

DAY CALENDAR
Tuesday, May 23, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

830.0
CA 16-01356

ABDUL W. ARRAHIM
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered April 15, 2016. The order, among other things, denied defendants' motion for summary judgment dismissing plaintiff's complaint.

DAVID M. LEE for CITY OF BUFFALO 15 minutes

MATTHEW J. KAISER for ABDUL W. ARRAHIM 15 minutes

815.0
KA 15-02149

PEOPLE
V
SHANE D. HIGGINS

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered June 18, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

JOSEPH G. FRAZIER for SHANE D. HIGGINS Submitted

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK Submitted

816.0
KA 14-01904

PEOPLE
V
CHASE WALKER

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered January 29, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ROBERT L. KEMP for CHASE WALKER Submitted

NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK Submitted

817.0
KA 11-00861

PEOPLE
V
ANTHONY WIGGINS

Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.); entered February 24, 2011. The judgment revoked defendant's probation and imposed a term of imprisonment.

ERIC M. DOLAN for ANTHONY WIGGINS Submitted

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

818.0
KA 15-00910

PEOPLE
V
EUGENE STEWART

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered March 20, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

EDWARD P. PERLMAN for EUGENE STEWART Submitted

	THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK	Submitted
819.0 KA 15-00911	PEOPLE V EUGENE STEWART	
	Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered March 20, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree (three counts).	
	EDWARD P. PERLMAN for EUGENE STEWART	Submitted
	THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK	Submitted
820.0 CAF 15-01112	In the Matter of DANARYEE B.	
	Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered June 16, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred the guardianship and custody of the subject child to petitioner.	
	EVELYNE A. O'SULLIVAN for ERICA THREATT	Submitted
	LAUREN CREIGHTON for ERIE COUNTY DSS	Submitted
	CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
821.0 CAF 15-00821	In the Matter of NEVAEH T.	
	Appeal from an order of protection of the Family Court, Erie County (Margaret O. Szczur, J.), entered April 9, 2015, in a proceeding pursuant to Family Court Act article 10. The order prohibited respondent-appellant from any contact with the subject child until after March 17, 2018 [sic].	
	TIMOTHY R. LOVALLO for WILBERT JONES	5 minutes
	CHARLES JOSEPH GALLAGHER, JR., for ERIE COUNTY DSS	5 minutes
	NOEMI FERNANDEZ, ATTORNEY FOR CHILD	5 minutes
822.0 CAF 15-01695	JESSICA N. AUSTIN V PHILIP W. WRIGHT	
	Appeal from an order of the Family Court, Steuben County (Joseph W. Latham, J.), entered September 24, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the primary placement of the child shall be with Phillip W. Wright.	
	RUTH A. CHAFFEE for JESSICA N. AUSTIN	10 minutes
	TRAVIS J. BARRY for PHILIP W. WRIGHT	5 minutes
	MARYBETH D. BARNET, ATTORNEY FOR CHILD	10 minutes
823.0 CAF 16-00210	JOHN F. YOUNG V MERRY L. RIOS	

Appeal from an order of the Family Court, Oneida County (Randall B. Caldwell, J.), entered December 22, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied and dismissed the petition.

PAUL M. DEEP for JOHN F. YOUNG 5 minutes

BENJAMIN LEE HIRSHFIELD for MERRY L. RIOS Submitted

MICHAEL N. KALIL, ATTORNEY FOR CHILD 5 minutes

824.0
CAF 16-01179

FALISHA FLEISHER
V
DAVID B. FLEISHER

Appeal from an order of the Family Court, Erie County (Julie A. Gordon, R.), entered June 14, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted Falisha Fleisher's petition to relocate herself and the subject child from Monroe to Orleans County.

KATHLEEN P. REARDON for DAVID B. FLEISHER 5 minutes

TIMOTHY S. DAVIS for FALISHA FLEISHER 10 minutes

TANYA CONLEY, ATTORNEY FOR CHILD 5 minutes

825.0
CAF 16-01574

WILLIAM BRAGA
V
JODI ANN BELL

Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered March 31, 2016 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted primary physical custody of the parties' child to respondent

LISA FAHEY for WILLIAM BRAGA 5 minutes

DANIELLE BLACKABY for JODI ANN BELL 10 minutes

ANDREW SCOTT GREENBERG, ATTORNEY FOR CHILD 5 minutes

826.0
CAF 15-00822

In the Matter of
KARAE J.

Appeal from an order of protection of the Family Court, Erie County (Margaret O. Szczur, J.), entered April 9, 2015, in a proceeding pursuant to Family Court Act article 10. The order prohibited respondent-appellant from any contact with the subject child until after December 12, 2030.

TIMOTHY R. LOVALLO for WILBERT J. 5 minutes

CHARLES JOSEPH GALLAGHER, JR., for ERIE COUNTY DSS 5 minutes

NOEMI FERNANDEZ, ATTORNEY FOR CHILD 5 minutes

827.0
CA 16-00709

JAMES ADAMS
V
NEW YORK STATE DOCCS

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), entered August 26, 2016 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

JAMES ADAMS for HIMSELF Submitted

	WILLIAM E. STORRS for NEW YORK STATE DOCCS	Submitted
828.0 CA 16-01248	<p>JOHNNIE L. YOUNG V ERIE COUNTY OFFICE OF CHILD SUPPORT</p> <p>Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered September 22, 2015 in a proceeding pursuant to CPLR article 78. The order denied and dismissed the petition.</p>	
	JOHNNIE L. YOUNG for HIMSELF	Submitted
	KELLIE POYNTON-GALLAGHER for ERIE CO. OFFICE OF CHILD SUPPORT	Submitted
829.0 CA 16-00614	<p>BANK OF AKRON V SPRING CREEK ATHLETIC CLUB, INC.</p> <p>Appeal from an order of the Supreme Court, Erie County (E. Jeanette Ogden, J.), entered January 5, 2016. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment dismissing the answer and counterclaim of defendant Robert Lowman, dismissed said answer and counterclaim and determined the easements held by Lowman to be subject to plaintiff's mortgages.</p>	
	ROBERT LEE LOWMAN, JR., for HIMSELF	20 minutes
	DANIEL E. SARZYNSKI for BANK OF AKRON	15 minutes
831.0 CA 17-00205	<p>THE BANK OF NEW YORK MELLON V ROBERT ANDERSON</p> <p>Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered February 22, 2016. The order, among other things, granted plaintiff's motion for summary judgment.</p>	
	CHARLES WALLSHEIN for ROBERT ANDERSON	10 minutes
	LARRY T. POWELL for THE BANK OF NEW YORK MELLON	10 minutes
832.0 CA 16-01929	<p>JAMIE LOBELLO V NEW YORK CENTRAL MUTUAL FIRE INSURANCE COMPANY</p> <p>Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered December 31, 2015. The order, inter alia, granted in part the motion of defendant for summary judgment.</p>	
	JAMES J. GASCON for JAMIE LOBELLO	10 minutes
	KEITH D. MILLER for NEW YORK CENTRAL MUTUAL FIRE INS. CO.	10 minutes
833.0 CA 17-00172	<p>PHH MORTGAGE CORPORATION V MICHAEL HAMER</p> <p>Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered May 19, 2016. The order, among other things, denied plaintiff's motion to vacate the foreclosure sale and relieving the bid of third party purchaser Robert Nicholson.</p>	
	AUSTIN T. SHUFELT for PHH MORTGAGE CORPORATION	Submitted

TIMOTHY J. FENNELL for ROBERT J. NICHOLSON

10 minutes

834.0
CA 16-02280

JEFFREY TATE
V
STATE UNIVERSITY CONSTRUCTION FUND

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered May 13, 2016. The order, among other things, granted claimant's application for leave to serve a late notice of claim.

DANIEL R. ROSE for STATE UNIVERSITY CONSTRUCTION FUND

10 minutes

ANNE M. WHEELER for JEFFREY TATE

10 minutes

835.0
CA 16-02216

PHILIP L. GURNSEY
V
J. DAVID SAMPSON

Appeal from a decision and order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered January 22, 2016. The decision and order denied the CPLR article 78 petition.

DAVID J. PAJAK for PHILIP L. GURNSEY

5 minutes

JEFFREY W. LANG for J. DAVID SAMPSON

10 minutes