

**DAY CALENDAR**  
**Wednesday, January 18, 2017 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

127.0  
KA 15-00073

**PEOPLE**  
**V**  
**BARRY HOLLIS**

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered November 17, 2014. The judgment convicted defendant, upon his plea of guilty, of sexual abuse in the first degree and rape in the second degree.

TIMOTHY P. MURPHY for BARRY HOLLIS Submitted

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

128.0  
KA 15-00949

**PEOPLE**  
**V**  
**DAMONI HALL**

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered January 30, 2015. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.

DEBORAH K. JESSEY for DAMONI HALL Submitted

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

129.0  
KA 15-00333

**PEOPLE**  
**V**  
**GLENWOOD E. CARR, JR.**

Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered December 15, 2014. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.

MICHAEL G. CIANFARANO for GLENWOOD E. CARR, JR. 10 minutes

AMY LEIGH HALLENBECK for THE PEOPLE OF THE STATE OF NY 10 minutes

130.0  
KA 14-01899

**PEOPLE**  
**V**  
**RODNEY MCFARLAND**

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Thomas E. Moran, J.), entered August 29, 2014. The order denied the motion of defendant to vacate the judgment of conviction pursuant to CPL 440.10.

CATHERINE H. JOSH for RODNEY MCFARLAND 10 minutes

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

131.0  
KA 10-00287

**PEOPLE**  
**V**  
**FRANK GARCIA**

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered December 16, 2009. The judgment convicted defendant, upon a jury verdict, of murder in the first degree (two counts) and attempted murder in the first degree.

DAVID R. JUERGENS for FRANK GARCIA 15 minutes

KELLY CHRISTINE WOLFORD for THE PEOPLE OF THE STATE OF NY 10 minutes

132.0  
KA 14-00639

PEOPLE  
V  
DENNIS BROWN

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered February 13, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

JOHN J. GILSENAN for DENNIS BROWN 10 minutes

VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

133.0  
KA 14-00579

PEOPLE  
V  
WILLIAM D. GIBSON, JR.

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered November 14, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

JANE I. YOON for WILLIAM D. GIBSON, JR. 10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

134.0  
KA 13-02208

PEOPLE  
V  
YOSEF SIMON-PAGE

Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered June 10, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

EDWARD PEKAREK for YOSEF SIMON-PAGE 10 minutes

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

135.0  
CA 16-00250

RICCELLI ENTERPRISES, INC.  
V  
3679 RIVER ROAD, INC.

Appeal from a decision an order of the Supreme Court, Onondaga County (Donald F. Cerio, Jr., A.J.), entered May 8, 2015. The decision and order, inter alia, granted the motion of plaintiffs-petitioners for partial summary judgment.

JEFFREY W. LANG for STATE OF NY WORKERS' COMPENSATION 10 minutes

PATRICIA S. NAUGHTON for RICCELLI ENTERPRISES, INC. 20 minutes

136.0  
CA 16-00661

RICCELLI ENTERPRISES, INC.  
V  
3679 RIVER ROAD, INC.

Appeal from a decision an order of the Supreme Court, Onondaga County (Donald F. Cerio, Jr., A.J.), entered April 4, 2016. The decision and order denied the motion of respondents-defendants for renewal.

JEFFREY W. LANG for STATE OF NY WORKERS' COMPENSATION

Submitted

PATRICIA S. NAUGHTON for RICCELLI ENTERPRISES, INC.

Submitted

137.0  
CA 16-01213

**KIMBROOK ROUTE 31, L.L.C.**

**V**

**MAUREEN T. BASS**

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered September 25, 2015. The order granted defendant's motion to dismiss plaintiffs' complaint.

DAVID TEMES for KIMBROOK ROUTE 31, L.L.C.

Submitted

JANET D. CALLAHAN for MAUREEN T. BASS

10 minutes

138.0  
CA 15-02175

**MKCAC, LLC**

**V**

**COUNTY OF ONEIDA**

Appeal from a decision and order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered March 5, 2015. The decision and order, insofar as appealed from, denied the motion of plaintiffs for summary judgment, granted the cross motion of defendant County of Oneida to amend its answer, granted the cross motion of defendant County of Oneida and dismissed the complaint against defendant County of Oneida.

JOHN A. CIRANDO for MKCAC, LLC

15 minutes

MARK O. CHIECO for COUNTY OF ONEIDA

10 minutes

SARAH C. HUGHES for TONY BAKER

5 minutes

MICHAEL A. DAMIA for SHUMAKER CONSULTING, ENGINEERING AN

10 minutes

ROCCO L. VERSACE for HOGAN ENGINEERING, PC

5 minutes

139.0  
CA 16-00543

**CITY OF SYRACUSE**

**V**

**COR DEVELOPMENT COMPANY, LLC**

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered January 25, 2016. The order, insofar as appealed from, granted the motion of defendants to dismiss plaintiff's claim for rescission and cancelled and discharged a notice of pendency.

JOHN A. SICKINGER for CITY OF SYRACUSE

10 minutes

CHRISTOPHER BUCKEY for COR DEVELOPMENT COMPANY, LLC

10 minutes

140.0  
CA 16-00986

**VILLAGE OF SCOTTSVILLE**

**V**

**JOHN MCINTOSH**

Appeal from a final judgment and order of the Supreme Court, Monroe County (Renee Forgens Minarik, A.J.), entered September 10, 2015. The final judgment and order, inter alia, granted the cross motion of plaintiff for summary judgment and a permanent injunction.

FRANK A. ALOI for JOHN MCINTOSH

Submitted

	DANIEL R. MAGILL for VILLAGE OF SCOTTSVILLE	15 minutes
141.0 TP 16-01171	KENNETH JAMES V TINA M. STANFORD	
	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, Erie County [Penny M. Wolfgang, J.], entered February 19, 2016) to review a determination of respondent. The determination revoked the parole of petitioner.	
	KENNETH JAMES for HIMSELF	Submitted
	BRIAN D. GINSBERG for TINA M. STANFORD	Submitted
142.0 CA 16-00031	EASTBROOKE CONDOMINIUM V ELAINE AINSWORTH	
	Appeal from a final order and judgment of the Supreme Court, Monroe County (John J. Ark, J.), entered March 27, 2015. The final order and judgment, insofar as appealed from, provided that unit owners who had filed specific authorizations for a specific year prior to the filing of the note of issue for that particular year and who were legal owners of the property on March 1 of the particular year are entitled to tax refunds.	
	ROBERT L. JACOBSON for EASTBROOKE CONDOMINIUM	15 minutes
	THOMAS A. FINK for ELAINE AINSWORTH	15 minutes
143.0 CA 16-00184	EASTBROOKE CONDOMINIUM V ELAINE AINSWORTH	
	Appeal from an amended modified decision and order of the Supreme Court, Monroe County (John J. Ark, J.), entered November 18, 2015. The amended modified decision and order granted in part the motion of petitioners to modify an order entered March 27, 2015 the extent of designating owners entitled to refunds.	
	THOMAS A. FINK for ELAINE AINSWORTH	Submitted
	ROBERT L. JACOBSON for EASTBROOKE CONDOMINIUM	Submitted
144.0 CA 15-02128	RICHARD HEIN V TINA M. STANFORD	
	Appeal from a decision and judgment of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered October 28, 2015. The decision and judgment dismissed the CPLR article 78 petition.	
	RICHARD HEIN for RICHARD HEIN	Submitted
	BRIAN D. GINSBERG for TINA M. STANFORD	Submitted
145.0 CA 16-01268	DAVID LOBDELL V CHARLOTTE A. CAHILL	<b>SETTLED</b>
	Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered May 18, 2016. The order, among other things, denied defendant's motion for summary judgment.	

KAREN J. KROGMAN DAUM for CHARLOTTE A. CAHILL

ROBERT A. QUATTROCCI for DAVID LOBDELL

146.0  
CA 16-01197

**AUTOCRAFTING FLEET SOLUTIONS, INC.**

**V**

**JEFF BELL**

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered May 6, 2016. The order denied defendant Jeff Bell's motion to dismiss the complaint as against him.

STACEY E. TRIEN for JEFF BELL

10 minutes

DAVID DENNIS SPOTO for AUTOCRAFTING FLEET SOLUTIONS, INC.

10 minutes

147.0  
CA 15-01550

**JOSHUA P. BOULTER**

**V**

**ROCHELLE R. BOULTER**

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered December 1, 2014. The order, among other things, adjudged that it would be in the best interest of the subject child to relocate to Japan with plaintiff.

JOHN A. CIRANDO for ROCHELLE R. BOULTER

10 minutes

JANE G. LAROCK for JOSHUA P. BOULTER

10 minutes

KIMBERLY ANN WOOD, ATTORNEY FOR CHILD

5 minutes

148.0  
CA 15-01938

**JOSHUA P. BOULTER**

**V**

**ROCHELLE R. BOULTER**

Appeal from a judgment of the Supreme Court, Jefferson County (James P. McClusky, J.), entered March 15, 2015. The judgment, among other things, adjudged that plaintiff shall have custody of the subject child.

JOHN A. CIRANDO for ROCHELLE R. BOULTER

Submitted

JANE G. LAROCK for JOSHUA P. BOULTER

Submitted

KIMBERLY ANN WOOD, ATTORNEY FOR CHILD

Submitted