

DAY CALENDAR
Wednesday, January 18, 2017 - 10:00 AM
COURTROOM 2

149.0
TP 16-00205

LIONELL NELSON
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Cayuga County [Mark H. Fandrich, A.J.], entered January 28, 2016) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated various inmate rules.

LIONELL NELSON for HIMSELF

Submitted

WILLIAM E. STORRS for ANTHONY ANNUCCI

Submitted

150.0
KA 15-01227

PEOPLE
V
ISRAEL RODRIGUEZ

Appeal from a decision and order of the Supreme Court, Erie County (Russell P. Buscaglia, J.), entered April 22, 2015. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

ROBERT L. KEMP for ISRAEL RODRIGUEZ

Submitted

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

Submitted

151.0
KA 11-01946

PEOPLE
V
DEREK GETMAN

Appeal from a judgment of the Livingston County Court (Dennis M. Cohen, J.), rendered June 30, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree.

JEANNIE MICHALSKI for DEREK GETMAN

Submitted

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

Submitted

152.0
KA 11-01947

PEOPLE
V
DEREK GETMAN

Appeal from a judgment of the Livingston County Court (Dennis M. Cohen, J.), rendered June 30, 2011. The judgment convicted defendant, upon his plea of guilty, of attempted promoting a sexual performance by a child.

JEANNIE MICHALSKI for DEREK GETMAN

Submitted

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

Submitted

153.0
KA 15-01124

PEOPLE
V
NATHAN HULME

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered February 26, 2015. The judgment convicted defendant, upon a jury verdict, of perjury in the first degree (two counts).

NORMAN P. EFFMAN for NATHAN HULME

10 minutes

VINCENT A. HEMMING for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

154.0
KA 13-02062

PEOPLE

V

DELVON HARLEY

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered September 25, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree and robbery in the first degree (two counts).

EVAN B. HANNAY for DELVON HARLEY

Submitted

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

Submitted

155.0
KA 15-00323

PEOPLE

V

MICHAEL NANCE

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), entered January 8, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

SHERRY A. CHASE for MICHAEL NANCE

10 minutes

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

10 minutes

156.0
KA 16-01027

PEOPLE

V

RICK E. CARTER

Appeal from a judgment of the Allegany County Court (Terrance M. Parker, J.), rendered June 22, 2015. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree.

JOSEPH P. MILLER for RICK E. CARTER

10 minutes

J. THOMAS FUOCO for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

157.0
KA 15-01101

PEOPLE

V

DWIGHT MITCHELL

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered September 20, 2012. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree.

SHERRY A. CHASE for DWIGHT MITCHELL

5 minutes

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

158.0
KA 14-01870

PEOPLE

V

JOSEPH WALKER, JR.

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered May 7, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

TIMOTHY P. MURPHY for JOSEPH WALKER, JR. 10 minutes

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

159.0
KA 16-00958

PEOPLE
V
JOSEPH WALKER, JR.

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered May 7, 2012. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

TIMOTHY P. MURPHY for JOSEPH WALKER, JR. Submitted

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

160.0
CA 15-01971

JIMMIE LARKE, III
V
TINA MCCARY MOORE

Appeal from an order of the Supreme Court, Erie County (Shirley Toutman, J.), entered January 20, 2015. The order, among other things, granted defendant Tina McCary Moore's motion to dismiss the complaint.

JOY A. KENDRICK for JIMMIE LARKE, III 15 minutes

TINA MCCARY MOORE for HERSELF Submitted

MICHAEL K. DVORKIN for ING RELIASTAR LIFE INSURANCE COMPANY 15 minutes

161.0
CA 16-00109

JIMMIE LARKE, III
V
TINA MCCARY MOORE

Appeal from an order of the Supreme Court, Erie County (Shirley Toutman, J.), entered December 16, 2015. The order, among other things, denied plaintiffs' motion to renew or reargue.

JOY A. KENDRICK for JIMMIE LARKE, III Submitted

TINA MCCARY MOORE for HERSELF Submitted

MICHAEL K. DVORKIN for ING RELIASTAR LIFE INSURANCE COMPANY Submitted

162.0
CA 16-01208

TONI HAJDAJ
V
JESSICA M. ZUBIN

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered May 2, 2016. The order denied the motion of defendants for summary judgment.

MARTHA E. DONOVAN for JESSICA M. ZUBIN 10 minutes

JOHN PETER FEROLETO for TONI HAJDAJ 10 minutes

163.0
CA 16-00481

BARBARA TABONI
V
KALEIDA HEALTH

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered November 2, 2015. The order granted the motion of defendants for summary judgment and dismissed the complaint.

KENNETH A. SZYSZKOWSKI for BARBARA TABONI

10 minutes

AMANDA C. ROSSI for KALEIDA HEALTH

10 minutes

164.0
CA 16-00079

ACEA MOSEY
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 25, 2015. The order granted in part the motion of defendant for an order and denied the cross motion of plaintiff to strike defendant's answer.

JOHN TIMOTHY LOSS for ACEA MOSEY

15 minutes

JEREMY C. TOTH for COUNTY OF ERIE

15 minutes

165.0
CA 16-00080

ACEA MOSEY
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered May 11, 2015. The order, insofar as appealed from, granted the motion of defendant for a protective order as related to a demand concerning County Executive Mark Poloncarz.

JOHN TIMOTHY LOSS for ACEA MOSEY

Submitted

JEREMY C. TOTH for COUNTY OF ERIE

Submitted

166.0
CA 16-00842

ACEA MOSEY
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered May 5, 2015. The order settled the record on appeal for appeals 1 and 2.

JOHN TIMOTHY LOSS for ACEA MOSEY

Submitted

JEREMY C. TOTH for COUNTY OF ERIE

Submitted

167.0
CA 16-00406

US BANK NATIONAL ASSOCIATION
V
PAUL SINAY

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 24, 2015. The order, among other things, denied plaintiff's motion to vacate a prior order and judgment of dismissal signed on August 27, 2013.

MICHAEL JABLONSKI for US BANK NATIONAL ASSOCIATION

15 minutes

DAVID P. MARTIN for PAUL SINAY

Submitted

LARRY GERAW for HIMSELF

Submitted

SHIRLEY L. MONTANA for HERSELF

Submitted

168.0
CA 16-00201

RONALD KOZLOWSKI
V
ALLIED BUILDERS, INC.

SETTLED

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered November 6, 2015. The order granted plaintiffs' motion for summary judgment on the issue of liability under Labor Law § 240 (1).

GERARD E. O'CONNOR for ALLIED BUILDERS, INC.

MICHAEL J. WILLETT for RONALD KOZLOWSKI

169.0
CA 16-00117

LANCE FERRAND
V
TOWN OF NORTH HARMONY

Appeal from an order and judgment of the Supreme Court, Chautauqua County (Paul B. Wojtaszek, J.), entered September 24, 2015. The order and judgment granted the motion of defendants for summary judgment and dismissed the action.

BRIAN CHAPIN YORK for LANCE FERRAND

10 minutes

MICHAEL P. MCCLAREN for TOWN OF NORTH HARMONY

10 minutes

170.0
CA 15-01530

ANNA BARRETT
V
WALTER GREENDA

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered July 8, 2015. The order denied without prejudice the motion of defendants TD Ameritrade Holding Corporation, TD Ameritrade, Inc., TD Ameritrade Institutional and TD Ameritrade Clearing, Inc., to dismiss the complaint or to compel arbitration.

DAVID S. RICHAN for TD AMERITRADE HOLDING CORPORATION

15 minutes

JOANNE A. SCHULTZ for ANNA BARRETT

15 minutes

171.0
CA 16-00773

STEVEN NEUMANN
V
DHU PRODUCTIONS, LLC

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered January 7, 2016. The order, among other things, granted plaintiff's motion for partial summary judgment on the issue of liability under Labor Law § 240 (1).

JOSEPH A. MATTELIANO for DHU PRODUCTIONS, LLC

10 minutes

JOHN A. COLLINS for STEVEN NEUMANN

10 minutes

172.0
CA 16-00813

STEPHEN M. JONES
V
NAZARETH COLLEGE OF ROCHESTER

Appeal from an order of the Supreme Court, Genesee County (Robert C. Noonan, A.J.), entered December 10, 2015. The order denied plaintiff's motion for summary judgment.

CARRIE L. SMITH for STEPHEN M. JONES

15 minutes

TAMSIN J. HAGER for NAZARETH COLLEGE OF ROCHESTER

15 minutes

DAVID RAY ADAMS for CROSBY-BROWNLIE, INC.

15 minutes

173.0
CA 16-01147

CASSANDRA BLAKE
V
COUNTY OF WYOMING

Appeal from a decision and order of the Supreme Court, Wyoming County (Michael F. Griffith, A.J.), entered April 18, 2016. The decision and order denied the motion of defendant for summary judgment.

RYAN G. SMITH for COUNTY OF WYOMING

10 minutes

CARRIE L. SMITH for CASSANDRA BLAKE

10 minutes