DAY CALENDAR Wednesday, September 4, 2019 - 10:00 AM COURTROOM 2

792.0 KA 19-00517	PEOPLE V	
NA 13-00317	GEOFFREY MARTIN	
	Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered September 6, 2018. The judgment convicted defendant, after a nonjury trial, of forcible touching (two counts), sexual abuse in the third degree (two counts), and endangering the welfare of a child (two counts).	
	DAVID M. ABBATOY, JR., for GEOFFREY MARTIN	10 minutes
	R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
790.0 KA 18-01539	PEOPLE V ANTONIO M. ANDERSON	
	Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered May 1, 2018. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.	
	JOSEPH G. FRAZIER for ANTONIO M. ANDERSON	Submitted
	THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
791.0 KA 14-01227	PEOPLE V FRANK J. JUDGE	
	Appeal from a judgment of the Supreme Court, Monroe County (John B. Gallagher, Jr., J.), rendered May 9, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the second degree.	
	CATHERINE H. JOSH for FRANK J. JUDGE	5 minutes
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
793.0	PEOPLE	
KA 15-00238	V MICHAEL MCMURTY, JR.	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 7, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.	
	KATHLEEN P. REARDON for MICHAEL MCMURTY, JR.	Submitted
	STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
794.0	PEOPLE	
KA 16-00641	V ROBERT G. WILSON	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R.	

Renzi, J.), rendered February 5, 2016. The judgment convicted defendant, upon a jury verdict, of rape in the first degree, attempted strangulation in the second degree, and rape in the third degree.

DANIELLE WILD for ROBERT G. WILSON 15 minutes SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes 785.0 V KA 18-01540 V ADpeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.); rendered May 1, 2018. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the fifth degree. JOSEPH G. FRAZIER for ANTONIO M. ANDERSON Submitted 786.0 FCOPLE V KA 13-01614 V Submitted 786.0 PEOPLE V KA 13-01614 V LACIM NELSON Appeal from a judgment of the Monree County Court (Dennis S. Cohen, A.J.), rendered June 14, 2013. The judgment convicted defendant, upon a jury verdict, of attempted robbery in the first degree and attempted robbery in the second degree. 10 minutes 787.0 CAR A. WALDMAM for LACIM NELSON 10 minutes 787.0 In the Matter of HENRY G., JR. 787.0 In the Matter of HENRY G., JR. Appeal from an order of the Family Court, Monroe County (Dardrea L. Ruhlmann, J.), entered April 12, 2018 in a proceeding pursuant to Family Court Act article 10. The order, Inter alla, determined that respondent Damny T. had neglected the subject children. DAVID R. JUERGENS for DANNY T. 10 minutes PETER ANDREW ESSLEY for MONROE COUNTY DHS 5 minutes PAUL B. WATKINS, ATTORNEY FOR CHILD				
795.0 KA 18-01540 PEOPLE V ANTONIO M. ANDERSON Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered May 1, 2018. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the fifth degree. JOSEPH G. FRAZIER for ANTONIO M. ANDERSON Submitted THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK Submitted 796.0 KA 13-01614 PEOPLE V LACIM NELSON Submitted 796.0 KA 13-01614 PEOPLE V LACIM NELSON 10 minutes 797.0 CAF 18-00741 In the Matter of HENRY G. J.R. 10 minutes 797.0 CAF 18-00741 In the Matter of HENRY G. J.R. 10 minutes 796.0 CAF 18-00741 In the Matter of HENRY G. J.R. 10 minutes 797.0 CAF 18-00741 In the Matter of HENRY G. J.R. 10 minutes 797.0 CAF 18-00741 In the Matter of HENRY G. J.R. 10 minutes 797.0 CAF 18-00741 In the Matter of HENRY G. J.R. 10 minutes 797.0 CAF 18-00741 In the Matter of HENRY G. J.R. 10 minutes 797.0 CAF 18-00741 In the Matter of HENRY G. J.R. 10 minutes 797.0 CAF 18-00158 Sminutes 5 minutes PETER ANDREW ESSLEY for MONROE COUNTY DHS S minutes			DANIELLE WILD for ROBERT G. WILSON	15 minutes
KA 18-01540 V ANTONIO M. ANDERSON ANTONIO M. ANDERSON Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered May 1, 2018. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the fifth degree. JOSEPH G. FRAZIER for ANTONIO M. ANDERSON Submitted THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK Submitted 796.0 V LACIM NELSON KA 13-01614 V LACIM NELSON 797.0 In the Matter of robbery in the first degree and attempted robbery in the second degree. CARA A. WALDMAN for LACIM NELSON 10 minutes 797.0 In the Matter of HENRY G., J.R. Appeal from an order of the Family Court, Monroe County (Dandrea L. Ruhimann, J.), entered April 12, 2018 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent Danny T. Had neglected the subject childron. Jo minutes 797.0 DAVID R. JUERGENS for DANNY T. 10 minutes 797.0 STACY FLUCK GARY J. MOSIER Sminutes Appeal from an order of the Family Court, Eric County (Margaret O. Szezu, J.), entered July 16, 2018 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent Danny T. Had neglected the subject childron. Jo minutes 798.0 GARY J. MOSIER			SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
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799.0 ALEXANDER WALTON-CARTER CAF 18-00899 V			ROBERT R. VARIO for GARY J. MOSIER	10 minutes
CAF 18-00899 V			DEBORAH J. SCINTA, ATTORNEY FOR CHILD	5 minutes

	Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered April 11, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied the petition of petitioner seeking primary placement of the subject child.	
	CARA A. WALDMAN for ALEXANDER WALTON-CARTER	10 minutes
	JOHN D. WIESER for REGINA BUTLER	Submitted
	MITCHELL A. CHAIT, ATTORNEY FOR CHILD	Submitted
800.0	KENNETH A. SHAFFER	
CAF 18-00758	V TERI M. WOODWORTH	
	Appeal from an order of the Family Court, Orleans County (Sanford A. Church, J.), entered March 23, 2018 in a proceeding pursuant to Family Court Act article 6. The order granted petitioner supervised visitation of the subject child.	
	DAVID J. PAJAK for KENNETH A. SHAFFER	Submitted
	LANCE J. MARK for TERI M. WOODWORTH	10 minutes
	CHARLES J. PLOVANICH, ATTORNEY FOR CHILD	5 minutes
801.0 CA 18-01842	TERESSA BUTCHELLO	
CA 10-01042	PETER J. TERHAAR, D.O.	
	Appeals from an order of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty, III, J.), entered March 29, 2018. The order, insofar as appealed from, vacated an order dismissing the case.	
	MARYLOU K. ROSHIA for PETER J. TERHAAR, D.O.	15 minutes
	RYAN P. CRAWFORD for OLEAN GENERAL HOSPITAL	15 minutes
	TERESSA BUTCHELLO for HERSELF	15 minutes
802.0 CA 18-01840	In the Matter of THE ESTATE OF DENNIS M. CUNNINGHAM	
	Appeal from a memorandum and order of the Surrogate's Court, Erie County (Acea M. Mosey, S.), entered August 27, 2018. The memorandum and order denied the motion to enforce a settlement agreement.	
	RIANE F. LAFFERTY for DEIDRE M. CUNNINGHAM	10 minutes
	JON F. MINEAR for BRENDAN CUNNINGHAM	15 minutes
803.0	JAYME A. MAST	
CA 18-01948	V GERARD A. DESIMONE	
	Appeal from an order of the Supreme Court, Erie County (Paul B. Wojtaszek, J.), entered April 25, 2018. The order denied the motion of plaintiff to set aside a verdict.	
	EDWARD J. MARKARIAN for JAYME A. MAST	15 minutes
	LEAH A. COSTANZO for GERARD A. DESIMONE	10 minutes

804.0	JAYME A. MAST	
CA 19-00030	V GERARD A. DESIMONE	
	Appeal from a judgment of the Supreme Court, Erie County (Paul B. Wojtaszek, J.), entered August 8, 2018. The judgment awarded plaintiff money damages upon a jury verdict.	
	EDWARD J. MARKARIAN for JAYME A. MAST	Submitted
	LEAH A. COSTANZO for GERARD A. DESIMONE	Submitted
805.0 CA 18-02130	TIMOTHY GOVENETTIO	
	DOLGENCORP OF NEW YORK, INC.	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered October 1, 2018. The order granted defendants' motions for summary judgment on the issue of negligence.	
	LEONARD D. ZACCAGNINO for TIMOTHY GOVENETTIO	10 minutes
	KEVIN LOFTUS for DOLGENCORP OF NEW YORK, INC.	10 minutes
	ROBERT A. CRAWFORD, JR., for KIMBERLY FITZGERALD	10 minutes
806.0 CA 19-00475	KELLY DEBOSE V	
	NIAGARA FRONTIER TRANSIT AUTHORITY	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered August 31, 2018. The order, among other things, dismissed all of plaintiff's claims except for plaintiff's claim for assault and battery.	
	NELSON S. TORRE for KELLY DEBOSE	10 minutes
	MEGHAN M. BROWN for NIAGARA FRONTIER TRANSIT AUTHORITY	10 minutes
807.0 CA 18-02295	JOSEPH ADDEO V	
0/110 02200	CLARIT REALTY LTD.	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (Paul B. Wojtaszek, J.), entered October 1, 2018. The order denied the respective motions of the parties for summary judgment	
	DENNIS R. MCCOY for CLARIT REALTY LTD.	15 minutes
	TIMOTHY M. HUDSON for JOSEPH ADDEO	15 minutes
808.0 CA 19-00437	JACQUELINE ROSE V	
	NEW YORK CENTRAL MUTUAL FIRE	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.) entered August 21, 2018. The order denied in part defendant's motion for summary judgment and denied plaintiffs' cross motion for summary judgment.	
	CHRISTOPHER MATTHEW BERLOTH for JACQUELINE ROSE	10 minutes
	JAMES GRABER for NEW YORK CENTRAL MUTUAL FIRE	10 minutes

	809.0	RETA WALKER	
	CA 18-01632	V JOSEPH A. CARUANA, M.D.	
		Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered December 7, 2017. The order, insofar as appealed from, granted the motion of defendant Catholic Health System, doing business as Sisters Hospital of Buffalo, for summary judgment and dismissed the complaint against said defendant.	
		ANNE BELTZ RIMMLER for RETA WALKER	15 minutes
		JASON T. BRITT for CATHOLIC HEALTH SYSTEM	10 minutes
	810.0 CA 19-00103	JEANNETTE GIAMBRONE V	
		NIAGARA MOHAWK POWER CORPORATION	
		Appeal and cross appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered October 1, 2018. The order denied defendants' motion for summary judgment and denied the cross motion of plaintiffs Jeannette C. Giambrone and Nino E. Giambrone for partial summary judgment on the issue of negligence.	
		DENNIS R. MCCOY for NIAGARA MOHAWK POWER CORPORATION	15 minutes
		JOHN A. COLLINS for JEANNETTE GIAMBRONE	15 minutes
		ANGELO CAPALBO for NATIONWIDE MUTUAL INSURANCE COMPANY	10 minutes
	811.0 CA 19-00104	JEANNETTE GIAMBRONE V	
		NIAGARA MOHAWK POWER CORPORATION	
		Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered October 1, 2018. The order denied defendants' motion for sanctions against plaintiffs pursuant to CPLR 3126.	
		DENNIS R. MCCOY for NIAGARA MOHAWK POWER CORPORATION	Submitted
		JOHN A. COLLINS for JEANNETTE GIAMBRONE	Submitted
		ANGELO CAPALBO for NATIONWIDE MUTUAL INSURANCE COMPANY	Submitted
	811.1 CAE 19-01228	MICHAEL J. HENNESSY V	
		BOARD OF ELECTIONS OF CO. OF ONEIDA	
		Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered May 28, 2019, in a proceeding pursuant to the Election Law. The order adjudged that the petitions filed on behalf of Michael Hennessy designating him as the candidate of the Democratic Party in the 2019 election for the Office of Oneida County Executive be deemed qualified and accepted by the Board of Elections and that he be declared a duly qualified candidate of the Democratic Party for the Office of Oneida County Executive.	
		ANDREW L PRESTON for JAMES GENOVESE	10 minutes

ANDREW L. PRESTON for JAMES GENOVESE	10 minutes
KEVIN P. RYAN for MICHAEL J. HENNESSY	10 minutes
ROBERT PRONTEAU for BOARD OF ELECTIONS OF CO. OF ONEIDA	10 minutes