

DAY CALENDAR
Monday, January 8, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1.0
KA 16-00486

PEOPLE
V
MICHAEL A. IRBY

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered July 1, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

RAYMOND PETER KOT, II, for MICHAEL A. IRBY 15 minutes

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

2.0
KA 14-00722

PEOPLE
V
JOSEPH J. GAMBALE

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered September 6, 2013. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

DREW R. DUBRIN for JOSEPH J. GAMBALE Submitted

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

3.0
KA 15-00251

PEOPLE
V
MARCUS C. FREEMAN

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered December 4, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, attempted murder in the second degree, assault in the first degree, criminal use of a firearm in the first degree (two counts) and criminal sexual act in the first degree.

JANE I. YOON for MARCUS C. FREEMAN 10 minutes

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

4.0
KA 14-01171

PEOPLE
V
KAVIN L. ROWE

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered March 31, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

WILLIAM G. PIXLEY for KAVIN L. ROWE Submitted

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

5.0
KA 15-01225

PEOPLE
V
EDWIN F. TALBOTT, II

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered June 17, 2014. The judgment convicted defendant, after a nonjury trial, of assault in the second degree

	MARK C. DAVISON for EDWIN F. TALBOTT, II	10 minutes
	JAMES B. RITTS for PEOPLE OF THE STATE OF NEW YORK	10 minutes
6.0 KA 16-00487	PEOPLE V MICHAEL A. IRBY	
	Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered July 1, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.	
	RAYMOND PETER KOT, II, for MICHAEL A. IRBY	15 minutes
	JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK	5 minutes
7.0 KA 12-01637	PEOPLE V MARQUIS T. WILCHER	
	Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered March 12, 2012. The judgment convicted defendant, upon a nonjury verdict, of criminal sale of a controlled substance in the first degree and criminal possession of a controlled substance in the third degree (two counts).	
	BRIDGET L. FIELD for MARQUIS T. WILCHER	10 minutes
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	10 minutes
8.0 KA 15-00250	PEOPLE V MARCUS C. FREEMAN	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered December 4, 2014. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree.	
	JANE I. YOON for MARCUS C. FREEMAN	5 minutes
	SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK	5 minutes
9.0 KA 15-00571	PEOPLE V COURTNEY WELLINGTON	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered December 15, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree and assault in the first degree.	
	JANET C. SOMES for COURTNEY WELLINGTON	Submitted
	STEPHEN X. O'BRIEN for PEOPLE OF THE STATE OF NEW YORK	Submitted
10.0 KA 16-00621	PEOPLE V VENUS DENNIS AND LACINAN KONATE	
	Appeal from an order of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), dated October 30, 2015. The order granted in part defendants' motions to dismiss the indictment.	
	NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK	10 minutes

	SARA A. GOLDFARB for VENUS DENNIS	10 minutes
	ERIC B. JESCHKE for LACINAN KONATE	10 minutes
11.0 KA 17-01489	PEOPLE V VENUS DENNIS AND LACINAN KONATE	
	Appeal from a supplemental decision of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), dated November 5, 2015. The supplemental decision, among other things, adjudged that the People failed to produce sufficient evidence to the grand jury that a witness was a peace officer.	
	NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK	Submitted
	SARA A. GOLDFARB for VENUS DENNIS	Submitted
	ERIC B. JESCHKE for LACINAN KONATE	Submitted
12.0 KA 15-00644	PEOPLE V DARIAN WILLIAMS	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered January 20, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted menacing of a police officer	
	PIOTR BANASIAK for DARIAN WILLIAMS	Submitted
	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	Submitted
13.0 CA 17-01421	DARWIN HALE, JR. V HOLLEY CENTRAL SCHOOL DISTRICT	
	Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered April 18, 2017. The order denied the motion of defendant Holley Central School District's motion for summary judgment.	
	JODY E. BRIANDI for HOLLEY CENTRAL SCHOOL DISTRICT	15 minutes
	CHARLES W. ROGERS for DARWIN HALE, JR.	10 minutes
14.0 CA 17-01077	RANDOLPH BARTZ V VILLAGE OF LEROY	
	Appeal from an order of the Supreme Court, Genesee County (Emilio L. Colaiacovo, J.), entered March 16, 2017. The order denied the request of petitioners to annul the decisions of respondent Zoning Board of Appeals of LeRoy dated June 3, 2014 and July 9, 2014.	
	AMY K. KENDALL for RANDOLPH BARTZ	20 minutes
	JAMES M. WUJCIK for VILLAGE OF LEROY	20 minutes
	KRISTIE L. DEFREZE for DUZMOR PAINTING, INC.	20 minutes
	BENJAMIN J. BONARIGO for PETER J. MCQUILLEN	Submitted
15.0 CA 17-01346	LAURA VIEIRA-SUAREZ V SYRACUSE CITY SCHOOL DISTRICT	

Appeal from a judgment (denominated order) of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered March 3, 2017 in a CPLR article 78 proceeding.. The judgment denied and dismissed the petition.

STEPHEN CIOTOLI for LAURA VIEIRA-SUAREZ 10 minutes

HEATHER M. COLE for SYRACUSE CITY SCHOOL DISTRICT 15 minutes

16.0
CA 16-02313

SAMUEL AYALA
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered November 14, 2016 in a CPLR article 78 proceeding. The judgment dismissed the petition.

ADAM W. KOCH for SAMUEL AYALA Submitted

KATE H. NEPVEU for ANTHONY ANNUCCI Submitted

17.0
CA 17-01076

In the Matter of
CITY OF SYRACUSE
(KATHERINE LEE)

Appeals from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered August 1, 2016 in a proceeding pursuant to CPLR article 75. The order, among other things, vacated and held in abeyance the court's order and judgment of December 24, 2014 and denied the motion of respondent Katherine Lee to dismiss the petition.

KAREN KHANZADIAN for SYRACUSE POLICE BENEVOLENT ASSN. 10 minutes

A.J. BOSMAN for KATHERINE LEE 10 minutes

PAUL J. SWEENEY for CITY OF SYRACUSE 10 minutes

18.0
CA 17-01228

JUN W. CARNEY
V
PATRICK J. CARNEY

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered June 29, 2017. The order, among other things, directed that an evidentiary be held to determine whether defendant is eligible for assigned counsel.

SVETLANA K. IVY for PATRICK J. CARNEY 10 minutes

MICHAEL STEINBERG for JUN W. CARNEY 10 minutes

19.0
CA 17-01229

JUN W. CARNEY
V
PATRICK J. CARNEY

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered June 26, 2017. The order adjudged that defendant has imputed income of \$50,000 annually and therefore is not eligible for the appointment of counsel in the pending proceeding, where plaintiff is seeking to enforce a prior court order.

SVETLANA K. IVY for PATRICK J. CARNEY Submitted

MICHAEL STEINBERG for JUN W. CARNEY Submitted

20.0
CA 17-01331

DENISE A. LEWIS
V
CARROLS LLC

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered April 12, 2017. The order denied the motion of defendant for summary judgment dismissing the complaint.

KAREN J. KROGMAN DAUM for CARROLS LLC 15 minutes

MATTHEW J. KAISER for DENISE A. LEWIS 10 minutes

21.0
CA 17-01541

BARBARA S. SCHOEN
V
TOPS MARKETS, LLC

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered February 10, 2017. The order denied the motion of defendant for summary judgment.

MICHAEL B. DIXON for TOPS MARKETS, LLC 15 minutes

MICHAEL G. COOPER for BARBARA S. SCHOEN 10 minutes

22.0
CA 17-00664

LONNIE DOTSON
V
J.C. PENNEY COMPANY, INC.

Appeals from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered September 28, 2016. The order, among other things, denied the motion of defendants J.C. Penney Company, Inc., J.C. Penney Carousel Store, David Stanton, individually, and acting as agent, servant, and/or employee of J.C. Penney Company, Inc. and Andrew Vaughn, individually, and acting as agent, servant, and/or employee of J.C. Penney Company, Inc. for summary judgment on plaintiffs' cause of action for false imprisonment and denied in part the motion of defendants Gary Miguel, City of Syracuse Police Department and City of Syracuse for summary judgment.

MARY D'AGOSTINO for GARY MIGUEL 15 minutes

KRISTIN L. NORFLEET for J.C. PENNEY COMPANY, INC. 10 minutes

A.J. BOSMAN for LONNIE DOTSON 15 minutes

23.0
CA 17-00665

LONNIE DOTSON
V
J.C. PENNEY COMPANY, INC.

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered March 31, 2017. The order denied the motion of defendants Gary Miguel, City of Syracuse Police Department and City of Syracuse for an order granting renewal of their motion for summary judgment and, upon granting renewal, dismissing plaintiffs' amended complaint.

MARY D'AGOSTINO for GARY MIGUEL Submitted

KRISTIN L. NORFLEET for J.C. PENNEY COMPANY, INC. Submitted

A.J. BOSMAN for LONNIE DOTSON Submitted