

**DAY CALENDAR**  
**Wednesday, May 16, 2018 - 10:00 AM**  
**COURTROOM 2**

706.0  
TP 18-00048

**JUSTIN CORDOVA**  
**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 J. Mohun, A.J.], entered January 8, 2018) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for JUSTIN CORDOVA

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

707.0  
KA 16-01057

**PEOPLE**  
**V**  
**ROBERT W. PLANTIKO, JR.**

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered March 4, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the third degree.

TIMOTHY P. MURPHY for ROBERT W. PLANTIKO, JR.

Submitted

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

708.0  
KA 16-01193

**PEOPLE**  
**V**  
**ANTWAN LINDSAY**

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered July 1, 2016. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree.

BARBARA J. DAVIES for ANTWAN LINDSAY

Submitted

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

709.0  
KA 16-01081

**PEOPLE**  
**V**  
**RASHAWN C. AUSTIN**

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered January 6, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

ALAN WILLIAMS for RASHAWN C. AUSTIN

10 minutes

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

710.0  
KA 17-00018

**PEOPLE**  
**V**  
**LASHAWN L. HARRIS**

**SETTLED**

Appeal from a judgment of the Steuben County Court (Marianne Furfure, J.), rendered November 3, 2016. The judgment convicted defendant, upon his plea of guilty, of aggravated unlicensed operation of a motor vehicle in the first degree.

ROSEMARIE RICHARDS for LASHAWN L. HARRIS

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

711.0  
KA 16-02262

PEOPLE  
V  
LESTER SCARBROUGH

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered February 17, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the first degree.

ROBERT M. GRAFF for LESTER SCARBROUGH 10 minutes

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

712.0  
CAF 17-00853

In the Matter of  
DAVID C.

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered March 28, 2017, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent Lawrence C. had neglected the subject children.

TIMOTHY R. LOVALLO for LAWRENCE C. 5 minutes

JAMES ELMER BROWN for ERIE CO. DSS 5 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD Submitted

713.0  
CAF 17-00815

STACY MARTINEZ  
V  
JASON M. MCMASTERS

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered April 3, 2017, in a proceeding pursuant to Family Court Act article 6. The order granted the petition and awarded petitioner sole custody of the subject child.

DENIS A. KITCHEN, JR., for JASON M. MCMASTERS Submitted

DAVID J. PAJAK for STACY MARTINEZ Submitted

RONALD M. CINELLI, ATTORNEY FOR THE CHILD Submitted

714.0  
CAF 16-01131

In the Matter of  
LYNDON S.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered June 14, 2016, in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject children.

WILLIAM D. BRODERICK, JR., for HILLARY S. Submitted

JAMES E. BROWN for ERIE CO. DSS Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD Submitted

715.0  
CAF 16-01277

In the Matter of  
SEAN B.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered July 8, 2016, in a proceeding pursuant to Family Court Act article 10. The order determined that respondent has neglected the subject child.

	CHARLES J. GREENBERG for SUSAN B.	5 minutes
	JAMES E. BROWN for ERIE CO. DSS	Submitted
	REBECCA J. TALMUD, ATTORNEY FOR THE CHILD	10 minutes
716.0 CAF 17-01803	<b>JOCELYN J. JONES</b> V <b>JUSTIN S. JAMIESON</b>	
	Appeal from a decision and order of the Family Court, Erie County (Margaret A. Logan, R.), entered December 19, 2016, in a proceeding pursuant to Family Court Act article 6. The decision and order, inter alia, provided for a parental access schedule.	
	JOAN CASILIO ADAMS for JOCELYN J. JONES	10 minutes
	JUSTIN S. JAMIESON for HIMSELF	Submitted
	KEITH IRWIN KADISH, ATTORNEY FOR THE CHILD	10 minutes
717.0 CAF 17-01110	<b>In the Matter of</b> <b>JUDITH C.</b>	
	Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered May 2, 2017, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent Lawrence C. had derivatively neglected the subject children.	
	TIMOTHY R. LOVALLO for LAWRENCE C.	5 minutes
	JAMES E. BROWN for ERIE CO. DSS	Submitted
	CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD	Submitted
718.0 CA 17-01701	<b>PAUL WROBEL</b> V <b>BUFFALO BILLS, INC.</b>	
	Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered June 30, 2017. The order granted the motions of defendants Buffalo Bills, Inc., APEX Security Group, Inc., Contemporary Services Corporation and County of Erie seeking summary judgment.	
	MATTHEW J. KAISER for PAUL WROBEL	10 minutes
	ARLOW M. LINTON for BUFFALO BILLS, INC.	10 minutes
	KEITH N. BOND for CONTEMPORARY SERVICES CORPORATION	10 minutes
	ARIANNA KWIATOWSKI for APEX SECURITY GROUP, INC.	10 minutes
719.0 CA 17-00830	<b>DYLAN DEUSER</b> V <b>PRECISION CONSTRUCTION</b>	
	Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered January 17, 2017 upon a jury verdict. The judgment, among other things, awarded plaintiff the sum of \$3,486,898.96 as against defendant Precision Construction & Development Inc.	
	MELISSA A. FOTI for PRECISION CONSTRUCTION	15 minutes
	BRIAN L. CINELLI for DYLAN DEUSER	15 minutes
	KEVIN D. WALSH for RYAN BRAUN	10 minutes

720.0  
CA 17-00831

**DYLAN DEUSER**  
**V**  
**PRECISION CONSTRUCTION**

Appeals from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered March 8, 2017 upon a jury verdict. The judgment dismissed the complaint of plaintiff as against defendant Ryan Braun.

BRIAN L. CINELLI for DYLAN DEUSER Submitted

MELISSA A. FOTI for PRECISION CONSTRUCTION Submitted

KEVIN D. WALSH for RYAN BRAUN Submitted

721.0  
CA 17-00832

**DYLAN DEUSER**  
**V**  
**PRECISION CONSTRUCTION**

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered April 7, 2017. The order denied defendant Precision Construction & Development Inc.'s motion to set aside a jury verdict.

MELISSA A. FOTI for PRECISION CONSTRUCTION Submitted

BRIAN L. CINELLI for DYLAN DEUSER Submitted

KEVIN D. WALSH for RYAN BRAUN Submitted

722.0  
CA 17-01437

**SARAH H. WOODMAN**  
**V**  
**LEIF WOODMAN**

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered June 29, 2017 in a divorce action. The order, among other things, awarded plaintiff spousal maintenance and equitably distributed the marital assets.

LEIF WOODMAN for HIMSELF 10 minutes

LAURA J. EMERSON for SARAH H. WOODMAN 10 minutes

723.0  
CA 18-00135

**MALLORY C. EHLERS**  
**V**  
**WILLIAM A. BYRNES**

Appeal from an order of the Supreme Court, Erie County (Matthew J. Murphy, III, A.J.), entered April 6, 2017. The order denied plaintiff's motion for renewal of argument of defendants William A. Byrnes and All Erection and Crane Rental Corp. motion for summary judgment dismissing the complaint against them.

DANIEL J. CHIACCHIA for MALLORY C. EHLERS 10 minutes

BRIAN P. MINEHAN for WILLIAM A. BYRNES 10 minutes

724.0  
CA 18-00134

**THOMAS L. MILLS**  
**V**  
**NIAGARA FRONTIER TRANSPORTATION**

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered May 2, 2017. The order denied the motion of defendants for summary judgment on the issue of liability.

VICKY-MARIE BRUNETTE for NIAGARA FRONTIER TRANSPORTATION 10 minutes

ALAN D. VOOS for THOMAS L. MILLS 10 minutes

725.0  
CA 17-02021

**NATIONAL FUEL GAS SUPPLY CORPORATION**  
**V**  
**JOSEPH A. SCHUECKLER**

Appeal from an order of the Supreme Court, Allegany County (Thomas P. Brown, J.), entered June 28, 2017. The order, inter alia, granted the petition for the acquisition of easements.

GARY A. ABRAHAM for JOSEPH A. SCHUECKLER 10 minutes

CRAIG A. LESLIE for NATIONAL FUEL GAS SUPPLY CORPORATION 10 minutes

726.0  
CA 17-01261

**CAROLYN D. MCCLENDON** **SETTLED**  
**V**  
**LILLIE V. WELCH**

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered March 24, 2017. The order, insofar as appealed from, granted the motion of defendant to vacate plaintiff's note of issue and certificate of readiness and directed plaintiff to provide certain disclosure to defendant.

JOHN A. COLLINS for CAROLYN D. MCCLENDON

MATTHEW T. MURRAY for LILLIE V. WELCH

727.0  
CA 16-00722

**MATTHEW M. COBADO**  
**V**  
**JOHN R. SEARLES**

Appeal from an order and judgment (one paper) of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty, III, J.), entered February 25, 2016 in a proceeding pursuant to CPLR article 78. The order and judgment denied and dismissed the petition.

MATTHEW M. COBADO for HIMSELF Submitted

ERIC M. FIRKEL for JOHN R. SEARLES Submitted