

DAY CALENDAR
Monday, January 14, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

112.0
KA 17-00357

PEOPLE
V
MICHAEL W. JOHNSON

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), rendered April 19, 2016. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree (two counts).

BARBARA J. DAVIES for MICHAEL W. JOHNSON Submitted

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

113.0
KA 17-00359

PEOPLE
V
MICHAEL W. JOHNSON

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered April 19, 2016. The judgment revoked defendant's probation and imposed a term of imprisonment.

BARBARA J. DAVIES for MICHAEL W. JOHNSON Submitted

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

114.0
KA 17-00493

PEOPLE
V
KHALIL DUNAWAY

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered September 27, 2016. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree, robbery in the first degree (two counts), criminal possession of a weapon in the second degree (two counts) and resisting arrest.

LINDA M. CAMPBELL for KHALIL DUNAWAY Submitted

KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK Submitted

115.0
KA 17-02228

PEOPLE
V
QUENTIN Z. GEE

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered October 2, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

JOSEPH G. FRAZIER for QUENTIN Z. GEE Submitted

MARY-JEAN BOWMAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

116.0
KA 16-00731

PEOPLE
V
WILLIE J. PRUITT

Appeal from a judgment of the Ontario County Court (Stephen D. Aronson, A.J.), rendered February 11, 2016. The judgment convicted defendant, upon his plea of guilty, of aggravated unlicensed operation of a motor vehicle in the first degree (two counts) and driving while intoxicated as a misdemeanor (two counts).

	JOHN A. CIRANDO for WILLIE J. PRUITT	10 minutes
	V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
117.0 KA 18-00050	PEOPLE V KENNETH R. CALKINS, JR.	
	Appeal from a judgment of Steuben County Court (Peter C. Bradstreet, J.), rendered June 28, 2017. The judgment convicted defendant, after a nonjury trial, of criminal sexual act in the first degree (two counts).	
	MARY P. DAVISON for KENNETH R. CALKINS, JR.	10 minutes
	JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
118.0 KA 16-02333	PEOPLE V DYQUANN M. TUCKER	
	Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered June 17, 2015. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.	
	BRIDGET L. FIELD for DYQUANN M. TUCKER	5 minutes
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
119.0 KA 17-00508	PEOPLE V CARLOS A. VAIL	
	Appeal from a judgment of the Supreme Court, Ontario County (Elma A. Bellini, J.), rendered January 13, 2017. The judgment convicted defendant, upon a jury verdict, of kidnapping in the first degree.	
	MARY P. DAVISON for CARLOS A. VAIL	5 minutes
	V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
120.0 KA 15-00162	PEOPLE V TODD JONES	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered November 20, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree.	
	KATHLEEN P. REARDON for TODD JONES	5 minutes
	DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
121.0 KA 16-01191	PEOPLE V JOSEPH BRIGGS	
	Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered May 23, 2016. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree.	
	PHILIP ROTHSCHILD for JOSEPH BRIGGS	10 minutes
	KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes

122.0
CA 18-00328

TERENCE WINTERS
V
UNILAND DEVELOPMENT CORPORATION

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered May 18, 2017 in a personal injury action. The order, among other things, dismissed plaintiffs' complaint in its entirety.

WILLIAM A. QUINLAN for TERENCE WINTERS 10 minutes

GERARD E. CONNOR for COZZWILL, INC. 10 minutes

PAUL J. CALLAHAN for UNILAND DEVELOPMENT CORPORATION 15 minutes

MELISSA A. FOTI for J&N SERVICES CORPORATION 10 minutes

123.0
CA 18-01391

THE BUFFALO NEWS, INC.
V
BUFFALO POLICE DEPARTMENT

Appeal from a judgment of the Supreme Court, Erie County (Tracy A. Bannister, J.), entered February 16, 2018. The judgment, among other things, denied the release of certain video recordings pursuant to New York's Freedom of Information Law.

JOSEPH MARTIN FINNERTY for THE BUFFALO NEWS, INC. Submitted

MAEVE E. HUGGINS for BUFFALO POLICE DEPARTMENT Submitted

124.0
CA 18-00045

MELVIN J. MOORE, JR.
V
ANTHONY ANNUCCI

Appeal from an order of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered November 24, 2017 in a proceeding pursuant to CPLR article 78. The order dismissed the petition.

ADAM W. KOCH for MELVIN J. MOORE, JR. 10 minutes

MICHELE R. CRAIN for PATRICK M. O'FLYNN 10 minutes

FREDERICK A. BRODIE for ANTHONY ANNUCCI 10 minutes

125.0
CA 18-01404

MARY A. PAUSZEK
V
AMY M. WAYLETT

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered January 23, 2018. The order denied the motion of defendant Amy M. Waylett for summary judgment dismissing the complaint.

ROBERT P. GOODWIN for AMY M. WAYLETT 10 minutes

MARY BARR SCHILLER for MARY A. PAUSZEK 10 minutes

126.0
CA 18-01136

MICHAEL P. CICCIO
V
FRED S. DUROLEK

Appeal from an order and judgment (one paper) of the Supreme Court, Niagara County (Frank Caruso, J.), entered September 25, 2017. The order and judgment, among other things, dismissed plaintiff's complaint on the merits and awarded defendants costs and disbursements.

	RAFAEL O. GOMEZ for MICHAEL P. CICCIO	15 minutes
	JUSTIN L. HENDRICKS for FRED S. DUROLEK	10 minutes
127.0	TOWN OF IRONDEQUOIT	
CA 18-01448	V	
	COUNTY OF MONROE	
	Appeal from a decision, order and judgment of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered November 9, 2017. The decision, order and judgment granted the petition and complaint, denied the dismissal motion of defendants, annulled defendants' tax memo, compelled defendants to guaranty and credit maintenance, repair and demolition charges and restrained defendants from reducing the sales tax distribution to plaintiffs.	
	MATTHEW D. BROWN for COUNTY OF MONROE	15 minutes
	KENNETH W. GORDON for TOWN OF BRIGHTON	5 minutes
	EDWARD F. PREMO, II, for TOWN OF IRONDEQUOIT	10 minutes
128.0	PARKLANDS EAST, LLC	
CA 18-01679	V	
	ROBERT E. SPANGENBERG	
	Appeal from an order of the Supreme Court, Allegany County (Thomas P. Brown, A.J.), entered April 15, 2015. The order denied defendants' motion for summary judgment and denied plaintiff's cross motion for summary judgment.	
	SHELDON K. SMITH for PARKLANDS EAST, LLC	10 minutes
	JOHN NELSON for ROBERT E. SPANGENBERG	10 minutes
129.0	UNITED REFINING COMPANY OF PA	
OP 18-01675	V	
	TOWN OF AMHERST	
	Proceeding pursuant to Eminent Procedure Law §207 (initiated in the Appellate Division of the Supreme Court for the Fourth Judicial Department) to annul a determination of respondent. The determination resolved to condemn certain real property.	
	BRODY D. SMITH for UNITED REFINING COMPANY OF PA	15 minutes
	STANLEY J. SLIWA for TOWN OF AMHERST	15 minutes
130.0	LINDA MARTIN BARBER	
CA 18-00738	V	
	BORGWARNER, INC.	
	Appeal from an order of the Supreme Court, Chautauqua County (James H. Dillon, J.), entered February 13, 2018. The order, inter alia, denied the cross motion of respondents to compel the deposition testimony of petitioner.	
	MARK A. PACKMAN for BORGWARNER, INC.	15 minutes
	EVAN KNOTT for YORK INTERNATIONAL CORP.	Submitted
	LYLE T. HAJDU for LINDA MARTIN BARBER	15 minutes

131.0
CA 17-00093

MARK F. GRAVES, JR.
V
JESSICA R. HUFF

Appeal from a decision and order of the Supreme Court, Monroe County (Edward C. Gangarosa, R.), entered September 7, 2016. The decision and order, inter alia, denied the application of plaintiff for a modification of custody.

JAMES A. HOBBS for **MARK F. GRAVES, JR.** 15 minutes

MAUREEN A. PINEAU for **JESSICA R. HUFF** 5 minutes

EFTIHIA BOURTIS, ATTORNEY FOR THE CHILD 10 minutes

132.0
CA 17-02033

MARK F. GRAVES, JR.
V
JESSICA R. HUFF

Appeal from an order of the Supreme Court, Monroe County (John M. Owens, J.), entered September 5, 2017. The order, insofar as appealed from, granted the motion of defendant to dismiss plaintiff's petition.

JAMES A. HOBBS for **MARK F. GRAVES, JR.** Submitted

MAUREEN A. PINEAU for **JESSICA R. HUFF** Submitted

EFTIHIA BOURTIS, ATTORNEY FOR THE CHILD Submitted

133.0
CA 18-01434

MARY FANELLI
V
UPSTATE CEREBRAL PALSY, INC.

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered June 6, 2018. The order granted plaintiff's motion seeking leave to amend the complaint.

HEATHER K. ZIMMERMAN for **UPSTATE CEREBRAL PALSY, INC.** 10 minutes

JOHN J. RASPANTE for **MARY FANELLI** 10 minutes