. The judgment convicted defendant, upon her plea of guilty, of criminal sale of a controlled substance in the fifth degree, attempted criminal possession of a weapon in the second degree, criminal sale of a firearm in the third degree and attempted robbery in the first degree.

PHILIP ROTHSCHILD for JACQUELINE MARJI

Submitted

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

51.0  
KA 16-01026

PEOPLE  
V  
JOYCE LEWIS

Appeal from an oral decision of the Ontario County Court (Stephen d. Aronson, A.J.), rendered August 13, 2015. The oral decision granted defendant's suppression motion and dismissed the charges.

R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

MARK C. DAVISON for JOYCE LEWIS

10 minutes

52.0  
KA 11-01268

PEOPLE  
V  
FREDDERICK D. ARNOLD

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered September 3, 2010. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

JANET C. SOMES for FREDDERICK D. ARNOLD

10 minutes

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

10 minutes

53.0  
KA 13-01197

PEOPLE  
V  
DAYMOND HARRIS

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered March 20, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the fourth degree and criminal possession of a controlled substance in the seventh degree.

WILLIAM M. ROTH for DAYMOND HARRIS

10 minutes

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

10 minutes

54.0  
KA 14-00810

PEOPLE  
V  
IRIS RESTO

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered February 21, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the first degree, conspiracy in the first degree, criminal solicitation in the first degree, tampering with a witness in the fourth degree (three counts), bribing a witness, intimidating a witness in the second degree, tampering with a witness in the second degree and conspiracy in the fifth degree.

JOHN A. CIRANDO for IRIS RESTO

15 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

55.0  
KA 15-00778

PEOPLE  
V  
GARY J. PETT

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Herkimer County Court (Daniel R. King, A.J.), entered April 12, 2015. The order, denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of robbery in the second degree.

DANIEL MARK GRIEBEL for GARY J. PETT 15 minutes

JACQUELYN M. ASNOE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

56.0  
CAF 15-01599

ERIC BESHURES  
V  
THERESA GIBSON

Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered September 10, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole legal and physical custody of the subject child.

STEPHANIE N. DAVIS for THERESA GIBSON Submitted

COURTNEY S. RADICK for ERIC BESHURES 10 minutes

STEPHEN WALTER ARNOLD, ATTORNEY FOR CHILD Submitted

57.0  
CAF 15-01261

JACOB R. BELCHER  
V  
MONICA A. MORGADO

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered July 9, 2015 in a proceeding pursuant to Family Court Act article 6. The order granted the petition.

CHARLES J. GREENBERG for MONICA A. MORGADO 5 minutes

JACOB R. BELCHER for HIMSELF Submitted

ASHLEY LYON, ATTORNEY FOR CHILD Submitted

58.0  
CAF 15-02170

In the Matter of  
JAMES P., JR.

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered December 10, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, terminated respondent's parental rights.

KRISTEN N. MCDERMOTT for TIFFANY H. 10 minutes

MAGGIE SEIKALY for ONONDAGA CO. DEPT. OF CHILD SERVS. Submitted

ANTHONY PETER BELLETIER, JR., ATTORNEY FOR CHILD 5 minutes

59.0  
CA 16-01265

DARCELL MCDONALD  
V  
NYS OFFICE OF TEMPORARY AND DISABILITY

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered September 21, 2015 in a proceeding pursuant to CPLR article 78. The order granted the petition.

	LAURA ETLINGER for NYS OFFICE OF TEMPORARY AND DISABILITY	15 minutes
	LINDY KORN for DARCELL MCDONALD	15 minutes
60.0 CA 16-01225	<b>JEFFREY SIMPSON</b> V <b>CITY OF SYRACUSE</b>	
	Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered March 29, 2016. The order denied the motion of defendant for summary judgment dismissing the complaint.	
	TODD M. LONG for CITY OF SYRACUSE	10 minutes
	SIDNEY P. COMINSKY for JEFFREY SIMPSON	15 minutes
61.0 CA 16-00983	<b>JILL R. WELDUM</b> V <b>SHOPPINGTOWN MALL, LLC</b>	
	Appeals from an order of the Supreme Court, Onondaga County (James P. McCarthy, J.), entered January 11, 2016. The order, insofar as appealed from, denied the motions of defendants Shoppingtown Mall, LLC, Macerich Management Company and Southeast Service Corporation, a/k/a SSC Service Solutions, for summary judgment.	
	KENNETH M. ALWEIS for SHOPPINGTOWN MALL, LLC	10 minutes
	JEFFREY S. ALBANESE for SOUTHEAST SERVICE CORPORATION	10 minutes
	SIDNEY P. COMINSKY for JILL R. WELDUM	15 minutes
63.0 CA 16-00028	<b>COUNTY OF ONEIDA</b> V <b>HOWARD A. ZUCKER, M.D., J.D.</b>	
	Appeal from a decision/order/judgment of the Supreme Court, Oneida County (Bernadette T. Clarke, J.), entered December 7, 2015. The decision/order/judgment denied the motion of respondents to dismiss petitioner's first cause of action and directed respondents to accept and pay petitioner's reimbursement claim in the amount of \$251,467.	
	VICTOR PALADINO for HOWARD A. ZUCKER, M.D., J.D.	10 minutes
	CHRISTOPHER BUCKEY for COUNTY OF ONEIDA	10 minutes
64.0 CA 16-00907	<b>AUBURN CUSTOM MILLWORK, INC.</b> V <b>SCHMIDT &amp; SCHMIDT, INC.</b>	
	Appeal and cross appeal from an order of the Supreme Court, Cayuga County (Matthew A. Rosenbaum, J.), entered February 25, 2016. The order, among other things, denied in part plaintiff's motion for summary judgment and denied defendant's cross motion for summary judgment.	
	LAURENCE I. FOX for SCHMIDT & SCHMIDT, INC.	10 minutes
	JASON B. BAILEY for AUBURN CUSTOM MILLWORK, INC.	10 minutes
65.0 CA 16-01212	<b>ERINN BARSKI</b> V <b>TOWN OF AURELIUS</b>	

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered September 9, 2015. The order granted defendant's motion to dismiss plaintiffs' amended complaint.

JUSTIN T. HUFFMAN for ERINN BARSKI

15 minutes

W. BRADLEY HUNT for TOWN OF AURELIUS

15 minutes

66.0  
CA 16-01200

**CITIZEN REVIEW BOARD OF THE CITY OF SYRACUSE**

**V**

**SYRACUSE POLICE DEPARTMENT**

Appeal from an order of the Supreme Court, Onondaga County (Spencer J. Ludington, A.J.), entered April 29, 2016 in a proceeding pursuant to CPLR article 78. The order denied respondents' motion to dismiss the petition.

JOHN A. SICKINGER for SYRACUSE POLICE DEPARTMENT

10 minutes

HARRISON V. WILLIAMS, JR., for CITIZEN REVIEW BD. OF CITY OF SYRACUSE

15 minutes