

DAY CALENDAR
Wednesday, March 4, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

383.0
KA 12-02111

PEOPLE
V
RAMELL S. MITCHELL

Appeal from a judgment of the Monroe County Court (James J. Pampiano, J.), rendered May 19, 2011. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree.

JANET C. SOMES for RAMELL S. MITCHELL Submitted

STEPHEN X. O'BRIEN for PEOPLE OF THE STATE OF NEW YORK Submitted

384.0
KA 11-00056

PEOPLE
V
BENJAMIN S. GIBBS

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered October 20, 2010. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child.

DREW R. DUBRIN for BENJAMIN S. GIBBS 10 minutes

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

385.0
KA 14-00768

PEOPLE
V
CHRISTOPHER P. ANNIS

Appeal from a judgment of the Allegany County Court (Thomas P. Brown, J.), rendered April 17, 2013. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, as a class E felony, and aggravated unlicensed operation of a motor vehicle in the first degree.

MAURICE JOSEPH VERRILLO for CHRISTOPHER P. ANNIS 20 minutes

ERIC R. SCHIENER for PEOPLE OF THE STATE OF NEW YORK Submitted

386.0
KA 08-00886

PEOPLE
V
LAZARUS CLYBURN-DAWSON

Appeal from a judgment of the Monroe County Court (Alex R. Renzi, J.), rendered February 27, 2008. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

KATHLEEN P. REARDON for LAZARUS CLYBURN-DAWSON 10 minutes

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK 10 minutes

387.0
KA 12-00384

PEOPLE
V
GEORGE SWAN

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered December 14, 2011. The judgment convicted defendant, upon a jury verdict, of attempted rape in the first degree, assault in the second degree and resisting arrest.

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| | BRYCE THERRIEN for GEORGE SWAN | 10 minutes |
| | MISHA A. COULSON for PEOPLE OF THE STATE OF NEW YORK | 10 minutes |
| 388.0 KA 13-00959 | PEOPLE V EVERTON SMITH | |
| | Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered April 9, 2013. The judgment convicted defendant, upon a jury verdict, of course of sexual conduct against a child in the first degree and rape in the third degree. | |
| | ROBERT L. KEMP for EVERTON SMITH | 10 minutes |
| | NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK | 10 minutes |
| 389.0 KA 12-01584 | PEOPLE V FLOYD VAN HOOSER | |
| | Appeal from a resentencing of the Onondaga County Court (William D. Walsh, J.), rendered September 13, 2011. The resentencing determined defendant to be a second violent felony offender. | |
| | PHILIP ROTHSCHILD for FLOYD VAN HOOSER | 15 minutes |
| | JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK | 10 minutes |
| 390.0 KA 12-00729 | PEOPLE V FLOYD VAN HOOSER | |
| | Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered October 11, 2011. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree (three counts). | |
| | PHILIP ROTHSCHILD for FLOYD VAN HOOSER | Submitted |
| | JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK | Submitted |
| 391.0 KA 11-02159 | PEOPLE V JIMMY L. HARRIS | |
| | Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered August 25, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree. | |
| | DAVID R. JUERGENS for JIMMY L. HARRIS | 5 minutes |
| | LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK | 5 minutes |
| 392.0 KA 11-00290 | PEOPLE V JARRETT T. WHITE | |
| | Appeal from a judgment of the Monroe County Court (Richard A. Keenan, J.), rendered December 16, 2010. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree and criminal possession of a controlled substance in the fifth degree. | |
| | JAMES A. HOBBS for JARRETT T. WHITE | 10 minutes |

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| 393.0 KA 13-00487 | <p>DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK 10 minutes</p> <p>PEOPLE V LINCOLN ABLACK</p> <p>Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang J.), rendered August 2, 2012. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree</p> <p>DAVID M. ABBATOY, JR., for LINCOLN ABLACK 10 minutes</p> <p>ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK 5 minutes</p> |
| 394.0 KA 13-00488 | <p>PEOPLE V LINCOLN ABLACK</p> <p>Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang J.), rendered August 2, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree, assault in the second degree, and tampering with a witness in the first degree.</p> <p>DAVID M. ABBATOY, JR., for LINCOLN ABLACK Submitted</p> <p>ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK Submitted</p> |
| 395.0 CA 13-02089 | <p>CARMEN BRITT V BUFFALO MUNICIPAL HOUSING AUTHORITY</p> <p>Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered November 19, 2013. The order denied the motion of plaintiff to vacate and set aside ordered entered October 18, 2012 and December 8, 2011.</p> <p>TIMOTHY R. LOVALLO for CARMEN BRITT 15 minutes</p> <p>JOHN J. MARCHESE for BUFFALO MUNICIPAL HOUSING AUTHORITY 15 minutes</p> <p>ELIZABETH G. ADYMY for PHILLIP J. RADOS, M.D. 5 minutes</p> <p>ADAM C. FERRANDINO for GRACE MANOR HEALTH CARE FACILITY, INC. 10 minutes</p> |
| 396.0 CA 13-02040 | <p>MICHAEL NEGRON V ANTHONY ANNUCCI</p> <p>Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered October 29, 2013. The memorandum and judgment dismissed the CPLR article 78 petition.</p> <p>ADAM W. KOCH for MICHAEL NEGRON Submitted</p> <p>ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI Submitted</p> |
| 397.0 CA 13-02203 | <p>CHRISTOPHER HYNES V ANTHONY ANNUCCI</p> <p>Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered November 22, 2013. The memorandum and judgment dismissed the CPLR article 78 petition.</p> <p>ADAM W. KOCH for CHRISTOPHER HYNES Submitted</p> |

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| | PETER H. SCHIFF for ANTHONY ANNUCCI | Submitted |
| 398.0 CA 13-02041 | MICHAEL SHAW V BRIAN FISCHER | |
| | Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered October 9, 2013. The memorandum and judgment confirmed the determination of respondent and dismissed the CPLR article 78 petition. | |
| | LEAH R. NOWOTARSKI for MICHAEL SHAW | Submitted |
| | PETER H. SCHIFF for BRIAN FISCHER | Submitted |
| 399.0 CA 14-01228 | KAREN BOYSON V IRENE KWASOWSKY | |
| | Appeal from a decision, order and judgment of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered October 10, 2013. The decision, order and judgment granted the motions of defendants Kemper Independence Insurance Company and Far and Family Casualty Insurance Company for summary judgment and dismissed the complaint against those defendants. | |
| | DAVID G. GOLDBAS for KAREN BOYSON | 10 minutes |
| | KRISTIN L. NORFLEET for KEMPER INDEPENDENCE INSURANCE CO. | 10 minutes |
| | TERANCE W. WALSH for FARM AND FAMILY CASUALTY INSURANCE | 10 minutes |
| 400.0 CA 14-00180 | CARMEN BRITT V BUFFALO MUNICIPAL HOUSING AUTHORITY | |
| | Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered February 6, 2013. The order denied the motion of plaintiff for recusal. | |
| | TIMOTHY R. LOVALLO for CARMEN BRITT | 15 minutes |
| | JOHN J. MARCHESE for BUFFALO MUNICIPAL HOUSING AUTHORITY | 10 minutes |
| | ELIZABETH G. ADYMY for PHILLIP J. RADOS, M.D. | 5 minutes |
| | ADAM C. FERRANDINO for GRACE MANOR HEALTH CARE FACILITY, INC. | 5 minutes |
| 402.0 CA 14-01496 | JEFFREY P. CARY V MICHAEL A. CIMINO | |
| | Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered May 5, 2014. The order granted the motion of plaintiff for default judgment, denied the motion of defendants to compel plaintiff to accept their answer and denied the cross motion of defendants to vacate any default. | |
| | PATRICK M. MURPHY for MICHAEL A. CIMINO | 5 minutes |
| | CHARLES A. SCHIANO, JR., for JEFFREY P. CARY | 5 minutes |

403.0
CA 14-01427

ANNA GRECO
V
CITY OF NIAGARA FALLS

Appeals from an order of the Supreme Court, Erie County (Joseph R. Glowia, J.), entered November 12, 2013. The order denied the motions of defendants Buffalo Place, Inc., and Main Seneca Corporation for summary judgment dismissing the complaint.

C. CHRISTOPHER BRIDGE for MAIN SENECA CORPORATION 15 minutes

MEGHAN BROWN for BUFFALO PLACE, INC. 15 minutes

DUANE D. SCHOONMAKER for ANNA GRECO 15 minutes

404.0
CA 14-01641

GARY BUHR
V
CONCORD SQUARE HOMES ASSOCIATES

Appeal from a decision and order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered December 26, 2013. The decision and order, insofar as appealed from, denied the motion of plaintiff for summary judgment on the issue of liability.

RICHARD P. AMICO for GARY BUHR 10 minutes

L. DAMIEN COSTANZA for CONCORD SQUARE HOMES ASSOCIATES 10 minutes

404.1
KA 13-01600

PEOPLE
V
AMANDA LANDO

Appeal from a judgment of the Oswego County Court (Walter W. Hafner, Jr., J.), rendered September 6, 2013. The judgment convicted defendant, upon her plea of guilty, of grand larceny in the fourth degree.

RICHARD C. MITCHELL, JR. for AMANDA LANDO 10 minutes

AMY LEIGH HALLENBECK for PEOPLE OF THE STATE OF NEW YORK 10 minutes