

MOTION NO. (379/04) KA 01-02455. -- THE PEOPLE OF THE STATE OF NEW YORK, PLAINTIFF-RESPONDENT, V CHARLES COLEMAN, DEFENDANT-APPELLANT. (APPEAL NO. 1.) -- Motion for writ of error coram nobis denied. PRESENT: CARNI, J.P., NEMOYER, WINSLOW, BANNISTER, AND DEJOSEPH, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (586/05) KA 03-00322. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V WALLACE DRAKE, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., SMITH, CARNI, TROUTMAN, AND BANNISTER, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (1088/11) KA 08-01131. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JONATHAN J. MEEK, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: SMITH, J.P., CARNI, LINDLEY, TROUTMAN, AND BANNISTER, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (246/17) KA 14-00479. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V TERRENCE D. BEARD, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: SMITH, J.P., CARNI, NEMOYER, CURRAN, AND TROUTMAN, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (1172/18) KA 16-01761. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V DESHAWN HARRIS, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied and the memorandum and order entered November 16, 2018 is amended by deleting the phrase "witness's disability" from the

first sentence of the second paragraph of the memorandum and substituting in place thereof "codefendant's disability," and by deleting the phrases "witness had a disability" and "witness was the shooter" from the second sentence of the second paragraph of the memorandum and substituting in place thereof "codefendant had a disability" and "codefendant was the shooter," respectively. PRESENT: WHALEN, P.J., CARNI, CURRAN, TROUTMAN, AND WINSLOW, JJ. (Filed Jan. 31, 2020.)

**MOTION NO. (500/19) KA 15-00259. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ANDRE T. MCCANTS, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: SMITH, J.P., CARNI, NEMOYER, WINSLOW AND DEJOSEPH, JJ. (Filed Jan. 31, 2020.)

**MOTION NO. (804/19) CA 19-00030. -- JAYME A. MAST, PLAINTIFF-APPELLANT, V GERARD A. DESIMONE, DEFENDANT-RESPONDENT. (APPEAL NO. 2.)** -- Motion for reargument denied. PRESENT: SMITH, J.P., CARNI, NEMOYER, CURRAN, AND TROUTMAN, JJ. (Filed Jan. 31, 2020.)

**MOTION NO. (829/19) CA 19-00573. -- WILMINGTON SAVINGS FUND SOCIETY, FSB, DOING BUSINESS AS CHRISTIANA TRUST, NOT INDIVIDUALLY BUT AS TRUSTEE FOR HILLDALE TRUST, PLAINTIFF-RESPONDENT, V JULIAN M. FERNANDEZ, ALSO KNOWN AS JULIAN MARTIN FERNANDEZ, DEFENDANT-APPELLANT.** -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: CENTRA, J.P., PERADOTTO, CARNI, TROUTMAN, AND WINSLOW, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (881/19) CA 18-01785. -- DONNA M. BUBAR, INDIVIDUALLY, AND AS EXECUTRIX OF THE ESTATE OF RAYMOND BUBAR, DECEASED, PLAINTIFF-RESPONDENT, V RICHARD BRODMAN, M.D., ET AL., DEFENDANTS, AND DOROTHY URSHEL, ANCP-C, DEFENDANT-APPELLANT. (APPEAL NO. 1.) -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, AND DEJOSEPH, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (882/19) CA 18-01786. -- DONNA M. BUBAR, INDIVIDUALLY, AND AS EXECUTRIX OF THE ESTATE OF RAYMOND BUBAR, DECEASED, PLAINTIFF-RESPONDENT, V RICHARD BRODMAN, M.D., ET AL., DEFENDANTS, MICHAEL CELLINO, M.D., AND BUFFALO MEDICAL GROUP, P.C., DEFENDANTS-APPELLANTS. (APPEAL NO. 2.) -- Motion for reargument denied. PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, AND DEJOSEPH, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (883/19) CA 18-01787. -- DONNA M. BUBAR, INDIVIDUALLY, AND AS EXECUTRIX OF THE ESTATE OF RAYMOND BUBAR, DECEASED, PLAINTIFF-RESPONDENT, V RICHARD BRODMAN, M.D., BUFFALO CARDIOTHORACIC SURGICAL, PLLC, DEFENDANTS-APPELLANTS, ET AL., DEFENDANTS. (APPEAL NO. 3.) -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, AND DEJOSEPH, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (899/19) CA 19-00269. -- PETER L. HAINES AND MINNIE H. BRENNAN,

AS CO-EXECUTORS OF THE ESTATE OF PATRICIA S. HAINES, DECEASED,  
PLAINTIFFS-RESPONDENTS, V HOLLY WEST, ALSO KNOWN AS HOLLY W. WEST, AND  
WILLIAM J. HURLBURT, INDIVIDUALLY, AND DOING BUSINESS AS MILTON R.  
HURLBURT, DEFENDANTS-APPELLANTS. -- Motion for leave to appeal to the Court  
of Appeals denied. PRESENT: WHALEN, P.J., SMITH, CENTRA, NEMOYER, AND  
TROUTMAN, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (994/19) CA 19-00268. -- ALLISON JACOBSON, PLAINTIFF-APPELLANT,  
V EDWARD C. PURDUE, NEW SOUTH INSURANCE COMPANY AND NATIONAL GENERAL  
INSURANCE, DEFENDANTS-RESPONDENTS. -- Motion for leave to appeal to the  
Court of Appeals denied. PRESENT: WHALEN, P.J., LINDLEY, NEMOYER,  
TROUTMAN, AND DEJOSEPH, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (1000/19) KA 15-01860. -- THE PEOPLE OF THE STATE OF NEW YORK,  
RESPONDENT, V CHARLES E. COLEMAN, II, DEFENDANT-APPELLANT. -- Motion for  
reargument denied. PRESENT: WHALEN, P.J., SMITH, CURRAN, WINSLOW, AND  
DEJOSEPH, JJ. (Filed Jan. 31, 2020.)

MOTION NO. (1045/19) CA 19-00120. -- NANCY J. BRADY AND PATRICK J. BRADY,  
PLAINTIFFS-APPELLANTS, V TIMOTHY J. CONTANGELO, DEFENDANT-RESPONDENT. --  
Motion for reargument or leave to appeal to the Court of Appeals denied.  
PRESENT: CENTRA, J.P., CARNI, CURRAN, TROUTMAN, AND WINSLOW, JJ. (Filed  
Jan. 31, 2020.)

