

**DAY CALENDAR**  
**Thursday, January 11, 2018 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

89.0  
KA 16-00778

**PEOPLE**  
**V**  
**JOHN W. FLANIGAN**

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered February 23, 2016. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, as a class E felony, and aggravated unlicensed operation of a motor vehicle in the first degree.

MARIO J. GUTIERREZ for JOHN W. FLANIGAN Submitted

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

90.0  
KA 14-00995

**PEOPLE**  
**V**  
**NELSON TAPIA**

Appeal from a judgment of the Seneca County Court (W. Patrick Falvey, A.J.), rendered April 24, 2014. The judgment convicted defendant, upon his plea of guilty, of promoting prison contraband in the first degree.

JOHN A. CIRANDO for NELSON TAPIA 10 minutes

BARRY L. PORSCHE for PEOPLE OF THE STATE OF NEW YORK Submitted

91.0  
KA 15-01260

**PEOPLE**  
**V**  
**ELIGIO ADAMES**

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered December 16, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the second degree.

JAMES A. HOBBS for ELIGIO ADAMES Submitted

MARGARET CIEPRISZ for PEOPLE OF THE STATE OF NEW YORK Submitted

92.0  
KA 16-01506

**PEOPLE**  
**V**  
**JAMEL B. MCINTOSH**

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered May 8, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree (two counts).

ADAM H. VAN BUSKIRK for JAMEL B. MCINTOSH Submitted

AMANDA LYNN CASSELMAN for PEOPLE OF THE STATE OF NEW YORK Submitted

93.0  
KA 13-01753

**PEOPLE**  
**V**  
**EZEQUIEL SANTANA**

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered November 15, 2012. The judgment convicted defendant, upon his plea of guilty, of arson in the third degree.

LORENZO NAPOLITANO for EZEQUIEL SANTANA Submitted

|                     |  |            |
|---------------------|--|------------|
|                     | JOSEPH PLUKAS for PEOPLE OF THE STATE OF NEW YORK  | Submitted  |
| 94.0<br>KA 16-00012 | PEOPLE<br>V<br>CHRISTOPHER HOLBDY  |            |
|                     | Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered June 5, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts).       |            |
|                     | LUCILLE M. RIGNANESE for CHRISTOPHER HOLBDY  | 15 minutes |
|                     | NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK  | 10 minutes |
| 95.0<br>KA 15-01697 | PEOPLE<br>V<br>LELAND JIRDON   |            |
|                     | Appeal from a resentence of the Supreme Court, Erie County (Sheila A. DiTullio, A.J.), rendered July 9, 2015. Defendant was resentence by imposing a term of five years with five years' postrelease supervision.                    |            |
|                     | TIMOTHY P. MURPHY for LELAND JIRDON  | Submitted  |
|                     | ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK  | Submitted  |
| 96.0<br>KA 14-01771 | PEOPLE<br>V<br>SARAH A. MURPHY SEARS   |            |
|                     | Appeal from a judgment of the Steuben County Court (Marianne Furfure, A.J.), rendered April 29, 2014. The judgment convicted defendant, upon her plea of guilty, of attempted assault in the second degree.                          |            |
|                     | JOHN A. CIRANDO for SARAH A. MURPHY SEARS  | 10 minutes |
|                     | JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK   | 5 minutes  |
| 97.0<br>KA 16-00381 | PEOPLE<br>V<br>TAUREAN SMITH   |            |
|                     | Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered February 26, 2016. The judgment convicted defendant, after a nonjury trial, of criminal possession of a weapon in the second degree. |            |
|                     | NICHOLAS P. DIFONZO for TAUREAN SMITH  | 10 minutes |
|                     | DANIEL J. PUNCH for PEOPLE OF THE STATE OF NEW YORK  | 5 minutes  |
| 98.0<br>KA 14-00955 | PEOPLE<br>V<br>DARRELL BOYD  |            |
|                     | Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 14, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.  |            |
|                     | JANE I. YOON for DARRELL BOYD  | 10 minutes |
|                     | LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK  | 10 minutes |

99.0  
CAF 16-01527

**YVONNE STEWARD**  
**V**  
**CARMELL LUCAS**

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 5, 2016 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

WILLIAM D. BRODERICK, JR., for YVONNE STEWARD 10 minutes

MICHAEL J. STACHOWSKI for CARMELL LUCAS 15 minutes

AYOKA APRIL TUCKER, ATTORNEY FOR THE CHILD 10 minutes

100.0  
CAF 16-01528

**YVONNE STEWARD**  
**V**  
**CARMELL LUCAS**

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 5, 2016 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

WILLIAM D. BRODERICK, JR., for YVONNE STEWARD Submitted

MICHAEL J. STACHOWSKI for CARMELL LUCAS Submitted

AYOKA APRIL TUCKER, ATTORNEY FOR THE CHILD Submitted

101.0  
CAF 16-01529

**YVONNE STEWARD**  
**V**  
**CARMELL LUCAS**

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 5, 2016 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

WILLIAM D. BRODERICK, JR., for YVONNE STEWARD Submitted

MICHAEL J. STACHOWSKI for CARMELL LUCAS Submitted

AYOKA APRIL TUCKER, ATTORNEY FOR THE CHILD Submitted

102.0  
CAF 16-01530

**YVONNE STEWARD**  
**V**  
**CARMELL LUCAS**

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 5, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted respondent's motion to dismiss the petition.

WILLIAM D. BRODERICK, JR., for YVONNE STEWARD Submitted

MICHAEL J. STACHOWSKI for CARMELL LUCAS Submitted

AYOKA APRIL TUCKER, ATTORNEY FOR THE CHILD Submitted

103.0  
CAF 16-01531

**YVONNE STEWARD**  
**V**  
**CARMELL LUCAS**

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 5, 2016 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

WILLIAM D. BRODERICK, JR., for YVONNE STEWARD Submitted

|                              |   |                   |
|------------------------------|---|-------------------|
|                              | <b>MICHAEL J. STACHOWSKI for CARMELL LUCAS</b>  | <b>Submitted</b>  |
|                              | <b>AYOKA APRIL TUCKER, ATTORNEY FOR THE CHILD</b>   | <b>Submitted</b>  |
| <b>104.0<br/>CA 17-01368</b> | <b>HEATHER R. ODDO<br/>V<br/>CITY OF BUFFALO</b>  |                   |
|                              | <b>Appeal and cross appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered October 28, 2016. The order denied defendants' motion for summary judgment dismissing plaintiffs' complaint and denied plaintiffs' cross motion for summary judgment.</b>  |                   |
|                              | <b>RAYMOND THOMAS BURGASSER for HEATHER R. ODDO</b>   | <b>15 minutes</b> |
|                              | <b>ROBERT E. QUINN for CITY OF BUFFALO</b>  | <b>15 minutes</b> |
| <b>105.0<br/>CA 17-00873</b> | <b>MICHAEL VOSS<br/>V<br/>MONROE COUNTY WATER AUTHORITY</b>   | <b>SETTLED</b>    |
|                              | <b>Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered January 18, 2017. The order granted the motion of plaintiff for partial summary judgment on liability pursuant to Labor Law § 240 (1) and denied the cross motion of defendant for summary judgment.</b>   |                   |
|                              | <b>TIMOTHY P. WELCH for MONROE COUNTY WATER AUTHORITY</b>   |                   |
|                              | <b>JOSEPH A. ROSSI for MICHAEL VOSS</b>   |                   |
| <b>106.0<br/>CA 16-02213</b> | <b>PHILIP CONGILARO<br/>V<br/>ANTHONY ANNUCCI</b>   |                   |
|                              | <b>Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered October 28, 2016 in a CPLR article 78 proceeding. The judgment dismissed the petition.</b>   |                   |
|                              | <b>ADAM W. KOCH for PHILIP CONGILARO</b>  | <b>Submitted</b>  |
|                              | <b>WILLIAM E. STORRS for ANTHONY ANNUCCI</b>  | <b>Submitted</b>  |
| <b>107.0<br/>CA 17-01256</b> | <b>LINDA SANTANAM<br/>V<br/>BD. OF EDUCATION, NORTH SYRACUSE C.S.D.</b>   |                   |
|                              | <b>Appeal and from a judgment (denominated order and judgment of the Supreme Court, Onondaga County (James P. Murphy, J.), entered September 29, 2016 pursuant to CPLR article 78. The judgment granted the petition.</b>   |                   |
|                              | <b>DOUGLAS M. MCRAE for BD. OF ED., NORTH SYRACUSE C.S.D.</b>   | <b>5 minutes</b>  |
|                              | <b>MATTHEW E. BERGERON for LINDA SANTANAM</b>   | <b>5 minutes</b>  |
| <b>108.0<br/>CA 17-01452</b> | <b>In the Matter of<br/>GEORGINA POTOCKI<br/>(JOANNE M. MAHONEY)</b>  |                   |
|                              | <b>Appeal from a judgment of the Supreme Court, Onondaga County (Spencer J. Ludington, A.J.), entered January 19, 2017. The judgment granted the petition to confirm an arbitration award, denied the cross petition to vacate an arbitration award, ordered the reinstatement of petitioner Georgina Potocki and granted costs to petitioner Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO.</b> |                   |

|                      |  |            |
|----------------------|--|------------|
|                      | STEVEN W. WILLIAMS for JOANNE M. MAHONEY   | 10 minutes |
|                      | STEVEN M. KLEIN for GEORGINA POTOCKI   | 10 minutes |
| 109.0<br>CA 17-01512 | <b>HAS K'PAW MU</b><br>V<br><b>ALBERT LYON, M.D.</b>   |            |
|                      | Appeals from an order of the Supreme Court, Onondaga County (Deborah H.. Karalunas, J.), entered May 25, 2017. The order, insofar as appealed from, denied the motions of defendants-appellants to compel authorizations to release the personal tax returns of Hen Blay Htoo and Eh Kaw Mu for the years 2009-2011. |            |
|                      | ANDREW S. HOLLAND for FASTON-ST. LUKES HEALTHCARE  | 15 minutes |
|                      | JOHN J. POLLOCK for WILLIAM GRABER, M.D.   | 10 minutes |
|                      | RAYMOND V. NICOTERA for HAS K'PAW MU   | 10 minutes |
| 110.0<br>CA 17-00704 | <b>COREY J. HOGAN</b><br>V<br><b>ISKALO OFFICE HOLDINGS, III, LLC</b>  |            |
|                      | Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered January 30, 2017. The order and judgment, insofar as appealed from, granted the motion of plaintiff for summary judgment in lieu of complaint.  |            |
|                      | SEAN W. HOPKINS for ISKALO OFFICE HOLDINGS, III, LLC   | 10 minutes |
|                      | THOMAS B. HUGHES for COREY J. HOGAN  | 10 minutes |
| 111.0<br>CA 17-01400 | <b>BELINDA C. COOPER</b><br>V<br><b>DEANNA M. NESTORDS</b>   |            |
|                      | Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered May 17, 2017. The order, among other things, denied plaintiff's motion for a directed verdict.   |            |
|                      | MATTHEW J. KAISER for BELINDA C. COOPER  | 10 minutes |
|                      | LEAH A. COSTANZO for DEANNA M. NESTORDS  | 10 minutes |
| 112.0<br>CA 17-01402 | <b>BELINDA C. COOPER</b><br>V<br><b>DEANNA M. NESTORDS</b>   |            |
|                      | Appeal from a judgment of the Supreme Court, Niagara County (Frank Caruso, J.), entered May 17, 2017. The judgment awarded defendants the sum of \$1,324.25, as against plaintiff.   |            |
|                      | MATTHEW J. KAISER for BELINDA C. COOPER  | Submitted  |
|                      | LEAH A. COSTANZO for DEANNA M. NESTORDS  | Submitted  |
| 113.0<br>CA 16-01603 | <b>YOUSIF KARAMALLA</b><br>V<br><b>SHARON DEVINE</b>   |            |
|                      | Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered July 5, 2016. The order granted petitioner-plaintiff's application pursuant to CPLR 901 for certification of a plaintiff class.  |            |

**JOSEPH M. SPADOLA for SHARON DEVINE**

**10 minutes**

**SAIMA A. AKHTAR for YOUSIF KARAMALLA**

**15 minutes**

**MICHAEL A. SIRAGUSA for AL DIRSCHBERGER**

**Submitted**