

DAY CALENDAR
Wednesday, March 1, 2017 - 10:00 AM
COURTROOM 2

265.0
TP 16-01480

EDDIE MCLOYD
V
ANTHONY ANNUCCI

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, Wyoming County [Michael M. Mohun, A.J.], entered August 26, 2016) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for EDDIE MCLOYD

Submitted

PATRICK A. WOODS for ANTHONY ANNUCCI

Submitted

266.0
KA 15-00565

PEOPLE
V
DENNIS J. CALKINS

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered January 5, 2015. The judgment convicted defendant, upon his plea of guilty, of unlawful manufacture of methamphetamine in the third degree.

TIMOTHY P. MURPHY for DENNIS J. CALKINS

Submitted

KATHERINE K. BOGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

267.0
KA 14-00575

PEOPLE
V
KEVIN V. BYNG

Appeal from a judgment of the Onieda County Court (Barry M. Donalty, J.), rendered September 2, 2011. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree.

PETER J. DIGIORGIO, JR., for KEVIN V. BYNG

Submitted

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

Submitted

268.0
KA 14-00574

PEOPLE
V
KEVIN V. BYNG

Appeal from a judgment of the Onieda County Court (Barry M. Donalty, J.), rendered September 8, 2011. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the third degree.

PETER J. DIGIORGIO, JR., for KEVIN V. BYNG

Submitted

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

Submitted

269.0
KA 14-01674

PEOPLE
V
WILLIE D. MCKOY, JR.

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered April 23, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree (three counts).

MARK C. DAVISON for WILLIE D. MCKOY, JR.

Submitted

MELANIE J. BAILEY for PEOPLE OF THE STATE OF NEW YORK

Submitted

270.0
KA 16-01650

PEOPLE
V
ROBERT WYCHE

Appeal from a decision and order of the Supreme Court, Erie County (Russell P. Buscaglia, J.), dated June 1, 2016. The decision and order granted the motion of defendant to merge the kidnapping in the second degree count of the indictment with the robbery in the second degree count of the indictment.

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

10 minutes

BARBARA J. DAVIES for ROBERT WYCHE

10 minutes

271.0
KA 09-02205

PEOPLE
V
JAMES A. ZEITZ

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered March 19, 2004. The judgment convicted defendant, upon a jury verdict, of course of sexual conduct against a child in the first degree, rape in the second degree and endangering the welfare of a child.

EDWARD P. PERLMAN for JAMES A. ZEITZ

Submitted

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

Submitted

272.0
KA 15-00935

PEOPLE
V
WILFREDO MORALES

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered January 22, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.

BARBARA J. DAVIES for WILFREDO MORALES

Submitted

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

Submitted

273.0
KA 15-01099

PEOPLE
V
JACOB MELVIN

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered March 18, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

TIMOTHY P. MURPHY for JACOB MELVIN

5 minutes

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

5 minutes

274.0
KA 15-01098

PEOPLE
V
JACOB MELVIN

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered March 18, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of assault in the second degree (two counts).

TIMOTHY P. MURPHY for JACOB MELVIN

Submitted

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

Submitted

275.0
KA 13-01770

PEOPLE
V
DALVAN ROBINSON

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered August 19, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree, sexual abuse in the first degree and rape in the third degree.

ANTHONY JOSEPH LANA for DALVAN ROBINSON

Submitted

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

Submitted

276.0
KA 16-01335

PEOPLE
V
MICHAEL SWEAT

Appeal from a memorandum and decision of the Supreme Court, Erie County (Penny M. Wolfgang, J.), entered May 16, 2016. The memorandum and decision granted the suppression motion of defendant.

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

5 minutes

MICHAEL STACHOWSKI for MICHAEL SWEAT

15 minutes

277.0
CAF 15-00955

MICHAEL P. EASLEY
V
KIARA RAMOS

Appeal from a decision and order of the Family Court, Erie County (Mary G. Carney, J.), entered May 11, 2015, in a proceeding pursuant to Family Court Act article 6. The decision and order granted the petition of petitioner for visitation to the extent of permitting correspondence.

ELIZABETH J. CIAMBRONE for MICHAEL P. EASLEY

10 minutes

RACHEL KATHARINE MARRERO for KIARA RAMOS

Submitted

AUDREY ROSE HERMAN, ATTORNEY FOR CHILD

5 minutes

278.0
CA 16-01325

EUGENE MARGERUM
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered October 23, 2015. The order denied the motion of defendants for a protective order.

JASON E. MARKEL for CITY OF BUFFALO

15 minutes

ANDREW P. FLEMING for JOSEPH FAHEY

10 minutes

279.0
CA 16-00118

LYNN LIKOS
V
NIAGARA FRONTIER TRANSIT METRO SYSTEM

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered October 30, 2015. The judgment granted the defendant a judgment of no cause of action after a jury trial.

STEPHEN R. FOLEY for LYNN LIKOS

15 minutes

VICKY-MARIE BRUNETTE for NIAGARA FRONTIER TRANSIT METRO

15 minutes

280.0
CA 16-01380

CTS CONTRACTING, INC.

V

TOWN OF CHEEKTOWAGA

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered April 27, 2016. The order, among other things, denied defendant's motion for summary judgment dismissing plaintiff's complaint.

KEVIN LOFTUS for TOWN OF CHEEKTOWAGA

10 minutes

STEVEN W. KLUTKOWSKI for CTS CONTRACTING, INC.

10 minutes

281.0
CA 16-01165

SHARA A. ARMPRESTER

V

MICHAEL J. ERICKSON, JR.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered September 18, 2015. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment on the issue of serious injury.

LAURENCE D. BEHR for MICHAEL J. ERICKSON, JR.

10 minutes

CARRIE L. SMITH for SHARA A. ARMPRESTER

10 minutes

282.0
CA 16-01655

JOHN MANN, SR.

V

AUTOZONE NORTHEAST, INC.

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered May 11, 2016. The order denied defendant's motion for summary judgment.

MEGHAN M. BROWN for AUTOZONE NORTHEAST, INC.

10 minutes

PHILIP A. MILCH for JOHN MANN, SR.

10 minutes

283.0
CA 16-01578

GERALDINE H. BURGWARDT

V

RANDY F. BURGWARDT

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered October 7, 2015. The order denied plaintiff's motion for summary judgment.

SHARON STERN-GERSTMAN for GERALDINE H. BURGWARDT

15 minutes

WILLIAM E. SZCZEPANSKI for RANDY F. BURGWARDT

10 minutes

284.0
CA 16-01306

KAYLYN PEREZ

V

JOSE PEREZ-BRACHE

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered January 7, 2016. The order denied the application of defendant to terminate maintenance.

KELLY A. FERON for JOSE PEREZ-BRACHE

10 minutes

CHRISTOPHER S. MATTINGLY for KAYLYN PEREZ

10 minutes

285.0
CA 16-00574

DOROTHY SLOMCZEWSKI

V

JAMES A. ROSS

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered January 19, 2016. The judgment awarded plaintiff money damages upon a jury verdict.

DONALD B. EPPERS for JAMES A. ROSS

20 minutes

TERRENCE P. HIGGINS for DOROTHY SLOMCZEWSKI

15 minutes

286.0
CA 16-01579

MICHELLE SWIATOWY TUTTLE

V

STATE FARM MUTUAL AUTOMOBILE INSURANCE

Appeal from an order of the Supreme Court, Genesee County (Mark Grisanti, A.J.), entered December 29, 2015. The order granted the motion of defendant for summary judgment on the issue of coverage and denied the cross motion of plaintiff for summary judgment.

PETER M. JASEN for MICHELLE SWIATOWY TUTTLE

15 minutes

BENJAMIN R. WOLF for STATE FARM MUTUAL AUTOMOBILE INSURANCE

15 minutes