

DAY CALENDAR
Monday, May 15, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

680.0
TP 17-00127

RAYMOND ALLEN
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 January 16, 2017) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated an inmate rule.

LEAH R. NOWOTARSKI for RAYMOND ALLEN

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

681.0
TP 16-02273

EBRIMA TAMBADOU
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 November 30, 2016) to review a determination of respondent. The determination revoked the parole of petitioner.

LEAH R. NOWOTARSKI for EBRIMA TAMBADOU

Submitted

KATHLEEN M. TREASURE for ANTHONY ANNUCCI

Submitted

682.0
KA 14-01507

PEOPLE
V
MARINO PADILLA

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered May 14, 2013. The judgment convicted defendant, upon his plea of guilty, of promoting prison contraband in the first degree.

MARIO J. GUTIERREZ for MARINO PADILLA

Submitted

ANDREW R. KELLY for PEOPLE OF THE STATE OF NEW YORK

Submitted

683.0
KA 13-01425

PEOPLE
V
JENNIFER A. ROBINSON

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered April 26, 2013. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class E felony.

JEFFREY WICKS for JENNIFER A. ROBINSON

Submitted

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

Submitted

684.0
KA 16-01244

PEOPLE
V
RICHARD L. SCOTT

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered June 23, 2016. The judgment convicted defendant, upon his plea of guilty, of possessing a sexual performance by a child and tampering with physical evidence.

CHARLES A. MARANGOLA for RICHARD L. SCOTT Submitted

CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK Submitted

685.0
KA 16-00329

PEOPLE
V
MICHAEL MAIER

Appeal from an order of the Monroe County Court (James J. Piampiano, J.), entered January 19, 2016. The order determined that defendant is a level two risk, pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for MICHAEL MAIER Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

686.0
KA 12-00438

PEOPLE
V
JOHN J. MCCORMACK

Appeal from a judgment of the Monroe County Court (John R. Schwartz, A.J.), rendered November 14, 2011. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

KIMBERLY J. CZAPRANSKI for JOHN J. MCCORMACK 5 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 5 minutes

687.0
CAF 15-01245

KATRINA V. DESHOTEL
V
MARK A. MANDILE

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered June 30, 2015 in a proceeding pursuant to Family Court Act article 4. The order denied and dismissed petitioner's objections to orders issued by the Support Magistrate.

JAMES P. YOUNGS for KATRINA V. DESHOTEL 15 minutes

TERRENCE C. BROWN-STEINER for MARK A. MANDILE 10 minutes

688.0
CAF 16-00384

MARK A. MANDILE
V
KATRINA V. DESHOTEL

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered February 24, 2016 in a proceeding pursuant to Family Court Act article 4. The order denied respondent's objections to the order of the Support Magistrate, which denied her cross petition.

JAMES P. YOUNGS for KATRINA V. DESHOTEL Submitted

TERRENCE C. BROWN-STEINER for MARK A. MANDILE Submitted

689.0
CAF 16-00688

In the Matter of
COLTON B.

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered March 23, 2016, in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

BRIDGET L. FIELD for CODY A.B.

Submitted

COLLEEN S. HEAD for GENESEE COUNTY DSS

Submitted

JACQUELINE M. GRASSO, ATTORNEY FOR CHILD

5 minutes

690.0
CAF 16-01099

ANGELA M. KELLEY
V
ANTHONY J. HOLMES

Appeal from an order of the Family Court, Jefferson County (Eugene J. Langone, Jr., J.), entered June 9, 2016 in a proceeding pursuant to Family Court Act article 4. The order, among other things, adjudged that Anthony J. Holmes had wilfully violated an order of support.

PALOMA A. CAPANNA for ANTHONY J. HOLMES

10 minutes

ANGELA M. KELLEY for HERSELF

Submitted

691.0
CAF 16-00106

In the Matter of
MONICA M.

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenko, J.), entered December 23, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent neglected the subject child and placed the child with petitioner.

LYLE T. HAJDU for MARY M.

5 minutes

WENDY G. PETERSON for CATTARAUGUS COUNTY DSS

5 minutes

LINDA M. SCHNELL, ATTORNEY FOR CHILD

Submitted

693.0
CA 16-01816

KAM CONSTRUCTION CORP.
V
MICHAEL J. BERGEY

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered May 5, 2016. The order denied the motion of defendants Tug Hill Environmental LLC, and Tug Hill Construction Inc., for summary judgment.

JON P. DEVENDORF for TUG HILL ENVIRONMENTAL LLC

10 minutes

STEPHEN M. COHEN for KAM CONSTRUCTION CORP.

10 minutes

694.0
CA 16-01498

PETER HAMMOND
V
BRUCE W. SMITH

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbuam, J.), entered May 27, 2016. The order granted defendant's motion for summary judgment.

DOUGLAS A. FOSS for PETER HAMMOND

15 minutes

MARK T. WHITFORD, JR., for BRUCE W. SMITH

15 minutes

695.0
CA 16-00775

WILLIAM J. THYGESEN
V
NORTH BAILEY VOLUNTEER FIRE COMPANY

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered February 9, 2016. The order granted defendants' motions for summary judgment dismissing plaintiff's complaint.

STEVEN MICHAEL COHEN for WILLIAM J. THYGESEN 10 minutes

FRANK BRADY for DANIEL STROZUK 5 minutes

COLIN D. RAMSEY for NORTH BAILEY VOLUNTEER FIRE COMPANY 15 minutes

696.0
CA 17-00099

DALLAS M. GROVE
V
SKYWORKS EQUIPMENT LEASING, LLC

Appeals and cross appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered August 2, 2016. The order, among other things, denied defendants' motions for summary judgment

MARYBETH P. MANTHARAM, for JLG INDUSTRIES, INC. 15 minutes

DENNIS R. MCCOY for SKYWORKS EQUIPMENT LEASING, LLC 15 minutes

DAVID RAY ADAMS for CORNELL UNIVERSITY 15 minutes

JOHN A. COLLINS for DALLAS M. GROVE 15 minutes

697.0
CA 16-02193

JOHN J. PERILLO
V
THOMAS I. DILAMARTER, JR., M.D.

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered February 17, 2016. The order granted the motion of plaintiff for leave to file and serve a supplemental summons and amended complaint on Oghenerukeuwe Achoja, M.D.

JOHN PATRICK DANIEU for ERIE COUNTY MEDICAL CENTER CORP. Submitted

JOHN A. COLLINS for JOHN J. PERILLO 10 minutes

698.0
CA 16-02130

LILLIE MOORE
V
DEL-RICH PROPERTIES, INC.

Appeals from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered February 17, 2016. The order, among other things, denied the motions of defendants City of Buffalo and City of Buffalo Urban Renewal Agency for summary judgment.

ROBERT E. QUINN for CITY OF BUFFALO 15 minutes

SCOTT C. BILLMAN for CITY OF BUFFALO URBAN RENEWAL AGENCY 15 minutes

ZACHARY JAMES WOODS for LILLIE MOORE 15 minutes

699.0
CA 17-00143

CHARLENE SPICER
V
USA BODY, INC. **SETTLED**

Appeal 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 third-party defendant Volles Dairy Farm, LLC seeking summary judgment dismissing the third-party plaintiff's complaint.

ALAN R. PETERMAN for VOLLES DAIRY FARM, LLC

ERNEST A. DELDUCHETTO for CHARLENE SPICER

BRADY O'MALLEY for USA BODY, INC.

700.0
CA 16-00311

CLARISSA L. VAIDA
V
HSBC BANK USA, N.A.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered December 22, 2015. The order, among other things, adjudged that petitioner shall be reimbursed for attorney fees paid to Blair & Roach LLP for legal services rendered in connection with this proceeding.

LAWRENCE J. KONCELIK, JR., for CLARISSA L. VAIDA

15 minutes

JOHN P. DEE for HSBC BANK USA, N.A.

15 minutes

701.0
CA 16-00312

GRACIA E. CAMPBELL
V
HSBC BANK USA, N.A.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered December 22, 2015. The order, among other things, adjudged that petitioner shall be reimbursed for attorney fees paid to Blair & Roach LLP for legal services rendered in connection with this proceeding.

LAWRENCE J. KONCELIK, JR., for GRACIA E. CAMPBELL

Submitted

JOHN P. DEE for HSBC BANK USA, N.A.

Submitted