

DAY CALENDAR
Tuesday, March 1, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

241.0
KA 13-00047

PEOPLE
V
GERARD ALLEN

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered November 7, 2012. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

KRISTEN MCDERMOTT for GERARD ALLEN 10 minutes

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

242.0
KA 14-00078

PEOPLE
V
BANGALY CHELLEY

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Erie County (M. William Boller, A.J.), dated December 3, 2013. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of murder in the second degree and criminal possession of a weapon in the second degree.

TIMOTHY P. MURPHY for BANGALY CHELLEY 5 minutes

NICHOLAS T. TEXIDO for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

243.0
KA 14-00809

PEOPLE
V
JEREMY J. HAYNES

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered April 9, 2014. The judgment revoked a term of probation and imposed a term of incarceration.

SUSAN C. MINISTERO for JEREMY J. HAYNES Submitted

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

244.0
KA 14-00478

PEOPLE
V
DELONCE BRAILSFORD

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered December 20, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted strangulation in the second degree and criminal possession of a weapon in the third degree.

ROBERT L. KEMP for DELONCE BRAILSFORD Submitted

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

245.0
KA 14-01077

PEOPLE
V
ANTONY ASARI-HO

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.); entered April 1, 2014. The judgment revoked defendant's probation and imposed a term of imprisonment.

DAVID R. JUERGENS for ANTONY ASARI-HO

Submitted

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

Submitted

246.0
KA 15-01274

PEOPLE
V
JOHN DETTELIS

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.); January 21, 2014. The judgment revoked defendant's probation and imposed a term of imprisonment.

MICHAEL L. D'AMICO for JOHN DETTELIS

15 minutes

AMBER KERLING for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

247.0
KA 12-01252

PEOPLE
V
COREY T. KIMMY

Appeal from a judgment of the Chautauqua County Court (John T. Ward, J.), rendered March 26, 2012. The judgment convicted defendant, upon a jury verdict, of attempted kidnapping in the second degree.

LYLE T. HAJDU for COREY T. KIMMY

15 minutes

ANDREW M. MOLITOR for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

248.0
CAF 15-01315

RUSTY W. TUTTLE
V
TRACY S. TUTTLE

Appeal from an order of the Family Court, Jefferson County (Diana D. Trahan, R.), entered April 29, 2015, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, awarded primary physical custody of the parties' children to petitioner.

BRUCE R. BRYAN for TRACY S. TUTTLE

30 minutes

JOHN A. CIRANDO for RUSTY W. TUTTLE

10 minutes

MICHELLE M. SCUDERI, ATTORNEY FOR CHILD

10 minutes

249.0
CAF 14-01925

SHYANA BROUGHTON
V
LARRY LIVINGSTON

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 18, 2014 in proceeding pursuant to Family Court Act article 6. The order granted the amended petition seeking modification of a prior court order of custody and access.

TIMOTHY R. LOVALLO for LARRY LIVINGSTON

5 minutes

REGINA A. DELVECCHIO for SHYANA BROUGHTON

15 minutes

AUDREY ROSE HERMAN, ATTORNEY FOR CHILD

5 minutes

250.0
CAF 14-01941

LARRY P. LIVINGSTON
V
SHYANA C. BROUGHTON

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 18, 2014 in proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

TIMOTHY R. LOVALLO for LARRY P. LIVINGSTON

Submitted

REGINA A. DELVECCHIO for SHYANA C. BROUGHTON

Submitted

AUDREY ROSE HERMAN, ATTORNEY FOR CHILD

Submitted

251.0
CAF 14-02043

RUSSELL D. BROOKINS

V

CATHERINE MARY MCCANN

Appeal from an order of the Family Court, Oneida County (Joan E. Shkane, J.), entered September 29, 2014, in a proceeding pursuant to Family Court Act article 4. The order committed respondent to jail for six months

MARY R. HUMPHREY for CATHERINE MARY MCCANN

10 minutes

RUSSELL D. BROOKINS for HIMSELF

Submitted

252.0
CAF 14-00048

GREGORY O. BRANDON

V

BOBBIE L. KING

Appeal from a decision of the Family Court, Monroe County (Gail A. Donofrio, J.), entered December 10, 2013, in a proceeding pursuant to Family Court Act article 6. The decision awarded the parties joint custody and granted petitioner final decision making authority.

DAVID R. JUERGENS for BOBBIE L. KING

10 minutes

GREGORY O. BRANDON for HIMSELF

Submitted

MARY E. ARAMINI, ATTORNEY FOR CHILD

Submitted

253.0
CA 15-01290

JEAN BRIDENBAKER

V

CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered October 29, 2014. The order, among other things, denied defendants' motion for summary judgment.

ROBERT E. QUINN for CITY OF BUFFALO

15 minutes

STEVEN M. COHEN for JEAN BRIDENBAKER

15 minutes

254.0
CA 15-00328

KENNETH P. GOLDEN

V

SASHA PAVLOV-SHAPIRO, MD

Appeal from an order of the Supreme Court, Onondaga County (Donald F. Cerio, Jr., A.J.), entered October 20, 2014. The order, insofar as appealed from, granted the motion of defendants for summary judgment and dismissed the complaint of Kenneth P. Golden.

JOHN A. CIRANDO for KENNETH P. GOLDEN

10 minutes

JOHN PATRICK POWERS for SASHA PAVLOV-SHAPIRO, MD

10 minutes

255.0
CA 15-00588

In the Matter of
AWET G.

Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered March 17, 2015, in a proceeding pursuant to Mental Hygiene Law article 10. The order granted the motion authorizing petitioner to administer medication to respondent for the period of his confinement, not to exceed 12 months.

MICHAEL H. MCCORMICK for AWET G.

15 minutes

KATHLEEN M. TREASURE for MAUREEN BOSCO

10 minutes

256.0
CA 15-00501

ELAM SAND & GRAVEL CORP.

V

TOWN OF WEST BLOOMFIELD ZONING BOARD

Appeal an order of the Supreme Court, Ontario County (Craig J. Doran, A. J.), entered November 28, 2014 in a proceeding pursuant to CPLR article 78. The order dismissed the petition.

SEAN W. HOPKINS for ELAM SAND & GRAVEL CORP.

15 minutes

DAVID K. HOU for TOWN OF WEST BLOOMFIELD ZONING BOARD

15 minutes

TERENCE L. ROBINSON, JR., for SUE S. STEWART

10 minutes

257.0
CA 15-01322

WILLIAM J. NICHOLAS

V

WAL-MART STORES, INC.

Appeals from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered January 29, 2015. The order, insofar as appealed from, granted the motion of plaintiff for partial summary judgment on the issue of ownership and denied the motions of defendants Wal-Mart Stores, Inc., and MLB Contractors, Inc., for summary judgment dismissing the complaint.

JENNA W. KLUCSIK for MLB CONTRACTORS, INC.

20 minutes

CAROL E. CRUMMEY for WAL-MART STORES, INC.

15 minutes

MARC C. PANEPINTO for WILLIAM J. NICHOLAS

15 minutes

258.0
CA 15-01309

BETH A. STRANSKY

V

JEFFREY DIPALMA

Appeal from an order and judgment of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered October 20, 2014. The order and judgment granted the motion of plaintiff for summary judgment in lieu of complaint, denied the cross motion of defendants for summary judgment and awarded money damages to plaintiff.

ADAM BRYCE CONNERS for JEFFREY DIPALMA

10 minutes

JOSEPH G. MAKOWSKI for BETH A. STRANSKY

10 minutes

259.0
CA 15-01236

WILLIAM SPATH

V

STORYBOOK CHILD CARE, INC.

Appeal from a decision and order of the Supreme Court, Monroe County (William P. Polito, J.), entered October 14, 2014. The decision and order found insofar as appealed from after a nonjury trial, that defendants Storybrook Child Care, Inc., and Michael Ross are liable for the injuries of the infant plaintiff.

LIA B. MITCHELL for STORYBOOK CHILD CARE, INC.

15 minutes

SHELDON W. BOYCE, JR., for WILLIAM SPATH

15 minutes

260.0
CA 15-00800

RUTH SOBIERAJ

V

KELCEY L. SUMMERS

Appeal from an order and judgment of the Supreme Court, Erie County (Timothy J. Drury, J.), entered January 5, 2015. The order granted the motion of defendants for summary judgment and dismissed the complaint.

DENNIS J. BISCHOF for RUTH SOBIERAJ

10 minutes

WILLIAM J. KITA for KELCEY L. SUMMERS

10 minutes

261.0
CA 15-00808

RUTH SOBIERAJ

V

KELCEY L. SUMMERS

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered April 29, 2015. The order denied the motion of plaintiff to renew and reargue.

DENNIS J. BISCHOF for RUTH SOBIERAJ

Submitted

WILLIAM J. KITA for KELCEY L. SUMMERS

Submitted

262.0
CA 15-00974

DANIEL WRIGHT

V

CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered February 19, 2015. The order, insofar as appealed from, denied the motion of defendants for summary judgment dismissing the first, second and seventh causes of action of the complaint.

DAVID M. LEE for CITY OF BUFFALO

15 minutes

HARRY J. FORREST for DANIEL WRIGHT

15 minutes