

**DAY CALENDAR**  
**Wednesday, November 20, 2019 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

**1193.0**  
**KA 17-01357**

**PEOPLE**  
**V**  
**WIGBERTO OSORIO**

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 22, 2017. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, attempted kidnapping in the second degree, gang assault in the first degree, assault in the first degree and criminal possession of a weapon in the third degree.

**J. SCOTT PORTER for WIGBERTO OSORIO**

**15 minutes**

**KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK**

**10 minutes**

**1194.0**  
**KA 17-01353**

**PEOPLE**  
**V**  
**ANDREW LOGAN**

Appeal from a judgment of the Onondaga County Court (Robert L. Bauer, A.J.), rendered May 15, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

**MARY P. DAVISON for ANDREW LOGAN**

**Submitted**

**KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

**1195.0**  
**KA 14-01414**

**PEOPLE**  
**V**  
**MICHAEL A. COLON**

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered September 13, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

**BENJAMIN L. NELSON for MICHAEL A. COLON**

**Submitted**

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

**Submitted**

**1196.0**  
**KA 17-01911**

**PEOPLE**  
**V**  
**ANTHONY WORK**

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered February 1, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the third degree.

**KRISTIN M. PREVE for ANTHONY WORK**

**Submitted**

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

**Submitted**

**1197.0**  
**KA 17-00611**

**PEOPLE**  
**V**  
**TRISTAN M. MAYES**

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered March 1, 2017. The judgment convicted defendant, upon a plea of guilty, of predatory sexual assault against a child (two counts).

**JOHN A. CIRANDO for TRISTAN M. MAYES**

**10 minutes**

	JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
1198.0 KA 17-01328	PEOPLE V KYLE A. BOX	
	Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered March 3, 2017. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the first degree, arson in the second degree, arson in the third degree, reckless endangerment in the first degree, tampering with physical evidence (two counts), grand larceny in the fourth degree, criminal possession of stolen property in the fourth degree and criminal possession of a weapon in the fourth degree.	
	DANIELLE WILD for KYLE A. BOX	15 minutes
	KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1199.0 KA 19-01229	PEOPLE V COREY BAILEY	
	Appeal from a judgment of the Erie County Court (Suzanne Maxwell Barnes, J.), rendered May 22, 2019. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.	
	MATTHEW ALBERT for COREY BAILEY	Submitted
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1200.0 KA 19-00378	PEOPLE V JONATHAN E. BOLDT	
	Appeal from a judgment of the Ontario County Court (Brian D. Dennis, J.); rendered February 6, 2019. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.	
	MOLLIE DAPOLITO for JONATHAN E. BOLDT	10 minutes
	V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NY	5 minutes
1201.0 KAH 19-00524	PEOPLE EX REL. DANIEL SABINO V NYS DOCCS	
	Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered December 21, 2018 in a habeas corpus proceeding. The judgment denied and dismissed the petition.	
	ADAM W. KOCH for DANIEL SABINO	Submitted
	MARCUS J. MASTRACCO for NYS DOCCS	Submitted
1202.0 CAF 18-01722	TONYA ANNMARIE SERNA V DWIGHT EDWARD JONES, JR.	
	Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered August 20, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole legal and physical custody of the subject children.	

	KRISTEN MCDERMOTT for DWIGHT EDWARD JONES, JR.	10 minutes
	JOHN A. CIRANDO for TONYA ANNMARIE SERNA	10 minutes
	M. JERALD HARRELL, ATTORNEY FOR CHILD	Submitted
1203.0 CAF 18-02136	TRICIA WLOCK V MICHAEL JOSEPH KING, JR.	
	Appeal from an order of the Family Court, Oneida County (Julia M. Brouillette, J.), entered October 2, 2018 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, denied and dismissed the petition for custody.	
	RYAN S. SUSER for TRICIA WLOCK	10 minutes
	GUSTAVE J. DETRAGLIA, III for MICHAEL JOSEPH KING, JR.	Submitted
	WILLIAM L. KOSLOSKY for GIOVANNA R. SICILIANO	10 minutes
	SCOTT A. OTIS, ATTORNEY FOR CHILD	10 minutes
1204.0 CAF 19-01408	TRICIA WLOCK V MICHAEL JOSEPH KING, JR.	
	Appeal from a corrected order of the Family Court, Oneida County (Julia M. Brouillette, J.), entered March 29, 2019 in a proceeding pursuant to Family Court Act article 6. The corrected order, inter alia, dismissed the petition for custody.	
	RYAN S. SUSER for TRICIA WLOCK	Submitted
	GUSTAVE J. DETRAGLIA, III for MICHAEL JOSEPH KING, JR.	Submitted
	WILLIAM L. KOSLOSKY, ATTORNEY FOR CHILD	Submitted
	SCOTT A. OTIS, ATTORNEY FOR CHILD	Submitted
1205.0 CA 19-01048	In the Matter of SOPHIE PETER KOTSONES	
	Appeals from an order of the Surrogate's Court, Steuben County (Patrick F. McAllister, S.), entered March 18, 2019. The order denied the petition to admit to probate the December 5, 2012 will of the deceased, found that Ellen Kreopolides exerted undue influence on the deceased and invalidated various transactions.	
	ANTHONY N. ELIA for ELLEN KREOPOLIDES	15 minutes
	MARY C. FITZGERALD for ALEXANDER KREOPOLIDES	15 minutes
	AARON MULLEN for JAMES KOTSONES	15 minutes
1206.0 CAF 18-01489	In the Matter of HOPE B.	
	Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered June 21, 2018 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, continued the placement of the subject child with petitioner.	
	JOHN A. CIRANDO for ROCHELLE B.	10 minutes
	YVETTE VELASCO for ONONDAGA CO. DSS	10 minutes

	<b>ARLENE H. BRADSHAW, ATTORNEY FOR CHILD</b>	<b>10 minutes</b>
<b>1207.0 CAF 18-01490</b>	<p><b>In the Matter of FAITH B.</b></p> <p><b>Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered June 21, 2018 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, continued the placement of the subject child with petitioner.</b></p> <p><b>JOHN A. CIRANDO for ROCHELLE B.</b></p> <p><b>YVETTE VELASCO for ONONDAGA CO. DSS</b></p> <p><b>ARLENE H. BRADSHAW, ATTORNEY FOR CHILD</b></p>	<p><b>Submitted</b></p> <p><b>Submitted</b></p> <p><b>Submitted</b></p>
<b>1208.0 CA 18-01365</b>	<p><b>DAVID IMPELLIZZERI V CINDY CAMPAGNI</b></p> <p><b>Appeal from an amended order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered April 5, 2018. The amended order resolved disputes over document production.</b></p> <p><b>JOSEPH S. COTE, III for DAVID IMPELLIZZERI</b></p> <p><b>KEVIN TODD HUNT for CINDY CAMPAGNI</b></p> <p><b>LETITIA JAMES for UPSTATE UNIVERSITY HOSPITAL</b></p>	<p><b>20 minutes</b></p> <p><b>10 minutes</b></p> <p><b>Submitted</b></p>
<b>1209.0 CA 19-00494</b>	<p><b>RICHARD SMALLS V JEFFREY NOWICKI</b></p> <p><b>Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered August 29, 2018 in a CPLR article 78 proceeding. The order, inter alia, annulled an administrative determination of respondents and declared that petitioner is entitled to order, possess and use licorice chew sticks.</b></p> <p><b>JONATHAN D. HITSOUS for JEFFREY NOWICKI</b></p> <p><b>BENJAMIN D. AGATA for RICHARD SMALLS</b></p>	<p><b>10 minutes</b></p> <p><b>10 minutes</b></p>
<b>1210.0 CA 19-00727</b>	<p><b>ROBERT M. KNAB, JR. V DREW ROBERTSON</b></p> <p><b>Appeal from an order of the Supreme Court, Erie County, (John L. Michalski, A.J.), entered September 21, 2018. The order, among other things, denied the motion of defendant Foit-Albert Associates, Architecture, Engineering and Surveying, P.C. for summary judgment dismissing the complaint.</b></p> <p><b>RICHARD S. POVEROMO for FOIT-ALBERT ASSOCIATES</b></p> <p><b>JOHN A. COLLINS for ROBERT M. KNAB, JR.</b></p> <p><b>PAUL F. HAMMOND for DREW ROBERTSON</b></p>	<p><b>10 minutes</b></p> <p><b>10 minutes</b></p> <p><b>Submitted</b></p>
<b>1211.0 CA 19-00604</b>	<p><b>TERESA VITKO V SCOTT S. SIMON</b></p>	

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered October 9, 2018. The order granted the application of plaintiff for leave to serve a late notice of claim.

MARINA A. MURRAY for TOWN OF ORCHARD PARK

10 minutes

SAMUEL A. ALBA for TERESA VITKO

10 minutes

RICHARD J. PORTER for SCOTT S. SIMON

Submitted

1212.0  
CA 19-00749

DANIEL SCHUM

V

DERRICK A. SPATORICO

Appeal from an order of the Supreme Court, Monroe County (John B. Nesbitt, A.J.), entered October 11, 2018. The order, among other things, denied defendants' motion for summary judgment dismissing plaintiff's complaint.

STEVEN A. LUCIA for DERRICK A. SPATORICO

10 minutes

PETER K. SKIVINGTON for DANIEL SCHUM

10 minutes

1213.0  
CA 18-02049

AMALFI, INC.

V

428 CO. INC.

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered October 3, 2018. The order and judgment, among other things, granted in part plaintiff's motion for summary judgment and denied the cross motion of defendants First Amherst Development Group, LLC and SS Restaurant Building, LLC motion for summary judgment.

CHARLES C. RITTER for FIRST AMHERST DEVELOPMENT GROUP

10 minutes

GERALD T. WALSH for AMALFI, INC.

10 minutes

1214.0  
CA 18-02006

PEOPLE OF THE STATE OF NEW YORK

V

DAVID T.

Appeal from an order of the Onondaga County Court (Robert L. Bauer, J.), entered June 27, 2017. The order, among other things, committed defendant to the custody of the Commissioner of Mental Health for confinement in a secure facility to be designated by said Commissioner for care and treatment.

LAURA ROTHSCCHILD for DAVID T.

Submitted

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

Submitted