

DAY CALENDAR
Thursday, January 10, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

91.0
TP 18-00194

ECHO WESTLEY DIXON
V
ANDREW M. CUOMO

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 [Mark H. Fandrich, A.J.], entered January 23, 2018) to review a determination of repondent. The determination found after Tier III hearing that petitioner had violated an inmate rule.

ECHO WESTLEY DIXON for HIMSELF

Submitted

KATE H. NEPVEU for ANDREW M. CUOMO

Submitted

93.0
TP 18-01387

JASON BAXTER
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, Wyoming County [Michael M. Mohun, A.J.], entered August 2, 2018) to review a determination of respondent. The determination found after Tier III hearing that petitioner violated various inmate rules.

LEAH R. NOWOTARSKI for JASON BAXTER

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

94.0
KA 14-00855

PEOPLE
V
JOSEPH DIXON

Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered March 24, 2014. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree.

JOHN A. CIRANDO for JOSEPH DIXON

15 minutes

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

5 minutes

95.0
KA 17-00453

PEOPLE
V
CLIFTON HUNT

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered December 20, 2016. The judgment convicted defendant, upon a jury trial, of rape in the third degree and endangering the welfare of a child.

KIMBERLY J. CZAPRANSKI for CLIFTON HUNT

10 minutes

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

10 minutes

96.0
KA 17-00270

PEOPLE
V
CORY C. THOMPSON

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered December 16, 2015. The judgment convicted defendant, upon a jury verdict, of robbery in the third degree, burglary in the third degree (four counts), grand larceny in the fourth degree (three counts) and attempted grand larceny in the fourth degree.

GARY MULDOON for CORY C. THOMPSON

5 minutes

V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

97.0
KA 14-00199

PEOPLE
V
ALEXANDER LATHROP

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered October 1, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the third degree.

DAVID R. JUERGENS for ALEXANDER LATHROP

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

98.0
KA 17-00365

PEOPLE
V
ROBERT J. SAMPSON, JR.

Appeal from a judgment of the Jefferson County Court, (Kim H. Martusewicz, J., rendered August 5, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

JOHN A. CIRANDO for ROBERT J. SAMPSON, JR.

10 minutes

HARMONY A. HEALY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

99.0
KA 17-00509

PEOPLE
V
GERALD MAY

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, J.), rendered March 3, 2017. The judgment convicted defendant, upon his plea of guilty of arson in the fourth degree.

SHERRY A. CHASE for GERALD MAY

10 minutes

DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

100.0
CA 18-01377

JAYMEE SUE ROWLAND
V
TIMOTHY SLAYTON

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered October 17, 2017. The order denied defendant Timothy Slayton's motion to change the venue of this action from Monroe County to Steuben County.

GREGORY GEORGE BROIKOS for TIMOTHY SLAYTON

15 minutes

EDWARD J. SMITH, III, for JAYMEE SUE ROWLAND

15 minutes

101.0
CA 18-01141

MARK BRATGE
V
JEFFERY SIMONS

Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered March 19, 2018. The order dismissed causes of action against defendants County of Oneida and Oneida County Child Advocacy Center.

FRANK POLICELLI for MARK BRATGE

10 minutes

DANIEL KENNETH CARTWRIGHT for COUNTY OF ONEIDA

10 minutes

102.0
TP 18-01401

CENTERS FOR SPECIALTY CARE

V

NEW YORK STATE DEPARTMENT OF HEALTH

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 [Diane Y. Devlin, J.], entered August 1, 2018) to review a determination of respondent. The determination denied the application for Medicaid benefits.

JENNIFER J. NEARY for CENTERS FOR SPECIALTY CARE

Submitted

KATE H. NEPVEU for NEW YORK STATE DEPARTMENT OF HEALTH

Submitted

103.0
CA 18-01601

BACKER & ASSOCIATES, LLC

V

PPB ENGINEERING & SYSTEMS DESIGN

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered November 8, 2017. The order denied the motion of defendants for a protective order, directed the parties to execute a confidentiality stipulation and proceed to discovery and denied the motion of defendants to vacate the note of issue.

KAREN R. SANDERS for PPB ENGINEERING & SYSTEMS DESIGN

10 minutes

FRANK J. FIELDS for BACKER & ASSOCIATES, LLC

10 minutes

104.0
CA 18-00548

TRUDY MENEAR

V

KWIK FILL

Appeals from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered January 10, 2018. The order, insofar as appealed from, denied the motion of defendants Kwik Fill, United Refining Company and United Refining Company, doing business as Kwik Fill, for summary judgment or bifurcation and denied the motion of defendant Husky Corporation for summary judgment.

CHRISTINA M. DEATS for KWIK FILL

20 minutes

MEGHAN MCMANUS DIPASQUALE for HUSKY CORPORATION

15 minutes

AARON J. RYDER for TRUDY MENEAR

10 minutes

MOLLY M. RYAN for MOTOR COACH INDUSTRIES, INC.

10 minutes

105.0
CA 18-00880

WALDEN BAILEY CHIROPRACTIC, P.C.

V

GEICO CASUALTY COMPANY

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered October 26, 2017. The order, insofar as appealed from, denied the motion of defendant to dismiss plaintiff's first, thirteenth and fourteenth causes of action.

	HENRY MASCIA for GEICO CASUALTY COMPANY	15 minutes
	DANIEL K. MORRIS for WALDEN BAILEY CHIROPRACTIC, P.C.	15 minutes
106.0 CA 18-00063	ANNE M. MANCUSO V DOUGLAS S. GRAHAM	
	Appeal from an order of the Supreme Court, Onondaga County, (Martha Walsh Hood, A.J.), entered September 25, 2017. The order distributed the benefits of defendant under the New York State and Local Employees Retirement System.	
	RICHARD B. ALDERMAN for DOUGLAS S. GRAHAM	10 minutes
	JOHN A. CIRANDO for ANNE M. MANCUSO	10 minutes
107.0 CA 18-00064	ANNE M. MANCUSO V DOUGLAS S. GRAHAM	
	Appeal from an order of the Supreme Court, Onondaga County, (Martha Walsh Hood, A.J.), entered November 22, 2017. The order denied the motion of defendant to vacate a Domestic Relations order.	
	RICHARD B. ALDERMAN for DOUGLAS S. GRAHAM	Submitted
	JOHN A. CIRANDO for ANNE M. MANCUSO	Submitted
108.0 CA 18-00864	LISA M. KLUMPP V JOHN N. PHILIPPS, JR.	SETTLED
	Appeal from a decision and order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered August 21, 2017. The decision and order granted the motion of plaintiffs for summary judgment on the issues of liability and serious injury.	
	PHILIP M. GULISANO for JOHN N. PHILIPPS, JR.	
	JOHN A. COLLINS for LISA M. KLUMPP	
109.0 CA 17-01435	DEREK G. V STATE OF NEW YORK	
	Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered July 28, 2017 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, adjudged that petitioner is subject to Strict and Intensive Supervision and Treatment.	
	PATRICK T. CHAMBERLAIN for DEREK G.	10 minutes
	KATHLEEN M. TREASURE for STATE OF NEW YORK	10 minutes
110.0 CA 18-01603	VICTOR KETCH V RIDGE OVERHEAD DOOR, INC.	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered November 30, 2017. The order denied the motion of plaintiffs for summary judgment and granted the cross motion of defendant for summary judgment dismissing the complaint.	

CAITLIN M. HIGGINS for VICTOR KETCH

10 minutes

ROBERT H. FLYNN for RIDGE OVERHEAD DOOR, INC.

10 minutes

111.0
CA 18-01646

CATHERINE A. BROOKS

V

SARAH C. BLANCHARD

Appeal from a judgment and order of the Supreme Court, Erie County (Emilio Colaiacovo, J.), entered February 1, 2018. The judgment and order, insofar as appealed from, denied the motion of plaintiffs to set aside a jury verdict and for a new trial.

EDWARD J. MARKARIAN for CATHERINE A. BROOKS

15 minutes

RYAN J. MILLS for SARAH C. BLANCHARD

15 minutes