

DAY CALENDAR
Tuesday, March 7, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

356.0
KA 15-00319

PEOPLE
V
FRANKLIN G. WARNER

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered September 15, 2014. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the second degree and promoting an obscene sexual performance by a child.

ROBERT TUCKER for FRANKLIN G. WARNER Submitted

JAMES B. RITTS for PEOPLE OF THE STATE OF NEW YORK Submitted

357.0
KA 15-02144

PEOPLE
V
RYAN S. SMITH

Appeal from an order of the Niagara County Court (Sara Sheldon, J.), entered November 30, 2015. The order determined that defendant is a level two risk, pursuant to the Sex Offender Registration Act.

PATRICIA M. MCGRATH for RYAN S. SMITH Submitted

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

358.0
KA 15-00534

PEOPLE
V
MARK J. MALTESE

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered March 4, 2015. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree (three counts), burglary in the third degree, criminal mischief in the second degree and grand larceny in the third degree.

BRIDGET L. FIELD for MARK J. MALTESE 10 minutes

SHIRLEY A. GORMAN for PEOPLE OF THE STATE OF NEW YORK 10 minutes

359.0
KA 14-01882

PEOPLE
V
EBONY S. MACK

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered July 22, 2014. The judgment convicted defendant, upon her plea of guilty, of aggravated driving while intoxicated with a child passenger (two counts), aggravated driving while intoxicated, driving while intoxicated (two counts) and endangering the welfare of a child.

JANET C. SOMES for EBONY S. MACK 5 minutes

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK 5 minutes

360.0
KA 15-00958

PEOPLE
V
DALE F. LEESON

Appeal from a decision and order of the Ontario County Court (Frederick G. Reed, J.), entered May 19, 2014. The decision and order determined defendant to be a level three risk pursuant to the Sex Offenders Registration Act.

MARK C. DAVISON for DALE F. LEESON

Submitted

JEFFREY L. TAYLOR for PEOPLE OF THE STATE OF NEW YORK

Submitted

361.0
CAF 14-02200

MICHELE A. SLOMA

V

ERIC M. SLOMA

Appeal from an order of the Family Court, Oneida County (James R. Griffith, J.), entered February 6, 2014, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted petitioner physical custody of the parties' child.

RICHARD L. WOLFE for ERIC M. SLOMA

15 minutes

MICHELE A. SLOMA for HERSELF

Submitted

JULIE GIRUZZI-MOSCA, ATTORNEY FOR CHILD

5 minutes

362.0
CAF 15-00350

MICHELE SLOMA

V

ERIC SLOMA

Appeal from a decision and order of the Family Court, Oneida County (James R. Griffith, J.), entered March 14, 2014, in a proceeding pursuant to Family Court Act article 6. The decision and order dismissed the motion of respondent to vacate an order entered February 6, 2014.

RICHARD L. WOLFE for ERIC SLOMA

Submitted

MICHELE SLOMA for HERSELF

Submitted

JULIE GIRUZZI-MOSCA, ATTORNEY FOR CHILD

Submitted

363.0
CAF 16-00399

RYAN J. FISHER

V

LESLIE A. FISHER

Appeal from a decision and order of the Family Court, Wyoming County (Terrence M. Parker, J.), entered February 22, 2016, in a proceeding pursuant to Family Court Act article 6. The decision and order, directed inter alia, that the residence of the parties' child shall be in New York.

MICHAEL STEINBERG for LESLIE A. FISHER

10 minutes

ADAM W. KOCH for RYAN J. FISHER

5 minutes

MARY ANNE CONNELL, ATTORNEY FOR CHILD

10 minutes

364.0
CAF 15-01702

In the Matter of

MADELYNN T.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 4, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, adjudged that respondent had abandoned the subject child.

DAVID J. PAJAK for REBECCA M.

Submitted

AMBER R. POULOS for ERIE COUNTY D.S.S.

Submitted

	CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
365.0 CAF 15-01084	In the Matter of BABY B.W.	
	Appeal from an order of the Family Court, Oneida County (James R. Griffith, J.), entered July 13, 2015, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent had neglected the subject child.	
	PETER J. DIGIORGIO, JR., for TRACY B.H.	10 minutes
	DENISE J. MORGAN for ONEIDA COUNTY D.S.S.	5 minutes
	JOHN G. KOSLOSKY, ATTORNEY FOR CHILD	5 minutes
366.0 CAF 16-00454	JASON L. ROHR V BARBARA L. YOUNG	
	Appeal from an order of the Family Court, Jefferson County (Eugene J. Lagone, Jr., J.), entered March 18, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that respondent Barbara L. Young shall have visitation of the subject children one Saturday per month for two hours.	
	PALOMA A. CAPANNA for BARBARA L. YOUNG	10 minutes
	MATTHEW J. PORTER for JASON L. ROHR	10 minutes
	KIMBERLY ANN WOOD for AIMEE ROHR	Submitted
	LISA WELDON, ATTORNEY FOR CHILD	10 minutes
367.0 CAF 14-01629	In the Matter of HAROLD C., JR.	
	Appeal from a decision and order of the Family Court, Erie County (Margaret O. Szczur, J.), entered August 22, 2014, in a proceeding pursuant to Family Court Act article 10. The decision and order directed that respondent receive mental health treatment at Mid-Erie Treatment Services.	
	DAVID J. PAJAK for ARIELLE B.	Submitted
	NICHOLAS G. LOCICERO for ERIE COUNTY D.S.S.	Submitted
	AUDREY ROSE HERMAN, ATTORNEY FOR CHILD	5 minutes
368.0 CA 16-00415	RONALD L. HAWE V TODD DELMAR	
	Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered December 18, 2015. The order granted the motion to dismiss the complaint pursuant to CPLR 3216.	
	P. MICHAEL SHANLEY for RONALD L. HAWE	Submitted
	CHRISTOPHER M. MILITELLO for TODD DELMAR	10 minutes
369.0 CA 16-01489	JOHN PESTILLO SETTLED V COUNTY OF MONROE	

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered December 8, 2015. The order, insofar as appealed from, granted the motion of plaintiff to serve a late notice of claim on defendant County of Monroe.

MATTHEW BROWN for COUNTY OF MONROE

JAMES M. O'KEEFE for JOHN PESTILLO

370.0
CA 16-01302

CHRISTOPHER J. BURKE
V
ARCADIS G&M

Appeals from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered October 2, 2015. The order, among other things, granted plaintiffs' motion to compel discovery.

MARSHALL BROAD for NIAGARA MOHAWK ENERGY, INC.

10 minutes

GAIL J. MCNALLY for ARCADIS G&M

15 minutes

VINCENT J. ROSSI, JR., for CHRISTOPHER J. BURKE

10 minutes

371.0
CA 16-01222

PAUL MARINACCIO, SR.
V
TOWN OF CLARENCE

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered January 14, 2016. The order granted the motion of defendant to dismiss the complaint and dismissed the complaint.

R. ANTHONY RUPP, III, for PAUL MARINACCIO, SR.

10 minutes

MICHAEL P. MCCLAREN for TOWN OF CLARENCE

10 minutes

372.0
CA 15-01539

TYRONE DAVIS
V
STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered July 1, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, continued petitioner's commitment to a secure treatment facility.

JOHN A. CIRANDO for TYRONE DAVIS

15 minutes

KATHLEEN M. TREASURE for STATE OF NEW YORK

10 minutes

373.0
CA 16-01466

WALTER KENNEDY
V
OSWEGO CITY SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr, J.), entered February 24, 2016. The order, among other things, denied plaintiff's motion for permission to serve a late notice of claim on defendant.

MICHAEL PATRICK KENNY for WALTER KENNEDY

30 minutes

CHRISTOPHER M. MILITELLO for OSWEGO CITY SCHOOL DISTRICT

10 minutes

374.0
CA 16-01573

VINCENT E. BREGE
V
TOWN OF TONAWANDA

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered June 23, 2016. The order denied the motion of plaintiff for leave to file and serve a late notice of claim.

ERIC B. GROSSMAN for VINCENT E. BREGE

10 minutes

RYAN LANCE GELLMAN for TOWN OF TONAWANDA

10 minutes

375.0
CA 16-01384

LINDSAY A. HELENBROOK

V

DENNIS J. HELENBROOK

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered December 17, 2015. The order denied the motion of plaintiff for summary judgment and dismissed the summons with notice of plaintiff.

LINDSAY A. HELENBROOK for HERSELF

Submitted

DENNIS J. HELENBROOK for HIMSELF

Submitted

376.0
CA 16-01396

DONALD GOOLEY

V

BOARD OF EDUCATION

Appeal from an order of the Supreme Court, Herkimer County (Norman J. Siegel, J.), entered April 29, 2016. The order denied defendants' motion for summary judgment.

CHRISTOPHER M. MILITELLO for BOARD OF EDUCATION

10 minutes

STEPHEN CIOTOLI for DONALD GOOLEY

10 minutes