

DAY CALENDAR
Monday, January 12, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1.0
TP 14-01330

ROBERT KLEIN
V
CAPTAIN KISER

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.], dated March 20, 2014) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ROBERT KLEIN for HIMSELF

Submitted

PETER H. SCHIFF for CAPTAIN KISER

Submitted

2.0
TP 14-01311

MICHAEL CHIOVARO
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, Wyoming County [Michael M. Mohun, A.J.], entered July 15, 2014) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ANTHONY JOSEPH LANA for MICHAEL CHIOVARO

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

3.0
KA 11-00690

PEOPLE
V
DANIEL W. LEWIS

Appeal from a judgment of the Monroe County Court (Stephen T. Miller, A.J.), rendered January 28, 2011. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree.

DREW R. DUBRIN for DANIEL W. LEWIS

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

4.0
KA 14-00465

PEOPLE
V
JERRY GILLARD

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Thomas J. Miller, J.), dated February 25, 2014. The order denied defendant's motion pursuant to CPL 440.10 and 440.20 to, among other things, vacate the judgment convicting defendant of attempted criminal possession of a weapon in the third degree.

JERRY GILLARD for HIMSELF

Submitted

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

Submitted

5.0
KA 10-01790

PEOPLE
V
DONNELL JEFFERSON

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered July 21, 2010. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault (two counts), kidnapping in the second degree, and robbery in the first degree.

CHARLES THOMAS NOCE for DONNELL JEFFERSON 10 minutes

ERIN TUBBS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

6.0
KA 13-00410

PEOPLE
V
RYAN P. BRAHNEY

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered October 25, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts), burglary in the first degree (two counts), criminal possession of a weapon in the fourth degree and criminal contempt in the first degree (two counts).

DAVID P. ELKOVITCH for RYAN P. BRAHNEY Submitted

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

7.0
KA 13-01456

PEOPLE
V
RYAN P. BRAHNEY

Appeal from a resentence of the Cayuga County Court (Thomas G. Leone, J.), rendered December 3, 2012. Defendant was resentenced as a second felony offender.

DAVID P. ELKOVITCH for RYAN P. BRAHNEY Submitted

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

8.0
KA 13-00072

PEOPLE
V
JONATHAN N. MAY

Appeal from a judgment of the Supreme Court, Erie county (Deborah A. Haendiges, J.), rendered December 19, 2012. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the third degree and assault in the third degree.

DEBORAH K. JESSEY for JONATHAN N. MAY 10 minutes

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

9.0
KA 13-00189

PEOPLE
V
ODELL WILKENS

Appeal from an order of the Erie County Court (Thomas P. Franczyk, J.), dated December 11, 2012. The order denied the motion of defendant pursuant to CPL 440.10 (1).

DEBORAH K. JESSEY for ODELL WILKENS 10 minutes

NICHOLAS T. TEXIDO for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

10.0
CAF 14-00120

In the Matter of
CORY J. S.

Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered December 8, 2013 in proceedings pursuant to Family Court Act article 3. The order dismissed the petitions in the furtherance of justice.

RICHARD C. MITCHELL for OSWEGO COUNTY ATTORNEY

Submitted

SUSAN B. MARRIS, ATTORNEY FOR CHILD

5 minutes

11.0
CAF 13-00872

JENNIFER RICE
V
LORI COLE

Appeal from an order of the Family Court, Ontario County (Stephen D. Aronson, A.J.), entered April 9, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the placement of the subject child remain with petitioner Jennifer Rice and set forth a visitation schedule for respondent Michael Wightman.

TYSON BLUE for MICHAEL WIGHTMAN

10 minutes

JENNIFER L. RICE for HERSELF

Submitted

JANICE RAE ROBINSON for LORI COLE

Submitted

M. KATHLEEN CURRAN, ATTORNEY FOR CHILD

5 minutes

12.0
CAF 13-01327

CHRISTIAN L. JONES
V
LAURA S. TUCKER

Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered May 16, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole legal and physical custody of the subject child.

ALAN J. PIERCE for LAURA S. TUCKER

10 minutes

WILLIAM R. BARTHOLOMAE for CHRISTIAN L. JONES

10 minutes

SUSAN B. MARRIS, ATTORNEY FOR CHILD

5 minutes

13.0
CA 14-01350

ERIC ANDERSON
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (Stephen J. Lynch, J.), entered November 13, 2013. The judgment awarded the claimant money damages as against defendant.

JEFFREY W. LANG for STATE OF NEW YORK

10 minutes

ERIC ANDERSON for HIMSELF

Submitted

14.0
CA 13-00976

ADAM VILLAR
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered April 3, 2013. The order granted the motion of defendant to dismiss the complaint.

	PAUL A. WOODARD for ADAM VILLAR	15 minutes
	KENNETH R. KIRBY for COUNTY OF ERIE	15 minutes
15.0 CA 13-00977	ADAM VILLAR V COUNTY OF ERIE	
	Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered April 3, 2013. The order denied the motion of plaintiff to amend his complaint.	
	PAUL A. WOODARD for ADAM VILLAR	Submitted
	KENNETH R. KIRBY for COUNTY OF ERIE	Submitted
16.0 CA 13-00978	ADAM VILLAR V COUNTY OF ERIE	
	Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered May 21, 2013. The order denied the motion of plaintiff to reargue.	
	PAUL A. WOODARD for ADAM VILLAR	Submitted
	KENNETH R. KIRBY for COUNTY OF ERIE	Submitted
17.0 CA 14-01344	EDWARD GAWRON V TOWN OF CHEEKTOWAGA	
	Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered November 15, 2013 in a personal injury action. The order denied defendants' motion for summary judgment.	
	MARTHA E. DONOVAN for TOWN OF CHEEKTOWAGA	10 minutes
	JOHN A. COLLINS for EDWARD GAWRON	Submitted
	MICHAEL D. HOLLENBECK for JOANNE GAWRON	10 minutes
18.0 CA 14-01269	LATISHA JOHNSON V WAL-MART	
	Appeals from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered January 17, 2014. The order denied the motions of defendants for summary judgment.	
	AMANDA L. MACHACEK for WAL-MART	10 minutes
	CHRISTINE VOGEL for LATISHA JOHNSON	Submitted
	RICHARD JUDA, JR., for EAGLE RIDGE SPECIALTY PROPERTY SERVICES	10 minutes
19.0 CA 14-01158	JOANN ABBO-BRADLEY V CITY OF NIAGARA FALLS	
	Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered December 4, 2013. The order granted the motion of defendant Glenn Springs Holdings, Inc., for a preliminary injunction and conditionally enjoined plaintiffs from conducting environmental sampling in the neighborhood surrounding the Love Canal Landfill site.	

	STEPHEN J. PHILLIPS for JOANN ABBO-BRADLEY	15 minutes
	JEFFREY F. BAASE for NIAGARA FALLS WATER BOARD	10 minutes
	DAVID RAY ADAMS for SEVENSON ENVIRONMENTAL SERVICES, IN	15 minutes
	SHEILA L. BIRNBAUM for GLENN SPRINGS HOLDINGS, INC.	15 minutes
	PATRICIA S. CICCARELLI for GROSS PHC LLC	10 minutes
	JEFFREY D. SCHULMAN for OP-TECH ENVIRONMENTAL SERVICES	5 minutes
20.0 CA 14-01173	MICHAEL M. KROSSBER V JAMES CHERNISS	
	Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered January 10, 2014. The order granted the motion of defendants for summary judgment and dismissed the complaint.	
	JOHN E. TYO for MICHAEL M. KROSSBER	15 minutes
	MARK D. GORIS for JAMES CHERNISS	10 minutes
21.0 CA 13-00979	ADAM VILLAR V TIMOTHY B. HOWARD	
	Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered April 3, 2013. The order granted the motion of defendant to dismiss the complaint.	
	PAUL A. WOODARD for ADAM VILLAR	15 minutes
	KENNETH R. KIRBY for TIMOTHY B. HOWARD	15 minutes
22.0 CA 13-00980	ADAM VILLAR V TIMOTHY B. HOWARD	
	Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered April 3, 2013. The order denied the motion of plaintiff to amend his complaint.	
	PAUL A. WOODARD for ADAM VILLAR	Submitted
	KENNETH R. KIRBY for TIMOTHY B. HOWARD	Submitted
23.0 CA 13-00981	ADAM VILLAR V TIMOTHY B. HOWARD	
	Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered May 21, 2013. The order denied the motion of plaintiff seeking leave to reargue.	
	PAUL A. WOODARD for ADAM VILLAR	Submitted
	KENNETH R. KIRBY for TIMOTHY B. HOWARD	Submitted
24.0 CA 13-00420	ANN TOWNE V DAVID E. BURNS, M.D.	

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered January 23, 2013. The order denied the motion of plaintiff Ann Towne to set aside the verdict and for a new trial.

ERIC M. DOLAN for ANN TOWNE

15 minutes

DENNIS JOHN GRUTTADARO for DAVID E. BURNS, M.D.

10 minutes

JEFFREY S. ALBANESE for GENESEE SURGICAL ASSOCIATES, P.C.

Submitted

25.0
CA 14-01349

DANIEL WILLIAMS
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (Stephen J. Lynch, J.), entered November 12, 2013. The judgment awarded the claimant money damages as against defendant..

JEFFREY W. LANG for STATE OF NEW YORK

10 minutes

DANIEL WILLIAMS for HIMSELF

Submitted

26.0
CA 14-01376

DANIEL WILLIAMS
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (Stephen J. Lynch, J.), entered October 28, 2013. The order adjudged that defendant was negligent and awarded claimant money damages.

JEFFREY W. LANG for STATE OF NEW YORK

Submitted

DANIEL WILLIAMS for HIMSELF

Submitted

DAY CALENDAR
Tuesday, January 13, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

27.0
TP 14-01154

TERRANCE AGOSTINI
V
NYS DEPARTMENT OF CORRECTIONS

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, Erie County [Christopher J. Burns, J.], entered June 24, 2014) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated an inmate rule.

THOMAS J. EOANNOU for TERRANCE AGOSTINI Submitted

KATHLEEN M. TREASURE for NYS DEPARTMENT OF CORRECTIONS Submitted

28.0
KA 13-01961

PEOPLE
V
HAROLD R. HUNT, JR.

Appeal from a judgment of the Supreme Court, Cattaraugus County (Ronald D. Ploetz, J.), rendered September 9, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree, incest in the first degree and endangering the welfare of a child.

NICHOLAS P. DIFONZO for HAROLD R. HUNT, JR. Submitted

KELLY M. BALCOM for THE PEOPLE OF THE STATE OF NEW YORK Submitted

29.0
KA 13-01914

PEOPLE
V
MARY R. BAKER

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered September 4, 2013. The judgment revoked a sentence of probation and imposed a sentence of imprisonment.

CAITLIN M. CONNELLY for MARY R. BAKER Submitted

WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK Submitted

30.0
KA 11-01580

PEOPLE
V
KEVIN BANKS

Appeal from a judgment of the Onondaga County Court (Jeffrey R. Merrill, A.J.), rendered July 26, 2011. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

CHRISTINE M. COOK for KEVIN BANKS Submitted

MARIA MALDONADO for THE PEOPLE OF THE STATE OF NEW YORK Submitted

31.0
KA 11-01581

PEOPLE
V
KEVIN BANKS

Appeal from a judgment of the Onondaga County Court (Jeffrey R. Merrill, A.J.), rendered July 26, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree

CHRISTINE M. COOK for KEVIN BANKS

Submitted

MARIA MALDONADO for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

32.0
KA 11-01196

PEOPLE
V
RONALD BYNUM

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered May 16, 2011. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree and criminal possession of stolen property in the fifth degree.

KRISTEN MCDERMOTT for RONALD BYNUM

10 minutes

MISHA COULSEON for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

33.0
KA 12-02108

PEOPLE
V
MICKEY A. DARLING

Appeal from a judgment of the Chautauqua County Court (John T. Ward, J.), rendered September 10, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fourth degree.

JOHN A. CIRANDO for MICKEY A. DARLING

10 minutes

JOSEPH M. CALIMERI for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

34.0
KA 14-00040

PEOPLE
V
ISAAC L. MCDONALD

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered December 11, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the third degree, disseminating indecent materials to a minor in the first degree and failure to register internet identifiers.

EDWARD PERLMAN for ISAAC L. MCDONALD

10 minutes

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

10 minutes

35.0
CA 14-01219

JOSEPH MORREALE
V
JOSEPH FROELICH

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered February 11, 2014. The order denied the motion of defendant for summary judgment.

MELISSA L. VINCTON for JOSEPH FROELICH

10 minutes

NELSON SCHULE for JOSEPH MORREALE

10 minutes

36.0
CA 14-00806

EVA E. DUNLOP
V
SAINT LEO THE GREAT R.C. CHURCH

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered December 19, 2013. The order, insofar as appealed from, granted the motion of defendant Catholic Diocese of Buffalo to dismiss the action.

KEVIN TODD STOCKER for EVA E. DUNLOP 10 minutes

KATIE L. RENDA for SAINT LEO THE GREAT R.C. CHURCH 10 minutes

37.0
CA 14-01275

COMBUSTION SCIENCE & ENGINEERING, INC.
V
ARGUS ENGINEERING, PLLC

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered February 13, 2014. The order denied the motion of plaintiff for summary judgment.

LOUIS LEVINE for COMBUSTION SCIENCE & ENGINEERING, INC. 15 minutes

JOHN JOSEPH MARZOCCHI for ARGUS ENGINEERING, PLLC 15 minutes

38.0
CA 14-01220

JASON THOME
V
BENCHMARK MAIN TRANSIT ASSOCIATES

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered April 10, 2014 in a personal injury action. The order, among other things, denied in part the motion of third-party defendant Fisher Concrete, Inc. for summary judgment.

ARTHUR ALAN HERDZIK for FISHER CONCRETE, INC. 15 minutes

MICHAEL E. FERDMAN for CHRISTA CONSTRUCTION, LLC 15 minutes

ADAM C. FERRANDINO for INDUSTRIAL POWER & LIGHTING CORP. 10 minutes

39.0
CA 14-01300

CLEARVIEW FARMS LLC
V
DAVID PAPKE

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered January 30, 2014. The order, among other things, denied plaintiff's motion to modify an order dated November 19, 2013.

ANDREW J. DICK for CLEARVIEW FARMS LLC Submitted

HEIDI W. FEINBERG for DAVID PAPKE 15 minutes

40.0
CA 14-01086

SHERAIN RIVERA
V
TIMOTHY ANGUS

Appeals from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered September 17, 2013. The order, insofar as appealed from, denied in part the summary judgment motions of defendants-appellants.

MATTHEW S. LERNER for FORBA HOLDINGS Submitted

MELISSA A. MURPHY-PETROS for MAZIAR IZADI, D.D.S. Submitted

MICHAEL J. HUTTER for SHERAIN RIVERA Submitted

41.0
CA 14-01346

KENNETH F. MAVING
V
LISA M. MAVING

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered November 13, 2013. The order granted the Quantum Meruit application of defendant for attorney fees.

SHARI JO REICH for KENNETH F. MAVING 15 minutes

JOHN A. COLLINS for LISA M. MAVING 15 minutes

42.0
CA 14-01272

MELISSA A. TRACY
V
DAVID CHRISTA CONSTRUCTION, INC.

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered September 26, 2013. The order, insofar as appealed from, denied the motion of defendants David Christa Construction, Inc. and LeChase Construction Services, LLC, for summary judgment.

MARK T. WHITFORD for LECHASE CONSTRUCTION SERVICES, LLC 15 minutes

BRYAN S. KORNFIELD for MELISSA A. TRACY 15 minutes

43.0
CA 14-00318

COLONIAL SURETY COMPANY
V
LAKEVIEW ADVISORS, LLC

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (John A. Michalek, J.), entered September 26, 2013. The order and judgment denied and dismissed the proceedings, released certain escrow funds and terminated an undertaking.

EDWARD PETER YANKELUNAS for COLONIAL SURETY COMPANY 15 minutes

DENNIS C. VACCO for RESOLUTION MANAGEMENT, LLC 15 minutes

JOHN KEVIN JORDAN for ARENA DEVELOPMENT, LLC Submitted

44.0
CA 14-00319

COLONIAL SURETY COMPANY
V
LAKEVIEW ADVISORS, LLC

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered October 4, 2013. The order granted the motion of respondents Resolution Management, LLC, Anita M. Hansen and Gary Albanese to strike the jury demand of petitioner and struck the jury demand.

EDWARD PETER YANKELUNAS for COLONIAL SURETY COMPANY Submitted

DENNIS C. VACCO for RESOLUTION MANAGEMENT, LLC Submitted

JOHN KEVIN JORDAN for ARENA DEVELOPMENT, LLC Submitted

45.0
TP 14-01326

DAVID FRANZ
V
MARTIN D'AMBROSE

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Monroe County [Thomas A. Stander, J.], filed July 23, 2014) to review a determination of respondents. The determination denied petitioner's application for benefits under Municipal Law § 207-c.

MATTHEW J. FUSCO for DAVID FRANZ

10 minutes

PAUL J. SWEENEY for MARTIN D'AMBROSE

10 minutes

46.0
CA 14-01098

KELLY VARANO
V
FORBA HOLDINGS, LLC

Appeals from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered September 17, 2013. The order, insofar as appealed from, denied in part the summary judgment motions of defendants-appellants.

MATTHEW S. LERNER for FORBA HOLDINGS, LLC

Submitted

LIA B. MITCHELL for FORBA, LLC

10 minutes

MELISSA A. MURPHY-PETROS for NAVEED AMAN, D.D.S.

Submitted

MICHAEL J. HUTTER for KELLY VARANO

Submitted

47.0
CA 14-01274

BRIAN SCHNEIDER
V
GREGORY E. BOBERG

Appeal and cross appeal from an order of the Supreme Court, Cattaraugus County (Paula L. Feroletto, J.), entered March 21, 2014. The order denied the motion of plaintiffs for summary judgment, granted the motion of defendant for summary judgment dismissing plaintiffs' Labor Law claims and denied the motion of defendant for summary judgment dismissing plaintiffs' negligence claims.

NELSON E. SCHULE, JR., for BRIAN SCHNEIDER

10 minutes

STEPHEN P. BROOKS for GREGORY E. BOBERG

10 minutes

48.0
CA 14-01009

RYAN M. FORRESTEL
V
MARGUERITA FORRESTEL

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered September 19, 2013. The order awarded the parties joint child custody and prohibited relocation of the children to the Netherlands.

LEONARD G. TILNEY, JR., for MARGUERITA FORRESTEL

20 minutes

JOHN P. PIERI for RYAN M. FORRESTEL

20 minutes

KRISTIN L. ARCURI, ATTORNEY FOR CHILD

10 minutes

DAY CALENDAR
Tuesday, January 13, 2015 - 10:00 AM
COURTROOM 2

49.0
KA 11-01083

PEOPLE
V
DEREK WILLIAMS

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered June 9, 2010. The appeal was held by this Court by order entered January 3, 2014, decision was reserved and the matter was remitted to the Supreme Court, Erie County for further proceedings (113 AD3d 1116). The proceedings were held and completed.

SUSAN C. MINISTERO for DEREK WILLIAMS

Submitted

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

Submitted

DAY CALENDAR
Wednesday, January 14, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

50.0
TP 14-01310

LORUNDIQUE CAMPBELL
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, Wyoming County [Michael M. Mohun, A.J.], entered July 15, 2014) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated an inmate rule.

ADAM W. KOCH for LORUNDIQUE CAMPBELL

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

51.0
KA 13-01566

PEOPLE
V
DARLENE BENSON-SEAY

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered August 13, 2013. The judgment convicted defendant, upon her plea of guilty, of manslaughter in the first degree.

ROBERT B. HALLBORG, JR., for DARLENE BENSON-SEAY

Submitted

DAVID R. PANEPINTO for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

52.0
KA 14-01277

PEOPLE
V
DANIELLE KELLOGG

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered May 22, 2013. The judgment convicted defendant, upon her plea of guilty, of vehicular manslaughter in the first degree.

JOHN KEVIN JORDAN for DANIELLE KELLOGG

Submitted

DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

53.0
KA 11-00580

PEOPLE
V
PIERRE C. WILSON

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered November 3, 2010. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree (six counts) and robbery in the second degree (23 counts).

JANET SOMES for PIERRE C. WILSON

Submitted

ERIN TUBBS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

54.0
KA 10-01488

PEOPLE
V
CHRISTINE L. COPPETA

Appeal from a judgment of the Supreme Court, Monroe County (Joseph D. Valentino, J.), rendered June 15, 2010. The judgment convicted defendant, upon a jury verdict, of offering a false instrument for filing in the first degree (two counts).

KIMBERLY F. DUGUAY for CHRISTINE L. COPPETA

10 minutes

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

10 minutes

55.0
KA 10-00559

PEOPLE

V

LEWIS MOORE, JR.

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered September 11, 2009. The judgment convicted defendant, upon a nonjury verdict, of grand larceny in the fourth degree,.

PATRICK J. MARTHAGE for LEWIS MOORE, JR.

10 minutes

STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

56.0
KAH 13-01517

PEOPLE EX REL.

SHERMAN WALKER

V

MS. DOLCE

Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered May 28, 2013 in a habeas corpus proceeding. The order denied the petition.

JOHN A. CIRANDO for SHERMAN WALKER

10 minutes

ALLYSON B. LEVINE for MS. DOLCE

5 minutes

57.0
CA 13-01987

KIAMBU PORTER

V

ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered October 3, 2013 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for KIAMBU PORTER

Submitted

KATE H. NEPVEU for ANTHONY ANNUCCI

Submitted

58.0
CA 13-01275

RICHARD H.

V

STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered April 18, 2013 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, adjudged that petitioner shall continue to be committed to a secure treatment facility.

JOHN A. CIRANDO for RICHARD H.

10 minutes

KATHLEEN M. TREASURE for STATE OF NEW YORK

Submitted

59.0
CA 14-00748

HSBC BANK USA, NATIONAL ASSOCIATION

V

PRIME, L.L.C.

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered December 18, 2013. The order, insofar as appealed from, struck the answer of defendants Prime, L.L.C. and Philip J. Simao, limited the appearance of said defendants to a notice of appearance and waiver of service, dismissed the counterclaims of said defendants, granted summary judgment to plaintiff, and appointed a referee to ascertain damages of plaintiff and to report.

JAN S. KUBLICK for PRIME, L.L.C.

10 minutes

MARK J. MORETTI for HSBC BANK USA, NATIONAL ASSOCIATION

10 minutes

60.0
CA 13-00757

MARY D'ALESSANDRO
V
GARY KIRKMIRE

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered August 3, 2012. The order and judgment declared that the case management fees imposed by the City of Rochester under Rochester City Municipal Code § 90-21 are valid, constitutional and legally imposed.

MICHAEL A. BURGER for MARY D'ALESSANDRO

15 minutes

JOHN M. CAMPOLIETO for CITY OF ROCHESTER

10 minutes

ROBERT J. BERGIN for GARY KIRKMIRE

Submitted

61.0
CA 14-00963

MARGARET PASSUCCI
V
ABSOLUT CENTER FOR NURSING

Appeal and cross appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered January 10, 2014. The order granted in part and denied in part the motion of plaintiff for class certification.

WILLIAM J. BRENNAN for ABSOLUT CENTER FOR NURSING

25 minutes

MICHAEL C. SCINTA for MARGARET PASSUCCI

10 minutes

62.0
OP 14-01189

AMIL DINSIO
V
SUPREME COURT, APPELLATE DIVISION

Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Third Judicial Department and transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Appellate Division of the Supreme Court in the Third Judicial Department entered June 26, 2014).

AMIL DINSIO for HIMSELF

Submitted

FRANK BRADY for SUPREME COURT, APPELLATE DIVISION

Submitted

63.0
OP 14-01190

AMIL DINSIO
V
SUPREME COURT, APPELLATE DIVISION

Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Third Judicial Department and transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Appellate Division of the Supreme Court in the Third Judicial Department entered June 26, 2014).

AMIL DINSIO for HIMSELF

Submitted

ERIC T. SCHNEIDERMAN for SUPREME COURT, APPELLATE DIVISION

Submitted

64.0
OP 14-01191

AMIL DINSIO
V
SUPREME COURT, APPELLATE DIVISION

Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Third Judicial Department and transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Appellate Division of the Supreme Court in the Third Judicial Department entered June 26, 2014).

AMIL DINSIO for HIMSELF

Submitted

ERIC T. SCHNEIDERMAN for SUPREME COURT, APPELLATE DIVISION

Submitted

65.0
CA 14-01132

JAMES ZIMMER
V
TOWN OF LANCASTER INDUSTRIAL DEV.

Appeal and cross appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered October 11, 2013. The order, among other things, granted plaintiff's motion for summary judgment on the issue of liability and denied in part defendant' cross motion for summary judgment.

DENNIS P. HAMILTON for TOWN OF LANCASTER INDUSTRIAL DEV.

10 minutes

SEAN COONEY for JAMES ZIMMER

15 minutes

66.0
CA 14-01196

LISA K. REED
V
CRAIG REED

SETTLED

Appeal from an order of the Supreme Court, Chautauqua County (Stephen W. Cass, A.J.), entered September 10, 2013 in a divorce action. The order, among other things, appointed a neutral financial evaluator to appraise and value the portion of the business that defendant was to transfer to plaintiff.

JAMES E. WESTMAN for CRAIG REED

LISA K. REED for HERSELF

67.0
TP 14-01375

NEW YORK STATE DIV. OF HUMAN RIGHTS
V
JOHN C. HILPL

Proceeding pursuant to Executive Law § 298 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Jefferson County [James P. McClusky, J.], entered July 3, 2014) to enforce a determination of the New York State Division of Human Rights. The order, among other things, directed respondent to pay petitioner Gilbert A. Murphy compensatory damages.

CAROLINE J. DOWNEY for NEW YORK STATE DIV. OF HUMAN RIGHTS

Submitted

GILBERT A. MURPHY for HIMSELF

Submitted

JOHN C. HILPL for HIMSELF

Submitted

68.0
CA 14-01343

RONALD LEO
V
PAMELA LEO

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (John F. O'Donnell, J.), entered October 17, 2013. The order and judgment, among other things, adjudged that plaintiff is guilty of contempt of court.

JENNIFER M. WILKINSON for RONALD LEO 15 minutes

WILLIAM R. HITES for PAMELA LEO 5 minutes

69.0
CA 12-02141

RONNIE COVINGTON
V
BRIAN FISCHER

Appeal from a judgment of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered June 6, 2012 in a CPLR article 78 proceeding. The judgment dismissed the petition.

RONNIE COVINGTON for HIMSELF Submitted

MARCUS J. MASTRACCO for BRIAN FISCHER Submitted

70.0
CA 14-01230

NIAGARA UNIVERSITY
V
THE HANOVER INSURANCE COMPANY

Appeal from an order of the Supreme Court, Niagara County (Timothy J. Walker, A.J.), entered September 25, 2013. The order granted the motion of defendant for summary judgment and dismissed the action.

JAMES W. GRESENS for NIAGARA UNIVERSITY 15 minutes

ERIC A. BLOOM for THE HANOVER INSURANCE COMPANY 15 minutes

71.0
CA 14-01387

LEGAL SERVICES FOR THE ELDERLY
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered December 19, 2013. The order, insofar as appealed from, denied the motion of defendants to dismiss the complaint.

SHAWN P. HENNESSY for COUNTY OF ERIE 5 minutes

ROLAND M. CERCONE for LEGAL SERVICES FOR THE ELDERLY 5 minutes

DAY CALENDAR
Wednesday, January 14, 2015 - 10:00 AM
COURTROOM 2

72.0
KA 12-02053

PEOPLE
V
PERCY L. SCOTT

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered June 16, 2009. The appeal was held by this Court by order entered March 28, 2014, decision was reserved and the matter was remitted to Erie County Court for further proceedings (115 AD3d 1342). The proceedings were held and completed.

BARBARA J. DAVIES for **PERCY L. SCOTT**

Submitted

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

Submitted

DAY CALENDAR
Thursday, January 15, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

73.0
TP 14-01309

CHRISTIAN ANDRADE
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, Wyoming County [Michael M. Mohun, A.J.], entered July 15, 2014) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for CHRISTIAN ANDRADE

Submitted

PETER H. SCHIFF for ANTHONY ANNUCCI

Submitted

74.0
KA 13-00993

PEOPLE
V
JAMES K. WELSHER

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered September 12, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree (two counts) and petit larceny (two counts).

ROBERT TUCKER for JAMES K. WELSHER

Submitted

R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

75.0
KA 11-02495

PEOPLE
V
MICHAEL KEARNS

Appeal from a judgment of the Onondaga County Court (Jeffrey R. Merrill, A.J.), rendered July 26, 2011. The judgment convicted defendant, upon his plea of guilty, of aggravated criminal contempt

KRISTEN MCDERMOTT for MICHAEL KEARNS

Submitted

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

Submitted

76.0
KA 14-00503

PEOPLE
V
MICHAEL ORTH

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered February 7, 2014. The judgment convicted defendant, upon his plea of guilty, of petit larceny, resisting arrest and driving while intoxicated, a misdemeanor.

BARBARA J. DAVIES for MICHAEL ORTH

Submitted

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

77.0
KA 09-00395

PEOPLE
V
JIMMY W. GIBSON

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered November 25, 2008. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree and assault in the first degree.

DREW R. DUBRIN for JIMMY W. GIBSON 10 minutes

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

78.0
KA 13-01740

PEOPLE
V
DONALD RAWSON

Appeal from a judgment of the Supreme Court, Genesee County (Eric R. Adams, A.J.), rendered July 24, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the second degree.

ALAN WILLIAMS for DONALD RAWSON 10 minutes

WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

79.0
KA 13-00543

PEOPLE
V
ROBERT L. WILLIAMS, JR.

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered September 10, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

TIMOTHY P. MURPHY for ROBERT L. WILLIAMS, JR. 5 minutes

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

80.0
CAF 14-00236

GABRIELLE SMITH
V
CHESTER THOMAS

Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered December 6, 2013 in a proceeding pursuant to Family Court Act article 6. The order granted the petition for a modification of custody.

JANE I. YOON for CHESTER THOMAS 5 minutes

GABRIELLE SMITH for HERSELF Submitted

ROBERT P. TURNER, ATTORNEY FOR CHILD Submitted

81.0
CAF 14-00781

JILLIAN N. NEWMAN
V
MICHAEL A. DUFFY

Appeal from an order of the Family Court, Erie County (Paul G. Buchanan, J.), entered July 16, 2013 in a proceeding pursuant to Family Court Act article 6. The order, insofar as appealed from, granted the motion of petitioner for permission to relocate with the parties' child.

ROSS S. GELBER for MICHAEL A. DUFFY 15 minutes

JASON R. DIPASQUALE for JILLIAN N. NEWMAN 10 minutes

JESSICA L. VESPER, ATTORNEY FOR CHILD 5 minutes

82.0
CAF 14-00650

EDWARD R. FROST
V
SCOTT WISNIEWSKI

Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered September 19, 2013. The order, among other things, dismissed the petition with prejudice.

STEPHANIE N. DAVIS for EDWARD R. FROST

Submitted

RICHARD C. MITCHELL, JR., for SCOTT WISNIEWSKI

Submitted

ROSEMARIE RICHARDS, ATTORNEY FOR CHILD

Submitted

83.0
CA 14-00707

RICHARD H. WARNER
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (Michael E. Hudson, J.), entered July 25, 2013. The order granted the motion of defendant for summary judgment and dismissed the claims.

EDWARD C. COSGROVE for RICHARD H. WARNER

15 minutes

JEFFREY W. LANG for STATE OF NEW YORK

10 minutes

84.0
CA 14-00708

RICHARD H. WARNER
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (Michael E. Hudson, J.), entered March 26, 2014. The order denied the motion of claimant seeking to reargue and renew.

EDWARD C. COSGROVE for RICHARD H. WARNER

Submitted

JEFFREY W. LANG for STATE OF NEW YORK

Submitted

85.0
CA 14-01215

BRADY LITZ
V
CLINTON CENTRAL SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered October 21, 2013. The order, insofar as appealed from, granted the motions of defendants Clinton Central School District, John Hughes, Rob Hameline and Michael Martini for summary judgment and dismissed the complaint against those defendants.

DAVID RICHARD DIODATI for BRADY LITZ

10 minutes

JENNA W. KLUCSIK for CLINTON CENTRAL SCHOOL DISTRICT

10 minutes

JAMES E. LONANO for MICHAEL MARTINI

10 minutes

86.0
CA 14-00022

HOGANWILLIG, PLLC
V
KAREN HENDEL

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered October 22, 2013 in a proceeding pursuant to CPLR article 78. The order, among other things, adjudged that petitioner is not entitled to a charging lien or contingency fee.

STEVEN MICHAEL COHEN for HOGANWILLIG, PLLC

15 minutes

	DAVID HAKAN ELIBOL for KAREN HENDEL	15 minutes
	TRAVIS M. MASTRODDI for NEW YORK STATE NURSES ASSOCIATION.	Submitted
	MICHAEL A. SIRAGUSA for COUNTY OF ERIE	Submitted
	PAUL G. JOYCE for ERIE COUNTY MEDICAL CENTER CORP.	Submitted
87.0 CA 14-00628	HOGANWILLIG, PLLC V KAREN HENDEL	
	Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered December 16, 2013 in a proceeding pursuant to CPLR article 78. The order, among other things, awarded petitioner \$19,294.95 in attorney's fees.	
	STEVEN MICHAEL COHEN for HOGANWILLIG, PLLC	Submitted
	DAVID HAKAN ELIBOL for KAREN HENDEL	Submitted
	TRAVIS M. MASTRODDI for NEW YORK STATE NURSES ASSOCIATION,	Submitted
	MICHAEL A. SIRAGUSA for COUNTY OF ERIE	Submitted
	PAUL G. JOYCE for ERIE COUNTY MEDICAL CENTER CORPORAT	Submitted
88.0 CA 14-00629	HOGANWILLIG, PLLC V KAREN HENDEL	
	Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered January 8, 2014 in a proceeding pursuant to CPLR article 78. The order, among other things, amended the order of the court entered December 16, 2013 to specify that it was awarding petitioner \$544.95 for reimbursement of expenses, with a total award amounting to \$19,294.95.	
	STEVEN MICHAEL COHEN for HOGANWILLIG, PLLC	Submitted
	DAVID HAKAN ELIBOL for KAREN HENDEL	Submitted
	TRAVIS M. MASTRODDI for NEW YORK STATE NURSES ASSOCIATION,	Submitted
	MICHAEL A. SIRAGUSA for COUNTY OF ERIE	Submitted
	PAUL G. JOYCE for ERIE COUNTY MEDICAL CENTER CORPORAT	Submitted
89.0 CA 14-01371	KENNETH ZIOLKOWSKI V HAN-TEK, INC.	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered October 28, 2013. The order granted plaintiff's motion to quash defendants' subpoenas for added financial data.	
	DESTIN C. SANTACROSE for HAN-TEK, INC.	15 minutes
	THOMAS C. PARES for KENNETH ZIOLKOWSKI	15 minutes
	LOUIS B. CRISTO for ZYNERGY SOLUTIONS, INC.	Submitted
90.0 CA 14-00355	KAREN MARKS V MICHAEL ALONSO	

95.0
CA 14-00915

COUNTY OF GENESEE
V
RICHARD SPICOLA

Appeal from an order of the Supreme Court, Genesee County (Robert C. Noonan, A.J.), entered March 14, 2014 in a proceeding pursuant to Real Property Tax Law article 11. The order, among other things, granted respondent Richard Spicola's motion to vacate a default judgment.

MARK J. MORETTI for COUNTY OF GENESEE

10 minutes

DANIEL E. SARZYNSKI for BANK OF AKRON

10 minutes

MICHAEL R. ZOSH for RICHARD SPICOLA

10 minutes

96.0
CA 14-00715

TERESA WILLIAMS
V
DAVID KAUFFMAN

SETTLED

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered August 5, 2013. The order, among other things, denied third-party defendant's motion for summary judgment dismissing third-party plaintiff's complaint.

ANDREW J. KOWALEWSKI for CYNTHIA M. RANCIER

SUSAN MITOLA for DAVID KAUFFMAN

DAY CALENDAR
Thursday, January 15, 2015 - 10:00 AM
COURTROOM 2

97.0
KA 10-00076

PEOPLE
V
DANIEL JONES

Appeal from an order of the Supreme Court, Erie County (Penny M. Wolfgang, J.), entered October 26, 2009. The order denied defendant's motion, pursuant to CPL 440.30 (1-a), for the performance of forensic DNA testing on specified evidence.

KEVIN J. BAUER for DANIEL JONES

Submitted

DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

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

DAY CALENDAR
Tuesday, January 20, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

118.0
KAH 13-01870

PEOPLE EX REL.
TOMMY JACKSON
V
NYS DEPARTMENT OF CORRECTIONS

Appeal from an order of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered September 9, 2013 in a habeas corpus proceeding. The order denied the petition.

NORMAN P. EFFMAN for TOMMY JACKSON Submitted

ERIC T. SCHNEIDERMAN for NYS DEPARTMENT OF CORRECTIONS Submitted

119.0
KAH 13-00495

PEOPLE EX REL.
WILLIAM ANDERSON
V
RANDY JAMES

Appeal from an order of the Supreme Court, Livingston County (Robert B. Wiggins, A.J.), entered December 13, 2012 in a habeas corpus proceeding. The order denied the petition.

JEANNIE MICHALSKI for WILLIAM ANDERSON Submitted

MARTIN A. HOTVET for RANDY JAMES Submitted

120.0
KA 12-00375

PEOPLE
V
SANDRA F. ELLIS

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered January 18, 2011. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree

JANET C. SOMES for SANDRA F. ELLIS Submitted

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

121.0
KA 13-00531

PEOPLE
V
JOSH HICKS

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered January 9, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal mischief in the second degree and criminal possession of stolen property in the fourth degree.

BARBARA J. DAVIES for JOSH HICKS Submitted

DAVID R. PANEPINTO for THE PEOPLE OF THE STATE OF NEW YORK Submitted

122.0
KA 12-01731

PEOPLE
V
TRAMELL BURTON

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered September 12, 2011. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree (two counts), robbery in the second degree (two counts) and criminal possession of a weapon in the second degree.

PHILIP ROTHSCHILD for TRAMELL BURTON

10 minutes

MISHA A. COULSON for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

123.0
KA 13-00675

PEOPLE

V

MICHAEL H. JOHNSON

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered March 19, 2013. The judgment convicted defendant, after a nonjury trial, of grand larceny in the fourth degree.

DEBORAH K. JESSEY for MICHAEL H. JOHNSON

5 minutes

DIANE S. MELDRIM for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

124.0
KA 13-00885

PEOPLE

V

GARY KELLY

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered April 24, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

EDWARD P. PERLMAN for GARY KELLY

10 minutes

MICHAEL J. VIOLANTE for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

125.0
KA 13-02107

PEOPLE

V

MICHAEL D. AGEE

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered March 14, 2013. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree, attempted robbery in the first degree and robbery in the second degree

ROBERT M. GRAFF for MICHAEL D. AGEE

10 minutes

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

10 minutes

126.0
CA 14-01142

CHRISTOPHER HAMILTON

V

JOHN MILLER

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered December 5, 2013. The order granted the motion of defendants John Miller and David Miller for summary judgment and dismissed the complaint against the Millers, and denied the cross motion of plaintiff for judicial notice and summary judgment.

MO J. ATHARI for CHRISTOPHER HAMILTON

Submitted

STANLEY J. SLIWA for JOHN MILLER

15 minutes

JOSHUA M. AGINS for JULES MUSINGER

10 minutes

127.0
CA 14-00358

LAURA SHELTERS
V
CITY OF DUNKIRK HOUSING AUTHORITY

Appeal from an interlocutory judgment of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered October 23, 2013 in a personal injury action. The interlocutory judgment, among other things, adjudged that defendant was negligent.

LAURENCE D. BEHR for CITY OF DUNKIRK HOUSING AUTHORITY 10 minutes

ERIC M. SHELTON for LAURA SHELTERS 10 minutes

128.0
CA 14-01268

LAURIE JACOBI
V
JENNIE DENI

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered September 26, 2013. The order denied the motion of plaintiff for a mistrial and a new trial.

C. DANIEL MCGILLICUDDY for LAURIE JACOBI 10 minutes

PATRICIA A. MOONEY for JENNIE DENI 10 minutes

129.0
CA 13-01694

PETER SYLVESTER
V
BRIAN FISCHER

Appeal from a judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered August 15, 2013 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

LEAH R. NOWOTARSKI for PETER SYLVESTER Submitted

WILLIAM E. STORRS for BRIAN FISCHER Submitted

130.0
CA 14-01234

NEW YORK STATE NURSES ASSOCIATION
V
ERIE COUNTY MEDICAL CENTER CORP.

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, A.J.), entered April 21, 2014. The order and judgment granted the motion of respondents to dismiss the petition and dismissed the petition.

JOSHUA J. ELLISON for NEW YORK STATE NURSES ASSOCIATION 15 minutes

MATTHEW C. VAN VESSEM for ERIE COUNTY MEDICAL CENTER CORP. 15 minutes

131.0
CA 14-01007

STEVE BROOM
V
RUBIN & YATES, LLC

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered August 9, 2013. The order denied plaintiff's motion to reargue and renew his prior motion for summary judgment.

PAUL T. BUERGER, JR., for STEVE BROOM 15 minutes

RAYMOND CRAIG STILWELL for RUBIN & YATES, LLC 15 minutes

132.0
CA 14-00017

DOG DAY'S, INC.
V
HARTFORD FIRE INSURANCE COMPANY

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered September 10, 2013. The order, among other things, granted defendant's motion for summary judgment dismissing the complaint.

JEANNE M. VINAL for DOG DAY'S, INC. 15 minutes

SHARON ANGELINO for HARTFORD FIRE INSURANCE COMPANY 10 minutes

133.0
CA 14-01201

MARTHA IRAKOZE
V
GENNARO SAMBUCO

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered March 10, 2014. The order denied the motion of defendant to eject plaintiff from certain real property and granted the motion of plaintiff for summary judgment compelling specific performance.

MICHAEL J. HUGHES for GENNARO SAMBUCO 15 minutes

M. KREAG FERULLO for MARTHA IRAKOZE 15 minutes

134.0
CA 14-00832

PEOPLE, INC.
V
CITY OF TONAWANDA ZONING BOARD

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered January 21, 2014 in a proceeding pursuant to CPLR article 78. The order, among other things, annulled the decision of respondent, which denied two requested area variances.

FRANCIS C. AMENDOLA for CITY OF TONAWANDA ZONING BOARD 10 minutes

SEAN W. HOPKINS for PEOPLE, INC. 15 minutes

135.0
CA 14-01253

ALICE ELAINE SWEETMAN
V
SONJA G. SUHR

Appeal and cross appeal from a judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered December 6, 2013. The judgment awarded plaintiff the amount of \$60,777.74.

DERRICK A. SPATORICO for SONJA G. SUHR 15 minutes

WILLIAM D. EGGERS for ALICE ELAINE SWEETMAN 15 minutes

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

DAY CALENDAR
Thursday, January 22, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

182.0
KA 13-01174

PEOPLE
V
ANTHONY C. HARRIS

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered May 6, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a forged instrument in the second degree.

MARTIN P. MCCARTHY, II for ANTHONY C. HARRIS Submitted

KATHERINE K. BOGAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

183.0
KA 13-01707

PEOPLE
V
GORDIE W. WALKER, JR.

Appeal from a judgment of the Cayuga County Court (Thoms G. Leone, J.), rendered August 1, 2013. The judgment convicted defendant, upon a jury verdict of burglary in the second degree and criminal possession of stolen property in the fifth degree.

RYAN J. MULDOON for GORDIE W. WALKER, JR. Submitted

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

184.0
KA 14-00721

PEOPLE
V
THOMAS SCZERBANIEWICZ

Appeal from a decision/order of the Onondaga County Court (Joseph E. Fahey, J.), entered April 9, 2014. The decision/order determined defendant to be a level three offender pursuant to the Sex Offender Registration Act.

THEODORE W. STENUF for THOMAS SCZERBANIEWICZ Submitted

VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK Submitted

185.0
KA 14-00194

PEOPLE
V
AMANDA M. HENRY

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered July 12, 2013. the judgment convicted defendant, upon her plea of guilty, of assault in the second degree.

MARY-JEAN BOWMAN for AMANDA M. HENRY Submitted

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

186.0
KA 13-02053

PEOPLE
V
KENNETH MARTINEZ, JR.

Appeal from an order of the Supreme Court, Monroe County (Francis A. Affronti, J.), dated November 1, 2013. The order denied the motion of defendant pursuant to CPL 440.10.

	BRIAN SHIFFRIN for KENNETH MARTINEZ, JR.	10 minutes
	GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
187.0 KA 12-00113	PEOPLE V RAYSHON DAYS	
	Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered August 24, 2011. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.	
	CHRISTINE M. COOK for RAYSHON DAYS	10 minutes
	VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
188.0 KA 10-02154	PEOPLE V DARRELL J. GRIFFIN	
	Appeal from a judgment of the Monroe County Court (Joan S. Kohout, A.J.), rendered August 16, 2010. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.	
	JANET C. SOMES for DARRELL J. GRIFFIN	10 minutes
	ERIN TUBBS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
189.0 CAF 13-01436	APRIL K. DEJESUS V RODNEY N. HAYMES	
	Appeal from a decision and order of the Family Court, Oneida County (Frank S. Cook, J.H.O.), entered July 25, 2013, in a proceeding pursuant to Family Court article 6. The decision and order, in pertinent part, found that petitioner had wilfully violated a prior court order.	
	PAUL M. DEEP for APRIL K. DEJESUS	5 minutes
	RODNEY N. HAYMES for HIMSELF	Submitted
	ANNE MARIE GETMAN, ATTORNEY FOR CHILD	Submitted
190.0 CAF 13-00258	RICKEY L. WILSON V LINDA MCCRAY	
	Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered January 29, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody the subject child.	
	PAUL B. WATKINS for JASMINE JAEL GONZALEZ	10 minutes
	KATHLEEN P. REARDON for RICKEY L. WILSON	10 minutes
	KIMBERLY F. DUGUAY for LINDA MCCRAY	10 minutes
	TANYA CONLEY, ATTORNEY FOR CHILD	10 minutes
191.0 CAF 13-01660	In the Matter of AJIANNA L.	

Appeal from an order of the Family Court, Onondaga County (Michael Pirro Bailey, J.), entered August 14, 2013, in a proceeding pursuant to Family Court Act article 10. The order determined that respondent had neglected the subject child and placed the child with a suitable relative.

TIMOTHY P. MURPHY for ANNETTE S. 10 minutes

MAGGIE SEIKALY for ONONDAGA CO. DEPT. OF SOCIAL SERVICES 10 minutes

BARBARA E. MOSHER, ATTORNEY FOR CHILD 5 minutes

192.0
CA 14-01391

MICHELLE CASHION
V
ALEXANDER T. BAJOREK

Appeal from an order of the Supreme Court, Niagara County (Catherine Nugent Panepinto, J.), entered October 29, 2013. The order denied the motion of defendants for summary judgment dismissing the complaint.

RYAN J. MILLS for ALEXANDER T. BAJOREK 10 minutes

MICHAELANGELO J. CIERI for MICHELLE CASHION 10 minutes

193.0
CA 14-01267

DANIEL CARR
V
MCHUGH PAINTING CO., INC.

Appeal from an order of the Supreme Court, Erie County (Shriley Troutman, J.), entered May 27, 2014. The order, among other things, denied defendant's motion for summary judgment seeking dismissal of the plaintiff's causes of action based on Labor Law §§ 240 (1), 241 (6), and 200.

MARK P. DONOHUE for MCHUGH PAINTING CO., INC. 15 minutes

STEPHEN C. HALPERN for DANIEL CARR 10 minutes

194.0
CA 13-01857

HERBERT FARRINGTON
V
ANTHONY ANNUCCI

Appeal a judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered September 18, 2013 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

LEAH R. NOWOTARSKI for HERBERT FARRINGTON Submitted

ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI Submitted

195.0
CA 14-01025

In the Matter of
CHRISTOPHER JOHN SMOLKA

Appeal from a memorandum and order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered April 8, 2014. The memorandum and order, insofar as appealed from, directed distribution of trust proceeds one-third each to David Mergenhagen, James Mergenhagen and Carol A. Skretny.

ROBERT J. FELDMAN for CAROL A. SKRETNY 30 minutes

RICHARD T. SULLIVAN for DAVID MERGENHAGEN 10 minutes

196.0
CA 14-00044

DUANE FLINT
V
JERRY L. CORNELL

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered September 24, 2013. The order, among other things, denied defendant's motion to dismiss for want of prosecution.

LOUIS J. COLELLA for JERRY L. CORNELL

10 minutes

EDWARD J. DEGNAN for DUANE FLINT

5 minutes

197.0
CA 14-00716

GLADYS LAVERDI

V

ARONA S. BAKER

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered November 13, 2013. The order granted the motion of defendants for an open commission and letters rogatory for the deposition of Kathryn R. Wilkins, a nonparty witness.

WAYNE C. FELLE for GLADYS LAVERDI

10 minutes

STEVEN P. CURVIN for ARONA S. BAKER

10 minutes

198.0
CA 14-01381

BRIAN MURPHY

V

CHRISTINE MURPHY

Appeal from a judgment of the Supreme Court, Niagara County (Frank Caruso, J.), entered December 20, 2013 in a divorce action. The judgment, among other things, awarded defendant maintenance and child support.

JUSTIN S. WHITE for CHRISTINE MURPHY

Submitted

JACK DANZIGER for BRIAN MURPHY

10 minutes

199.0
CA 14-00350

LYNN RIVERA

V

MICHAEL L. RIVERA

Appeal from a judgment of the Supreme Court, Erie County (Shirley Troutman, J.), entered August 2, 2013 in a divorce action. The judgment, among other things, equitably distributed the marital property.

DAVID J. PAJAK for MICHAEL L. RIVERA

5 minutes

SHARI JO REICH for LYNN RIVERA

15 minutes

200.0
CA 14-00736

ANGELA SIMS

V

KUSHNOOD HAQ

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered January 15, 2014. The order denied the motion of defendant for summary judgment on serious injury and granted the cross motion of plaintiff for summary judgment on negligence and serious injury.

BRENT C. SEYMOUR for KUSHNOOD HAQ

10 minutes

STEVEN M. COHEN for ANGELA SIMS

15 minutes

200.1
CA 14-01354

AINSWORTH M. BENNETT

V

ST. JOHN'S HOME

Appeal from an order of the Supreme Court, Monroe County (William P. Polito, J.), entered November 22, 2013. The order granted defendant's motion for summary judgment dismissing the plaintiff's action.

DAVID E. WOODIN for AINSWORTH M. BENNETT

15 minutes

MARGARET E. SOMERSET for ST. JOHN'S HOME

15 minutes

200.2
CA 14-01356

AINSWORTH M. BENNETT

V

ST. JOHN'S HOME

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (William P. Polito, J.), entered January 28, 2014. The order and judgment granted defendant's motion for summary judgment dismissing the plaintiff's action.

DAVID E. WOODIN for AINSWORTH M. BENNETT

Submitted

MARGARET E. SOMERSET for ST. JOHN'S HOME

Submitted

DAY CALENDAR
Friday, January 23, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

201.0
KA 14-01229

PEOPLE
V
ANTWANE WALKER

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), dated June 13, 2014. The order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

J. SCOTT PORTER for ANTWANE WALKER Submitted

VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK Submitted

202.0
KA 14-00920

PEOPLE
V
LUIS A. PABON

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered February 24, 2014. The judgment convicted defendant, after a nonjury trial, of course of sexual conduct against a child in the first degree.

BRIAN SHIFFRIN for LUIS A. PABON 15 minutes

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

203.0
KA 10-01793

PEOPLE
V
JAMES R. COOPER

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered July 21, 2010. The judgment convicted defendant, upon a nonjury verdict, of grand larceny in the fourth degree (seven counts) and criminal mischief in the fourth degree.

KIMBERLY J. CZAPRANSKI for JAMES R. COOPER 10 minutes

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

204.0
KA 13-01847

PEOPLE
V
WILLIAM C. TRACY

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered September 5, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the third degree (four counts) and endangering the welfare of a child.

ADAM H. VAN BUSKIRK for WILLIAM C. TRACY Submitted

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

205.0
KA 13-00965

PEOPLE
V
JAMES GRIGGS

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered May 15, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree (three counts), assault in the first degree and criminal possession of a weapon in the second degree.

BARBARA J. DAVIES for JAMES GRIGGS

Submitted

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

Submitted

206.0
KA 13-01214

PEOPLE
V
TODD R. BRIGLIN

Appeal from a judgment of the Steuben County Court (John W. Latham, J.), rendered January 3, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

JOHN A. CIRANDO for TODD R. BRIGLIN

10 minutes

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

207.0
KA 13-01215

PEOPLE
V
TODD R. BRIGLIN

Appeal from a judgment of the Steuben County Court (John W. Latham, J.), rendered January 3, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

JOHN A. CIRANDO for TODD R. BRIGLIN

Submitted

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

208.0
KA 11-01020

PEOPLE
V
KEVIN VICKERS

Appeal from a judgment of the Supreme Court, Monroe County (Dennis M. Kehoe, A.J.), rendered September 18, 2009. The judgment convicted defendant, upon a jury verdict, of unlawful dissection of the body of a human being (seven counts), opening graves (seven counts), body stealing (seven counts) and falsifying business records in the first degree.

JEFFREY WICKS for KEVIN VICKERS

15 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

15 minutes

209.0
KA 10-01792

PEOPLE
V
JAMES R. COOPER

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered July 21, 2010. The judgment convicted defendant, upon a nonjury verdict, of grand larceny in the fourth degree (five counts), petit larceny (two counts) and criminal mischief in the fourth degree.

KIMBERLY J. CZAPRANSKI for JAMES R. COOPER

10 minutes

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

10 minutes

211.0
CAF 14-00511

In the Matter of
LENORES S. M.

Appeal from an order of the Family Court, Wayne County (Daniel G. Barrett, J.), entered February 3, 2014 in a proceeding pursuant to Family Court Act article 3. The order, among other things, placed respondent in a non-secure level of care for a period of one year.

CHARLES J. PLOVANICH, ATTORNEY FOR CHILD Submitted

ERIN M. HAMMOND for WAYNE COUNTY ATTORNEY 5 minutes

212.0
CAF 13-02243

RICARDO SUAREZ
V
MELISSA WILLIAMS

Appeal from an order of the Family Court, Onondaga County (Michelle Piro Bailey, J.), entered March 26, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioners Laura Suarez and Ricardo Suarez and respondent Ernesto Suarez joint legal custody of the subject child.

CHRISTOPHER M. JUDGE for MELISSA WILLIAMS 15 minutes

LINDA M. CAMPBELL for RICARDO SUAREZ 15 minutes

STEVEN BUITRON, ATTORNEY FOR CHILD Submitted

PATRICK J. HABER, ATTORNEY FOR CHILD 10 minutes

213.0
CAF 13-01367

VINCENT DONEGAN
V
DAMARI TORRES

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered May 14, 2013, in a proceeding pursuant to Family Court Act article 6. The order granted sole legal and physical custody of the parties' child to petitioner; denied and dismissed the custody and violation petitions of respondent; granted respondent supervised visitation; and prohibited respondent from filing further petitions without written permission of the court.

JOHN A. CIRANDO for DAMARI TORRES 10 minutes

BRYCE THERRIEN for VINCENT DONEGAN 5 minutes

BETH LOCKHART, ATTORNEY FOR CHILD 5 minutes

215.0
CA 14-01104

KEITH HAGENBUCH
V
VICTORIA WOODS HOA, INC.

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (John J. Ark, J.), entered November 21, 2013 in a personal injury action. The order and judgment, among other things, denied the motion of defendants Victoria Woods HOA, Inc., and Crofton Associates, Inc., for summary judgment dismissing the complaint and all cross claims against them.

JENNIFER B. TAROLLI for VICTORIA WOODS HOA, INC. 15 minutes

MICHAEL STEINBERG for KEITH HAGENBUCH 10 minutes

216.0
CA 14-01160

JEFFREY MALKAN
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Jeremiah J. Moriarty, III, J.), entered September 6, 2013. The decision and order granted the motions of defendant for summary judgment and dismissed the claims.

MARILYN RASKIN-ORTIZ for JEFFREY MALKAN

10 minutes

JULIE M. SHERIDAN for STATE OF NEW YORK

10 minutes

217.0
CA 14-01182

OPERATION OSWEGO COUNTY, INC.

V

STATE OF NEW YORK AUTHORITIES BUDGET OFFICE

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered December 16, 2013. The order, among other things, adjudged that a permanent injunction shall be entered against respondent prohibiting the reporting requirements complained of by petitioner, as said reporting requirements are outside the scope of respondent's discretionary authority.

JEFFREY LANG for STATE OF NEW YORK AUTHORITIES BUDGET OFFICE

10 minutes

ANDREW J. LEJA for OPERATION OSWEGO COUNTY, INC.

10 minutes

218.0
CA 13-01859

CLARENCE MYLES

V

ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered September 18, 2013 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for CLARENCE MYLES

Submitted

PETER H. SCHIFF for ANTHONY ANNUCCI

Submitted

220.0
CA 14-01323

PAULA S. MORRIS

SETTLED

V

J. BRADFORD MORRIS

Appeal from an order of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered February 7, 2014 in a divorce action. The order, among other things, granted in part plaintiff's motion for pendente lite relief and denied defendant's cross motion for summary judgment.

MARY SPEEDY HAJDU for J. BRADFORD MORRIS

PAUL V. WEBB, JR., for PAULA S. MORRIS