

**DAY CALENDAR**  
**Thursday, November 29, 2018 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1373.0  
KA 17-00104

**PEOPLE**  
**V**  
**LELAND S. BURKS**

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered December 20, 2016. The judgment convicted defendant, upon his plea of guilty, of identity theft in the first degree and scheme to defraud in the first degree.

DEBORAH K. JESSEY for LELAND S. BURKS Submitted

DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1374.0  
KA 14-00633

**PEOPLE**  
**V**  
**LUIS A. VAZQUEZ-DIAZ**

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered September 24, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree (two counts) and criminal possession of a controlled substance in the seventh degree.

MARY P. DAVISON for LUIS A. VAZQUEZ-DIAZ Submitted

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1375.0  
KA 16-00643

**PEOPLE**  
**V**  
**HERBERT FARRINGTON**

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered January 25, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.

CHARLES J. GREENBERG for HERBERT FARRINGTON 10 minutes

MICHAEL FLAHERTY, JR., for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1376.0  
KA 16-01977

**PEOPLE**  
**V**  
**THEODORE E. MYERS**

Appeal from a judgment of the Steuben County Court (Marianne Furfure, J.), rendered June 1, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted manslaughter in the first degree.

MARK C. DAVISON for THEODORE E. MYERS Submitted

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

1377.0  
KA 14-00924

**PEOPLE**  
**V**  
**SCOTT T. BITTLES**

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered May 9, 2014. The judgment convicted defendant, upon a non jury verdict, of assault in the third degree.

	ERIC M. DOLAN for SCOTT T. BITTLES	Submitted
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1378.0 KA 15-01902	<b>PEOPLE</b> V <b>HENRY JIMENEZ</b>	
	Appeal from a decision and order of the Jefferson County Court (Kim H. Martusewicz, J.), dated September 21, 2015. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CL 440.10.	
	PATRICK J. BRACKLEY for HENRY JIMENEZ	15 minutes
	KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1379.0 KA 16-00782	<b>PEOPLE</b> V <b>DEVINE M. HARMON</b>	
	Appeal from a judgment of the Monroe County Court (Christopher S. Ciaccio, J.), rendered January 13, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the third degree.	
	JOHN P. COLLINS, JR., for DEVINE M. HARMON	10 minutes
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1380.0 KA 15-02037	<b>PEOPLE</b> V <b>ROBERT GARROW</b>	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered October 8, 2015. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child and rape in the first degree.	
	ELIZABETH S. RIKER for ROBERT GARROW	10 minutes
	NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1381.0 KA 14-01313	<b>PEOPLE</b> V <b>JAMES HARVEY, III</b>	
	Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered May 20, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and criminal possession of a weapon in the second degree.	
	ERIC M. DOLAN for JAMES HARVEY, III	Submitted
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1382.0 CAF 17-01794	<b>ANA I. MALDONADO</b> V <b>EZEQUIEL SANTANA</b>	
	Appeal from an order of the Family Court, Monroe County (Julie A. Gordon, R.), entered July 12, 2017, in a proceeding pursuant to Family Court Act article 6. The order terminated a consent order of visitation and granted petitioner permission to relocate with the subject child to Texas.	

	LORENZO NAPOLITANO for EZEQUIEL SANTANA	Submitted
	DONALD A. WHITE for ANA I. MALDONADO	15 minutes
	ELLA MARSHALL, ATTORNEY FOR THE CHILD	10 minutes
1383.0 CAF 17-01795	<b>EZEQUIEL SANTANA</b> V <b>ANA I. MALDONADO</b>	
	Appeal from an order of the Family Court, Monroe County (Julie A. Gordon, R.), entered July 12, 2017, in a proceeding pursuant to Family Court Act article 6. The order denied the petition for a modification of custody.	
	LORENZO NAPOLITANO for EZEQUIEL SANTANA	Submitted
	DONALD A. WHITE for ANA I. MALDONADO	Submitted
	ELLA MARSHALL, ATTORNEY FOR THE CHILD	Submitted
1384.0 CAF 17-01796	<b>EZEQUIEL SANTANA</b> V <b>ANA I. MALDONADO</b>	
	Appeal from an order of the Family Court, Monroe County (Julie A. Gordon, R.), entered July 12, 2017, in a proceeding pursuant to Family Court Act article 6. The order denied the petition for a violation of court order.	
	LORENZO NAPOLITANO for EZEQUIEL SANTANA	Submitted
	DONALD A. WHITE for ANA I. MALDONADO	Submitted
	ELLA MARSHALL, ATTORNEY FOR THE CHILD	Submitted
1385.0 CAF 17-00982	<b>NICHOLAS PALIANI</b> V <b>STEPHANIE SELAPACK</b>	
	Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered April 11, 2017, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted child custody to petitioner.	
	CHARLES J. GREENBERG for STEPHANIE SELAPACK	5 minutes
	BRIDGET L. FIELD for NICHOLAS PALIANI	5 minutes
	AUDREY ROSE HERMAN, ATTORNEY FOR THE CHILD	5 minutes
1386.0 CAF 17-01516	<b>JACQUELINE BONTZOLAKES</b> V <b>NORMAN E. GREEN</b>	
	Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered July 31, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied the petition.	
	WILLIAM D. BRODERICK, JR., for JACQUELINE BONTZOLAKES	10 minutes
	NORMAN E. GREEN for HIMSELF	Submitted
	MARY ANNE CONNELL, ATTORNEY FOR THE CHILD	10 minutes
1387.0 CA 18-00884	<b>MAUREEN A. WEINERT-SALERNO</b> V <b>APRIL L. STEFANSKI</b>	

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered July 19, 2017. The order, insofar as appealed from, granted the motion of defendant April Stefanski for summary judgment dismissing the complaint and all cross claims and counterclaims against her.

PATRICK SHAUN KENNEY for CHRISTOPHER E. MONACO 10 minutes

MATTHEW J. KAISER for MAUREEN A. WEINERT-SALERNO 5 minutes

AMANDA L. RAIMONDI for APRIL L. STEFANSKI 10 minutes

MARTHA E. DONOVAN for ANDREW J. DAVID Submitted

1388.0  
CA 18-01088

**PATRICIA M. SCHULT**  
V  
**PYRAMID WALDEN COMPANY, L.P.**

Appeal from an order of the Supreme Court, Genesee County (Emilio Colaiaacovo, J.), entered April 5, 2018. The order, insofar as appealed from, denied the motion of defendant Pyramid Walden Company, L.P., for summary judgment dismissing the complaint.

RAUL E. MARTINEZ for PYRAMID WALDEN COMPANY, L.P. 10 minutes

ELLEN B. STURM for PATRICIA M. SCHULT 10 minutes

1390.0  
CA 17-01811

**DANIEL MANCUSO**  
V  
**KALEIDA HEALTH**

Appeal from a judgment of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 17, 2017. The judgment awarded plaintiff money damages upon a jury verdict.

MICHAEL J. WILLETT for KALEIDA HEALTH 15 minutes

BRIAN R. HOGAN for DANIEL MANCUSO 15 minutes

1391.0  
CA 17-01812

**DANIEL MANCUSO**  
V  
**KALEIDA HEALTH**

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered October 13, 2017. The order denied the motion of defendant to set aside a jury verdict.

MICHAEL J. WILLETT for KALEIDA HEALTH Submitted

BRIAN R. HOGAN for DANIEL MANCUSO Submitted

1392.0  
CA 18-01078

**PROGRESSIVE ADVANCED INSURANCE COMPANY**  
V  
**HOLLY JORDON**

Appeal from a decision and order (one paper) of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered September 28, 2017 in a proceeding pursuant to CPLR article 75. The decision and order denied the petition.

MICHAEL ZARKOWER for PROGRESSIVE ADVANCED INSURANCE CO. 15 minutes

MATTHEW J. KAISER for HOLLY JORDON 10 minutes

1393.0  
CA 18-01347

**R-J TAYLOR CONTRACTING, INC.**  
**V**  
**FAIRPORT CENTRAL SCHOOL DISTRICT**

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered October 19, 2017. The order, among other things, denied defendant's motion for partial summary judgment.

HARRIS LINDENFELD for FAIRPORT CENTRAL SCHOOL DISTRICT 15 minutes

ANTHONY J. ADAMS, JR., for R-J TAYLOR CONTRACTING, INC. 15 minutes

1394.0  
CA 18-01170

**DIANA BEECHLER**  
**V**  
**KILL BROTHERS COMPANY**

Appeals from a decision and order of the Supreme Court, Genesee County (Emilio Colaiacovo, J.), entered May 22, 2018. The decision and order denied the motions of defendants for summary judgment.

THOMAS JOSEPH SPEYER for KILL BROTHERS COMPANY 10 minutes

RAUL E. MARTINEZ for BENTLEY BROS, INC. 10 minutes

JOHN A. COLLINS for DIANA BEECHLER 15 minutes

1395.0  
CA 18-01208

**DESHANE LEVERE**  
**V**  
**CITY OF SYRACUSE**

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered December 21, 2017. The order, among other things, denied defendants' motion for summary judgment dismissing plaintiffs' complaint.

MARY D'AGOSTINO for CITY OF SYRACUSE 10 minutes

ANASTASIA M. SEMPEL for DESHANE LEVERE 15 minutes