

**DAY CALENDAR**  
**Wednesday, October 18, 2017 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1200.0  
KA 14-01984

**PEOPLE**  
**V**  
**ANTHONY ZAGOURSKY**

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered September 19, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree.

MARIO J. GUTIERREZ for ANTHONY ZAGOURSKY Submitted

CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK Submitted

1201.0  
KA 15-01194

**PEOPLE**  
**V**  
**CRISTOBAL XOCOL TZEP**

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered June 1, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.

CARA A. WALDMAN for CRISTOBAL XOCOL TZEP Submitted

V. CHRISTOPHER EAGGLESTON for PEOPLE OF THE STATE OF NEW YORK Submitted

1202.0  
KA 16-00068

**PEOPLE**  
**V**  
**WILLIAM BUDNACK**

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered December 7, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted course of sexual conduct against a child in the second degree and possession of a sexual performance by a child.

BARBARA J. DAVIES for WILLIAM BUDNACK Submitted

ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK Submitted

1203.0  
KA 16-00445

**PEOPLE**  
**V**  
**HARRISON LESTER**

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered October 27, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree and burglary in the second degree.

PIOTR BANASIAK for HARRISON LESTER Submitted

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK Submitted

1204.0  
KA 15-00160

**PEOPLE**  
**V**  
**MARTIN GRISWOLD**

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered August 21, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree, criminal possession of a controlled substance in the third degree, criminal possession of a controlled substance in the seventh degree and criminal use of drug paraphernalia in the second degree.

SARA A. GOLDFARB for MARTIN GRISWOLD 10 minutes

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

1205.0  
KA 11-00995

PEOPLE  
V  
SHAWNDELL EVERSON

Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered March 2, 2011. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (three counts), criminal possession of a weapon in the third degree (five counts), criminal sale of a firearm in the third degree (four counts), criminal possession of a controlled substance in the fifth degree (four counts), robbery in the first degree (two counts), burglary in the first degree and conspiracy in the fourth degree.

KRISTEN MCDERMOTT for SHAWNDELL EVERSON 15 minutes

VICTORIA M. WHITE for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1206.0  
KA 15-01899

PEOPLE  
V  
SHAWNDELL EVERSON

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), dated September 28, 2015. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.

KRISTEN MCDERMOTT for SHAWNDELL EVERSON Submitted

VICTORIA M. WHITE for PEOPLE OF THE STATE OF NEW YORK Submitted

1207.0  
KA 16-02210

PEOPLE  
V  
M. ROBERT NEULANDER

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered July 30, 2015. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and tampering with physical evidence.

ALEXANDRA A.E. SHAPIRO for M. ROBERT NEULANDER 15 minutes

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1208.0  
KA 16-01293

PEOPLE  
V  
M. ROBERT NEULANDER

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), rendered June 27, 2016. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CLP 440.10.

ALEXANDRA A.E. SHAPIRO for M. ROBERT NEULANDER Submitted

JAMES MAXWELL for PEOPLE OF THE STATE OF NEW YORK Submitted

1209.0  
KA 14-01697

**PEOPLE**  
**V**  
**DONDRE CANNON**

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 5, 2014. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

PHILIP ROTHSCHILD for DONDRE CANNON 10 minutes

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1210.0  
KA 14-02144

**PEOPLE**  
**V**  
**EDWIN FIGUEROA**

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered October 8, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the first degree.

CRAIG P. SCHLANGER for EDWIN FIGUEROA 15 minutes

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1211.0  
KA 15-00600

**PEOPLE**  
**V**  
**MARKALL WRIGHT**

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered January 9, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

PHILIP ROTHSCHILD for MARKALL WRIGHT 10 minutes

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1212.0  
KA 17-00656

**PEOPLE**  
**V**  
**SHAUN ROGERS**

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered August 15, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

DONALD M. THOMPSON for SHAUN ROGERS 10 minutes

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1213.0  
CAF 16-00860

**MELVIN JELKS**  
**V**  
**KIM WRIGHT**

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered May 9, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the parties shall share joint custody of the subject child and designated petitioner the primary residential parent.

BERNADETTE HOPPE for KIM WRIGHT 10 minutes

THOMAS R. LOCHNER for MELVIN JELKS 10 minutes

JOSEPH CHARLES BANIA, ATTORNEY FOR CHILD 5 minutes

1214.0  
CAF 16-00861

**MELVIN JELKS**  
V  
**KIM WRIGHT**

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered May 9, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that respondent willfully violated the parties' Final Order on Petition for Modification of Order of Custody and Visitation granted on May 27, 2016.

**BERNADETTE HOPPE** for **KIM WRIGHT** Submitted

**THOMAS R. LOCHNER** for **MELVIN JELKS** Submitted

**JOSEPH CHARLES BANIA, ATTORNEY FOR CHILD** Submitted

1215.0  
CA 17-00775

**JEFFREY D. PRESTON**  
V  
**NORTHSIDE COLLISION-DEWITT, LLC**

Appeal from an order of the Supreme Court, Onondaga County (Spencer J. Ludington, A.J.), entered September 19, 2016. The order denied without prejudice the motion of defendants Northside Collision-Dewitt, LLC, Northside Collision-Cicero, LLC, and Northside Collision-Enterprises, LLC, for summary judgment dismissing the complaint.

**WALTER DENNIS KOGUT** for **NORTHSIDE COLLISION-DEWITT, LLC** 10 minutes

**BRENDA L. KRETSCHMAN** for **JEFFREY D. PRESTON** Submitted

1216.0  
CA 17-00861

**CHRISTINE PRALL**  
V  
**RYAN PRALL**

Appeal from an order of the Supreme Court, Onondaga County (Martha E. Mulroy, A.J.), entered August 23, 2016. The order, insofar as appealed from, awarded defendant residential child custody.

**TIMOTHY J. FENNELL** for **CHRISTINE PRALL** 15 minutes

**RYAN L. ABEL** for **RYAN PRALL** 10 minutes

**CHRISTINA CAGNINA ATTORNEY FOR CHILD** 10 minutes

1217.0  
CA 17-00870

**NIAGARA MOHAWK POWER CORPORATION**  
V  
**CITY OF SYRACUSE**

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered March 6, 2017. The order denied defendants' motion to dismiss.

**MARY D'AGOSTINO** for **CITY OF SYRACUSE** 10 minutes

**DUSTIN B. HOWARD** for **NIAGARA MOHAWK POWER CORPORATION** 15 minutes

1218.0  
CA 16-01953

**KENNETH M. YOUNG**  
V  
**MADISON-ONEIDA BD. OF COOP. ED. SERVS.**

Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered June 15, 2016. The order granted the motion of defendants for summary judgment and dismissed plaintiff's amended complaint.

**STEPHEN CIOTOLI** for **KENNETH M. YOUNG** 10 minutes

CHARLES C. SPAGNOLI for MADISON-ONEIDA BD. OF COOP. ED. SERVS. 10 minutes

1219.0  
CA 17-00797

**KENNETH HARRIS**  
V  
**DIRECT GENERAL INSURANCE COMPANY**

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered February 15, 2017. The order, among other things, denied the motion of defendant Motor Vehicle Accident Indemnification Corporation for summary judgment.

NATHAN M. SHAPIRO for MOTOR VEHICLE ACCIDENT INDEMNIFICATION Submitted

JOHN C. CHERUNDOLO for KENNETH HARRIS Submitted

1220.0  
CA 16-00885

**In the Matter of**  
**ESTATE OF FREDERICK D. CZEIZINGER**

Appeal from an order of the Surrogate's Court, Onondaga County (Ava S. Raphael, S.), entered April 11, 2016. The order, among other things, denied the objections to an amended accounting by Donald K. Czeizinger, as Administrator of the Estate of Frederick D. Czeizinger.

TINA CHAMBLISS-PARTEE for HERSELF Submitted

RAYMOND J. DAGUE for DONALD K. CZEIZINGER Submitted

1221.0  
CA 17-00602

**CLAUDE BUSH, JR.**  
V  
**INDEPENDENT FOOD EQUIPMENT, INC.**

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered December 5, 2016. The order denied the motion of defendant for summary judgment.

LISA M. ROBINSON for INDEPENDENT FOOD EQUIPMENT, INC. 10 minutes

ADAM P. MASTROLEO for CLAUDE BUSH, JR. 10 minutes

1222.0  
CA 17-00256

**LACEY MARIE BETTS**  
V  
**JOHN RALPH BETTS, JR.**

Appeal from a judgment of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 1, 2016 in a divorce action. The judgment, inter alia, equitably distributed the assets of the parties.

ADAM H. VAN BUSKIRK for LACEY MARIE BETTS Submitted

SIMON KENNETH MOODY for JOHN RALPH BETTS, JR. Submitted