

DAY CALENDAR
Monday, September 10, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

965.0
KA 17-00763

PEOPLE
V
HAITHAM HASAN

Appeal from a judgment of the Onondaga County Court (Walter W. Hafner, Jr., J.), rendered February 7, 2017. The judgment convicted defendant, upon a jury verdict, of assault in the first degree, menacing in the second degree and harassment in the second degree.

J. SCOTT PORTER for HAITHAM HASAN 15 minutes

KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

966.0
KA 13-00989

PEOPLE
V
DENNIS ESTRUCH

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered January 17, 2013. The judgment convicted defendant, upon a jury verdict, of reckless endangerment in the first degree.

STEVEN D. SESSLER for DENNIS ESTRUCH 10 minutes

JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

967.0
KA 12-02377

PEOPLE
V
JAMES E. COMFORT

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Donald E. Todd, A.J.), dated November 16, 2012. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of rape in the first degree, rape in the third degree, attempted sodomy in the first degree, attempted sodomy in the third degree, assault in the second degree, endangering the welfare of a child and sexual abuse in the third degree (three counts).

GARY MULDOON for JAMES E. COMFORT 10 minutes

KENNETH H. TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

968.0
KA 13-00237

PEOPLE
V
JAMES E. COMFORT

Appeal from an order of the Onondaga County Court (Donald E. Todd, A.J.), dated November 16, 2012. The order, insofar as appealed from, denied defendant's request for forensic DNA testing of evidence, pursuant to CPL 440.30 (1-a).

GARY MULDOON for JAMES E. COMFORT Submitted

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

969.0
KA 16-00617

PEOPLE
V
JOSEPH FEHER

Appeal from a judgment of the Onondaga County Court (James H. Cecile, A.J.), rendered November 10, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree and grand larceny in the fourth degree.

BTITNEY CLARK for JOSEPH FEHER 10 minutes

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

970.0
KA 17-00071

PEOPLE
V
KENNETH FARLEY

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered March 11, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the first degree.

WILLIAM T. EASTON for KENNETH FARLEY 10 minutes

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

971.0
KA 13-00794

PEOPLE
V
BERNADINE YOUNG

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Robert B. Wiggins, A.J.), dated April 10, 2013. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.

WILLIAM G. PIXLEY for BERNADINE YOUNG Submitted

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

972.0
KA 16-02095

PEOPLE
V
WILLIAM E. NEWTON

Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered October 3, 2016. The judgment convicted defendant, upon a jury verdict, of arson in the third degree and reckless endangerment in the second degree.

LYLE T. HAJDU for WILLIAM E. NEWTON Submitted

AMY L. HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

973.0
KA 15-00031

PEOPLE
V
DOMINIC FLOWERS

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered October 17, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the first degree (two counts), assault in the second degree and criminal possession of a weapon in the second degree (two counts).

BRIDGET L. FIELD for DOMINIC FLOWERS 10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

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| 974.0 KA 15-01425 | <p>PEOPLE V IAN GULBIN</p> <p>Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered October 30, 2014. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.</p> <p>PETER J. DIGIORGIO, JR., for IAN GULBIN 10 minutes</p> <p>STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p> |
| 975.0 KA 15-01574 | <p>PEOPLE V WILLIE STRONG</p> <p>Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered January 16, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree, assault in the second degree and resisting arrest.</p> <p>PIOTR BANASIAK for WILLIE STRONG 10 minutes</p> <p>NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p> |
| 976.0 CA 18-00244 | <p>JOSEPH ANDALORO V DAISY CHARLES</p> <p>Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered August 23, 2017. The order granted the motion of defendant Patricia Floyd-Echols for summary judgment and dismissed the complaint against said defendant.</p> <p>STEPHEN CIOTOLI for JOSEPH ANDALORO 10 minutes</p> <p>HEATHER M. COLE for PATRICIA FLOYD-ECHOLS 10 minutes</p> |
| 977.0 CA 17-00168 | <p>STATE OF NEW YORK V J.R.C.</p> <p>Appeal from an amended order of the Supreme Court, Livingston County (Robert B. Wiggins, A.J.), entered August 19, 2016 in a proceeding pursuant to Mental Hygiene Law article 10. The amended order, among other things, committed respondent to a secure treatment facility</p> <p>JANINE E. RELLA for J.R.C. 15 minutes</p> <p>JONATHAN D. HITSOUS for STATE OF NEW YORK 10 minutes</p> |
| 978.0 CA 18-00293 | <p>ESTATE OF DAVID SMALLEY V HARLEY-DAVIDSON MOTOR COMPANY GROUP</p> <p>Appeal from a judgment of the Supreme Court, Monroe County (William K. Taylor, J.), entered June 9, 2017. The judgment, among other things, awarded plaintiffs the sum of \$2,134,013.63 as against defendant.</p> <p>JERAULD BRYDGES for HARLEY-DAVIDSON MOTOR COMPANY GROUP 15 minutes</p> <p>MICHAEL STEINBERG for ESTATE OF DAVID SMALLEY 15 minutes</p> |

979.0
CA 17-01767

THE STEELE LAW FIRM, P.C.
V
STEVEN L. AARON

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered June 13, 2017. The order, insofar as appealed from, granted in part the motion of plaintiff for summary judgment.

MICHAEL J. HUTTER for STEVEN L. AARON 15 minutes

VICTOR L. PRIAL for THE STEELE LAW FIRM, P.C. 15 minutes

980.0
CA 17-01768

THE STEELE LAW FIRM, P.C.
V
STEVEN L. AARON

Appeal from a judgment of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered July 11, 2017. The judgment awarded plaintiff money damages.

MICHAEL HUTTER for STEVEN L. AARON Submitted

VICTOR L. PRIAL for THE STEELE LAW FIRM, P.C. Submitted

981.0
CA 18-00253

In the Matter of Arbitration Between
TOWN OF GREECE GUARDIANS' CLUB
(TOWN OF GREECE)

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered April 14, 2017 in a proceeding pursuant to CPLR article 75. The order and judgment, among other things, denied the petition and granted respondent's cross petition to vacate the July 7, 2016 arbitration award.

JONATHAN G. JOHNSEN for TOWN OF GREECE GUARDIANS' CLUB 15 minutes

KARLEE S. BOLANOS for TOWN OF GREECE 15 minutes

982.0
CA 17-02161

MARILYN BROWN
V
FIRST STUDENT, INC.

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered August 4, 2017. The order denied the motion of defendants Catholic Diocese of Buffalo, Our Lady of Black Rock School, Martha J. Eadie, Sister Carol Cimino and Debbielynn Doyle to dismiss the complaint.

LAWLOR F. QUINLAN, III, for CATHOLIC DIOCESE OF BUFFALO 10 minutes

WILLIAM A. LONG, JR., for FIRST STUDENT, INC. 10 minutes

DIANE TIVERON for MARILYN BROWN 10 minutes

983.0
CA 18-00603

SUSAN M. BURNS
V
JANE M. KROENING

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered December 22, 2017. The order, insofar as appealed from, granted the cross motion of plaintiff for summary judgment on the issue of defendant's negligence, granted the motion of plaintiff to amend her bill of particulars and denied the motion of defendant for summary judgment dismissing the complaint.

DEREK J. ROLLER for JANE M. KROENING

10 minutes

ANN B. RIMMLER for SUSAN M. BURNS

10 minutes

984.0
CA 17-01200

MATTHEW SLEIGHT
V
STATE OF NEW YORK

SETTLED

Appeal from an order of the Court of Claims (Catherine C. Schaewe, A.J.), entered September 22, 2016. The order, among other things, granted claimant's motion to amend the notice of claim and for summary judgment on liability under Labor Law §§ 240 (1) and 240 (2) and denied in part defendant's cross motion for summary judgment.

RICHARD B. POLNER for STATE OF NEW YORK

JOHN T. PERTICONE for MATTHEW SLEIGHT

985.0
CA 18-00612

TIROUI MACRI
V
JOSEPH M. KOTRYS

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered January 5, 2018. The order granted the motion of plaintiffs for summary judgment on the issue of negligence and dismissed defendant's affirmative defenses of plaintiff's culpable conduct and the emergency doctrine.

JEFFREY C. SENDZIAK for JOSEPH M. KOTRYS

10 minutes

SARA P. RERA for TIROUI MACRI

10 minutes

986.0
CA 18-00362

CHARLES E. LORD
V
WHELAN AND CURRY CONSTRUCTION SERVI CES

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered November 2, 2017. The order denied defendants' motion for summary judgment and granted plaintiff's cross motion for partial summary judgment.

EDWARD J. SMITH, III, for WHELAN AND CURRY CONSTRUCTION SERVS.

10 minutes

MICHAEL J. HUTTER for CHARLES E. LORD

10 minutes