

DAY CALENDAR
Tuesday, February 23, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

167.0
KA 14-01320

PEOPLE
V
TODD M. DELAVALLE, JR.

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered June 10, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the first degree.

MARY-JEAN BOWMAN for TODD M. DELAVALLE, JR. Submitted

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK Submitted

168.0
KA 14-00323

PEOPLE
V
JOANNE AGLIATA

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered February 3, 2014. The judgment convicted defendant, upon her plea of guilty, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

KRISTIN M. PREVE for JOANNE AGLIATA Submitted

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

169.0
KA 14-00612

PEOPLE
V
DYLAN J. HAWKINS

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered January 9, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

KIMBERLY A. COLAIACOVO for DYLAN J. HAWKINS Submitted

WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK Submitted

170.0
KA 13-00392

PEOPLE
V
KEVIN REEVES

Appeal from a judgment of the Onondaga County Court (Donald E. Todd, J.), rendered January 11, 2013. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

PHILIP ROTHSCHILD for KEVIN REEVES 10 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

172.0
KA 12-01262

PEOPLE
V
MOHAMED L. DIALLO

Appeal from a judgment of the Monroe County Court (James J. Pampiano, J.), rendered February 24, 2010. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts).

JANE I. YOON for MOHAMED L. DIALLO 10 minutes

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

173.0
KA 14-00730

PEOPLE
V
BRANDYN T. BRADLEY

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered March 25, 2014. The judgment convicted defendant, upon his plea of guilty, criminal possession of a weapon in the second degree.

BARBARA J. DAVIES for BRANDYN T. BRADLEY 5 minutes

MEGHAN E. LEYDECKER for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

174.0
KA 13-01196

PEOPLE
V
DERICK EVANS

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered February 21, 2013. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, criminal mischief in the fourth degree and petit larceny.

PIOTR BANASIAK for DERICK EVANS 10 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

175.0
CAF 15-00427

In the Matter of
CHLOE W.

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenno, J.), entered February 5, 2015, in a proceeding pursuant to article 10 of the Family Court Act. The order, among other things, adjudged that respondent had neglected the subject child and placed the child in the custody of petitioner.

LYLE T. HAJDU for AMY W. 10 minutes

STEPHEN J. RILEY for CATTARAUGUS COUNTY DSS 10 minutes

PAMELA THIBODEAU, ATTORNEY FOR CHILD 5 minutes

176.0
CAF 14-01177

JEREMY SALETTA
V
JESSICA LYNN VECERE

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered May 29, 2014 in proceeding pursuant to Family Court Act article 6. The order, among other things, awarded Jeremy Saletta custody of the subject child.

WILLIAM D. BRODERICK, JR., for JESSICA LYNN VECERE 10 minutes

MARK E. LEWIS for JEREMY SALETTA Submitted

JENNIFER M. PAULINO, ATTORNEY FOR CHILD 5 minutes

177.0
CAF 15-01062

CLARA MONTALBANO
V
GAMALIEL DOMINGUEZ

Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered August 29, 2014 in a proceeding pursuant to Family Court Act article 4. The order, among other things, denied and dismissed Clara Monalbano's written objections to an order of the Support Magistrate.

MICHAEL STEINBERG for CLARA MONTALBANO 10 minutes

GAMALIEL DOMINGUEZ for HIMSELF Submitted

178.0
CAF 14-01937

NICHOLE M. HIRSCHMAN
V
PATRICK R. MCFADDEN

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered October 1, 2014, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition

CHARLES J. GREENBERG for NICHOLE M. HIRSCHMAN 5 minutes

PATRICK R. MCFADDEN for HIMSELF Submitted

JACQUELINE M. GRASSO, ATTORNEY FOR CHILD 5 minutes

179.0
CA 14-02157

In the Matter of
ACCOUNT OF MICHELE M. PAVLYAK

Appeal from an order of the Surrogate's Court, Onondaga County (Ava S. Raphael, S.), entered October 9, 2014. The order, among other things, granted in part the written objections to the trust account filed with the court.

MICHAEL JON LONGSTREET for MICHELE M. PAVLYAK 10 minutes

GEORGE M. PAVLYAK for HIMSELF 15 minutes

180.0
CA 15-00754

TERRY DUNN
V
DARNELL GARRETT

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered October 2, 2014 in a personal injury action. The order, among other things, denied plaintiff's motion to set aside the jury verdict.

EDWARD J. MARKARIAN for TERRY DUNN 15 minutes

VICKY-MARIE BRUNETTE for DARNELL GARRETT 15 minutes

181.0
CA 15-00755

TERRY DUNN
V
DARNELL GARRETT

Appeal from a judgment of the Supreme Court, Erie County (John F. O'Donnell, J.), entered October 17, 2014 in a personal injury action. The judgment, among other things, awarded plaintiff the sum of \$26,605.00 as against defendants.

EDWARD J. MARKARIAN for TERRY DUNN Submitted

	VICKY-MARIE BRUNETTE for DARNELL GARRETT	Submitted
182.0 CA 15-00521	BRENDA READING V ANDREW FABIANO, M.D.	
	Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered August 25, 2014. The order denied the motion of defendants for summary judgment.	
	MICHAEL J. WILLETT for ANDREW FABIANO, M.D.	15 minutes
	MICHAEL R. DRUMM for BRENDA READING	10 minutes
183.0 CA 15-00500	RUSSELL BAKER V LOFINK MOTOR CO., INC.	
	Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered November 24, 2014. The order, among other things, granted defendant's motion for summary judgment dismissing the complaint.	
	ROBERT P. DWYER for RUSSELL BAKER	10 minutes
	ROBERT P. CAHALAN for LOFINK MOTOR CO., INC.	10 minutes
184.0 CA 15-01337	UTICA NATIONAL INSURANCE GROUP V OUR TOUCH, INC.	
	Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered March 6, 2015. The order granted plaintiff's motion for summary judgment and scheduled a damages only trial.	
	PHYLISS A. HAFNER for OUR TOUCH, INC.	15 minutes
	ADAM C. FERRANDINO for UTICA NATIONAL INSURANCE GROUP	10 minutes
185.0 CA 15-01364	ANTHONY DEJESUS V CEC ENTERTAINMENT, INC.	
	Appeal from a decision and order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered May 28, 2015. The decision and order denied the motion of defendant for summary judgment.	
	BRENDAN T. FITZPATRICK for CEC ENTERTAINMENT, INC.	15 minutes
	EUGENE W. LANE for ANTHONY DEJESUS	10 minutes
186.0 CA 15-00048	FAYE M. EATON V SYLVIA HUNGERFORD	
	Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered August 11, 2014. The order granted defendants' motion for summary judgment dismissing plaintiffs' complaint in its entirety.	
	EMMELYN S. LOGAN-BALDWIN for FAYE M. EATON	15 minutes
	EDWARD L. SMITH, III, for WAYNE CENTRAL SCHOOL DISTRICT	15 minutes
	ANTHONY R. BRIGHTON for FRANK ROBUSTO	Submitted

187.0
CA 14-01845

CITIMORTGAGE, INC.
V
JESSICA L. PETRAGNANI

Appeal from an order and judgment of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 26, 2014. The order and judgment denied the motion of plaintiff to vacate an order and judgment of dismissal.

WILLIAM A. SANTMYER for CITIMORTGAGE, INC. Submitted

JESSICA L. PETRAGNANI for HERSELF Submitted

188.0
CA 15-00833

KATHLEEN P. MUELLER
V
MARCUS J. ELLIOTT

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered August 11, 2014 in a personal injury action. The order granted plaintiff's application for an order approving the stipulation of discontinuance of the action, nunc pro tunc.

SUSAN RENEE DUFFY for SEDGWICK CLAIMS MANAGEMENT 10 minutes

CHARLES J. MARCHESE for KATHLEEN P. MUELLER Submitted

189.0
CA 15-00553

WILLIAM W. CUVA **SETTLED**
V
ADESA NEW YORK, LLC

Appeal from a decision and order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered December 2, 2014. The decision and order denied the motion of defendants for partial summary judgment dismissing plaintiff's claim for punitive damages.

MATTHEW S. LERNER for ADESA NEW YORK, LLC

LAWRENCE A. SCHULZ for WILLIAM W. CUVA

190.0
CA 15-01346

ANGELO A. FERRARA
V
PEACHES CAFE, LLC

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered January 23, 2015. The order granted the motion of defendants COR Ridge Road Company, LLC, also known as COR Holt Road Company, LLC and New York Life Insurance Company for summary judgment dismissing plaintiff's complaint as against them.

THOMAS A. FINK for ANGELO A. FERRARA 15 minutes

GABRIELLE MARDANY HOPE for COR RIDGE ROAD COMPANY, LLC 10 minutes

191.0
CA 15-00186

STATE OF NEW YORK
V
PAUL VANDERPOOL

Appeal from an order of the Supreme Court, Erie County (John J. Michalski, J.), entered October 10, 2014. The order granted respondent leave to conduct a written deposition.

KATHLEEN M. TREASURE for STATE OF NEW YORK 10 minutes

DIANE S. GASTLE for PAUL VANDERPOOL 10 minutes

192.0
CA 15-00235

STATE OF NEW YORK
V
PAUL VANDERPOOL

Appeal from an order of the Supreme Court, Erie County (John J. Michalski, J.), entered January 13, 2015. The order, insofar as appeal from, denied the motion of petitioner to renew and reargue.

KATHLEEN M. TREASURE for STATE OF NEW YORK

Submitted

DIANE S. GASTLE for PAUL VANDERPOOL

Submitted

171.0
KA 14-01399

PEOPLE
V
HARVEY BLACK

Appeal from a judgment of the Supreme Court, Onondaga County (Thomas J. Miller, J.), rendered August 4, 2014. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree.

JOHN A. CIRANDO for HARVEY BLACK

15 minutes

STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes