

DAY CALENDAR
Wednesday, October 25, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1313.0
KA 15-02161

PEOPLE
V
JERRY T. SADDLER, JR.

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered November 18, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree

TIMOTHY P. MURPHY for JERRY T. SADDLER, JR. Submitted

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

1314.0
KA 16-00468

PEOPLE
V
LATISHA MAXWELL

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered December 2, 2015. The judgment convicted defendant, upon her plea of guilty, of kidnapping in the second degree (three counts) and criminal possession of a weapon in the second degree.

LYLE T. HAJDU for LATISHA MAXWELL 10 minutes

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1315.0
KA 16-00618

PEOPLE
V
MARVIN ROBERTS

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered December 1, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

THOMAS G. SCHULTZ for MARVIN ROBERTS 15 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 15 minutes

1316.0
KA 16-01082

PEOPLE
V
JAMES R. VETTER, JR.

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered August 5, 2015. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree and endangering the welfare of a child.

MICHAEL STACHOWSKI for JAMES R. VETTER, JR. 15 minutes

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1317.0
KA 15-01504

PEOPLE
V
JOSHUA C. BUTERA

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered September 12, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

JANET C. SOMES for JOSHUA C. BUTERA Submitted

	STEPHEN X. O'BRIEN for PEOPLE OF THE STATE OF NEW YORK	Submitted
1318.0 KA 14-01083	PEOPLE V BRIAN K. TRAVIS	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered May 1, 2014. The judgment convicted defendant, upon his plea of guilty, of failure to register as a sex offender.	
	LORENZO NAPOLITANO for BRIAN K. TRAVIS	10 minutes
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1319.0 KA 14-01084	PEOPLE V BRIAN K. TRAVIS	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered May 1, 2014. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.	
	LORENZO NAPOLITANO for BRIAN K. TRAVIS	Submitted
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	Submitted
1320.0 KA 16-00221	PEOPLE V JASMINE MILTON	
	Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered January 27, 2016. The judgment convicted defendant, upon her plea of guilty, of assault in the first degree.	
	ROBERT L. KEMP for JASMINE MILTON	10 minutes
	DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK	5 minutes
1322.0 CAF 16-02137	JAMIE T. CLAUSELL V FLOR A. SALAME	
	Appeal from an order of the Family Court, Monroe County (John J. Rivoli, J.H.O.), entered April 27, 2016 in a proceeding pursuant to Family Court Act article 8. The order granted petitioner an order of protection.	
	LEIGH ANN CHUTE for FLOR A. SALAME	15 minutes
	JAMIE T. CLAUSELL for HIMSELF	Submitted
1323.0 CAF 16-01245	LYDIA A.C. V GREGORY S.	
	Appeal from an order of the Family Court, Jefferson County (Peter A. Schwertmann, A.J.), entered June 23, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner visitation with the subject child.	
	MICHAEL STEINBERG for GREGORY S.	10 minutes
	LYDIA A. CRESTANI for HERSELF	Submitted
	JUSTIN F. BROTHERTON, ATTORNEY FOR CHILD	Submitted

1324.0
CAF 17-00121

**In the Matter of
JOSHUA**

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered August 9, 2016. The order dismissed the petition for adoption.

MICHAEL STEINBERG for GREGORY S. Submitted

LYDIA A. CRESTANI for HERSELF Submitted

JUSTIN F. BROTHERTON, ATTORNEY FOR CHILD Submitted

1325.0
CAF 16-01455

**In the Matter of
SALVATORE A.M.**

Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered on July 15, 2016 pursuant to Family Court Act article 7. The order, among other things, placed respondent in the custody of the Commissioner of Social Services of Monroe County.

CHARLES J. PLOVANICH for SALVATORE A.M. 5 minutes

PAUL DAVID IRVING for MONROE COUNTY PROBATION DEPARTMENT 5 minutes

1326.0
CA 17-00651

**LAWRENCE TUZZOLINO
V
DIANNE TUZZOLINO**

Appeal from a judgment of the Supreme Court, Monroe County (James J. Piampiano, J.), entered July 18, 2016 in a divorce action. The judgment, insofar as appealed from, incorporated the parties' written separation agreement of October 31, 2013 and modification agreement of July 7, 2014 and ordered the parties to comply with those agreements.

RONALD G. HULL for LAWRENCE TUZZOLINO 15 minutes

SUSAN JONES for DIANNE TUZZOLINO 10 minutes

1327.0
CA 17-00668

**LAWRENCE TUZZOLINO
V
DIANNE TUZZOLINO**

Appeal from an order of the Supreme Court, Monroe County (James J. Piampiano, J.), entered July 18, 2016 in a divorce action. The order denied the motion of plaintiff to vacate, set aside and rescind the parties' written separation agreement of October 31, 2013 and modification agreement of July 7, 2014.

RONALD G. HULL for LAWRENCE TUZZOLINO Submitted

SUSAN JONES for DIANNE TUZZOLINO Submitted

1328.0
CA 17-00844

**MICHAEL P. MALONEY
V
BAUDILIO RODRIGUEZ**

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered July 18, 2016. The order denied the motion of defendants City of Buffalo and City of Buffalo Police Department for summary judgment.

DAVID M. LEE for CITY OF BUFFALO 10 minutes

SAMUEL R. MISERENDINO for MICHAEL P. MALONEY Submitted

1329.0
CA 16-01844

PRIMAX PROPERTIES, LLC
V
MONUMENT AGENCY, INC.

Appeals from an order and judgment (one paper) of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered August 9, 2016. The order and judgment, among other things, granted plaintiff's motion for summary judgment.

JAMES M. KERNAN for MONUMENT AGENCY, INC. 10 minutes

SCOTT PATON for PRIMAX PROPERTIES, LLC 10 minutes

WOODRUFF LEE CARROLL for PETER C. EARLE 10 minutes

1330.0
CA 17-00247

In the Matter of
LACKAWANNA PROFESSIONAL FIRE FIGHTERS ASSN.
(CITY OF LACKAWANNA)

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered March 9, 2016. The order vacated the award of an arbitrator.

TERRY M. SUGRUE for LACKAWANNA PROFESSIONAL FIRE FIGHTER 15 minutes

KEITH A. O'HARA for CITY OF LACKAWANNA 10 minutes

1331.0
CA 17-00645

DLJ MORTGAGE CAPITAL, INC.
V
BILAL M. HUZAIR

Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered August 23, 2016. The order, among other things, granted plaintiff's motion for summary judgment.

ISAAC ZIMMERMAN for BILAL M. HUZAIR Submitted

DAVID V. MIGNARDI for DLJ MORTGAGE CAPITAL, INC. Submitted

1332.0
CA 16-01383

GEORGE FACCIO
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered June 17, 2016 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for GEORGE FACCIO Submitted

ZAINAB A. CHAUDHRY for ANTHONY ANNUCCI Submitted

1333.0
CA 17-00433

BD. OF ED. OF PALMYRA-MACEDON CENTRAL SCHOOL DISTRICT
V
FLOWER CITY GLASS CO., INC.

Appeal from an order of the Supreme Court, Wayne County (Matthew A. Rosenbaum, J.), entered July 14, 2016. The order, among other things, granted plaintiff's application for a holding finding that the summons and complaint filed on September 11, 2015 is timely under CPLR § 204 (b).

JEFFREY P. DIPALMA for FLOWER CITY GLASS CO., INC. 15 minutes

NICOLE MARLOW-JONES for BD. OF ED. OF PALMYRA-MACEDON CSD 10 minutes

1334.0
CA 17-00434

BD. OF ED. OF PALMYRA-MACEDON CENTRAL SCHOOL DISTRICT
V
FLOWER CITY GLASS CO., INC.

Appeal from an order of the Supreme Court, Wayne County (Matthew A. Rosenbaum, J.), entered December 5, 2016. The order, among other things, denied in part the motion of defendants Flower City Glass Co., Inc., Flower City Glass Associates, LLC, Flower City Glass Co. of New York, LLC and Flower City Glass to dismiss plaintiff's complaint.

JEFFREY P. DIPALMA for FLOWER CITY GLASS CO., INC.

Submitted

NICOLE MARLOW-JONES for BD. OF ED. OF PALMYRA-MACEDON CSD

Submitted

1335.0
CA 16-01817

STEPHEN T. DIVITO
V
SHANNON B. MEEGAN

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered January 19, 2016. The order, among other things, adjudged that defendant has clear title to 1197 Harris Road, Webster, New York.

FRANK A. ALOI for STEPHEN T. DIVITO

10 minutes

PETER J. GLENNON for SHANNON B. MEEGAN

10 minutes

1336.0
CA 17-00055

STEPHEN T. DIVITO
V
SHANNON B. MEEGAN

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered August 4, 2016. The order, among other things, dismissed the complaint in its entirety.

FRANK A. ALOI for STEPHEN T. DIVITO

Submitted

PETER J. GLENNON for SHANNON B. MEEGAN

Submitted

1337.0
CA 17-00197

VICENTE HERNANDEZ
V
AUBURN REAL ESTATE CO., INC.

Appeals from an order of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered September 13, 2016. The order, insofar as appealed from, granted the motion of plaintiffs for partial summary judgment on liability pursuant to Labor Law § 240 (1) and denied the cross motions of defendants for summary judgment.

KEVIN R. VAN DUSER for AUBURN REAL ESTATE CO., INC.

15 minutes

BRADY O'MALLEY for VICENTE HERNANDEZ

10 minutes