

**DAY CALENDAR**  
**Monday, February 26, 2018 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

339.0  
TP 17-01852

**MARVIN VASSAR**  
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 October 23, 2017) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for MARVIN VASSAR

Submitted

FRANK BRADY for ANTHONY ANNUCCI

Submitted

340.0  
TP 17-01667

**BRANDEL WILLIAMS**  
V  
**ANTHONY ANNUCCI**

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, Livingston County [Robert B. Wiggins, A.J.], entered September 18, 2017) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

BRANDEL WILLIAMS for HIMSELF

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

341.0  
KA 16-00771

**PEOPLE**  
V  
**NATHANIEL RAY**

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, J.), rendered April 29, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

NICHOLAS P. DIFONZO for NATHANIEL RAY

10 minutes

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

5 minutes

342.0  
KA 16-00656

**PEOPLE**  
V  
**HAKIM OWENS**

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered September 23, 2015. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree.

MICHAEL STACHOWSKI for HAKIM OWENS

15 minutes

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

343.0  
KA 15-01388

**PEOPLE**  
V  
**KEVIN MILLER**

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered January 7, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree (two counts), criminal possession of a controlled substance in the third degree (three counts) and resisting arrest.

CARA A. WALDMAN for KEVIN MILLER

Submitted

JEFFERY R. FRIESEN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

344.0  
KA 17-00462

PEOPLE  
V  
JUAN CIRINO

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered February 5, 2015. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree and assault in the first degree.

LINDA M. CAMPBELL for JUAN CIRINO

10 minutes

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

10 minutes

345.0  
KA 17-01727

PEOPLE  
V  
AMOS GOODWIN

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered April 6, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

BRUCE R. BRYAN for AMOS GOODWIN

10 minutes

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

Submitted

346.0  
KA 15-00101

PEOPLE  
V  
JAMES FOX

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), entered August 18, 2014. The judgment revoked defendant's probation and imposed a term of imprisonment.

MARK C. DAVISON for JAMES FOX

5 minutes

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

5 minutes

347.0  
CAF 17-01113

RAYMOND J. MAURO  
V  
CHEYENNE L. COSTELLO

Appeal from an order of the Family Court, Steuben County (Mathew K. McCarthy, A.J.), entered January 5, 2017, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, dismissed the violation petition and modified a prior custody order.

TRAVIS J. BARRY for RAYMOND J. MAURO

15 minutes

ROSEMARIE RICHARDS for CHEYENNE L. COSTELLO

10 minutes

SARA E. ROOK, ATTORNEY FOR CHILD

10 minutes

348.0  
CAF 17-00990

JOHN E. REYNOLDS, JR.  
V  
TANYA EVANS

Appeal from an order of the Family Court, Ontario County (Frederick G. Reed, J.), entered November 22, 2016 in a proceeding pursuant to Family Court Act article 4. The order denied petitioner's objections to the Finding of Fact and Order of Dismissal of the Support Magistrate entered on October 5, 2016.

MOLLIE A. DAPOLITO for JOHN E. REYNOLDS, JR. 5 minutes

TANYA EVANS for HERSELF Submitted

349.0  
CAF 16-01836

In the Matter of  
ALIYAH M.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 8, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Lynnise M. had neglected the subject child and placed her under the supervision of petitioner.

DENIS A. KITCHEN, JR., for LYNNISE M. 10 minutes

NATALIE MUNOZ STUTZ for ERIE COUNTY DSS 10 minutes

AYOKA APRIL TUCKER, ATTORNEY FOR CHILD 10 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD 10 minutes

PAMELA THIBODEAU, ATTORNEY FOR CHILD 5 minutes

350.0  
CAF 16-01837

In the Matter of  
DEONTE M. M.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 8, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Lynnise M. had neglected the subject child and placed her under the supervision of petitioner.

DENIS A. KITCHEN, JR., for LYNNISE M. Submitted

NATALIE MUNOZ STUTZ for ERIE COUNTY DSS Submitted

AYOKA APRIL TUCKER, ATTORNEY FOR CHILD Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD Submitted

PAMELA THIBODEAU, ATTORNEY FOR CHILD Submitted

351.0  
CAF 16-01838

In the Matter of  
DASHAUN L. A.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 8, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Lynnise M. had neglected the subject child and placed her under the supervision of petitioner.

DENIS A. KITCHEN, JR., for LYNNISE M. Submitted

NATALIE MUNOZ STUTZ for ERIE COUNTY DSS Submitted

AYOKA APRIL TUCKER, ATTORNEY FOR CHILD	Submitted
CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
PAMELA THIBODEAU, ATTORNEY FOR CHILD	Submitted

352.0  
CAF 16-01839

**In the Matter of  
ANIYA I. S.**

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 8, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Lynnise M. had neglected the subject child and placed her under the supervision of petitioner.

DENIS A. KITCHEN, JR., for LYNNISE M.	Submitted
NATALIE MUNOZ STUTZ for ERIE COUNTY DSS	Submitted
AYOKA APRIL TUCKER, ATTORNEY FOR CHILD	Submitted
CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
PAMELA THIBODEAU, ATTORNEY FOR CHILD	Submitted

353.0  
CAF 16-01840

**In the Matter of  
RAHKEIM A.**

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 8, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Lynnise M. had neglected the subject children and placed her under the supervision of petitioner.

DENIS A. KITCHEN, JR., for LYNNISE M.	Submitted
NATALIE MUNOZ STUTZ for ERIE COUNTY DSS	Submitted
AYOKA APRIL TUCKER, ATTORNEY FOR CHILD	Submitted
CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
PAMELA THIBODEAU, ATTORNEY FOR CHILD	Submitted

354.0  
CAF 16-01841

**In the Matter of  
LANIASA N. A.**

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 8, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Lynnise M. had neglected the subject child and placed her under the supervision of petitioner.

DENIS A. KITCHEN, JR.,for LYNNISE M.	Submitted
NATALIE MUNOZ STUTZ for ERIE COUNTY DSS	Submitted
AYOKA APRIL TUCKER, ATTORNEY FOR CHILD	Submitted
CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
PAMELA THIBODEAU, ATTORNEY FO CHILD	Submitted

355.0  
CAF 16-01842

**In the Matter of  
DARYN W.**

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 8, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Lynnise M. had neglected the subject child and placed her under the supervision of petitioner.

DENIS A. KITCHEN, JR.,for LYNNISE M.	Submitted
NATALIE MUNOZ STUTZ for ERIE COUNTY DSS	Submitted
AYOKA APRIL TUCKER, ATTORNEY FOR CHILD	Submitted
CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
PAMELA THIBODEAU, ATTORNEY FOR CHILD	Submitted

356.0  
CAF 16-00099

**In the Matter of  
RASHAWN J.**

Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered December 14, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Veronica H.-B. had neglected the subject children.

DAVID R. JUERGENS for VERONICA H-B.	Submitted
PETER ANDREW ESSLEY for MONROE COUNTY DSS	Submitted
SARA E. ROOK, ATTORNEY FOR CHILD	5 minutes

357.0  
CA 17-01457

**EPK PROPERTIES, LLC  
V  
PFOHL BROTHERS LANDFILL SITE**

Appeals from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered November 9, 2016. The order granted the motions of defendants to dismiss the complaint.

ROBERT EDWARD KNOER for EPK PROPERTIES, LLC	15 minutes
YVONNE E. HENNESSEY for NIAGARA MOHAWK POWER CORPORATION	10 minutes
JOHN T. KOLAGA for TOWN OF CHEEKTOWAGA	10 minutes
KEVIN MICHAEL HOGAN for PFOHL BROTHERS LANDFILL SITE	10 minutes

358.0  
CA 17-00081

**MICHAEL JACKSON  
V  
ANTHONY ANNUCCI**

Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered November 14, 2016. The memorandum and judgment dismissed the CPLR article 78 petition.

ADAM W. KOCH for MICHAEL JACKSON	Submitted
ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI	Submitted

359.0  
CA 17-01741

**CHRISTINE MASON  
V  
RAVI ADHIKARY, M.D.**

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert J.), entered January 20, 2017. The order denied defendant's motion for summary judgment dismissing plaintiff's complaint.

	JEFFREY M. NARUS for RAVI ADHIKARY, M.D.	15 minutes
	JEFF D. DEFRANCISCO for CHRISTINE MASON	10 minutes
360.0 CA 17-01075	<b>DARNELLE BRADY</b> V <b>CITY OF NORTH TONAWANDA</b>	
	Appeal from a decision and order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered March 31, 2017. The decision and order, insofar as appealed from, granted the motion of defendant City of North Tonawanda for summary judgment dismissing the amended complaint.	
	TIMOTHY M. HUDSON for DARNELLE BRADY	10 minutes
	CHARLES E. GRANEY for CITY OF NORTH TONAWANDA	10 minutes
361.0 CA 17-01554	<b>LORNA FORBES</b> V <b>CARIS LIFE SCIENCES, INC.</b>	
	Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered November 21, 2016. The order denied defendants' motion to dismiss plaintiff's complaint.	
	AARON M. SCHIFFRIK for CARIS LIFE SCIENCES, INC.	10 minutes
	ROBERT E. LAHM for LORNA FORBES	10 minutes
362.0 CA 17-01574	<b>WELLSVILLE REALTY, LLC</b> V <b>BOARD OF ASSESSORS</b>	
	Appeal from an of the Supreme Court, Allegany County (Terrence M. Parker, A.J.), entered October 21, 2016 in proceedings pursuant to RPTL article 7. The order denied the petition challenging the real property tax assessment for the 2014-2015 tax year.	
	JACQUELYN L. MASCETTI for WELLSVILLE REALTY, LLC	15 minutes
	MAURA C. SEIBOLD for BOARD OF ASSESSORS	15 minutes
363.0 CA 17-01248	<b>JONATHAN R. GUSTKE</b> V <b>JONATHAN T. NICKERSON</b>	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered April 11, 2017. The order, among other things, granted the motions of defendants Jonathan T. Nickerson and Brian H. Foley seeking summary judgment.	
	CRAIG R. BUCKI for JONATHAN R. GUSTKE	10 minutes
	MARK A. FORDEN for JONATHAN T. NICKERSON	10 minutes
	KEVIN J. GRAFF for BRIAN H. FOLEY	10 minutes
	DAVID MICHAEL GOODMAN for MARY BETH LIPOME	10 minutes
	MELISSA L. VINCTON for MARY A. HOURT	10 minutes
364.0 CA 17-01744	<b>TOWN OF CONCORD</b> V <b>KRISTINE EDBAUER</b>	

**Appeal from an order of the Erie County Court (Michael Pietruszka, J.), entered July 21, 2017. The order affirmed a judgment of the Justice Court of the Town of Concord entered on August 22, 2016 which ordered respondent's dog to be humanely euthanized.**

**KRISTINE EDBAUER for HERSELF**

**Submitted**

**AARON M. SAYKIN for TOWN OF CONCORD**

**Submitted**