

DAY CALENDAR
Tuesday, April 3, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

431.0
TP 17-01553

FRANK D'ANTUONO
V
HAROLD D. GRAHAM

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Cayuga County [Thomas G. Leone, A.J.], entered August 22, 2017) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

FRANK D'ANTUONO for HIMSELF Submitted

VICTOR PALADINO for HAROLD D. GRAHAM Submitted

432.0
KA 16-01260

PEOPLE
V
VALVANO YAZZIE

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), rendered June 8, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal sexual act in the first degree.

TIMOTHY P. MURPHY for VALVANO YAZZIE Submitted

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK Submitted

433.0
KA 16-01259

PEOPLE
V
VALVANO YAZZIE

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), rendered June 8, 2016. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class E felony.

TIMOTHY P. MURPHY for VALVANO YAZZIE Submitted

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK Submitted

434.0
KA 16-01945

PEOPLE
V
JAMES L. MILLS, JR.

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered February 3, 2016. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the third degree and grand larceny in the fourth degree.

CARA A. WALDMAN for JAMES L. MILLS, JR. Submitted

V. CHRISTOPHER EAGGLESTON for PEOPLE OF THE STATE OF NEW YORK Submitted

435.0
KA 15-01191

PEOPLE
V
ROSS MCKINNEY

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered April 20, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

PHILIP ROTHSCHILD for ROSS MCKINNEY

Submitted

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

Submitted

436.0
KA 17-00456

PEOPLE

V

JAMES W. RYDZESKI

Appeal from a judgment of the Supreme Court, Ontario County (Craig J. Doran, J.), rendered February 5, 2016. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree (two counts).

CARA A. WALDMAN for JAMES W. RYDZESKI

Submitted

JASON A. MACBRIDE for PEOPLE OF THE STATE OF NEW YORK

Submitted

437.0
KA 16-00310

PEOPLE

V

ERIC BACON

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti A.J.), rendered May 29, 2015. The judgment convicted defendant, upon a jury verdict, of assault in the first degree.

JOHN A. CIRANDO for ERIC BACON

15 minutes

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

10 minutes

438.0
KA 16-01900

PEOPLE

V

GARY GRAHAM

Appeal from a decision and order of the Supreme Court, Monroe County (Alex R. Renzi, J.), entered April 13, 2016. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for GARY GRAHAM

Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

439.0
KAH 16-01343

PEOPLE EX REL.

DARRYL GRATE

V

MICHELLE ARTUS

Appeal from a decision and judgment of the Supreme Court, Livingston County (Robert B. Wiggins, A.J.), entered September 29, 2015. The decision and judgment denied and dismissed the petition for a writ of habeas corpus.

CHARLES J. GREENBERG for DARRYL GRATE

5 minutes

KATE H. NEPVEU for MICHELLE ARTUS

Submitted

440.0
CAF 16-00952

In the Matter of
JASON B.

Appeal from an order of the Family Court, Yates County (W. Patrick Falvey, J.), entered May 18, 2016 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondents.

JOHN A. CIRANDO for PHYLLIS B. 10 minutes

ALEXANDRA BURKETT for YATES COUNTY D.S.S. 10 minutes

JOSEPH S. DRESSNER, ATTORNEY FOR CHILD 10 minutes

MARYBETH D. BARNET, ATTORNEY FOR CHILD 5 minutes

441.0
CAF 16-02012

**In the Matter of
JENESSA L.M.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered September 26, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject child and placed respondent under the supervision of petitioner.

DAVID J. PAJAK for SHAWN C.P. Submitted

REBECCA CRONAN HOFFMAN for ERIE COUNTY D.S.S. 5 minutes

JAMIE CODJOVI, ATTORNEY FOR CHILD 5 minutes

442.0
CAF 16-01851

**CHRISTOPHER M. BEYER
V
MELINDA G. HOFMANN**

Appeal from an order of the Family Court, Erie County (Brenda M. Freedman, J.), entered August 31, 2016, in a proceeding pursuant to Family Court Act article 6. The order denied the petition for custody and visitation.

DENIS A. KITCHEN, JR., for CHRISTOPHER M. BEYER Submitted

JAMES C. DEMARCO, III, for MELINDA G. HOFMANN Submitted

JENNIFER M. PAULINO, ATTORNEY FOR CHILD Submitted

443.0
CA 17-02091

**ROCHESTER GENESEE REGIONAL TRANSPORTATION AUTHORITY
V
JOHN R. STENSRUD**

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered August 1, 2017. The order denied the motions of respondents John R. Stensrud and Marie B. Stensrud seeking leave to renew and reargue.

JOHN T. REFERMAT for JOHN R. STENSRUD 15 minutes

KATHLEEN M. BENNETT for ROCHESTER GENESEE REGIONAL 15 minutes

444.0
CA 17-01982

**BROADWAY WAREHOUSE CO.
V
BUFFALO BARN BOARD, LLC**

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered August 14, 2017. The order granted the motion of defendant David R. Pfalzgraf, Jr., to dismiss the complaint.

J. MICHAEL LENNON for BROADWAY WAREHOUSE CO. 15 minutes

RIANE F. LAFTERTY for DAVID R. PFALZGRAF, JR. 10 minutes

445.0
CA 17-02103

DARELYN CLAUSE
V
ERIE COUNTY MEDICAL CENTER

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered July 19, 2017. The order denied the motion of plaintiff for an extension of time to perfect service of process on defendants William L. Flynn, Jr., M.D., and James K. Farry, M.D.

JARROD W. SMITH for DARELYN CLAUSE 10 minutes

MICHAEL J. WILLETT for ERIE COUNTY MEDICAL CENTER 15 minutes

446.0
CA 17-01962

CARMEN VEGA
V
SHERRY M. CRANE

Appeal from an order of the Supreme Court, Genesee County (Emilio L. Colaiaacovo, J.), entered February 10, 2017. The order, insofar as appealed from, granted the cross motion of plaintiff for summary judgment against defendants Sherry M. Crane, as Administrator of the Estate of Collin Ward Crane, Deceased, and Jeffrey Crane on the issues of negligence and serious injury.

MICHAEL J. CHMIEL for SHERRY M. CRANE 10 minutes

CAROL A. MCKENNA for CARMEN VEGA 10 minutes

447.0
CA 17-01439

APRIL M. ROZMUS
V
WESLEYAN CHURCH OF HAMBURG

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered November 22, 2016. The order, insofar as appealed from, granted the motions of defendants for summary judgment and dismissed the complaint.

JOHN A. COLLINS for APRIL M. ROZMUS 10 minutes

DANIEL KENNETH CARTWRIGHT for WESLEYAN CHURCH OF HAMBURG 10 minutes

SCOTT D. STORM for XERTION YOUTH, INC. Submitted

CLAUDIA P. LOVAS for NORTHGATE CHRISTIAN COMMUNITY 10 minutes

453.0
CA 17-02126

TOWER BROADCASTING, LLC
V
EQUINOX BROADCASTING CORP.

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered August 21, 2017. The order denied the motion of defendant to dismiss the complaint and the motion of defendant for a change of venue.

DANIEL R. NORTON for EQUINOX BROADCASTING CORP. 10 minutes

ROBERT H. MCKERTICH for TOWER BROADCASTING, LLC 10 minutes

454.0
CA 16-02329

KIMBERLY CHIAPPERINI **SETTLED**
V
GANDER MOUNTAIN COMPANY, INC.

Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered October 4, 2016. The order, among other things, awarded defendant Gander Mountain Company, Inc. a protective order for Bureau of Alcohol, Tobacco, Firearms, and Explosives "trace data."

JONATHAN E. LOWY for KIMBERLY CHIAPPERINI

JEFFREY M. MALSCH for GANDER MOUNTAIN COMPANY, INC.

455.0
CA 17-01651

CARMEN VEGA

V

SHERRY M. CRANE

Appeal from an order of the Supreme Court, Genesee County (Emilio L. Colaiacovo, J.), entered April 17, 2017. The order granted the motion of defendant Taylor Cratsley for summary judgment dismissing the complaint.

CAROL A. MCKENNA for CARMEN VEGA

15 minutes

KEVIN E. HULSLANDER for TAYLOR CRATSLEY

15 minutes