

DAY CALENDAR
Friday, January 16, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

98.0
KA 13-00489

PEOPLE
V
JESSE BONNER

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered October 23, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

ROBERT L. KEMP for JESSE BONNER Submitted

JODI A. DANZIG for THE PEOPLE OF THE STATE OF NEW YORK Submitted

99.0
KA 11-01945

PEOPLE
V
BRENT NELSON

Appeal from a judgment of the Onondaga County Court (Jeffrey R. Merrill, A.J.), rendered September 20, 2011. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree and grand larceny in the fourth degree.

KRISTEN MCDERMOTT for BRENT NELSON Submitted

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

100.0
KA 14-00564

PEOPLE
V
ANTIWON J. DUNMEYER

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered February 26, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree and aggravated criminal contempt.

JOSEPH G. FRAZIER for ANTIWON J. DUNMEYER Submitted

LAURA T. BITTNER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

101.0
KA 13-01803

PEOPLE
V
ROBERT MERKLEY

Appeal from an order of the Ontario County Court (Frederick G. Reed, A.J.), entered September 18, 2013. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

MARTIN P. MCCARTHY, II, for ROBERT MERKLEY Submitted

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

102.0
KA 11-01952

PEOPLE
V
ALVONSEY MANIGUALT

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered August 3, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

	ALLISON A. BOSWORTH for ALVONSEY MANIGUALT	10 minutes
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
103.0 KA 13-01184	PEOPLE V THOMAS J. TORRES	
	Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered August 7, 2012. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class D felony, and aggravated driving while intoxicated, per se, a class D felony.	
	ALAN WILLIAMS for THOMAS J. TORRES	15 minutes
	WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
104.0 KA 11-02371	PEOPLE V GERREN WHORLEY	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 16, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.	
	PIOTR BANASIAK for GERREN WHORLEY	10 minutes
	LINDSEY LUCZKA for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
105.0 CAF 13-00688	MICHAEL CARROLL V AMY CARROLL	
	Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered March 26, 2013 in a proceeding pursuant to Family Court Act article 6. The order granted petitioner supervised visitation.	
	PETER J. DIGIORGIO, JR., ATTORNEY FOR CHILD	10 minutes
	CHARLES J. GREENBERG for MICHAEL CARROLL	5 minutes
	STEPHEN WALTER ARNOLD for AMY CARROLL	Submitted
106.0 CAF 13-01785	In the Matter of DAKOTA H.	
	Appeals from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered September 24, 2013 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, terminated respondents' parental rights and transferred guardianship and custody of the subject child to petitioner.	
	RUPAK R. SHAH for DANIELLE F.	10 minutes
	KELLY M. CORBETT for JAMES H.	10 minutes
	BENJAMIN M. YAUS for ONONDAGA COUNTY DSS	10 minutes
	SUSAN B. MARRIS, ATTORNEY FOR CHILD	5 minutes
107.0 CAF 13-01834	In the Matter of JONATHAN M.	

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered September 24, 2013 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, terminated respondent's parental rights and transferred guardianship and custody of the subject children to petitioner.

RUPAK R. SHAH for DANIELLE F.

Submitted

BENJAMIN M. YAUS for ONONDAGA CO. DEPT. OF SOCIAL SERVICES

Submitted

SUSAN B. MARRIS, ATTORNEY FOR CHILD

Submitted

108.0
CA 13-00385

**In the Matter of
THE ESTATE OF MAGDA CORDELL MCHALE**

Appeal from an order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered September 28, 2012. The order adjudged that the January 21, 2008 Instrument of Gift is valid and fully enforceable and that the property encompassed by the Instrument of Gift is not part of the Estate of Magda Cordell McHale.

JOHN A. CIRANDO for EVAN MCHALE

15 minutes

HUGH M. RUSS, III, for ESTATE OF MAGDA CORDELL MCHALE

10 minutes

GAYLE L. EAGAN for DENISE KELLEHER

Submitted

ERIC T. SCHNEIDERMAN for CHARITABLE BENEFICIARIES

Submitted

109.0
CA 14-00923

**COUNTY OF CHAUTAUQUA
V
NIRAV R. SHAH, M.D., M.P.H.**

Appeal and cross appeal from an order and judgment (one paper) of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered January 27, 2014. The order and judgment, among other things, annulled the determination of respondents and directed respondents to allow petitioner's claim for reimbursement.

VICTOR PALADINO for NIRAV R. SHAH, M.D., M.P.H.

10 minutes

CHRISTOPHER BUCKEY for COUNTY OF CHAUTAUQUA

10 minutes

111.0
CA 14-01212

**GORDON H. DICK
V
STATE UNIVERSITY CONSTRUCTION FUND**

Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered September 13, 2013. The order denied the motion of defendant to vacate an order granting plaintiff leave to file a late notice of claim.

P. DAVID TWICHELL for STATE UNIVERSITY CONSTRUCTION FUND

15 minutes

BRITTANY E. AUNGIER for GORDON H. DICK

15 minutes

112.0
CAF 14-00045

LATESHA S. MAYES
V
THOMAS D. LAPLATNEY

Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered December 26, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded the parties joint legal and shared physical custody of the subject child.

KELLY M. CORBETT for LATESHA S. MAYES 10 minutes

JOHN A. CIRANDO for THOMAS D. LAPLATNEY 10 minutes

LOURDES P. ROSARIO, ATTORNEY FOR CHILD 10 minutes

113.0
CAF 14-01297

MICHELLE FARRUGGIA
V
SAM FARRUGGIA, SR.

Appeal from an order of the Family Court, Erie County (Paul G. Buchanan, J.), entered October 15, 2013 in a proceeding pursuant to Family Court Act article 4. The order denied the objection of respondent to the order of the Support Magistrate.

KELLY A. FERON for SAM FARRUGGIA, SR. Submitted

THOMAS J. CASERTA, JR., for MICHELLE FARRUGGIA Submitted

114.0
CA 14-00926

COUNTY OF JEFFERSON
V
NIRAV R. SHAH, M.D., M.P.H.

Appeal and cross appeal from an order and judgment (one paper) of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered February 27, 2014. The order and judgment, among other things, annulled the determination of respondents and directed respondents to allow petitioner's claim for reimbursement.

VICTOR PALADINO for NIRAV R. SHAH, M.D., M.P.H. 10 minutes

CHRISTOPHER BUCKEY for COUNTY OF JEFFERSON 10 minutes

115.0
CA 14-01114

KATHLEEN BENEDETTI
V
ERIE COUNTY MEDICAL CENTER CORP.

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered August 30, 2013. The order, insofar as appealed from, did not reach the motion of defendant Erie County Medical Center Corporation to dismiss the complaint for lack of personal jurisdiction.

FRANK C. CALLOCCHIA for ERIE COUNTY MEDICAL CENTER CORP. 10 minutes

STEVEN M. COHEN for KATHLEEN BENEDETTI 10 minutes

116.0
CA 14-01342

WILLIAM J. BLEIER
V
GREGORY J. MULVEY

Appeal from an amended order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered May 6, 2014. The amended order, among other things, denied in part defendants' motion for summary judgment dismissing the complaint.

ALISON K.L. MOYER for GREGORY J. MULVEY 10 minutes

ROBERT L. BRENNAN, JR., for WILLIAM J. BLEIER 10 minutes

117.0
CA 14-01353

ARCELIA DEL CARMEN CUQUE
V
SABIHA AMIN

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered March 26, 2014. The order, among other things, denied plaintiff's motion for partial summary judgment.

BRITTANYLEE PENBERTHY for ARCELIA DEL CARMEN CUQUE 15 minutes

MATTHEW T. MURRAY for SABIHA AMIN 15 minutes

110.0
CA 14-01110

TOWN BOARD OF TOWN OF BRIGHTON
V
WEST BRIGHTON FIRE DEPARTMENT, INC.

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered February 6, 2014. The order declared the contract between the parties enforceable, granted the petition and directed respondent to transfer certain assets pursuant to the subject contract.

BRADLEY MARC PINSKY for WEST BRIGHTON FIRE DEPARTMENT, INC. 10 minutes

TERENCE S. HANNIGAN for TOWN BOARD OF TOWN OF BRIGHTON 10 minutes