

DAY CALENDAR
Thursday, January 18, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

168.0
KA 12-01087

PEOPLE
V
MARCUS J. MCMILLAN

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered March 8, 2012. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree and assault in the first degree.

MARY P. DAVISON for MARCUS J. MCMILLAN

Submitted

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK

Submitted

169.0
KA 12-01086

PEOPLE
V
MARCUS J. MCMILLAN

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered April 26, 2012. The judgment convicted defendant, upon his plea of guilty, criminal possession of a controlled substance in the third degree.

MARY P. DAVISON for MARCUS J. MCMILLAN

Submitted

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK

Submitted

170.0
TP 17-01307

DANIEL WILLIAMS
V
JOHN COLVIN

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, Seneca County [Dennis F. Bender, J.], entered July 20, 2017) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated inmate rules.

DANIEL WILLIAMS for HIMSELF

Submitted

MARCUS J. MASTRACCO for JOHN COLVIN

Submitted

171.0
KA 17-00213

PEOPLE
V
JOSEPH C. HOBBS

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered August 5, 2016. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree, criminal mischief in the third degree and criminal mischief in the fourth degree.

MARY P. DAVISON for JOSEPH C. HOBBS

Submitted

MELANIE J. BAILEY for PEOPLE OF THE STATE OF NEW YORK

Submitted

172.0
KA 17-00214

PEOPLE
V
JOSEPH C. HOBBS

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered August 5, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree (two counts), petit larceny and criminal mischief in the second degree.

MARY P. DAVISON for JOSEPH C. HOBBS

Submitted

MELANIE J. BAILEY for PEOPLE OF THE STATE OF NEW YORK

Submitted

173.0
KA 16-00798

PEOPLE
V
RONDELL JEMISON

Appeal from a judgment of the Supreme Court Erie County (Penny M. Wolfgang, J.), rendered April 11, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

NICHOLAS P. DIFONZO for RONDELL JEMISON

10 minutes

FRANK A. STRANO for PEOPLE OF THE STATE OF NEW YORK

10 minutes

174.0
KA 16-00086

PEOPLE
V
SELES VARIN

Appeal from an order of the Monroe County Court (James J. Piampiano, J.), entered December 17, 2015. The order determined that defendant is a level two risk, pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for SELES VARIN

Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

175.0
KA 15-01656

PEOPLE
V
MARTIN M. CAREY

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered January 8, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the third degree, menacing in the second degree and petit larceny.

GARY MULDOON for MARTIN M. CAREY

10 minutes

MELANIE J. BAILEY for PEOPLE OF THE STATE OF NEW YORK

10 minutes

176.0
KA 15-00972

PEOPLE
V
TIYHISE HUDDLESTON, JR.

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered February 19, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the fourth degree.

SARA A. GOLDFARB for TIYHISE HUDDLESTON, JR.

10 minutes

NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK

10 minutes

177.0
KA 16-01759

PEOPLE
V
DONALD JOHNSON

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered January 29, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree and criminal possession of a weapon in the second degree.

LYLE T. HAJDU for DONALD JOHNSON 10 minutes

DANIEL J. PUNCH for PEOPLE OF THE STATE OF NEW YORK 10 minutes

178.0
KA 15-01859

PEOPLE
V
CHRISTOPHER MOORE

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered September 10, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

DAVID R. JUERGENS for CHRISTOPHER MOORE Submitted

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK Submitted

179.0
KA 16-01601

PEOPLE
V
DANIEL FISHER

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered May 24, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree (two counts); burglary in the second degree, grand larceny in the fourth degree (two counts) and petit larceny.

CARA A. WALDMAN for DANIEL FISHER 5 minutes

BRUCE A. ROSEKRANS for PEOPLE OF THE STATE OF NEW YORK 5 minutes

180.0
KA 14-02099

PEOPLE
V
ERIC WOODY

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered November 17, 2014. The judgment convicted defendant, upon his plea of guilty, of murder in the first degree.

CRAIG P. SCHLANGER for ERIC WOODY 10 minutes

NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK 10 minutes

181.0
KA 15-00946

PEOPLE
V
JEREMY M. DAVIS

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered July 30, 2014. The judgment convicted defendant, upon a non jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

JANET C. SOMES for JEREMY M. DAVIS 10 minutes

JOSEPH PLUKAS for PEOPLE OF THE STATE OF NEW YORK 10 minutes

182.0
KA 17-01382

PEOPLE
V
ROY H. LANE

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered July 2, 2016. The judgment convicted defendant, upon a nonjury verdict, of sexual abuse in the first degree.

JON P. GETZ for ROY H. LANE 10 minutes

JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK 10 minutes

183.0
CAF 16-00582

**In the Matter of
DESEANTE R.**

Appeal from a decision and order of the Family Court, Erie County (Margaret O. Szczur, J.), entered December 28, 2015, in proceedings pursuant to Family Court Act article 10. The decision and order found Dilan P. and Dakari R. To be abused and Deseante R. to be neglected.

DAVID J. PAJAK for FEMI R. 5 minutes

AMBER R. POULOS for ERIE COUNTY D.S.S. 5 minutes

TRENEEKA CUSACK, ATTORNEY FOR THE CHILD 10 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD 10 minutes

DEAN S. PULEO, ATTORNEY FOR THE CHILD 10 minutes

184.0
CAF 16-00583

**In the Matter of
DESEANTE L.R.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered March 4, 2016, in a proceeding pursuant to Family court Act article 10. The order placed the subject child with petitioner until February 28, 2017.

DAVID J. PAJAK for FEMI R. Submitted

AMBER R. POULOS for ERIE COUNTY D.S.S. Submitted

TRENEEKA CUSACK, ATTORNEY FOR THE CHILD 10 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD 10 minutes

DEAN S. PULEO, ATTORNEY FOR THE CHILD Submitted

185.0
CAF 16-00584

**In the Matter of
DAKARAI M.K.R.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered March 4, 2016, in a proceeding pursuant to Family court Act article 10. The order placed the subject child with petitioner until February 28, 2017.

DAVID J. PAJAK for FEMI R. Submitted

AMBER R. POULOS for ERIE COUNTY D.S.S. Submitted

TRENEEKA CUSACK, ATTORNEY FOR THE CHILD Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD Submitted

DEAN S. PULEO, ATTORNEY FOR THE CHILD Submitted

186.0
CA 17-01279

**BRUCE A. SCHAUBROECK
V
COLIN P. MORIARTY**

Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered January 26, 2017. The order, insofar as appealed from, denied in part the motion of defendant for summary judgment.

JEFFREY C. SENDZIAK for COLIN P. MORIARTY

10 minutes

ELLEN B. STURM for BRUCE A. SCHAUBROECK

10 minutes

187.0
CA 17-01266

NEW YORK LAND DEVELOPMENT CORP.

V

GUY BROOKS BENNETT

Appeal and from an order and judgment (one paper) of the Supreme Court, Steuben County (Marianne Furfure, A.J.), entered November 23, 2016. The order and judgment, among other things, declared that defendant's property is subject to a permanent easement appurtenant in favor of plaintiff's property.

F. MICHAEL OSTRANDER for GUY BROOKS BENNETT

10 minutes

GABRIEL V. ROSSETTIE for NEW YORK LAND DEVELOPMENT CORP.

10 minutes

188.0
CA 17-00067

CELESTE GADBOW-MARENIC

V

THOMAS K. MARENIC

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered March 21, 2016 in a divorce action. The order, among other things, equitably distributed the marital assets.

PAUL M. DEEP for THOMAS K. MARENIC

15 minutes

JOHN W. DILLON for CELESTE GADBOW-MARENIC

Submitted

189.0
CA 17-00068

CELESTE GADBOW-MARENIC

V

THOMAS K. MARENIC

Appeal from a judgment of the Supreme Court, Oneida County (Erin P. Gall, J.), entered June 27, 2016 in a divorce action. The judgment, among other things, dissolved the marriage between the parties

PAUL M. DEEP for THOMAS K. MARENIC

Submitted

JOHN W. DILLON for CELESTE GADBOW-MARENIC

Submitted

190.0
CA 17-00069

CELESTE GADBOW-MARENIC

V

THOMAS K. MARENIC

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered July 28, 2016 in a divorce action. The order awarded plaintiff \$13,326.25 in attorney's fees to be paid by defendant.

PAUL M. DEEP for THOMAS K. MARENIC

Submitted

JOHN W. DILLON for CELESTE GADBOW-MARENIC

Submitted

191.0
CA 17-01429

RANDAL D. SMITH

V

SAFECO INSURANCE CO. OF AMERICA

Appeal from an order of the Supreme Court, Oneida County (Normal I. Siegal, J.), entered May 22, 2017. The order, among other things, denied plaintiffs' motion for summary judgment and granted defendant Safeco Insurance Company of America's cross motion for summary judgment.

GUSTAVE J. DETRAGLIA, JR., for RANDAL D. SMITH 10 minutes

JONATHAN SCHAPP for SAFECO INSURANCE CO. OF AMERICA 10 minutes

192.0
CA 17-01412

VILLAGE OF EAST AURORA

V

EAST AURORA UNION FREE SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered February 24, 2017. The order, among other things, granted the motions of respondents-defendants to dismiss.

PAUL DAVID WEISS for VILLAGE OF EAST AURORA 10 minutes

LAURA ETLINGER for NEW YORK STATE EDUCATION DEPARTMENT 10 minutes

RICHARD T. SULLIVAN for E. AURORA UNION FREE SCHOOL DISTRICT 10 minutes

193.0
CA 17-01369

SAMUEL M. GIANCARLO

V

CARLOS KUREK, M.D.

Appeal from an order of the Supreme Court, Erie County (Paula L. Feroletto, J.), entered May 26, 2017. The order denied the motion of defendants Carlos J. Kurek, M.D., Wendy P. Oueletto, C.R.N.A. and Maple-Gate Anesthesiologists, P.C., for summary judgment.

BRYAN J. DANIELS for CARLOS KUREK, M.D. 10 minutes

MICHAEL R. DRUMM for SAMUEL M. GIANCARLO 10 minutes

MATTHEW J. KIBLER for AARON B. HOFFMAN, M.D. Submitted

MARK R. AFFRONTI for KALEIDA HEALTH Submitted

193.1
CA 15-00543

JANE F. DEPERNO

V

DANIEL W. DEPERNO

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered February 18, 2015. The order denied defendant's application to vacate a default judgment of divorce.

DANIEL W. DEPERNO for HIMSELF Submitted

ERIN E. MCCAMPBELL for JANE F. DEPERNO 10 minutes