

DAY CALENDAR
Wednesday, January 21, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

137.0
KA 13-01963

PEOPLE
V
QUANAPARKER HOWARD

Appeal from decision and order of the Erie County Court (Kenneth F. Case, J.), entered September 19, 2013. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

KATHRYN B. FRIEDMAN for QUANAPARKER HOWARD Submitted

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

138.0
KA 11-00413

PEOPLE
V
BRIAN R. BUSSOM

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered November 22, 2010. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree and rape in the second degree.

JANE I. YOON for BRIAN R. BUSSOM Submitted

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

139.0
KA 05-01142

PEOPLE
V
TYRONE PRESCOTT

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered March 7, 2005. The judgment convicted defendant, upon a nonjury verdict, of gang assault in the first degree and assault in the first degree.

KATHRYN B. FRIEDMAN for TYRONE PRESCOTT Submitted

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

140.0
KA 14-00065

PEOPLE
V
JAMES H. SCHOLZ

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered May 28, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

ADAM H. VAN BUSKIRK for JAMES H. SCHOLZ Submitted

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

141.0
KA 14-00066

PEOPLE
V
JAMES H. SCHOLZ

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered May 28, 2013. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a misdemeanor, and criminal possession of a controlled substance in the seventh degree.

ADAM H. VAN BUSKIRK for JAMES H. SCHOLZ Submitted

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

142.0
KA 14-00067

PEOPLE
V
JAMES H. SCHOLZ

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered May 28, 2013. The judgment convicted defendant, upon his plea of guilty, of issuing a bad check.

ADAM H. VAN BUSKIRK for JAMES H. SCHOLZ Submitted

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

143.0
KA 14-00068

PEOPLE
V
JAMES H. SCHOLZ

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered May 28, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the second degree.

ADAM H. VAN BUSKIRK for JAMES H. SCHOLZ Submitted

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

144.0
KA 11-00803

PEOPLE
V
EARLWOOD ARMSTRONG

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered November 3, 2010. The judgment convicted defendant, upon a jury verdict, of gang assault in the first degree.

LINDA M. CAMPBELL for EARLWOOD ARMSTRONG 15 minutes

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

145.0
KA 12-00166

PEOPLE
V
MICHAEL R. CINTRON

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered January 5, 2011. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

DAVID R. JUERGENS for MICHAEL R. CINTRON Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

146.0
KA 10-02192

PEOPLE
V
LEEVARN GRAHAM, JR.

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered August 10, 2010. The judgment convicted defendant, upon a jury verdict, of arson in the first degree.

MARY P. DAVISON for LEEVARN GRAHAM, JR.

Submitted

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

147.0
CA 14-01161

ANDRE BANKS
V
LPCIMINELLI, INC.

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered February 24, 2014. The order, in so far as appealed from, denied the motion of plaintiff for partial summary judgment and granted in part the cross motion of defendants for summary judgment.

CHARLES H. COBB for ANDRE BANKS

10 minutes

RYAN J. LUCINSKI for LPCIMINELLI, INC.

10 minutes

148.0
TP 14-01377

SHAWN GREEN
V
HAROLD D. GRAHAM

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, Cayuga County [Mark H. Fandrich, A.J.], entered July 15, 2014) to review various determinations of respondent.

SHAWN GREEN for HIMSELF

Submitted

OWEN DEMUTH for HAROLD D. GRAHAM

Submitted

149.0
CA 14-01329

MELISSA CLARK
V
AZZAHER REAL ESTATE, LLC

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered May 30, 2014 in a personal injury action. The order denied defendant's motion for summary judgment dismissing the complaint.

LISA L. GOKHULSINGH for AZZAHER REAL ESTATE, LLC

15 minutes

ELLEN B. STURM for MELISSA CLARK

10 minutes

150.0
CA 14-01064

ZANE T. BROWN
V
KIMBERLY FEEHAN

Appeal from an order of the Supreme Court, Stueben County (Joseph W. Latham, A.J.), entered August 21, 2013. The order, among other things, denied petitioners' application for an award of costs and attorney's fees.

ROBERT D. SIGLIN for ZANE T. BROWN

Submitted

JOHN C. TUNNEY for KIMBERLY FEEHAN

10 minutes

151.0
CA 14-01124

CROUSE HEALTH SYSTEM, INC.
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered February 3, 2014. The order, among other things, granted petitioner's motion for summary judgment.

SHANNON M. JONES for CITY OF SYRACUSE 15 minutes

MEGAN DORRITIE for CROUSE HEALTH SYSTEM, INC. 15 minutes

ROBERT P. STAMEY for COUNTY OF ONONDAGA Submitted

152.0
CA 14-01265

MARIAN GALLMAN
V
T.D.M.S., LLC

Appeal from an order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered September 27, 2013 in a foreclosure action. The order, among other things, granted plaintiff's motion for summary judgment against defendant T.D.M.S., LLC.

ALAN J. KNAUF for T.D.M.S., LLC 15 minutes

JOHN M. NICHOLS for MARIAN GALLMAN 15 minutes

153.0
CA 14-01389

KAREN LAWRENCE
V
MARTIN W. MCCLARY

Appeal from a decision and order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered May 2, 2014. The decision and order granted the motion of defendant for summary judgment and dismissed the complaint.

MICHAEL STEINBERG for KAREN LAWRENCE 10 minutes

BRENT C. SEYMOUR for MARTIN W. MCCLARY 10 minutes

154.0
CA 14-01237

NOTHNAGLE HOME SECURITIES CORP.
V
BRUCKNER, TILLET, ROSSI, CAHILL

Appeal from an order and judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered October 22, 2013. The order and judgment, insofar as appealed from, denied the motion of defendants to dismiss plaintiff's negligence cause of action.

JOHN T. REFERMAT for BRUCKNER, TILLET, ROSSI, CAHILL 15 minutes

DERRICK A. SPATORICO for NOTHNAGLE HOME SECURITIES CORP. 15 minutes

155.0
CA 14-01131

MADELINE RIVERA
V
TOPS MARKETS, LLC

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered March 4, 2014 in a personal injury action. The order denied defendant's motion for summary judgment dismissing the complaint.

DENNIS P. HAMILTON for TOPS MARKETS, LLC 10 minutes

ELLEN B. STURM for MADELINE RIVERA 10 minutes

156.0
CA 14-01368

TAG MECHANICAL SYSTEMS, INC.
V
DWORKIN CONSTRUCTION CORP.

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered May 7, 2014. The order denied defendant's motion to dismiss the complaint.

DAVID O. WRIGHT for DWORKIN CONSTRUCTION CORP.

Submitted

ROBERT M. COTE for TAG MECHANICAL SYSTEMS, INC.

Submitted

157.0
CAF 14-00143

CHAUTAUQUA CO. DEPT. OF HEALTH

V

BARRY R. MATTESON

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate.

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT OF HEALTH

15 minutes

BARRY R. MATTESON for HIMSELF

Submitted

158.0
CAF 14-00144

CHAUTAUQUA CO. DEPT. OF HEALTH

V

MICHAEL A. WEATHERS

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

MICHAEL A. WEATHERS for HIMSELF

Submitted

159.0
CAF 14-00145

CHAUTAUQUA CO. DEPT. OF HEALTH

V

ALAN PETTEYS

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

ALAN PETTEYS for HIMSELF

Submitted

160.0
CAF 14-00146

JENA R. RAHR

V

JESSIE A. BENSON

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

JENA R. RAHR for HERSELF

Submitted

	JESSIE A. BENSON for HIMSELF	Submitted
161.0 CAF 14-00147	GERALD F. FRIES V NICOLE V. HUMMEL	
	Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate	
	JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH	Submitted
	GERALD F. FRIES for HIMSELF	Submitted
	NICOLE V. HUMMEL for HERSELF	Submitted
162.0 CAF 14-00148	CHAUTAUQUA CO. DEPT. OF HEALTH V MICHAEL J. PATTERSON	
	Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate	
	JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH	Submitted
	MICHAEL J. PATTERSON for HIMSELF	Submitted
163.0 CAF 14-00149	CHAUTAUQUA CO. DEPT. OF HEALTH V GARETH PUDWELL	
	Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate	
	JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH	Submitted
	GARETH PUDWELL for HIMSELF	Submitted
164.0 CAF 14-00152	CHAUTAUQUA CO. DEPT. OF HEALTH V KATHRYNE TAMEZ	
	Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate	
	JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH	Submitted
	KATHRYNE TAMEZ for HERSELF	Submitted
165.0 CAF 14-00153	ERIN B. FISCHER V MATTHEW J. BAGGIANO	

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

ERIN B. FISCHER for HERSELF

Submitted

MATTHEW J. BAGGIANO for HIMSELF

Submitted

166.0
CAF 14-00154

CHAUTAUQUA COUNTY DEPT. OF HEALTH
V
AUDREY A. MEADOWS

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

AUDREY A. MEADOWS for HERSELF

Submitted

167.0
CAF 14-00155

CHAUTAUQUA CO. DEPT. OF HEALTH
V
TONYA R. BOSLEY

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

TONYA R. BOSLEY for HERSELF

Submitted

168.0
CAF 14-00156

LIDIA E. CORTEZ
V
MIGUEL A. CORREA

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

LIDIA E. CORTEZ for HERSELF

Submitted

MIGUEL A. CORREA for HIMSELF

Submitted

169.0
CAF 14-00157

CHAUTAUQUA CO. DEPT. OF HEALTH
V
BARRY R. MATTESON

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

BARRY R. MATTESON for HIMSELF

Submitted

170.0
CAF 14-00158

CHAUTAUQUA CO. DEPT. OF HEALTH
V
APRIL S. MATTESON

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

APRIL S. MATTESON for HERSELF

Submitted

171.0
CAF 14-00159

CHAUTAUQUA CO. DEPT. FO HEALTH
V
WALTER J. MORSE

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

WALTER J. MORSE for HIMSELF

Submitted

172.0
CAF 14-00160

CHAUTAUQUA CO. DEPT. OF HEALTH
V
JERMAINE L. HOLLOWAN

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

JERMAINE L. HOLLOWAN for HIMSELF

Submitted

173.0
CAF 14-00161

CHAUTAUQUA CO. DEPT. OF HEALTH
V
MICHAEL I. ADAMSON

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

	MICHAEL I. ADAMSON for HIMSELF	Submitted
174.0	CHAUTAUQUA CO. DEPT. OF HEALTH	
CAF 14-00162	V	
	PAUL A. RUSSO	
	Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate	
	JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH	Submitted
	PAUL A. RUSSO for HIMSELF	Submitted
175.0	CHAUTAUQUA CO. DEPT. OF HEALTH	
CAF 14-00163	V	
	JULIE N. SWARTZ	
	Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate	
	JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH	Submitted
	JULIE N. SWARTZ for HERSELF	Submitted
176.0	CHAUTAUQUA CO. DEPT. OF HEALTH	
CAF 14-00164	V	
	LINDSEY R. DAHLIN	
	Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate	
	JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH	Submitted
	LINDSEY R. DAHLIN for HERSELF	Submitted
177.0	CHAUTAUQUA CO. DEPT. OF HEALTH	
CAF 14-00165	V	
	JAMES F. CHASE	
	Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate	
	JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH	Submitted
	JAMES F. CHASE for HIMSELF	Submitted
178.0	CHAUTAUQUA CO. DEPT. OF HEALTH	
CAF 14-00166	V	
	ANGELO VILLA	

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

ANGELO VILLA for HIMSELF

Submitted

179.0
CAF 14-00167

SEAN G. TRASK

V

SUZANNE G. BUCK

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

SEAN G. TRASK for HIMSELF

Submitted

SUZANNE G. BUCK for HERSELF

Submitted

180.0
CAF 14-00168

CHAUTAUQUA CO. DEPT. OF HEALTH

V

JERAD M. DAVIS

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

JERAD M. DAVIS for HIMSELF

Submitted

181.0
CAF 14-00169

CHAUTAUQUA CO. DEPT. OF HEALTH

V

KEVIN C. BROWN

Appeal from a decision and order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 17, 2013, in a proceeding pursuant to Family Court Act article 4. The decision and order dismissed the objections of the Chautauqua County Department of Health and Human Services and affirmed the order of the Support Magistrate

JULIE BURDICK HEWITT for CHAUTAUQUA CO. DEPT. OF HEALTH

Submitted

KEVIN C. BROWN for HIMSELF

Submitted