

**DAY CALENDAR**  
**Wednesday, February 21, 2018 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

240.0  
TP 17-01650

**JERRY MCLAMORE**  
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 September 15, 2017) to review a determination of respondent. The determination found after Tier III hearing that petitioner violated an inmate rules.

LEAH R. NOWOTARSKI for JERRY MCLAMORE

Submitted

VICTOR PALADINO for ANTHONY ANNUCCI

Submitted

241.0  
KA 16-01400

**PEOPLE**  
V  
**TREVON KILLINGS**

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered January 12, 2016. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree and tampering with physical evidence.

ADAM H. VAN BUSKIRK for TREVON KILLINGS

Submitted

CHRISTOPHER VALDINA for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

242.0  
KA 15-01818

**PEOPLE**  
V  
**JAMES D. WISNER**

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered October 13, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the first degree, burglary in the second degree (two counts), criminal possession of stolen property in the fifth degree (two counts) and criminal possession of stolen property in the fourth degree (five counts).

MICHAEL G. CIANFARANO for JAMES D. WISNER

10 minutes

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

243.0  
KA 16-00887

**PEOPLE**  
V  
**MICHAEL IRIZARRY**

Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered April 28, 2016. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree (three counts), criminal possession of a controlled substance in the third degree (three counts) and criminal possession of a controlled substance in the seventh degree.

TYSON BLUE for MICHAEL IRIZARRY

10 minutes

WENDY E. LEHMANN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

244.0  
KA 15-02039

PEOPLE  
V  
MATTHEW W. ECK

Appeal from a judgment of the Supreme Court, Erie County (Michael L. D'Amico, J.), rendered November 7, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree (two counts).

TIMOTHY P. MURPHY for MATTHEW W. ECK Submitted

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

245.0  
KA 14-02274

PEOPLE  
V  
GREGORY WARE

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered December 16, 2014. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

KRISTEN MCDERMOTT for GREGORY WARE 15 minutes

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

246.0  
KA 15-01222

PEOPLE  
V  
TIMOTHY WILLIAMS

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered May 22, 2015. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, attempted assault in the first degree, assault in the second degree and strangulation in the second degree.

SARA A. GOLDFARB for TIMOTHY WILLIAMS 10 minutes

NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

247.0  
KA 15-00928

PEOPLE  
V  
RONNELL D. WILSON

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered April 10, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

JOHN A. CIRANDO for RONNELL D. WILSON 10 minutes

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

248.0  
KA 15-00929

PEOPLE  
V  
RONNELL D. WILSON

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered April 10, 2015. The judgment convicted defendant, upon his plea of guilty, of trafficking.

JOHN A. CIRANDO for RONNELL D. WILSON Submitted

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

249.0  
KA 15-00930

PEOPLE  
V  
RONNELL D. WILSON

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered April 10, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted kidnapping in the second degree.

JOHN A. CIRANDO for RONNELL D. WILSON Submitted

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

250.0  
KA 16-00792

PEOPLE  
V  
RONNELL D. WILSON

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered January 8, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted sex trafficking.

JOHN A. CIRANDO for RONNELL D. WILSON Submitted

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

251.0  
KA 16-02331

PEOPLE  
V  
CLAUDE E. ZIRBEL

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered December 6, 2016. The judgment revoked a term of probation and imposed a term of incarceration.

DAVID P. ELKOVITCH for CLAUDE E. ZIRBEL Submitted

CHRISTOPHER VALDINA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

252.0  
CAF 16-00862

PETER J. UNCZUR  
V  
DEBRA A. WELCH

Appeal from an order of the Family Court, Chautauqua County (Jeffrey A. Piazza, J.), entered April 12, 2016, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted respondent sole child custody.

JOHN A. CIRANDO for PETER J. UNCZUR 10 minutes

LINDA M. CAMPBELL for DEBRA A. WELCH 10 minutes

AVERY S. OLSON, ATTORNEY FOR CHILD 10 minutes

253.0  
CAF 16-01941

JUSTIN S. TALBOT  
V  
CRYSTAL EDICK

Appeal from an order of the Family Court, Herkimer County (John J. Brennan, J.), entered July 22, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody of the subject child.

JOHN HERBOWY for CRYSTAL EDICK 5 minutes

JOHN J. RASPANTE for JUSTIN S. TALBOT Submitted

MICHELLE K. FASSETT, ATTORNEY FOR CHILD 5 minutes

254.0  
CAF 16-01927

ALEESA ANN BERMUDEZ-HOGAN  
V  
RAYMOND LLOYD CRANDALL

Appeal from an order of the Family Court, Oneida County (James R. Griffith, J.), entered October 6, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the primary physical residence of the children be with petitioner.

PETER J. DIGIORGIO, JR., for RAYMOND LLOYD CRANDALL 5 minutes

PAUL A. NORTON for ALEESA ANN BERMUDEZ-HOGAN Submitted

JOHN P. AMUSO, ATTORNEY FOR CHILD Submitted

255.0  
CAF 16-01814

BRIANA ELIZABETH MATTICE  
V  
JOSEPH M. PALMISANO

Appeal from an order of the Family Court, Onondaga County (William W. Rose, R.), entered September 21, 2016, in a proceeding pursuant to Family Court article 6. The order, inter alia, granted petitioner sole legal and primary physical child custody.

JOHN A. CIRANDO for JOSEPH M. PALMISANO 10 minutes

LINDA M. CAMPBELL for BRIANA ELIZABETH MATTICE 10 minutes

DOUGLAS M. DEMARCHE, JR., ATTORNEY FOR CHILD 10 minutes

256.0  
CAF 16-01815

JOSEPH M. PALMISANO  
V  
BRIANA ELIZABETH MATTICE

Appeal from an order of the Family Court, Onondaga County (William W. Rose, R.), entered September 21, 2016, in a proceeding pursuant to Family Court article 6. The order dismissed the petition for a modification of visitation and custody.

JOHN A. CIRANDO for JOSEPH M. PALMISANO Submitted

LINDA M. CAMPBELL for BRIANA ELIZABETH MATTICE Submitted

DOUGLAS M. DEMARCHE, JR., ATTORNEY FOR CHILD Submitted

257.0  
CA 17-00550

STAFF LEASING OF CENTRAL NEW YORK INC.  
V  
HEIDI J. LUPI

Appeals from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered July 8, 2016. The order, among other things, granted plaintiff's motion to compel.

JEFFREY M. NARUS for HEIDI J. LUPI 10 minutes

ELIZABETH A. HOFFMAN for PINNACLE EMPLOYEE SERVICES, LLC 10 minutes

TERESA M. BENNETT for STAFF LEASING OF CENTRAL NEW YORK INC. 10 minutes

258.0  
CA 17-01750

MARIE L. MCINTYRE  
V  
RICHARD F. SALLUZZO

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall J.), entered November 29, 2016. The order denied in part defendant's motion for summary judgment.

LEIGH A. LIEBERMAN for RICHARD F. SALLUZZO 10 minutes

KATHRYN FESTINE HARTNETT for MARIE L. MCINTYRE 10 minutes

259.0  
CA 17-00421

CARRIANN RAY  
V  
VICTORIA J.G. STOCKTON

Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered September 29, 2016. The order, among other things, denied defendant's motion to set aside a jury verdict.

BRIAN D. GINSBERG for VICTORIA J.G. STOCKTON 15 minutes

STEPHEN CIOTOLI for CARRIANN RAY 10 minutes

260.0  
CA 17-00423

CARRIANN RAY  
V  
VICTORIA J.G. STOCKTON

Appeal from a judgment of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered November 16, 2016. The judgment awarded plaintiff the sum of \$5,151,892.33 as against defendant.

BRIAN D. GINSBERG for VICTORIA J.G. STOCKTON Submitted

STEPHEN CIOTOLI for CARRIANN RAY Submitted

261.0  
CA 17-01257

CARRIANN RAY  
V  
VICTORIA J.G. STOCKTON

Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered June 19, 2017. The order denied defenant's motion for relief from judgment.

BRIAN D. GINSBERG for VICTORIA J.G. STOCKTON Submitted

STEPHEN CIOTOLI for CARRIANN RAY Submitted

262.0  
OP 17-01798

CHARLES E. HENRY, JR.  
V  
HON. MARK H. FANDRICH

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]). Petitioner seeks to annul a decision of the Cayuga County Court denying petitioner's motion to refer his case to the Cayuga County Treatment Court.

JARROD W. SMITH for CHARLES E. HENRY, JR. 15 minutes

FREDERICK R. WESTPHAL for JON E. BUDELMANN 15 minutes

HON. MARK H. FANDRICH for HIMSELF Submitted

263.0  
TP 17-01816

MARK MARANTETTE  
V  
CITY OF CANANDAIGUA

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, Ontario County [William F. Kocher, A.J.], dated October 13, 2017) to review a determination of respondents to terminate petitioner from the position of Fire Chief of the City of Canandaigua.

MICHAEL T. HARREN for MARK MARANTETTE

10 minutes

JENNA W. KLUCSIK for CITY OF CANANDAIGUA

10 minutes

264.0  
CA 17-01390

**TIMOTHY WHITE**

**V**

**MEHTAB BAJWA, M.D.**

Appeal and cross appeals from a letter decision and order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered January 24, 2017. The letter decision and order granted the motion of defendants Brett B. Greenky, M.D., and Syracuse Orthopedic Specialists, P.C., for summary judgment dismissing the complaint; denied the motion of defendants Mehtab Singh Bajwa, M.D., Anesthesia Group of Onondaga, P.C., and Tracie O'Shea, C.R.N.A., for summary judgment dismissing the complaint; and granted the motion for summary judgment of defendant St. Joseph's Hospital with respect to res ipsa loquitur and denied said motion with respect to negligence.

KATHLEEN A. BARCLAY for ST. JOSEPH'S HOSPITAL

15 minutes

MICHAEL W. HARRIS for TIMOTHY WHITE

15 minutes

BRIAN M. GARGANO for MEHTAB BAJWA, M.D.

5 minutes

JAMES D. LANTIER for BRETT B. GREENKY, M.D.

15 minutes

265.0  
CA 17-01209

**MOHAWK VALLEY WATER AUTHORITY**

**V**

**STATE OF NEW YORK**

Appeal from a decision, order and judgment of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered March 3, 2017. The decision, order and judgment insofar as appealed from, granted the motion of plaintiff for partial summary judgment declaring the obligation of defendants.

STUART F. KLEIN for THE NEW YORK STATE CANAL CORPORATION

10 minutes

ALAN J. PIERCE for MOHAWK VALLEY WATER AUTHORITY

10 minutes