

DAY CALENDAR
Tuesday, May 22, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

775.0
KA 16-01492

PEOPLE
V
CORBIN J. KINSEY

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), rendered August 11, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of stolen property in the third degree, unauthorized use of a vehicle in the third degree (two counts) and grand larceny in the third degree.

ROBERT L. KEMP for CORBIN J. KINSEY

Submitted

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

Submitted

776.0
KA 17-00070

PEOPLE
V
GLENN M. HUGGINS

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered October 14, 2016. The judgment convicted defendant, upon a non jury verdict, of petit larceny, criminal possession of stolen property in the fifth degree, welfare fraud in the fifth degree and offering a false instrument for filing in the second degree (seven counts).

EFTIHIA BOURTIS for GLENN M. HUGGINS

Submitted

NICOLE L. KYLE for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

777.0
KA 14-00176

PEOPLE
V
KIMBERLY J. JONES

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered July 1, 2013. The judgment convicted defendant, upon her plea of guilty, of arson in the second degree.

ERIC M. DOLAN for KIMBERLY J. JONES

Submitted

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

Submitted

778.0
KA 16-02101

PEOPLE
V
JAMES J. GOULD

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered July 27, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the third degree

JOSEPH G. FRAZIER for JAMES J. GOULD

Submitted

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

Submitted

779.0
KA 16-01950

PEOPLE
V
WILLIAM REED

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered June 29, 2015. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, grand larceny in the third degree and criminal mischief in the fourth degree.

KRISTEN MCDERMOTT for WILLIAM REED 10 minutes

NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

780.0
KA 16-01982

PEOPLE
V
JOSEPH A. MCCALLUM

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered May 4, 2016. The judgment convicted defendant, upon a jury verdict, of burglary in the third degree, robbery in the second degree and possession of burglar's tools.

MARY P. DAVISON for JOSEPH A. MCCALLUM 10 minutes

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

781.0
KA 16-01236

PEOPLE
V
LAMAR DAVIS

Appeal from a judgment of the Erie County Court (David W. Foley, J.), rendered July 11, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the fifth degree.

ROBERT L. KEMP for LAMAR DAVIS 10 minutes

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

782.0
CAF 17-00983

ROBERT M. BIERNBAUM
V
MARY E. BURDICK

Appeals from an order of the Family Court, Ontario County (Stephen D. Aronson, A.J.), entered April 13, 2017, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, continued joint custody.

DONALD A. WHITE for MARY E. BURDICK 15 minutes

BRIAN J. BARNEY for ROBERT M. BIERNBAUM 15 minutes

TERESA M. PARE, ATTORNEY FOR THE CHILD 15 minutes

783.0
CAF 17-00730

AHMED Z. ABDO
V
MALLOCHE A. AHMED

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered March 14, 2017, in a proceeding pursuant to Family Court Act article 6. The order granted sole custody to petitioner.

DEBORAH J. SCINTA for MALLOCHE A. AHMED 5 minutes

CHARLES J. GREENBERG for AHMED Z. ABDO 5 minutes

MICHELE A. BROWN, ATTORNEY FOR THE CHILD Submitted

784.0
CAF 18-00033

MARGARET BAXTER
V
FRANKLIN R. BAXTER

Appeal from a temporary order of the Supreme Court, Monroe County (Daniel P. Majchrzak, R.), entered August 28, 2017. The temporary order, inter alia, directed defendant to pay monthly support of \$2280.85.

MICHAEL STEINBERG for MARGARET BAXTER 10 minutes

GARY MULDOON for FRANKLIN R. BAXTER 10 minutes

785.0
CA 18-00113

TINA M. JAQUES
V
BREZ PROPERTIES, LLC

Appeal from an order of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty, III, J.), entered September 14, 2017. The order denied the motion of defendant for summary judgment dismissing the complaint.

BRENT C. SEYMOUR for BREZ PROPERTIES, LLC 10 minutes

EDWARD J. MARKARIAN for TINA M. JAQUES 10 minutes

786.0
CA 18-00161

In the Matter of Arbitration Between
LIFT LINE, INC.
(AMALGAMATED TRANSIT UNION LOCAL 282)

Appeal from an order and judgment of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered May 3, 2017. The order and judgment granted the petition to vacate a portion of an arbitration award, vacated such award, denied the request of respondent to confirm the award and reimposed the penalty of employment termination.

JULES L. SMITH for AMALGAMATED TRANSIT UNION LOCAL 282 15 minutes

ROY R. GALEWSKI for LIFT LINE, INC. 15 minutes

787.0
CA 17-01275

CHRISTOPHER EZEH
V
DANIEL J. CONDON

Appeal from a decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered April 27, 2017. The decision and order granted the motion of defendant to dismiss the complaint, dismissed the complaint and denied the cross motion of plaintiff for discovery and other relief.

CHRISTOPHER EZEH for HIMSELF Submitted

AARON T. FRAZIER for DANIEL J. CONDON 15 minutes

788.0
CA 18-00071

DEBORAH O'REILLY-MORSHEAD
V
CHRISTINE O'REILLY-MORESHEAD

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered April 3, 2017. The order, among other things, granted defendant's motion for summary judgment in part, only to the extent of dissolving the June 9, 2003 civil union of the parties.

AMY E. SCHWARTZ-WALLACE for CHRISTINE O'REILLY-MORESHEAD 15 minutes

LARA ROBIN BADAIN for DEBORAH O'REILLY-MORSHEAD 5 minutes

789.0
CA 17-02088

JULIE E. PASEK
V
CATHOLIC HEALTH SYSTEM, INC.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered February 24, 2017. The order denied the motion of defendants Gregory V. Tobias M.D., and George R. Bancroft, M.D., to dismiss the complaint.

J. MARK GRUBER for GREGORY V. TOBIAS, M.D. 10 minutes

ANGELO S. GAMBINO for JULIE E. PASEK 10 minutes

790.0
CA 17-01919

U.S. BANK NATIONAL ASSOCIATION
V
MICHAEL BALDERSTON

Appeal from a decision and order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered January 27, 2017. The decision and order granted the motion of defendant for summary judgment and denied the cross motion of defendant Phillip Ciufo for summary judgment.

JAMES V. PHILIPPONE for PHILLIP CIUFO 15 minutes

JOSEPH F. BATTISTA for U.S. BANK NATIONAL ASSOCIATION 15 minutes

791.0
CA 17-01920

U.S. BANK NATIONAL ASSOCIATION
V
MICHAEL BALDERSTON

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered January 27, 2017. The order, inter alia, struck the answer of defendant Philip Ciufo.

JAMES V. PHILIPPONE for PHILLIP CIUFO Submitted

JOSEPH F. BATTISTA for U.S. BANK NATIONAL ASSOCIATION Submitted

792.0
CA 17-02013

LOUIS YOURDON
V
JUDY CURTIS

Appeals from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered July 6, 2017. The order denied the motions of defendants Judy Curtis, Mid-Erie Counseling Treatment Center and Dr. Arvind Samant, M.D., to dismiss the complaint of plaintiffs Louis Yourdon and James R. Belter.

ARIANNA KWIATKOWSKI for JUDY CURTIS 15 minutes

PAULETTE E. ROSS for DR. ARVID SAMANT, M.D. 15 minutes

LOUIS ROSADO for LOUIS YOURDON 10 minutes

794.0
CA 17-02174

HUEBSCHER CONSULTING CORP.
V
WESTGATE NURSING HOME, INC.

Appeal from an order of the Supreme Court, Monroe County (William K. Taylor, J.), entered March 23, 2017. The order, among other things, granted defendant's cross motion to dismiss the complaint for failure to state a cause of action.

RAYMOND CRAIG STILWELL for HUEBSCHER CONSULTING CORP. 15 minutes

DAVID H. EALY for WESTGATE NURSING HOME, INC. Submitted