

DAY CALENDAR
Monday, February 22, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

138.0
TP 14-02248

JOSE MEDINA
V
BRIAN FISCHER

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Cayuga County [Mark H. Fandrich, A.J.], entered April 7, 2014) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated various inmate rules.

JOSE MEDINA for HIMSELF Submitted

MARCUS J. MASTRACCO for BRIAN FISCHER Submitted

139.0
TP 15-01048

COREY MOBLEY
V
SUPERINTENDENT SHEAHAN

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, Seneca County [Dennis F. Bender, A.J.], entered June 15, 2015) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated various inmate rules.

COREY MOBLEY for HIMSELF Submitted

MARCUS J. MASTRACCO for SUPERINTENDENT SHEAHAN Submitted

140.0
KA 14-01680

PEOPLE
V
PATRICIA BEEBE

Appeal from a judgment of the Wayne County Court (John B. Nesbitt, J.), rendered September 18, 2014. The judgment convicted defendant, upon a jury verdict, of reckless endangerment in the second degree.

RICHARD W. YOUNGMAN for PATRICIA BEEBE Submitted

BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

141.0
KA 14-00411

PEOPLE
V
ROGELIO MUESES

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered January 23, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and unlawful possession of marihuana.

DEBORAH K. JESSEY for ROGELIO MUESES 10 minutes

DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

142.0
KA 11-02190

PEOPLE
V
ROGER COONEY

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered July 1, 2011. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

JON P. GETZ for ROGER COONEY

10 minutes

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

143.0
KA 11-02191

PEOPLE
V
ROGER COONEY

Appeal from a judgment of the Monroe County Court (Melchor E. Casto, A.J.), rendered July 1, 2011. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree.

JON P. GETZ for ROGER COONEY

Submitted

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

144.0
KA 11-00096

PEOPLE
V
JOHN ROCKWELL

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered December 16, 2010. The judgment convicted defendant, upon his plea of guilty, of aggravated driving while intoxicated.

JOSEPH D. WALDORF for JOHN ROCKWELL

10 minutes

JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

145.0
KA 12-01039

PEOPLE
V
NANCY JAMES

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered March 13, 2012. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and assault in the second degree.

JAMES A. HOBBS for NANCY JAMES

15 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

15 minutes

146.0
KA 12-02153

PEOPLE
V
ANTHONY T. HENDERSON, JR.

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered September 26, 2012. The judgment convicted defendant upon his plea of guilty, of burglary in the second degree.

JANET C. SOMES for ANTHONY T. HENDERSON, JR.

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

147.0
CAF 14-02133

DANIEL T. HILL
V
VICKI L. TROJNOR

Appeal from an order of the Family Court, Cayuga County (Mark H. Fandrich, J.), entered September 15, 2014, in a proceeding pursuant to Family Court Act article 8. The order granted an order of protection against respondent.

MAUREEN POLEN for VICKI L. TROJNOR 10 minutes

DANIEL T. HILL for HIMSELF Submitted

JAMES ANTHONY LEONE, ATTORNEY FOR CHILD Submitted

LISA A. BLAIR, ATTORNEY FOR CHILD Submitted

148.0
CAF 14-02134

DANIEL T. HILL
V
VICKI L. TROJNOR

Appeal from an order of the Family court, Cayuga County (Mark H. Fandrich, J.), entered November 18, 2014, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted sole legal and physical custody of the parties' children to petitioner.

MAUREEN POLEN for VICKI L. TROJNOR Submitted

DANIEL T. HILL for HIMSELF Submitted

JAMES ANTHONY LEONE, ATTORNEY FOR CHILD Submitted

LISA A. BLAIR, ATTORNEY FOR CHILD Submitted

149.0
CAF 15-00153

MINDY S. GIRARD
V
WILLIAM R. NEVILLE

Appeal and cross appeal from an order of the Family Court, Oswego County (Donald E. Todd, J.), dated March 14, 2014. The order, among other things, adjudged that respondent had wilfully failed to obey a court order and placed respondent on probation for a period of three years.

LISA DIPOALA HABER for WILLIAM R. NEVILLE 5 minutes

MINDY S. GIRARD for HERSELF Submitted

150.0
CAF 14-01530

In the Matter of
TRINITY E.

Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered July 7, 2014, in a proceeding pursuant to article 10 of the Family Court Act. The order, among other things, adjudged that respondent Robert E. had neglected the subject child.

WILLIAM G. PIXLEY for ROBERT E. Submitted

CAROL LYNN EISENMAN for MONROE CO. DEPT. OF HUMAN SERVS. 5 minutes

PAUL B. WATKINS, ATTORNEY FOR CHILD 5 minutes

151.0
CA 15-01244

PUTRELO CONSTRUCTION COMPANY
V
TOWN OF MARCY

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, A.J.), entered September 29, 2014. The order denied the motion of plaintiff to amend the ad damnum clause in its complaint; granted the motion of defendant to limit proof of damages at trial; and granted the motion of third-party defendant to dismiss the first cause of action of plaintiff to the extent that plaintiff seeks to recover \$33,323.31 for proposed change orders 7, 11, 12, 13 and 17.

DIANA PLUE for PUTRELO CONSTRUCTION COMPANY 10 minutes

ANTHONY G. HALLAK for TOWN OF MARCY Submitted

JENNA W. KLUCSIK for BONACCI ARCHITECTS, PLLC 10 minutes

152.0
CA 15-00718

CATHERINE M. HEARY

V

DENISE HIBIT

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered February 4, 2015. The order, among other things, granted plaintiff's motion to set aside the jury verdict on the issue of past and future pain and suffering.

NORMAN E.S. GREENE for DENISE HIBIT 15 minutes

HOWARD B. COHEN for CATHERINE M. HEARY 15 minutes

153.0
CA 15-00876

LISA BLANCHFIELD

V

CLINTON COMMONS VENTURES, LLC

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered November 20, 2014. The order denied the motion of defendant for summary judgment.

MICHELLE M. DAVOLI for CLINTON COMMONS VENTURES, LLC 10 minutes

PETER MICHAEL HOBAICA for LISA BLANCHFIELD 10 minutes

154.0
CA 15-00877

LISA BLANCHFIELD

V

CLINTON COMMONS VENTURES, LLC

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered April 6, 2015. The order, insofar as appeal from, denied the motion of defendant for summary judgment.

MICHELLE M. DAVOLI for CLINTON COMMONS VENTURES, LLC Submitted

PETER MICHAEL HOBAICA for LISA BLANCHFIELD Submitted

155.0
CA 15-01299

CURTIS COOK

V

ALYSSA S. PETERSON

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered December 9, 2014. The order granted defendants' motions for summary judgment dismissing plaintiff's complaint.

MICHAEL A. DONLON for CURTIS COOK 10 minutes

DANIEL KENNETH CARTWRIGHT for ALYSSA S. PETERSON 15 minutes

TIFFANY L. D'ANGELO for THOMAS M. MIKE 10 minutes

156.0
TP 15-01243

ARTHEA RUSSO
V
NEW YORK STATE DIVISION OF HUMAN RIGHTS

Proceeding pursuant to Executive Law § 298 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Chautauqua County [Paul B. Wojtaszek, J.], entered April 14, 2015) to review a determination of respondent New York State Division of Human Rights. The determination dismissed the complaint of petitioner for gender discrimination and retaliation.

LINDY KORN for ARTHEA RUSSO 10 minutes

MARK A. MOLDENHAUER for CITY OF JAMESTOWN POLICE DEPT. 10 minutes

MARILYN BALCACER for NEW YORK STATE DIVISION OF HUMAN RIGHTS Submitted

158.0
CA 15-00590

CATHERINE M. HEARY
V
DENISE HIBIT

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered July 21, 2014. The order denied the motion of defendants to compel plaintiff to submit to an independent medical examination with Dr. Michael R. Ferrick.

NORMAN E.S. GREENE for DENISE HIBIT 15 minutes

SARAH P. RERA for CATHERINE M. HEARY 15 minutes

159.0
CA 15-00767

ROGER D. FELLER
V
EARTH LEASING, LLC

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered January 8, 2015. The order granted the motion of defendants Earth Leasing, LLC and Alliance Contracting LLC to dismiss plaintiffs' complaint.

DANIEL G. TRONOLONE for ROGER D. FELLER 10 minutes

MICHAEL J. CHMIEL for EARTH LEASING, LLC 10 minutes

160.0
CA 15-01288

JEFF CONIBER, DOING BUSINESS AS JEFF CONIBER TRUCKING
V
CENTER POINT TRANSFER STATION, INC.

Appeal from an order of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), dated March 23, 2015. The order, among other things, adjudged that the defendants are liable for breach of contract.

MICHAEL R. WOLFORD for CENTER POINT TRANSFER STATION, INC. 15 minutes

STEVEN E. FEDER for JEFF CONIBER, DBA AS JEFF CONIBER TRUCKING 15 minutes

161.0
CA 15-01314

JEFF CONIBER, DOING BUSINESS AS JEFF CONIBER TRUCKING
V
CENTER POINT TRANSFER STATION, INC.

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered April 6, 2015. The judgment awarded plaintiff the sum of \$761,517.02 as against defendants, jointly and severally.

MICHAEL R. WOLFORD for CENTER POINT TRANSFER STATION, INC. Submitted

STEVEN E. FEDER for JEFF CONIBER, DBA JEFF CONIBER TRUCKING

Submitted

162.0
CA 15-01330

SHAWN LASKER
V
GREENMAN-PEDERSON, INC.

SETTLED

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered November 25, 2014. The order, among other things, denied the motion of defendant Greenman-Pedersen, Inc., incorrectly sued as Greenman Pederson, to dismiss the plaintiff's complaint together with any cross complaints.

BRIAN SUTTER for GREENMAN-PEDERSON, INC.

JONATHAN M. GORSKI for SHAWN LASKER

163.0
CA 15-01266

LAURA SALVANIA
V
UNIVERSITY OF ROCHESTER

Appeal from a decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered March 30, 2015. The decision and order, insofar as appealed from, denied in part the motion of defendant for summary judgment.

JAMES S. WOLFORD for UNIVERSITY OF ROCHESTER

15 minutes

SAREER A. FAZILI for LAURA SALVANIA

15 minutes

164.0
CA 15-00552

JOSHUA M. BERNER
V
JAMES A. LITTLE

Appeal from a decision, judgment and order of the Supreme Court, Niagara County (Matthew J. Murphy, J.), entered December 31, 2014. The decision, judgment and order denied the motion to set aside a verdict.

ELLEN B. STURM for JOSHUA M. BERNER

15 minutes

JOHN WALLACE for JAMES A. LITTLE

10 minutes

165.0
CA 15-01363

CARMINE DURANTE
V
MICHAEL HOGAN

Appeal from a decision and order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered October 22, 2014. The decision and order, insofar as appealed from, denied the motion of defendants for summary judgment with respect to significant limitation of use, permanent consequential limitation and 90/180.

KEITH M. FRARY for MICHAEL HOGAN

15 minutes

MICHAEL D. ROOT for CARMINE DURANTE

10 minutes

166.0
CA 15-00968

PIRRO & SONS, INC.
V
THOMAS J. PIRRO, JR., FUNERAL HOME

Appeal a judgment of the Supreme Court, Onondaga County (Deborah H. Karalunas, A.J.), entered July 25, 2014. The order granted respondents' motion to dismiss the petition.

JOHN A. CIRANDO for PIRRO & SONS, INC.

15 minutes

MICHAEL A. OROPALLO for THOMAS J. PIRRO, JR., FUNERAL HOME

10 minutes

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

DAY CALENDAR
Wednesday, February 24, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

194.0
KA 14-00256

PEOPLE
V
ERIC DAVIS

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered January 2, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.

BARBARA J. DAVIES for ERIC DAVIS Submitted

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

195.0
KA 14-00515

PEOPLE
V
JONATHAN E. STANTON

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.); entered January 6, 2014. The judgment revoked defendant's probation and imposed a term of imprisonment.

SUSAN C. MINISTERO for JONATHAN E. STANTON Submitted

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

196.0
KA 14-00808

PEOPLE
V
WILLIAM R. PALMER

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered February 20, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

WILLIAM R. PALMER for WILLIAM R. PALMER Submitted

HEATHER PARKER HINES for THE PEOPLE OF THE STATE OF NEW YORK Submitted

197.0
KA 14-00956

PEOPLE
V
ANTHONY MILLS

Appeal from a judgment of the Erie County Court (Sheila A. Di Tullio, J.), rendered May 12, 2014. The judgment convicted defendant, upon a nonjury verdict, of burglary in the second degree (four counts).

LYLE T. HAJDU for ANTHONY MILLS 10 minutes

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

198.0
KA 13-01463

PEOPLE
V
TIMOTHY BOYD

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered November 26, 2012. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree, burglary in the first degree, burglary in the second degree, criminal possession of a weapon in the second degree (two counts) and conspiracy in the fourth degree.

	PHILIP ROTHSCHILD for TIMOTHY BOYD	15 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
199.0 KA 13-00159	PEOPLE V TIMOTHY D. SAMUEL	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered July 2, 2012. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree (two counts), robbery in the second degree (two counts), kidnapping in the second degree, assault in the second degree (two counts) and criminal possession of a weapon in the second degree (two counts).	
	DIANNE C RUSSELL for TIMOTHY D. SAMUEL	10 minutes
	ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
200.0 KA 14-01665	PEOPLE V WILLIE R. SCOTT, JR.	
	Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, J.), rendered November 4, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.	
	KATHLEEN E. CASEY for WILLIE R. SCOTT, JR.	Submitted
	THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
201.0 CAF 14-01538	RICHARD C. KIRKPATRICK V JESSICA LYNN KIRKPATRICK	
	Appeal from an order of the Family Court, Erie County (Sharon M. Lovallo, J.), entered July 21, 2014 in proceedings pursuant to Family Court Act article 6. The order, among other things, dismissed the petition of Jessica Lynn Kirkpatrick and granted in part the petition of Richard C. Kirkpatrick to modify a prior court order.	
	DAVID J. PAJAK for JESSICA LYNN KIRKPATRICK	Submitted
	TIMOTHY R. LOVALLO for RICHARD C. KIRKPATRICK	Submitted
	MICHELE A. BROWN, ATTORNEY FOR CHILD	5 minutes
202.0 CAF 15-00142	In the Matter of DOMINIC B.	
	Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenno, J.), entered January 12, 2015, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, adjudged the subject child neglected.	
	EMILY A. VELLA for LORETTA B.	10 minutes
	STEPHEN J. RILEY for CATTARAUGUS COUNTY DSS	Submitted
	BRONWYN E. ENDERS, ATTORNEY FOR CHILD	Submitted
203.0 CAF 14-01288	AUSTIN JOHNSON V SHERRY PRICHARD	

Appeal from an order of the Family Court, Oneida County (Julia M. Brouillette, R.), entered June 27, 2014 in proceedings pursuant to Family Court Act article 6 and article 8. The order, among other things, dismissed certain petitions and adjudged that Sherry Prichard shall continue to have sole legal and physical custody of the subject child.

PAUL M. DEEP for AUSTIN JOHNSON

Submitted

GREGG A. STARCZEWSKI for SHERRY PRICHARD

Submitted

JOHN G. KOSLOSKY, ATTORNEY FOR CHILD

5 minutes

204.0
CAF 14-01946

In the Matter of
ASHLEY B.

Appeal from a decision and order of the Family Court, Erie County (Sharon M. Lovallo, J.), entered October 2, 2014, in proceedings pursuant to Family Court Act article 10. The decision and order, inter alia, found the subject children to be neglected.

ALAN BIRNHOLZ for LAVERN B.

Submitted

JOSEPH T. JARZEMBEK for ERIE COUNTY DSS

5 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD

Submitted

SHEILA SULLIVAN DICKINSON, ATTORNEY FOR CHILD

10 minutes

BERNADETTE HOPPE, ATTORNEY FOR CHILD

Submitted

205.0
CA 15-00353

EMMANUEL PATTERSON
V
MICHAEL GRAZIANO

Appeal from a decision and order of the Supreme Court, Erie County (M. William Boller, A.J.), entered October 21, 2014. The decision and order dismissed the CPLR article 78 proceeding.

EMMANUEL PATTERSON for HIMSELF

Submitted

KATHLEEN M. ARNOLD for MICHAEL GRAZIANO

Submitted

206.0
CA 15-00502

PAULA L. GIBBS
V
STATE FARM FIRE AND CASUALTY CO.

Appeal from a decision and order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered December 4, 2014. The decision and order, insofar as appealed from, granted in part the motion of defendant to set aside a verdict and ordered a new trial on damages for dwelling loss and additional living expenses unless plaintiff stipulates to damages of \$43,000 and \$11,669, respectively.

GERALD T. WALSH for PAULA L. GIBBS

15 minutes

ERIC T. BORON for STATE FARM FIRE AND CASUALTY CO.

15 minutes

207.0
CA 15-01017

PAULA L. GIBBS
V
STATE FARM FIRE AND CASUALTY CO.

Appeal from a decision and order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered April 23, 2015. The judgment, insofar as appealed from, ordered a new trial on damages for dwelling loss and additional living expenses unless plaintiff stipulates to damages of \$43,000 and \$11,669, respectively.

GERALD T. WALSH for PAULA L. GIBBS

Submitted

ERIC T. BORON for STATE FARM FIRE AND CASUALTY CO.

Submitted

208.0
CA 15-01382

ALEX C. MILLER
V
KIRK HOWARD

Appeal from an order of the Supreme Court, Cattaraugus County (Paula L. Feroletto, J.), entered October 31, 2014. The order granted the motion of plaintiff pursuant to CPLR 603 for a separate trial on the issue of the liability of defendant Amore's Used Cars & Repairs, Inc.

WILLIAM K. KENNEDY for AMORE'S USED CARS & REPAIRS, INC.

15 minutes

RONALD J. WRIGHT for ALEX C. MILLER

15 minutes

209.0
CA 15-00453

CHARLES TERWILLIGER
V
MAX CO., LTD.

Appeal and cross appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered November 12, 2014. The decision and order, inter alia, granted in part and denied in part the motion of defendants for summary judgment.

JOHN P. FREEDENBERG for MAX CO., LTD.

15 minutes

ANNE BELTZ RIMMLER for CHARLES TERWILLIGER

30 minutes

RICHARD S. BINKO for HELEN TERWILLIGER

10 minutes

210.0
CA 15-00897

CHARLES TERWILLIGER
V
MAX CO., LTD.

Appeal from a decision and order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered January 20, 2015. The decision and order, insofar as appealed from, granted in part the motions of plaintiffs for reargument and denied the motion of defendants for summary judgment dismissing the claim of breach of implied merchantability/fitness for ordinary purposes.

JOHN P. FREEDENBERG for MAX CO., LTD.

Submitted

ANNE BELTZ RIMMLER for CHARLES TERWILLIGER

Submitted

RICHARD S. BINKO for HELEN TERWILLIGER

Submitted

211.0
CA 15-00802

DARA R. CUNNINGHAM
V
ARLYN C. CUNNINGHAM, JR.

Appeal from an order of the Supreme Court, Yates County (Dennis F. Bender, A.J.), entered July 24, 2014. The order awarded sole legal custody of the parties' child to defendant.

MICHAEL STEINBERG for DARA R. CUNNINGHAM

15 minutes

	J. SCOTT PORTER for ARLYN C. CUNNINGHAM, JR.	10 minutes
	TIFFANY M. SORGEN, ATTORNEY FOR CHILD	5 minutes
212.0 CA 15-00804	DARA R. CUNNINGHAM V ARLYN C. CUNNINGHAM, JR.	
	Appeal from an order of the Supreme Court, Yates County (Dennis F. Bender, A.J.), entered February 13, 2015. The order denied the motion of plaintiff for renewal.	
	MICHAEL STEINBERG for DARA R. CUNNINGHAM	Submitted
	J. SCOTT PORTER for ARLYN C. CUNNINGHAM, JR.	Submitted
	TIFFANY M. SORGEN, ATTORNEY FOR CHILD	Submitted
213.0 CA 15-01609	DARA R. CUNNINGHAM V ARLYN C. CUNNINGHAM, JR.	
	Appeal from a judgment of the Supreme Court, Yates County (Dennis F. Bender, A.J.), entered July 24, 2015. The judgment, insofar as appealed from, granted defendant custody of the parties' child.	
	MICHAEL STEINBERG for DARA R. CUNNINGHAM	Submitted
	J. SCOTT PORTER for ARLYN C. CUNNINGHAM, JR.	Submitted
	TIFFANY M. SORGEN, ATTORNEY FOR CHILD	Submitted
214.0 OP 15-01306	BOHDAN S. CHOMYN V M. WILLIAM BOLLER	
	Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Fourth Judicial Department pursuant to CPLR 506 [b] [1]) to review a determination of respondents. The determination revoked the firearms license of petitioner.	
	JAMES OSTROWSKI for BOHDAN S. CHOMYN	10 minutes
	FRANK BRADY for M. WILLIAM BOLLER	10 minutes
	JEREMY C. TOTH for CHRISTOPHER L. JACOBS	10 minutes
215.0 CA 15-00835	THE WALTON & WILLET STONE BLOCK, LLC V CITY OF OSWEGO COMMUNITY DEVELOPMENT	
	Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered February 4, 2014. The order dismissed the complaint with prejudice.	
	TERRY J. KIRWAN, JR., for THE WALTON & WILLET STONE BLOCK, LLC	10 minutes
	DOUGLAS M. MCRAE for CITY OF OSWEGO COMMUNITY DEVELOPMENT	10 minutes
216.0 CA 15-01316	MARY L. BARRON V NORTHTOWN WORLD AUTO	

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered January 28, 2015. The order granted the motion of defendants for summary judgment and dismissed the complaint.

MATTHEW J. KAISER for MARY L. BARRON

15 minutes

JOSHUA P. RUBIN for NORTHTOWN WORLD AUTO

10 minutes

217.0
CA 14-01690

REGINALD MCFADDEN

V

ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL

Appeal from an order of the Supreme Court, Wyoming County (Michael A. Mohun, J.), entered August 22, 2014. The order, among other things, granted defendants' cross motion to dismiss the complaint.

REGINALD MCFADDEN for HIMSELF

Submitted

KATHLEEN ARNOLD for ERIC T. SCHNEIDERMAN, ATTORNEY GENERAL

Submitted

DAY CALENDAR
Monday, February 29, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

218.0
KA 14-01135

PEOPLE
V
MICHAEL A. NICOMETO

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered January 21, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

SUSAN C. MINISTERO for MICHAEL A. NICOMETO Submitted

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

219.0
KA 11-02357

PEOPLE
V
LORENZO D. WILLIAMS

Appeal from a judgment of the Monroe County Court (Melchor E. Casto, A.J.), rendered September 30, 2011. The judgment convicted defendant, upon a jury verdict, of offering a false instrument for filing in the first degree, offering a false instrument for filing in the second degree, and unadmitted/unregistered practice as attorney (two counts).

ERIC M. DOLAN for LORENZO D. WILLIAMS 10 minutes

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

220.0
KA 14-00998

PEOPLE
V
SHAWN MCINTOSH

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered November 1, 2013. The judgment convicted defendant, upon his plea of guilty, of use of a child in a sexual performance (four counts); sexual abuse in the first degree (two counts); possession of a sexual performance by a child (four counts); and endangering the welfare of a child (two counts).

ROBERT L. KEMP for SHAWN MCINTOSH Submitted

DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK Submitted

221.0
KA 14-00957

PEOPLE
V
DEQUAN BAILEY

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered May 21, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree and robbery in the second degree (five counts).

ROBERT L. KEMP for DEQUAN BAILEY Submitted

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

222.0
KA 11-00100

PEOPLE
V
ROBERT C. MOORER

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered November 17, 2010. The judgment convicted defendant, upon a jury verdict, of reckless endangerment in the first degree and criminal possession of a weapon in the third degree.

ERIC M. DOLAN for ROBERT C. MOORER 10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

223.0
KA 13-00554

PEOPLE
V
DERRICK MILLER

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered February 8, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the third degree.

EVAN B. HANNAY for DERRICK MILLER 10 minutes

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

224.0
KA 11-00808

PEOPLE
V
TERRY DRAKE

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered June 24, 2010. The judgment convicted defendant, upon a jury verdict, of course of sexual conduct against a child in the first degree and incest in the third degree (two counts).

JEANNIE MICHALSKI for TERRY DRAKE Submitted

JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

225.0
KA 15-01358

PEOPLE
V
TERRY DRAKE

Appeal from a resentencing of the Supreme Court, Livingston County (Dennis S. Cohen, J.), rendered September 9, 2010. Defendant was resentenced upon his conviction of the crimes of incest in the third degree (two counts).

JEANNIE MICHALSKI for TERRY DRAKE Submitted

JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

226.0
CAF 13-02190

LINDA SPECHT
V
THOMAS L. LAMOREAUX

Appeal from an order of the Family Court, Monroe County (John B. Gallaher Jr., J.), entered November 14, 2013 in a proceeding pursuant to Family Court Act article 4. The order, among other things, sentenced respondent to one year in jail.

JANET C. SOMES for THOMAS L. LAMOREAUX 10 minutes

MARIE D'AMICO for LINDA SPECHT Submitted

227.0
CAF 14-02001

YVETTE NOBLE
V
LEON C. BROWN

Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered October 17, 2014 in proceeding pursuant to Family Court Act article 6. The order dismissed the petition

JOHN A. CIRANDO for YVETTE NOBLE

10 minutes

LEON C. BROWN for HIMSELF

Submitted

SUSAN B. MARRIS, ATTORNEY FOR CHILD

5 minutes

228.0
CAF 14-00248

JAMIE BAYLEY
V
PHILLIP BAYLEY

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered January 24, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted the petition.

EVELYNE A. O'SULLIVAN for PHILLIP BAYLEY

5 minutes

JAMIE BAYLEY for HIMSELF

Submitted

CHRISTOPHER BRECHTEL, ATTORNEY FOR CHILD

5 minutes

229.0
CAF 15-00199

LESLEY SHEPHARD
V
ERICK O. RAY

Appeal from an order of the Family Court, Monroe County (Paul Riordan, R.), entered December 8, 2014 in a proceeding pursuant to Family Court Act article 8. The order, among other things, directed respondent to stay away from petitioner.

JAMES P. YOUNGS for ERICK O. RAY

10 minutes

LESLEY SHEPHARD for HERSELF

Submitted

230.0
CA 15-01344

MICHAEL C. KERWIN
V
JOSEPH FUSCO

Appeal and cross appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered October 27, 2014. The order, inter alia, denied as premature the motion of plaintiff for partial summary judgment on the issue of liability and denied the cross motion of defendant BH Decker, Inc., for summary judgment dismissing the complaint.

JAMES J. GASCON for BH DECKER, INC.

10 minutes

HARRISON V. WILLIAMS, JR., for MICHAEL C. KERWIN

15 minutes

LAUREN M. MILLER for JOSEPH FUSCO

Submitted

PETER S. SAMAAAN for SUNSTREAM CORPORATION

Submitted

231.0
CA 15-00172

WENDY D. SEARS
V
STEPHEN J. SEARS

Appeal from an order of the Supreme Court, Monroe County (John M. Owens, J.), entered December 31, 2014. The order, among other things, directed plaintiff to execute a quit claim deed with respect to certain real property the parties jointly owned.

DONALD ALAN WHITE for WENDY D. SEARS

15 minutes

	GEORGE A. SCHELL for STEPHEN J. SEARS	10 minutes
232.0 CA 14-02091	MIKE HAWLEY V ANTHONY ANNUCCI	
	Appeal a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered October 17, 2014 in a proceeding pursuant to CPLR article 78. The order dismissed the petition.	
	ADAM W. KOCH for MIKE HAWLEY	Submitted
	PETER H. SCHIFF for ANTHONY ANNUCCI	Submitted
233.0 CA 15-00896	DAVID MADDEX V E.E. AUSTIN & SON, INC.	
	Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered March 18, 2015. The order denied the motion of plaintiffs for judgment pursuant to CPLR 4401 and for judgment notwithstanding a verdict pursuant to CPLR 4404 (a).	
	A. PETER SNODGRASS for DAVID MADDEX	15 minutes
	KENNETH A. PATRICIA for E.E. AUSTIN & SON, INC.	15 minutes
234.0 CA 15-00478	FRANCIS P. OSCIER V JOANNE V. MUSTY	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered December 15, 2014. The order denied the motion of defendant Anthony J. Mingarelli, Jr., and the cross motion of defendant Joanne V. Musty for summary judgment with respect to the emergency doctrine.	
	MICHAEL MAURICE METZGER for FRANCIS P. OSCIER	15 minutes
	CHRISTOPHER POOLE for ANTHONY J. MINGARELLI, JR.	15 minutes
	LEO T. FABRIZI for JOANNE V. MUSTY	10 minutes
	KEVIN LOFTUS for T&T CONCRETE, INC.	15 minutes
235.0 CA 15-00479	FRANCIS P. OSCIER V JOANNE V. MUSTY	
	Appeals from an order of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered January 12, 2015. The order granted the motion of T&T Concrete, Inc., for summary judgment on the issue of ownership and dismissed the complaint against it.	
	MICHAEL MAURICE METZGER for FRANCIS P. OSCIER	Submitted
	CHRISTOPHER POOLE for ANTHONY J. MINGARELLI, JR.	Submitted
	LEO T. FABRIZI for JOANNE V. MUSTY	Submitted
	KEVIN LOFTUS for T&T CONCRETE, INC.	Submitted
236.0 CA 15-00480	FRANCIS P. OSCIER V JOANNE V. MUSTY	

Appeal from an order of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered January 12, 2015. The order granted the motion of defendant T&T Concrete, Inc., for summary judgment on the issue of ownership and dismissed the cross claims of defendant Joanne V. Musty against it.

MICHAEL MAURICE METZGER for FRANCIS P. OSCIER

Submitted

CHRISTOPHER POOLE for ANTHONY J. MINGARELLI, JR.

Submitted

LEO T. FABRIZI for JOANNE V. MUSTY

Submitted

KEVIN LOFTUS for T&T CONCRETE, INC.

Submitted

237.0
CA 15-01317

UNIVEST I CORP.

SETTLED

V

SKYDECK CORPORATION

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered December 1, 2014 in a proceeding pursuant to RPAPL article 7. The order, among other things, granted the petition in part and denied respondent Buffalo Development Corporation's motion to dismiss.

ROBERT EDWARD KNOER for BUFFALO DEVELOPMENT CORPORATION

MATTHEW D. MILLER for UNIVEST I CORP.

WILLIAM F. SAVINO for SKYDECK CORPORATION

238.0
CA 15-00753

DIANE SPARKS

V

LARRY FELLS, JR.

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered January 26, 2015. The order, insofar as appealed from, granted in part defendants' motion for summary judgment.

EDWARD J. MARKARIAN for DIANE SPARKS

15 minutes

JODY E. BRIANDI for LARRY FELLS, JR.

15 minutes

239.0
CA 15-01289

TERRY SMITH

V

EUGENE SZPILEWSKI

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered March 12, 2015. The order denied defendants' motion for summary judgment dismissing the plaintiff's complaint.

MARK C. RODGERS for EUGENE SZPILEWSKI

15 minutes

MICHAEL SZCZYGIEL for TERRY SMITH

15 minutes

240.0
CA 14-01773

WENDOVER FINANCIAL SERVICES

V

JO-ANN RIDGEWAY

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 23, 2014. The order granted the motion of defendant Jo-Ann Ridgeway as Executrix and Beneficiary under the Last Will and Testament of Amelia Donvito also known as Amelia C. Donovito, to dismiss the causes of action in plaintiff's complaint that were asserted against her.

EDWARD RUGINO for WENDOVER FINANCIAL SERVICES

10 minutes

DANTE M. SCACCIA for JO-ANN RIDGEWAY

5 minutes

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

DAY CALENDAR
Wednesday, March 2, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

263.0
KA 14-02105

PEOPLE
V
JONATHAN JAMISON

Appeal from an order of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered October 21, 2014. The order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

PHILIP ROTHSCHILD for JONATHAN JAMISON Submitted

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

264.0
KA 14-01407

PEOPLE
V
DERRICK L. HALL

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered March 27, 2013. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree (two counts).

JOSEPH G. FRAZIER for DERRICK L. HALL Submitted

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

265.0
KA 14-00929

PEOPLE
V
HORACE D. WHIPSET

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered May 13, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree.

MARY P. DAVISON for HORACE D. WHIPSET Submitted

BRIAN D. DENNIS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

266.0
KA 15-00260

PEOPLE
V
ADAM BUCCI

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered January 15, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree.

STEVEN D. SESSLER for ADAM BUCCI 10 minutes

JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

267.0
KA 14-01503

PEOPLE
V
DARSHAWN A. MORRIS

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered May 14, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, rape in the second degree and criminal sexual act in the second degree.

CAITLIN M. CONNELLY for DARSHAWN A. MORRIS 10 minutes

	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
268.0 KA 15-00310	PEOPLE V JAMIE R. ODELL	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered October 27, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and resisting arrest.	
	JEFFREY WICKS for JAMIE R. ODELL	15 minutes
	ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
269.0 KA 15-00311	PEOPLE V DOREENA L. ODELL	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered November 10, 2014. The judgment convicted defendant, upon a jury verdict, of obstructing governmental administration in the second degree.	
	JEFFREY WICKS for DOREENA L. ODELL	Submitted
	ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
270.0 KA 13-00051	PEOPLE V MARQUES KING	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered October 4, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.	
	EVAN B. HANNAY for MARQUES KING	10 minutes
	VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
271.0 CAF 15-00563	RICK A.U. V REBECCA K.	
	Appeal from an order of the Family Court, Jefferson County (Richard V. Hunt, J.), entered June 2, 2014. The order dismissed the petitions.	
	JOHN A. CIRANDO for RICK A. U.	15 minutes
	LISA A. SADINSKY for REBECCA K.	15 minutes
	MICHELLE M. SCUDERI, ATTORNEY FOR CHILD	15 minutes
272.0 CAF 14-02008	LUCILLE A. SOLDATO V JASON J. CARINGI	
	Appeal from an order of the Family Court, Oneida County (Joan E. Shkane, J.), entered October 31, 2014 in a proceeding pursuant to Family Court Act article 4. The order, among other things, confirmed the Support Magistrate's determination that respondent had willfully failed to obey a court order	
	MARY R. HUMPHREY for JASON J. CARINGI	10 minutes
	TRACY LEE PUGLIESE for LUCILLE A. SOLDATO	Submitted

273.0
CAF 14-00484

SUSAN RICHARDS
V
WINDSOR C. RICHARDS

Appeal from an order of the Family Court, Oneida County (James R. Griffith, J.), entered November 21, 2014 in a proceeding pursuant to Family Court Act article 4. The order, among other things, denied respondent's objection to an order of the Support Magistrate.

PETER J. DIGIORGIO, JR., for WINDSOR C. RICHARDS

Submitted

SUSAN RICHARDS for HERSELF

Submitted

274.0
CAF 14-01280

In the Matter of
AMARIESE L.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered June 27, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had violated an order of disposition and had neglected Tamara N.

CHARLES J. GREENBERG for TIFFANY N.

Submitted

JOSEPH T. JARZEMBEK for ERIE CO. DSS

Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD

Submitted

275.0
CA 15-01370

DALE S. BAUTER
V
ROBERT E. COMSTOCK

SETTLED

Appeal from a memorandum decision and order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered March 25, 2015. The memorandum decision and order, insofar as appealed from, denied the cross motion of plaintiff for summary judgment on the issue of negligence.

ROBERT A. QUATTROCCI for DALE S. BAUTER

KEITH D. MILLER for ROBERT E. COMSTOCK

276.0
CA 15-01297

BARBARA HAUG
V
TOPS MARKETS, LLC

Appeal and cross appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered September 26, 2014. The order granted in part defendant's motion for summary judgment dismissing plaintiff's complaint.

DAVID DENNIS SPOTO for BARBARA HAUG

10 minutes

DENNIS P. HAMILTON for TOPS MARKETS, LLC

10 minutes

277.0
CA 15-00759

SHARON JORDAN-PARKER
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered February 25, 2015. The order granted the motion of defendant Destro & Brothers Company, Inc., for summary judgment and dismissed the complaint.

NATHAN C. DOCTOR for SHARON JORDAN-PARKER

15 minutes

ALYSSA L. JORDAN for DESTRO & BROTHERS CONCRETE COMPANY 15 minutes
JENNA W. KLUCSIK for DIDONATO ASSOCIATES, P.E., P.C. 10 minutes
PATRICIA A. HUGHES for CITY OF BUFFALO 10 minutes

278.0
CA 15-00760

SHARON JORDAN-PARKER
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered March 9, 2015. The order, insofar as appealed from, granted the motion of defendant Didonato Associates, P.E., P.C., for summary judgment and dismissed the complaint.

NATHAN C. DOCTOR for SHARON JORDAN-PARKER Submitted
ALYSSA L. JORDAN for DESTRO & BROTHERS CONCRETE COMPANY Submitted
JENNA W. KLUCSIK for DIDONATO ASSOCIATES, P.E., P.C. Submitted
PATRICIA A. HUGHES for CITY OF BUFFALO Submitted

279.0
CA 15-00761

SHARON JORDAN-PARKER
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered March 11, 2015. The order granted the motion of defendant City of Buffalo for summary judgment and dismissed the complaint.

NATHAN C. DOCTOR for SHARON JORDAN-PARKER Submitted
R. ANTHONY RUPP, III, for DESTRO & BROTHERS CONCRETE COMPANY Submitted
JENNA W. KLUCSIK for DIDONATO ASSOCIATES, P.E., P.C. Submitted
PATRICIA A. HUGHES for CITY OF BUFFALO Submitted

280.0
CA 15-00195

DARLENE M. LOHNAS
V
FRANK A. LUZI, JR., M.D.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered July 14, 2014. The order, among other things, denied defendants' motion for partial summary judgment dismissing the complaint.

TAMSIN J. HAGER for FRANK A. LUZI, JR., M.D. 15 minutes
BRIAN P. FITZGERALD for DARLENE M. LOHNAS 15 minutes

281.0
CA 15-00398

DARLENE M. LOHNAS
V
FRANK A. LUZI, JR., M.D.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered February 4, 2015. The order, among other things, granted defendants' motion to reargue and upon reargument denied defendants' motion for partial summary judgment.

TAMSIN J. HAGER for FRANK A. LUZI, JR., M.D. Submitted
BRIAN P. FITZGERALD for DARLENE M. LOHNAS Submitted

282.0
CA 15-00773

THE WHARTON ASSOCIATES, INC.
V
CONTINENTAL INDUSTRIAL CAPITAL, LLC

Appeal and cross appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered July 23, 2014. The order granted the motion of plaintiff for summary judgment, denied the motion of plaintiff for attorney's fees and denied the cross motion of defendants for summary judgment.

BRIAN R. HENZEL for THE WHARTON ASSOCIATES, INC. 15 minutes

AMY L. DI FRANCO for CONTINENTAL INDUSTRIAL CAPITAL, LLC 15 minutes

STACEY E. TRIEN for TECH PARK OWNER, LLC 15 minutes

283.0
CA 15-01327

LATANYA Y. STAMPS
V
PATRICK D. PUDETTI

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered December 16, 2014. The order, insofar as appealed from, denied in part the motion of defendant for summary judgment.

EILEEN E. BUHOLTZ for PATRICK D. PUDETTI 10 minutes

RICHARD P. AMICO for LATANYA Y. STAMPS 10 minutes

284.0
CA 15-01005

MARK ALLEN SHAW
V
CHESTER VANARSDALE

Appeal from an order of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered October 17, 2014. The order, insofar as appealed from, permanently enjoined defendant from placing a dock in waters abutting Elmwood Avenue in Ellicott, from using Elmwood Avenue to store his personal items and from constructing any further structures on Elmwood Avenue, and directed that defendant remove the dock and his personal items within 60 days.

ANDREW W. GOODELL for CHESTER VANARSDALE 10 minutes

PETER D. CLARK for JOSEPH G. TERRIZZI 10 minutes

285.0
CA 15-01006

MARK ALLEN SHAW
V
CHESTER VANARSDALE

Appeal from a decision and order of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered January 30, 2015. The decision and order adhered to an order entered October 17, 2014.

ANDREW W. GOODELL for CHESTER VANARSDALE Submitted

PETER D. CLARK for JOSEPH G. TERRIZZI Submitted

286.0
CA 15-00730

TYSHAWN J. WILLIAMS
V
LAVALRA M. JONES

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered May 9, 2014. The order granted the motion of defendant for summary judgment, denied the motion of plaintiff for summary judgment and dismissed the complaint.

FRANK S. FALZONE for TYSHAWN J. WILLIAMS

10 minutes

BRENT C. SEYMOUR for LAVALRA M. JONES

15 minutes

**287.0
CA 14-02176**

LARRY B.

V

STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Joseph E. Fahey, A.J.), entered October 29, 2014 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, adjudged that petitioner shall continue to be committed to a secure treatment facility.

BENJAMIN D. AGATA for LARRY B.

15 minutes

KATHLEEN M. TREASURE for STATE OF NEW YORK

10 minutes