

DAY CALENDAR
Monday, September 14, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

991.0
KA 13-00300

PEOPLE
V
CASEY M. HEATHERLY

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered January 4, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree, perjury in the first degree, criminally using drug paraphernalia in the second degree (two counts) and unlawful possession of marihuana.

MARTIN P. MCCARTHY, II, for CASEY M. HEATHERLY 10 minutes

JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

992.0
KA 15-00485

PEOPLE
V
JOSEPH J. BARTHOLOMEW

Appeal from a decision and order of the Monroe County Court (Vincent M. Dinolfo, J.), dated July 7, 2014. The decision and order granted the motion of defendant to suppress certain physical evidence.

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

DANIEL J. MASTRELLA for JOSEPH J. BARTHOLOMEW 5 minutes

993.0
KA 13-01739

PEOPLE
V
RUDELL J. JEMES

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered September 3, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree.

SUSAN C. MINISTERO for RUDELL J. JEMES 10 minutes

DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

994.0
KA 11-01119

PEOPLE
V
MARQUIS PARKER

Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.), rendered March 3, 2011. The judgment convicted defendant, upon a jury verdict, of assault in the first degree (two counts), attempted robbery in the first degree, burglary in the first degree, criminal possession of a weapon in the second degree and assault in the second degree.

SHIRLEY A. GORMAN for MARQUIS PARKER 30 minutes

GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

995.0
KA 10-00808

PEOPLE
V
JUAN C. MEDINA

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered March 15, 2010. The judgment convicted defendant, upon his plea of guilty, of attempted promoting prison contraband in the first degree.

CHARLES J. GREENBERG for JUAN C. MEDINA 10 minutes

NICOLE L. KYLE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

996.0
KA 13-00070

PEOPLE
V
ROBERT THOMPSON

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered July 18, 2012. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree and criminal possession of a weapon in the fourth degree.

EVAN B. HANNAY for ROBERT THOMPSON 10 minutes

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

997.0
KA 12-02050

PEOPLE
V
HARRY E. HARRIS

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered October 3, 2012. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the second degree

JANET C. SOMES for HARRY E. HARRIS 10 minutes

CANDICE SENGILLO for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

998.0
KA 09-01744

PEOPLE
V
JAIME TRAVERSO

Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered November 6, 2008. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fifth degree.

DONALD R. GERACE for JAIME TRAVERSO 10 minutes

STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

999.0
CAF 14-00859

JEREMIAH C. SCHOLL
V
BRANDI L. MITRI

Appeal from a decision and order of the Family Court, Erie County, (Deanne M. Tripi, J.), entered May 2, 2014, in a proceeding pursuant to Family Court Act article 6. The decision and order effectively denied the petition for unsupervised visitation.

ELIZABETH J. CIAMBRONE for JEREMIAH C. SCHOLL Submitted

ERIC THOMAS VALLONE for BRANDI L. MITRI Submitted

KEITH IRWIN KADISH, ATTORNEY FOR CHILD Submitted

1001.0
CAF 14-00267

CHEREE N. CREEK
V
JACOB M. DIETZ

Appeal from a decision and order of the Family Court, Erie County (Brenda M. Freeman, R.), entered December 30, 2013, in a proceeding pursuant to Family Court Act article 6. The decision and order modified the visitation of respondent from unsupervised to supervised.

DENIS A. KITCHEN, JR., for JACOB M. DIETZ 10 minutes

KATHLEEN M. MCDONALD for CHEREE N. CREEK 10 minutes

JAMES A. KREUZER, ATTORNEY FOR CHILD 10 minutes

1002.0
CAF 15-00372

ROSANNE DELSIGNORE
V
FRANK A. DELSIGNORE, JR.

Appeal from a decision and order of the Family Court, Erie County (Kevin M. Carter, J.), entered May 19, 2014. The decision and order denied the objection of respondent to an order of the Support Magistrate.

DEBORAH J. SCINTA for FRANK A. DELSIGNORE, JR. 15 minutes

CHARLES A. MESSINA for ROSANNE DELSIGNORE 10 minutes

1003.0
CAF 14-01301

JOHN A. SABATINO **SETTLED**
V
CHRISTINE M. AUSMAN

Appeal from an order of the Family Court, Oneida County (Joan E. Shkane, J.), entered June 10, 2014 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

JEREMY ALEXANDER for JOHN A. SABATINO

MARIAN J. CERIO for CHRISTINE M. AUSMAN

PAUL A. NORTON, ATTORNEY FOR CHILD

1004.0
CA 15-00428

JUSTIN T. BARENDS
V
TOWN OF CHEEKTOWAGA

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered February 6, 2015. The order denied the motion of defendant for summary judgment.

KATIE L. RENDA for TOWN OF CHEEKTOWAGA 15 minutes

JOHN A. COLLINS for JUSTIN T. BARENDS 10 minutes

1005.0
CA 14-01843

EDWARD P. CASE
V
HAZELTON COURT HOMEOWNERS ASSOCIATION

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered June 25, 2014. The order, among other things, denied defendant Saxe 5, LLC 's motion for summary judgment dismissing plaintiff's complaint.

JEFFREY P. REISNER for SAXE 5, LLC 10 minutes

JAMES L. DONIGAN for EDWARD P. CASE

10 minutes

ALISON K.L. MOYER for HAZELTON COURT HOMEOWNERS ASSN.

10 minutes

1006.0
CA 14-02208

TREVA CHILDS

SETTLED

V

SHARON STERN-GERSTMAN

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 29, 2014. The order, insofar as appealed from, denied the motion of plaintiff for summary judgment against defendant Sharon Stern-Gerstman.

WAYNE C. FELLE for TREVA CHILDS

ALAN J. DEPETERS for SHARON STERN-GERSTMAN

1007.0
CA 14-01887

COUNTY OF ONEIDA

V

NIRAV R. SHAH, M.D., M.P.H.

Appeal from an order of the Supreme Court, Oneida County (Bernadette J. Clark, J.), entered July 15, 2014. The order granted petitioner leave to conduct disclosure pursuant to CPLR 408.

VICTOR PALADINO for NIRAV R. SHAH, M.D., M.P.H.

10 minutes

CHRISTOPHER BUCKEY for COUNTY OF ONEIDA

Submitted

1008.0
CA 14-02138

COUNTY OF ONEIDA

V

NIRAV R. SHAH, M.D., M.P.H.

Appeal from an order and judgment of the Supreme Court, Oneida County (Bernadette J. Clark, J.), entered July 28, 2014. The order and judgment, inter alia, declared that, insofar as section 61 of Part D of Chapter 56 of the Laws of 2012 attempts to deny petitioner repayment of obligations already accrued, the statute is unconstitutional.

VICTOR PALADINO for NIRAV R. SHAH, M.D., M.P.H.

Submitted

CHRISTOPHER BUCKEY for COUNTY OF ONEIDA

Submitted

1009.0
CA 15-00392

TODD T. POHLMAN

V

MICHAEL R. MADIA

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered November 13, 2014. The order, among other things, granted plaintiffs summary judgment on the issue of specific performance of the contract.

J. MICHAEL LENNON for MICHAEL R. MADIA

15 minutes

MITCHELL MARK STENGER for TODD T. POHLMAN

10 minutes

1010.0
CA 15-00295

TRAVELERS CASUALTY AND SURETY CO.

V

CORNING INCORPORATED

Appeal from an order of the Supreme Court, Steuben County (Matthew A. Rosenbaum, J.), entered September 22, 2014. The order, among other things, granted plaintiffs' cross motion for partial summary judgment.

KEVIN THOMAS MERRIMAN for CORNING INCORPORATED 15 minutes

DONNA J. VOBORNIK for TRAVELERS CASUALTY AND SURETY CO. 15 minutes

1011.0
CA 15-00400

In the Matter of
MONROE COUNTY
(MONROE COUNTY LAW ENFORCEMENT ASSOCIATION)

Appeal and cross appeal from an order of the Supreme Court, Monroe County (W. Patrick Falvey, A.J.), entered April 29, 2014. The order denied the petition to stay arbitration, granted the cross petition to compel arbitration, denied the cross petition for sanctions and granted the cross petition for costs and disbursements.

EDWARD TREVVETT for MONROE COUNTY 15 minutes

BRIAN J. LACLAIR for MONROE CO. LAW ENFORCEMENT ASSOCIATION 10 minutes

1012.0
CA 15-00402

In the Matter of
MONROE COUNTY
(MONROE COUNTY LAW ENFORCEMENT ASSOCIATION)

Appeal and cross appeal from a judgment of the Supreme Court, Monroe County (W. Patrick Falvey, A.J.), entered May 1, 2014. The judgment granted the cross petition of respondent, dismissed the petition of petitioners and granted costs to respondent.

EDWARD TREVVETT for MONROE COUNTY Submitted

BRIAN J. LACLAIR for MONROE CO. LAW ENFORCEMENT ASSOCIATION Submitted