

DAY CALENDAR
Monday, January 8, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1.0
KA 16-00486

PEOPLE
V
MICHAEL A. IRBY

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered July 1, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

RAYMOND PETER KOT, II, for MICHAEL A. IRBY 15 minutes

JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

2.0
KA 14-00722

PEOPLE
V
JOSEPH J. GAMBALE

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered September 6, 2013. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

DREW R. DUBRIN for JOSEPH J. GAMBALE Submitted

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

3.0
KA 15-00251

PEOPLE
V
MARCUS C. FREEMAN

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered December 4, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, attempted murder in the second degree, assault in the first degree, criminal use of a firearm in the first degree (two counts) and criminal sexual act in the first degree.

JANE I. YOON for MARCUS C. FREEMAN 10 minutes

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK 10 minutes

4.0
KA 14-01171

PEOPLE
V
KAVIN L. ROWE

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered March 31, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

WILLIAM G. PIXLEY for KAVIN L. ROWE Submitted

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

5.0
KA 15-01225

PEOPLE
V
EDWIN F. TALBOTT, II

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered June 17, 2014. The judgment convicted defendant, after a nonjury trial, of assault in the second degree

	MARK C. DAVISON for EDWIN F. TALBOTT, II	10 minutes
	JAMES B. RITTS for PEOPLE OF THE STATE OF NEW YORK	10 minutes
6.0 KA 16-00487	PEOPLE V MICHAEL A. IRBY	
	Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered July 1, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.	
	RAYMOND PETER KOT, II, for MICHAEL A. IRBY	15 minutes
	JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK	5 minutes
7.0 KA 12-01637	PEOPLE V MARQUIS T. WILCHER	
	Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered March 12, 2012. The judgment convicted defendant, upon a nonjury verdict, of criminal sale of a controlled substance in the first degree and criminal possession of a controlled substance in the third degree (two counts).	
	BRIDGET L. FIELD for MARQUIS T. WILCHER	10 minutes
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	10 minutes
8.0 KA 15-00250	PEOPLE V MARCUS C. FREEMAN	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered December 4, 2014. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree.	
	JANE I. YOON for MARCUS C. FREEMAN	5 minutes
	SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK	5 minutes
9.0 KA 15-00571	PEOPLE V COURTNEY WELLINGTON	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered December 15, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree and assault in the first degree.	
	JANET C. SOMES for COURTNEY WELLINGTON	Submitted
	STEPHEN X. O'BRIEN for PEOPLE OF THE STATE OF NEW YORK	Submitted
10.0 KA 16-00621	PEOPLE V VENUS DENNIS AND LACINAN KONATE	
	Appeal from an order of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), dated October 30, 2015. The order granted in part defendants' motions to dismiss the indictment.	
	NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK	10 minutes

	SARA A. GOLDFARB for VENUS DENNIS	10 minutes
	ERIC B. JESCHKE for LACINAN KONATE	10 minutes
11.0 KA 17-01489	PEOPLE V VENUS DENNIS AND LACINAN KONATE	
	Appeal from a supplemental decision of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), dated November 5, 2015. The supplemental decision, among other things, adjudged that the People failed to produce sufficient evidence to the grand jury that a witness was a peace officer.	
	NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK	Submitted
	SARA A. GOLDFARB for VENUS DENNIS	Submitted
	ERIC B. JESCHKE for LACINAN KONATE	Submitted
12.0 KA 15-00644	PEOPLE V DARIAN WILLIAMS	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered January 20, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted menacing of a police officer	
	PIOTR BANASIAK for DARIAN WILLIAMS	Submitted
	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	Submitted
13.0 CA 17-01421	DARWIN HALE, JR. V HOLLEY CENTRAL SCHOOL DISTRICT	
	Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered April 18, 2017. The order denied the motion of defendant Holley Central School District's motion for summary judgment.	
	JODY E. BRIANDI for HOLLEY CENTRAL SCHOOL DISTRICT	15 minutes
	CHARLES W. ROGERS for DARWIN HALE, JR.	10 minutes
14.0 CA 17-01077	RANDOLPH BARTZ V VILLAGE OF LEROY	
	Appeal from an order of the Supreme Court, Genesee County (Emilio L. Colaiacovo, J.), entered March 16, 2017. The order denied the request of petitioners to annul the decisions of respondent Zoning Board of Appeals of LeRoy dated June 3, 2014 and July 9, 2014.	
	AMY K. KENDALL for RANDOLPH BARTZ	20 minutes
	JAMES M. WUJCIK for VILLAGE OF LEROY	20 minutes
	KRISTIE L. DEFREZE for DUZMOR PAINTING, INC.	20 minutes
	BENJAMIN J. BONARIGO for PETER J. MCQUILLEN	Submitted
15.0 CA 17-01346	LAURA VIEIRA-SUAREZ V SYRACUSE CITY SCHOOL DISTRICT	

Appeal from a judgment (denominated order) of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered March 3, 2017 in a CPLR article 78 proceeding.. The judgment denied and dismissed the petition.

STEPHEN CIOTOLI for LAURA VIEIRA-SUAREZ 10 minutes

HEATHER M. COLE for SYRACUSE CITY SCHOOL DISTRICT 15 minutes

16.0
CA 16-02313

SAMUEL AYALA
V
ANTHONY ANNUCCI

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

ADAM W. KOCH for SAMUEL AYALA Submitted

KATE H. NEPVEU for ANTHONY ANNUCCI Submitted

17.0
CA 17-01076

In the Matter of
CITY OF SYRACUSE
(KATHERINE LEE)

Appeals from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered August 1, 2016 in a proceeding pursuant to CPLR article 75. The order, among other things, vacated and held in abeyance the court's order and judgment of December 24, 2014 and denied the motion of respondent Katherine Lee to dismiss the petition.

KAREN KHANZADIAN for SYRACUSE POLICE BENEVOLENT ASSN. 10 minutes

A.J. BOSMAN for KATHERINE LEE 10 minutes

PAUL J. SWEENEY for CITY OF SYRACUSE 10 minutes

18.0
CA 17-01228

JUN W. CARNEY
V
PATRICK J. CARNEY

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered June 29, 2017. The order, among other things, directed that an evidentiary be held to determine whether defendant is eligible for assigned counsel.

SVETLANA K. IVY for PATRICK J. CARNEY 10 minutes

MICHAEL STEINBERG for JUN W. CARNEY 10 minutes

19.0
CA 17-01229

JUN W. CARNEY
V
PATRICK J. CARNEY

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered June 26, 2017. The order adjudged that defendant has imputed income of \$50,000 annually and therefore is not eligible for the appointment of counsel in the pending proceeding, where plaintiff is seeking to enforce a prior court order.

SVETLANA K. IVY for PATRICK J. CARNEY Submitted

MICHAEL STEINBERG for JUN W. CARNEY Submitted

20.0
CA 17-01331

DENISE A. LEWIS
V
CARROLS LLC

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered April 12, 2017. The order denied the motion of defendant for summary judgment dismissing the complaint.

KAREN J. KROGMAN DAUM for CARROLS LLC 15 minutes

MATTHEW J. KAISER for DENISE A. LEWIS 10 minutes

21.0
CA 17-01541

BARBARA S. SCHOEN
V
TOPS MARKETS, LLC

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered February 10, 2017. The order denied the motion of defendant for summary judgment.

MICHAEL B. DIXON for TOPS MARKETS, LLC 15 minutes

MICHAEL G. COOPER for BARBARA S. SCHOEN 10 minutes

22.0
CA 17-00664

LONNIE DOTSON
V
J.C. PENNEY COMPANY, INC.

Appeals from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered September 28, 2016. The order, among other things, denied the motion of defendants J.C. Penney Company, Inc., J.C. Penney Carousel Store, David Stanton, individually, and acting as agent, servant, and/or employee of J.C. Penney Company, Inc. and Andrew Vaughn, individually, and acting as agent, servant, and/or employee of J.C. Penney Company, Inc. for summary judgment on plaintiffs' cause of action for false imprisonment and denied in part the motion of defendants Gary Miguel, City of Syracuse Police Department and City of Syracuse for summary judgment.

MARY D'AGOSTINO for GARY MIGUEL 15 minutes

KRISTIN L. NORFLEET for J.C. PENNEY COMPANY, INC. 10 minutes

A.J. BOSMAN for LONNIE DOTSON 15 minutes

23.0
CA 17-00665

LONNIE DOTSON
V
J.C. PENNEY COMPANY, INC.

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered March 31, 2017. The order denied the motion of defendants Gary Miguel, City of Syracuse Police Department and City of Syracuse for an order granting renewal of their motion for summary judgment and, upon granting renewal, dismissing plaintiffs' amended complaint.

MARY D'AGOSTINO for GARY MIGUEL Submitted

KRISTIN L. NORFLEET for J.C. PENNEY COMPANY, INC. Submitted

A.J. BOSMAN for LONNIE DOTSON Submitted

DAY CALENDAR
Tuesday, January 9, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

24.0
KA 15-01822

PEOPLE
V
LEWIS SWIFT

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered February 11, 2015. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and criminal possession of a weapon in the third degree

LINDA M. CAMPBELL for LEWIS SWIFT 10 minutes

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

25.0
KA 15-00585

PEOPLE
V
CARLTON C. BEVEL

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered December 4, 2014. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

DAVID R. JUERGENS for CARLTON C. BEVEL Submitted

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

26.0
KA 15-00919

PEOPLE
V
HOWARD DRAPER

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered February 4, 2015. The judgment convicted defendant, upon a jury verdict, of endangering the welfare of a child.

PHILIP ROTHSCHILD for HOWARD DRAPER 10 minutes

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

27.0
KA 14-01699

PEOPLE
V
MARCUS HAMN

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Alex R. Renzi, J.), entered June 16, 2014. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.

JAMES A. HOBBS for MARCUS HAMN 10 minutes

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

28.0
KA 16-01083

PEOPLE
V
KRISTA SCHULTZ

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered October 20, 2015. The judgment convicted defendant, upon her plea of guilty, of grand larceny in the third degree.

	ALAN WILLIAMS for KRISTA SCHULTZ	10 minutes
	JOHN JOSEPH FLYNN for PEOPLE OF THE STATE OF NEW YORK	10 minutes
29.0 KA 14-00660	PEOPLE V MARQUIS R. MCMILLIAN	
	Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered October 1, 2013. The judgment convicted defendant, after a nonjury trial, of assault in the first degree and criminal possession of a weapon in the second degree (two counts).	
	KATHLEEN P. REARDON for MARQUIS R. MCMILLIAN	10 minutes
	SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK	10 minutes
30.0 KA 14-00661	PEOPLE V MARQUIS R. MCMILLIAN	
	Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered October 1, 2013. The judgment convicted defendant, after a nonjury trial, of attempted murder in the second degree, assault in the first degree and criminal possession of a weapon in the second degree (two counts).	
	KATHLEEN P. REARDON for MARQUIS R. MCMILLIAN	Submitted
	SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK	Submitted
31.0 KA 15-00587	PEOPLE V CARLTON C. BEVEL	
	Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered December 4, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of stolen property in the fourth degree.	
	DAVID R. JUERGENS for CARLTON C. BEVEL	Submitted
	STEPHEN X. O'BRIEN for PEOPLE OF THE STATE OF NEW YORK	Submitted
32.0 KA 14-02203	PEOPLE V TALYN D. WILLIAMS	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered February 6, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree	
	BETH A. RATCHFORD for TALYN D. WILLIAMS	Submitted
	DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK	Submitted
33.0 KA 16-01690	PEOPLE V NATHANIEL WRIGHT	
	Appeal from an order of the Supreme Court, Monroe County (Francis A. Affronti, J.), entered June 17, 2016. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.	
	KIMBERLY F. DUGUAY for NATHANIEL WRIGHT	Submitted

	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	Submitted
35.0 OP 17-01673	G. STEVEN PIGEON V HON. DONALD F. CERIO, JR.	
	Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Fourth Judicial Department pursuant to CPLR 506 [b]) to prohibit respondent from entertaining a motion for reargument.	
	JOHN A. COLLINS for G. STEVEN PIGEON	10 minutes
	LEE ALDERSTEIN for HON. DONALD F. CERIO, JR.	Submitted
	LAURA ETLINGER for ERIC T. SCHNEIDERMAN	10 minutes
36.0 CA 17-00792	ANGELO P. ZAPPIE V DOLORES L. PERRY	
	Appeal from an order of the Supreme Court, Chautauqua County (Paul B. Wojtaszek, J.), entered January 3, 2017. The order denied the motion of plaintiffs to amend the complaint, granted the motion of defendant to dismiss the complaint and dismissed the complaint.	
	EDWARD J. MARKARIAN for ANGELO P. ZAPPIE	15 minutes
	STEPHEN P. BROOKS for DOLORES L. PERRY	15 minutes
37.0 CA 17-01372	CHARLIE ZANGHI V JAMES L. DOERFLER	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered June 16, 2017. The order, insofar as appealed from, denied the motion of defendants for summary judgment.	
	MICHAEL J. CHMIEL for JAMES L. DOERFLER	10 minutes
	MELISSA STADLER for CHARLIE ZANGHI	10 minutes
38.0 CA 17-01456	RICHARD INFARINATO V ROCHESTER TELEPHONE CORPORATION	
	Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered October 20, 2016. The order, insofar as appealed from, denied the motion of plaintiff for partial summary judgment.	
	DAVID D. BENZ for RICHARD INFARINATO	10 minutes
	PETER J. GLENNON for FRONTIER TELEPHONE OF ROCHESTER	10 minutes
40.0 CA 17-00819	CRAIG EMMERLING V CHRISTINA A. AGOLA	
	Appeal from a judgment of the Supreme Court, Ontario County (Craig J. Doran, J.), entered July 5, 2016. The judgment awarded plaintiff money damages.	
	CHRISTINA A. AGOLA for HERSELF	Submitted
	EMIL PETER PFAFF for CRAIG EMMERLING	Submitted
	ROBERT L. BURKWIT for CHRISTINA A. AGOLA ATTYS. AND COMPANY	Submitted

41.0
CA 17-00577

HUDSON SPECIALTY INSURANCE COMPANY
V
HALEY & ALDRICH, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered December 23, 2016. The order, among other things, denied defendants' motion for summary judgment.

SCOTT K. WINIKOW for HALEY & ALDRICH, INC. 15 minutes

DENNIS R. MCCOY for HUDSON SPECIALTY INSURANCE COMPANY 15 minutes

42.0
CA 17-00992

HUDSON SPECIALTY INSURANCE COMPANY
V
HALEY & ALDRICH, INC.

Appeal from a judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered January 23, 2017. The judgment awarded plaintiffs the sum of \$1,103,071.93 as against defendants.

SCOTT K. WINIKOW for HALEY & ALDRICH, INC. Submitted

DENNIS R. MCCOY for HUDSON SPECIALTY INSURANCE COMPANY Submitted

44.0
CA 15-02098

ALOKE CHAUDHURI
V
MARGARET KILMER

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered September 29, 2015. The order denied plaintiff's motion for summary judgment and granted defendant's cross motion for summary judgment dismissing plaintiff's complaint.

GERARD A. STRAUSS for ALOKE CHAUDHURI 15 minutes

JOSEPH A. MATTELIANO for MARGARET KILMER 15 minutes

45.0
CA 16-00716

ALOKE CHAUDHURI
V
MARGARET KILMER

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered April 21, 2016. The order denied plaintiff's motion to include in the record on appeal the document titled "Response Affidavit to Memorandum of Law on Motion for Summary Judgment".

GERARD A. STRAUSS for ALOKE CHAUDHURI Submitted

JOSEPH A. MATTELIANO for MARGARET KILMER Submitted

46.0
CA 17-01538

BETTY MCCLAIN
V
BUFFALO MUNICIPAL HOUSING AUTHORITY

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered May 22, 2017. The order, insofar as appealed from, denied in part the motion of defendant for summary judgment.

CORY J. WEBER for BUFFALO MUNICIPAL HOUSING AUTHORITY 10 minutes

MICHAEL J. WILLETT for BETTY MCCLAIN 10 minutes

DAY CALENDAR
Tuesday, January 9, 2018 - 10:00 AM
COURTROOM 2

47.0
KA 14-00040

PEOPLE
V
ISSAC L. MCDONALD

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered December 11, 2013. The appeal was held by this Court by order entered February 6, 2015, decision was reserved and the matter was remitted to Niagara County Court for further proceedings (125 AD3d 1280). The proceedings were held and completed.

EDWARD P. PERLMAN for ISSAC L. MCDONALD

Submitted

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

Submitted

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

48.0
TP 16-01610

ALBERT FOUNTAIN
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, Seneca County [Dennis F. Bender, A.J.], entered September 14, 2016) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ALBERT FOUNTAIN for HIMSELF

Submitted

ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI

Submitted

49.0
TP 17-00390

ANTHONY MEDINA
V
A. RODRIGUEZ

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, Seneca County [Dennis F. Bender, A.J.], entered February 17, 2017) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ANTHONY MEDINA for HIMSELF

Submitted

JOSEPH M. SPADOLA for A. RODRIGUEZ

Submitted

50.0
KA 16-00046

PEOPLE
V
SHEILA M. KOWAL

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered February 19, 2013. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, assault in the first degree and burglary in the first degree (two counts).

DAVID J. PAJAK for SHEILA M. KOWAL

Submitted

DANIEL J. PUNCH for PEOPLE OF THE STATE OF NEW YORK

5 minutes

51.0
KA 16-01770

PEOPLE
V
MICHAEL E. FREEMAN

Appeal from a judgment of the Supreme Court, Niagara County (Matthew J. Murphy, III, A.J.), rendered September 7, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the first degree.

THERESA L. PREZIOSO for MICHAEL E. FREEMAN

Submitted

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK

Submitted

52.0
KA 17-00342

PEOPLE
V
MARK GEORGE, JR.

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered December 16, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the first degree.

JOSEPH G. FRAZIER for MARK GEORGE, JR.

Submitted

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK

Submitted

53.0
KA 15-01993

PEOPLE
V
CHRISTOPHER A. SNELL

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered June 15, 2015. The judgment convicted defendant, upon a jury verdict, of criminal trespass in the second degree and assault in the third degree.

SHERRY A. CHASE for CHRISTOPHER A. SNELL

5 minutes

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

5 minutes

54.0
KA 16-00214

PEOPLE
V
ROBERT D. WRIGHT

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered November 23, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the first degree

CAITLIN M. CONNELLY for ROBERT D. WRIGHT

5 minutes

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

Submitted

55.0
KA 15-01386

PEOPLE
V
CHARLES PELLIS

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered April 23, 2015. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree

THOMAS J. EOANNOU for CHARLES PELLIS

Submitted

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

Submitted

56.0
KA 16-00326

PEOPLE
V
SIR PRINCE SOMMERVILLE

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered February 8, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and criminal possession of a weapon in the second degree.

KRISTIN M. PREVE for SIR PRINCE SOMMERVILLE

10 minutes

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

10 minutes

57.0
KA 17-01314

PEOPLE
V
DEYONTAY BARNETT

Appeal from an order of the Erie County Court (James A.W. McLeod, A.J.), dated April 12, 2017. The order granted defendant's motion to dismiss the indictment.

	JULIE BENDER FISKE for PEOPLE OF THE STATE OF NEW YORK	5 minutes
	DEBORAH K. JESSEY for DEYONTAY BARNETT	5 minutes
58.0 CAF 16-01430	ALEXANDRIA G. MCGRATH V JOHNATHON J. HEALEY	
	Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered August 2, 2016 in a proceeding pursuant to Family Court Act article 4. The order, among other things, determined that respondent willfully violated an order of support and committed respondent to the Erie County Jail for a period of 90 days.	
	DAVID J. PAJAK for JOHNATHON J. HEALEY	Submitted
	JULIE ATTI-ROGERS for ALEXANDRIA G. MCGRATH	Submitted
59.0 CAF 16-02311	In the Matter of RHIANNON H.-W.	
	Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered November 21, 2016 in a proceeding pursuant to Family Court Act article 10. The order denied the motion of respondent to dismiss the petition.	
	BERNADETTE HOPPE for ELIZABETH E. H.-W.	5 minutes
	JOSEPH T. JARZEMBEK for ERIE COUNTY D.S.S.	5 minutes
	MICHELLE G. CHAAS, ATTORNEY FOR THE CHILD	10 minutes
	EDWARD JOHN MARTNSHIN for ATTORNEY FOR THE CHILD	Submitted
60.0 CA 17-01387	OTU A. OBOT V DENNIS EVCHICH AGENCY, INC.	
	Appeal from an order of the Erie County Court (Thomas P. Franczyk, J.), dated October 26, 2016. The order affirmed a judgment of the Amherst Town Court.	
	OTU A. OBOT for HIMSELF	Submitted
	BRIAN BOGNER for DENNIS EVCHICH AGENCY, INC.	Submitted
61.0 CA 16-02203	JOSEPH A. RAIMONDI V JOSEPH C. FLASK	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered September 7, 2016. The order, among other things, dismissed defendants' first, second, fourth, fifth and sixth affirmative defenses.	
	MICHAEL F. PERLEY for JOSEPH C. FLASK	10 minutes
	MICHAEL A. RIEHLER for PENSKE TRUCK LEASING CO., L.P.	10 minutes
	MELISSA A. FOTI for IDEALEASE OF CENTRAL N.Y., LLC	10 minutes
	TIMOTHY G. O'CONNELL for JOSEPH A. RAIMONDI	15 minutes
62.0 CA 17-01122	ELDRED JAY MARTIN V NIAGARA FALLS BRIDGE COMMISSION	

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered August 24, 2016. The order, insofar as appealed from, granted the motions of defendant and third-party defendant for summary judgment dismissing the complaint and denied the cross motion of plaintiff for summary judgment.

JOHN A. COLLINS for ELDRED JAY MARTIN 15 minutes

PATRICK J. LAWLESS for NIAGARA FALLS BRIDGE COMMISSION Submitted

MARK P. DELLA POSTA for LIBERTY MAINTENANCE, INC. 15 minutes

63.0
CA 17-00805

TAMAICA TAYLOR
V
MARCIA BIRDSONG

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered June 8, 2016. The judgment, insofar as appealed from, denied the motion of plaintiff for a directed verdict on the issue of serious injury, granted the motion of defendant David L. Vangalio for a directed verdict on the issue of negligence and dismissed the complaint against defendant David L. Vangalio.

FRANK S. FALZONE for TAMAICA TAYLOR 10 minutes

DANIEL CARTWRIGHT for DAVID L. VANGALIO 15 minutes

64.0
CA 17-01126

JACKIE S. COLLINS
V
KATIE A. DAVIRRO

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered January 13, 2017. The order, insofar as appealed from, denied the motion of defendant to dismiss the complaint.

TODD C. BUSHWAY for KATIE A. DAVIRRO 15 minutes

MATTHEW J. KAISER for JACKIE S. COLLINS 10 minutes

65.0
CA 17-01518

MARK WEGNER
V
TOWN OF CHEEKTOWAGA

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered July 27, 2017. The order denied the motion of defendants to dismiss the complaint and granted the cross motion of plaintiff to compel discovery.

RYAN J. LUCINSKI for TOWN OF CHEEKTOWAGA 10 minutes

MICHAEL J. STACHOWSKI for MARK WEGNER 15 minutes

66.0
CA 17-01285

SANDRA GRECO
V
DONALD R. GRANDE

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered October 20, 2016. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment on the issue of negligence and denied the cross motion of defendant for summary judgment on the issues of negligence and the emergency doctrine.

ELIZABETH BRUCE for DONALD R. GRANDE 10 minutes

JOHN PETER FEROLETO for SANDRA GRECO 10 minutes

67.0
CA 17-01399

**COREY KRUG
V
CITY OF BUFFALO**

Appeal from a judgment of the Supreme Court, Erie County (James H. Dillon, J.), entered April 19, 2017 in a proceeding pursuant to CPLR article 78. The judgment granted the petition in part

DAVID M. LEE for CITY OF BUFFALO 10 minutes

IAN HAYES for COREY KRUG 10 minutes

67.1
CA 17-01195

**TOWN OF ELLERY
V
NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered October 24, 2016. The order, among other things, dismissed the amended petition and complaint of petitioner.

MINDY L. ZOGHLIN for TOWN OF ELLERY 15 minutes

SUSAN L. TAYLOR for NYS DEPT. OF ENVIRONMENTAL CONSERVATION 10 minutes

JEREMY A. COLBY for CHAUTAUQUA COUNTY 15 minutes

DAY CALENDAR
Wednesday, January 10, 2018 - 10:00 AM
COURTROOM 2

68.0
KA 16-00156

PEOPLE
V
SAMUEL PEREZ

Appeal from an order of the Monroe County Court (James J. Piampiano, J.), entered December 14, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for SAMUEL PEREZ Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

69.0
KA 16-00164

PEOPLE
V
ANDREW SHERADIN

Appeal from an order of the Monroe County Court (James J. Piampiano, J.), entered December 8, 2015. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for ANDREW SHERADIN Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

70.0
KA 14-00561

PEOPLE
V
ANDRE L. BARNES

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered March 14, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.

WILLIAM G. PIXLEY for ANDRE L. BARNES Submitted

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

71.0
KA 16-00045

PEOPLE
V
THOMAS M. SHARP

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered December 16, 2015. The judgment convicted defendant, upon a jury verdict, of grand larceny in the fourth degree, welfare fraud in the fourth degree and offering a false instrument for filing in the first degree (three counts).

MARY P. DAVISON for THOMAS M. SHARP Submitted

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

72.0
KA 16-01990

PEOPLE
V
THOMAS D. DOWNER

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered August 5, 2016. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for THOMAS D. DOWNER Submitted

	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	Submitted
73.0 KA 13-01704	PEOPLE V PHILLIP H. OWENS	
	Appeal from a judgment of the Supreme Court, Monroe County (Gail Donofrio, J.), rendered September 13, 2013. The judgment convicted defendant, upon a jury verdict, of attempted assault in the first degree, criminal possession of a weapon in the second degree (two counts) and criminal possession of a weapon in the third degree.	
	KELLY S. FOSS for PHILLIP H. OWENS	10 minutes
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	5 minutes
74.0 KA 11-01448	PEOPLE V KATHLEEN M. ECKERD	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered June 14, 2011. The judgment convicted defendant, upon a jury verdict, of identity theft in the first degree, grand larceny in the third degree (five counts), grand larceny in the fourth degree (four counts) and issuing a bad check (eight counts).	
	MARY P. DAVISON for KATHLEEN M. ECKERD	5 minutes
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	5 minutes
75.0 CAF 16-01134	In the Matter of FAITH B.	
	Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered June 21, 2016 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, granted the application for temporary removal.	
	JOHN A. CIRANDO for ROCHELLE C.	10 minutes
	MAGGIE SEIKALY for ONONDAGA CO. DEPT. OF CHILDREN & FAMILY	Submitted
	ARLENE H. BRADSHAW, ATTORNEY FOR THE CHILD	Submitted
76.0 CAF 16-02239	DONNA M. TINUCCI V MICHAEL VOLTRA	
	Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered December 5, 2016 in proceedings pursuant to Family Court Act article 6. The order, among other things, dismissed the petition for modification of a court order filed by Donna M. Tinucci and granted the petition for modification of a court order filed by Michael Voltra.	
	PAUL B. WATKINS for DONNA M. TINUCCI	10 minutes
	LAWRENCE D. HASSELER for MICHAEL VOLTRA	10 minutes
	KIMBERLY ANN WOOD, ATTORNEY FOR THE CHILD	5 minutes
77.0 CAF 16-02240	MICHAEL SIMS V CARRIE STARKEY	

Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered September 1, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, modified a prior court order by awarding petitioner additional visitation.

DANIELLE BLACKABY for CARRIE STARKEY 10 minutes

MICHAEL SIMS for HIMSELF Submitted

TYLYN L. BOZEMAN, ATTORNEY FOR THE CHILD Submitted

78.0
CAF 17-01433

YOLANDA M. ROBINSON
V
GLENN L. ROBINSON

Appeal from an order of the Family Court, Monroe County (Paul M. Riordan, J.), entered January 30, 2017 in a proceeding pursuant to Family Court Act article 8. The order, among other things, directed respondent to stay away from petitioner.

RICHARD BRIAN GOEWEY for GLENN L. ROBINSON 15 minutes

YOLANDA M. ROBINSON for HERSELF Submitted

79.0
CAF 16-01282

In the Matter of
JAYVEON S.

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered July 12, 2016 in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, terminated the parental rights of respondents.

JOHN A. CIRANDO for TIMOTHY S. 10 minutes

MAGGIE SEIKALY for ONONDAGA CO. DEPT. OF CHILDREN & FAMILY Submitted

PETER J. DIGIORGIO, JR., ATTORNEY FOR THE CHILD 5 minutes

81.0
CA 17-00598

CAROL BLENDOWSKI
V
MICHAEL B. WIESE, M.D.

Appeals from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered March 3, 2017. The order denied the motions of defendants for summary judgment.

ANDREW BORELLI for MARC O'DONNELL, M.D. 15 minutes

MICHAEL J. KELLY for MICHAEL B. WIESE, M.D. 10 minutes

MICHAEL BOTTAR for CAROL BLENDOWSKI 10 minutes

82.0
CA 17-00599

CAROL BLENDOWSKI
V
MICHAEL B. WIESE, M.D.

Appeals from an amended order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered March 6, 2017. The amended order, insofar as appealed from, denied in part the motions of defendants for summary judgment.

ANDREW BORELLI for MARC O'DONNELL, M.D. Submitted

MICHAEL J. KELLY for MICHAEL B. WIESE, M.D. Submitted

MICHAEL BOTTAR for CAROL BLENDOWSKI Submitted

83.0
CA 17-01299

DAVID THUMAN, JR.
V
JILL DEMARTINO

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered September 9, 2016. The order, among other things, denied defendant's motion for summary judgment and granted plaintiff's cross motion for summary judgment.

DWIGHT E. KANYUCK for JILL DEMARTINO 10 minutes

BRIAN G. STAMM for DAVID THUMAN, JR. 10 minutes

84.0
CA 17-00913

KAUFMANN'S CAROUSEL, INC.
V
CAROUSEL CENTER COMPANY LP

Appeal from an order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered February 1, 2017. The order granted in part and denied in part the motion of plaintiff and the cross motion of defendant Carousel Center Company LP for partial summary judgment.

NICOLE MARLOW-JONES for CAROUSEL CENTER COMPANY LP 10 minutes

DOUGLAS A. FOSS for KAUFMANN'S CAROUSEL, INC. 10 minutes

85.0
CA 16-02322

MICHELLE L. CAPIERSEO
V
MATTHEW TOMAINO, M.D.

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered April 22, 2016. The order granted the motion to set aside a jury verdict.

JEFFREY S. ALBANESE for MATTHEW TOMAINO, M.D. 10 minutes

DONALD A. WHITE for MICHELLE L. CAPIERSEO 15 minutes

86.0
CA 17-01300

NICHOLAS DEMARTINO
V
CROUSE HOSPITAL

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered February 1, 2017. The order, insofar as appealed from, denied the motion of defendant Crouse Hospital for summary judgment.

MATTHEW J. VANBEVEREN for CROUSE HOSPITAL 10 minutes

KEVIN P. KUEHNER for NICHOLAS DEMARTINO 10 minutes

87.0
CA 17-01454

VICTOR GUZMAN, JR.
V
NORTH SYRACUSE CENTRAL SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered April 10, 2017. The order granted the motion of defendant for summary judgment, denied the cross motion of plaintiffs for partial summary judgment and dismissed the complaint.

ANGEL ANTONIO CASTRO, III, for VICTOR GUZMAN, JR. Submitted

JONATHAN B. FELLOWS for N. SYRACUSE CENTRAL SCHOOL DISTRICT 10 minutes

88.0
CA 17-01431

ADIRONDACK BANK
V
MIDSTATE FOAM AND EQUIPMENT, INC.

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered April 12, 2017. The order, insofar as appealed from, granted the motion of defendant James S. Wheeler for summary judgment dismissing the complaint and on his third counterclaim, awarded Wheeler costs and attorney's fees and denied the cross motion of plaintiff for summary judgment.

TERESA M. BENNETT for ADIRONDACK BANK

10 minutes

JANET D. CALLAHAN for JAMES S. WHEELER

10 minutes

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. PORSCH 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 KA 16-00012	PEOPLE V 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 KA 15-01697	PEOPLE V 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 KA 14-01771	PEOPLE V 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 KA 16-00381	PEOPLE V 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 KA 14-00955	PEOPLE V 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

	MICHAEL J. STACHOWSKI for CARMELL LUCAS	Submitted
	AYOKA APRIL TUCKER, ATTORNEY FOR THE CHILD	Submitted
104.0 CA 17-01368	HEATHER R. ODDO V CITY OF BUFFALO	
	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.	
	RAYMOND THOMAS BURGASSER for HEATHER R. ODDO	15 minutes
	ROBERT E. QUINN for CITY OF BUFFALO	15 minutes
105.0 CA 17-00873	MICHAEL VOSS V MONROE COUNTY WATER AUTHORITY	SETTLED
	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.	
	TIMOTHY P. WELCH for MONROE COUNTY WATER AUTHORITY	
	JOSEPH A. ROSSI for MICHAEL VOSS	
106.0 CA 16-02213	PHILIP CONGILARO V ANTHONY ANNUCCI	
	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.	
	ADAM W. KOCH for PHILIP CONGILARO	Submitted
	WILLIAM E. STORRS for ANTHONY ANNUCCI	Submitted
107.0 CA 17-01256	LINDA SANTANAM V BD. OF EDUCATION, NORTH SYRACUSE C.S.D.	
	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.	
	DOUGLAS M. MCRAE for BD. OF ED., NORTH SYRACUSE C.S.D.	5 minutes
	MATTHEW E. BERGERON for LINDA SANTANAM	5 minutes
108.0 CA 17-01452	In the Matter of GEORGINA POTOCKI (JOANNE M. MAHONEY)	
	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.	

	STEVEN W. WILLIAMS for JOANNE M. MAHONEY	10 minutes
	STEVEN M. KLEIN for GEORGINA POTOCKI	10 minutes
109.0 CA 17-01512	HAS K'PAW MU V ALBERT LYON, M.D.	
	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 CA 17-00704	COREY J. HOGAN V ISKALO OFFICE HOLDINGS, III, LLC	
	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 CA 17-01400	BELINDA C. COOPER V DEANNA M. NESTORDS	
	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 CA 17-01402	BELINDA C. COOPER V DEANNA M. NESTORDS	
	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 CA 16-01603	YOUSIF KARAMALLA V SHARON DEVINE	
	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

DAY CALENDAR
Tuesday, January 16, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

114.0
TP 17-01438

JENNIFER MULE
V
TOWN OF BOSTON

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 [Joseph R. Glownia, J.], entered August 7, 2017) to review a determination of respondent. The determination, inter alia, assessed a fine of \$35,146.92 against petitioners.

JACOB A. PIORKOWSKI for JENNIFER MULE

Submitted

DAVID HENRY WALSH, IV for TOWN OF BOSTON

Submitted

115.0
KA 15-01657

PEOPLE
V
CRISTY L. STUTZMAN

Appeal from a judgment of the Chautauqua County Court (John T. Ward, J.), rendered July 6, 2015. The judgment convicted defendant, upon her plea of guilty, of unlawful manufacture of methamphetamine in the third degree.

JOHN A. CIRANDO for CRISTY L. STUTZMAN

10 minutes

EMILY A. WOODARD for PEOPLE OF THE STATE OF NEW YORK

5 minutes

116.0
KA 15-01995

PEOPLE
V
FRANKIE L. BARRINGTON

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered June 25, 2015. The judgment convicted defendant, upon his plea of guilty, of welfare fraud in the fourth degree and misuse of food stamps.

MARIO J. GUTIERREZ for FRANKIE L. BARRINGTON

Submitted

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

Submitted

117.0
KA 15-01994

PEOPLE
V
FRANKIE L. BARRINGTON

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered June 25, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree and unlawful manufacture of methamphetamine in the third degree.

MARIO J. GUTIERREZ for FRANKIE L. BARRINGTON

Submitted

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

Submitted

118.0
KA 16-02160

PEOPLE
V
ANDREW FREY

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered October 7, 2016. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class D felony.

ROBERT TUCKER for ANDREW FREY

Submitted

CHRISTOPHER BOKELMAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

119.0
KA 12-01814

PEOPLE
V
MARTINOUS HUDSON

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered June 1, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts), attempted murder in the second degree, criminal possession of a weapon in the second degree (two counts), robbery in the first degree and robbery in the second degree.

KRISTEN MCDERMOTT for MARTINOUS HUDSON

15 minutes

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

10 minutes

120.0
KA 16-01012

PEOPLE
V
DARNELL JACKSON

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered January 12, 2016. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree.

ADAM H. VAN BUSKIRK for DARNELL JACKSON

Submitted

JESSE M. ESHKOL for PEOPLE OF THE STATE OF NEW YORK

Submitted

121.0
KA 11-00794

PEOPLE
V
KENNETH BARKSDALE

Appeal from a judgment of the Supreme Court, Monroe County (Robert B. Wiggins, A.J.), rendered March 22, 2011. The judgment convicted defendant, upon a his plea of guilty, of criminal possession of a controlled substance in the fourth degree.

WILLIAM G. PIXLEY for KENNETH BARKSDALE

Submitted

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK

Submitted

122.0
KA 16-00320

PEOPLE
V
DANIEL BOYKINS

Appeal from a decision and order of the Wyoming County Court (Michael M. Mohun, J.), dated November 10, 2015. The decision and order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.

NORMAN P. EFFMAN for DANIEL BOYKINS

10 minutes

GREGORY A. KILBURN for PEOPLE OF THE STATE OF NEW YORK

5 minutes

123.0
KA 16-01467

PEOPLE
V
REGINALD D. BOYKINS

Appeal from a memorandum decision and order of the Yates County Court (W. Patrick Falvey, J.), dated May 23, 2016. The memorandum decision and order denied the motion of defendant to set aside his sentence.

JOHN A. CIRANDO for REGINALD D. BOYKINS 15 minutes

DAVID G. MASHEWSKE for PEOPLE OF THE STATE OF NEW YORK 5 minutes

124.0
KA 15-01058

PEOPLE
V
MARY R. BAKER

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered April 23, 2015. The judgment convicted defendant, upon her plea of guilty, of aggravated driving while intoxicated; driving while intoxicated (two counts); aggravated unlicensed operation of a motor vehicle in the first degree (two counts); driving a vehicle not equipped with an ignition interlock device; and reckless driving.

JANET C. SOMES for MARY R. BAKER Submitted

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

125.0
KA 15-02119

PEOPLE
V
BENILUIS RUIZ

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered July 22, 2015. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree, criminal sexual act in the third degree (three counts), rape in the third degree, endangering the welfare of a child (two counts) and unlawfully dealing with a child in the first degree (two counts).

ERIN A. KULESUS for BENILUIS RUIZ 10 minutes

SHIRLEY A. GORMAN for PEOPLE OF THE STATE OF NEW YORK 10 minutes

126.0
KA 16-01944

PEOPLE
V
DYLLAN M. COATS

Appeal from a judgment of the Allegany County (Thomas P. Brown, J.), rendered July 21, 2016. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree, criminal possession of stolen property in the fourth degree and burglary in the second degree.

DANIEL MARK GRIEBEL for DYLLAN M. COATS 10 minutes

KEITH A. SLEP for PEOPLE OF THE STATE OF NEW YORK Submitted

127.0
CA 17-01336

DANTA MARIE QUINTON BOLIN
V
DANIEL C. GOODMAN, M.D.

Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered October 5, 2016. The order dismissed the complaint upon a directed verdict.

MARK D. GORIS for DANTA MARIE QUINTON BOLIN 10 minutes

DANIEL P. LARABY for DANIEL C. GOODMAN, M.D. 10 minutes

128.0
CA 17-01263

ASHLEY BENZ
V
JEAN CALDER

Appeals from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered October 4, 2016. The order, insofar as appealed from, denied the motions of defendants John M. Szczepanski and M.G. Fitzpatrick for summary judgment.

TAMARA M. HARBOLD for JOHN M. SZCZEPANSKI 15 minutes

NORMAN E.S. GREENE for M.G. FITZPATRICK 15 minutes

DENNIS P. HAMILTON for ASHLEY BENZ 15 minutes

129.0
CA 17-01526

KRISTIN AHRENS
V
PETER W. AHRENS

Appeal from an order of the Supreme Court, Erie County (Sharon S. Townsend, J.), entered April 19, 2017 in a divorce action. The order, among other things, denied defendant's request for maintenance.

MICHAEL P.J. MCGORRY for PETER W. AHRENS 15 minutes

SHARI JO REICH for KRISTIN AHRENS 15 minutes

130.0
CA 17-01527

KRISTIN AHRENS
V
PETER W. AHRENS

Appeal from a judgment of the Supreme Court, Erie County (Sharon S. Townsend, J.), entered May 15, 2017 in a divorce action. The judgment, among other things, adjudged that neither party is entitled to maintenance.

MICHAEL P.J. MCGORRY for PETER W. AHRENS Submitted

SHARI JO REICH for KRISTIN AHRENS Submitted

131.0
CA 17-00327

ANDREW SOLECKI
V
OAKWOOD CEMETERY ASSOCIATION

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered November 23, 2016. The order, among other things, granted defendants' motions for summary judgment dismissing plaintiffs' amended complaint in its entirety.

CATHERINE B. FOLEY for ANDREW SOLECKI 15 minutes

MELISSA A. FOTI for OAKWOOD CEMETERY ASSOCIATION 10 minutes

CORY J. WEBER for WOLCOTT GRASS FARM, INC. 15 minutes

132.0
CA 17-00875

KIMBERLY SNICKLES
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Michael E. Hudson, J.), entered July 19, 2016. The decision and order granted the motion of defendant to dismiss the claim, dismissed the claim as untimely, denied the motion of claimant to late file or amend the notice of intention, denied the motion of claimant to file and serve a late notice of claim and denied the motion of claimant to amend the notice of claim.

MATTHEW J. BIRD for KIMBERLY SNICKLES 10 minutes

ROBERT M. GOLDFARB for STATE OF NEW YORK 10 minutes

133.0
CA 17-00876

ANNALISE C. FRELING
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Michael E. Hudson, J.), entered July 5, 2016. The decision and order granted the motion of defendant to dismiss the claim, dismissed the claim as untimely, denied the motion of claimant to late file or amend the notice of intention, denied the motion of claimant to file and serve a late notice of claim and denied the motion of claimant to amend the notice of claim.

MATTHEW J. BIRD for ANNALISE C. FRELING Submitted

ROBERT M. GOLDFARB for STATE OF NEW YORK Submitted

134.0
CA 17-00877

JAMIE L. CAMPBELL
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Michael E. Hudson, J.), entered July 19, 2016. The decision and order granted the motion of defendant to dismiss the claim, dismissed the claim as untimely, denied the motion of claimant to late file or amend the notice of intention, denied the motion of claimant to file and serve a late notice of claim and denied the motion of claimant to amend the notice of claim.

MATTHEW J. BIRD for JAMIE L. CAMPBELL Submitted

ROBERT M. GOLDFARB for STATE OF NEW YORK Submitted

135.0
CA 17-00878

EMILY C. TRIMPER
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Michael E. Hudson, J.), entered June 8, 2016. The decision and order granted the motion of defendant to dismiss the claim, dismissed the claim as untimely, denied the motion of claimant to late file or amend the notice of intention, denied the motion of claimant to file and serve a late notice of claim and denied the motion of claimant to amend the notice of claim.

MATTHEW J. BIRD for EMILY C. TRIMPER Submitted

ROBERT M. GOLDFARB for STATE OF NEW YORK Submitted

136.0
CA 17-00879

TRINA TARDONE
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Michael E. Hudson, J.), entered June 13, 2016. The decision and order granted the motion of defendant to dismiss the claim, dismissed the claim as untimely, denied the motion of claimant to late file or amend the notice of intention, denied the motion of claimant to file and serve a late notice of claim and denied the motion of claimant to amend the notice of claim.

MATTHEW J. BIRD for TRINA TARDONE Submitted

ROBERT M. GOLDFARB for STATE OF NEW YORK Submitted

137.0
CA 17-00880

KRISTY L. MAZUREK
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Michael E. Hudson, J.), entered June 13, 2016. The decision and order granted the motion of defendant to dismiss the claim, dismissed the claim as untimely, denied the motion of claimant to late file or amend the notice of intention, denied the motion of claimant to file and serve a late notice of claim and denied the motion of claimant to amend the notice of claim.

MATTHEW J. BIRD for KRISTY L. MAZUREK

Submitted

ROBERT M. GOLDFARB for STATE OF NEW YORK

Submitted

138.0
CA 17-00798

MAXIMUM INCOME PARTNERS, INC.
V
MARIO CURCIO

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered October 3, 2016. The order denied the motion of plaintiff to renew or reargue.

MICHAEL A. ROSENHOUSE for MAXIMUM INCOME PARTNERS, INC.

15 minutes

DERRICK A. SPATORICO for MARIO CURCIO

10 minutes

139.0
CA 17-00822

MAXIMUM INCOME PARTNERS, INC.
V
CARL E. WEBBER

Appeal from an order and judgment of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered August 1, 2016. The order and judgment denied the motion of plaintiff for summary judgment and granted the cross motion of defendants Mario Curcio and Nicole Curcio for judgment declaring the priority of liens.

MICHAEL A. ROSENHOUSE for MAXIMUM INCOME PARTNERS, INC.

Submitted

DERRICK A. SPATORICO for MARIO CURCIO

Submitted

140.0
CA 17-00604

MEGAN ULIN
V
HOBART AND WILLIAM SMITH COLLEGES

Appeal from an order of the Supreme Court, Onondaga County (Spencer J. Ludington, A.J.), entered December 19, 2016. The order denied defendants' motion for summary judgment dismissing the complaint.

NORAH M. MURPHY for HOBART AND WILLIAM SMITH COLLEGES

10 minutes

ADAM P. MASTROLEO for MEGAN ULIN

10 minutes

141.0
CA 17-01315

JOSEPH LATES
V
TOWN OF HUME

Appeal from an order of the Supreme Court, Allegany County (Thomas P. Brown, A.J.), entered November 10, 2016. The order denied defendant's motion for summary judgment dismissing plaintiff's complaint.

SARAH E. HANSEN for TOWN OF HUME

15 minutes

DOUGLAS WALTER DRAZEN for JOSEPH LATES

5 minutes

DAY CALENDAR
Wednesday, January 17, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

142.0
TP 17-01432

JAMES ADAMS
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 August 7, 2017) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for JAMES ADAMS

Submitted

VICTOR PALADINO for ANTHONY ANNUCCI

Submitted

143.0
KA 17-01295

PEOPLE
V
WILLIE BOZMAN, JR.

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered January 12, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.

THOMAS J. EOANNOU for WILLIE BOZMAN, JR.

Submitted

JULIE BENDER FISKE for PEOPLE OF THE STATE OF NEW YORK

Submitted

144.0
KA 17-00061

PEOPLE
V
JERMAINE M. GOTHAM

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered November 10, 2016. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree, robbery in the second degree, kidnapping in the second degree, burglary in the second degree and attempted burglary in the second degree.

CHARLES A. MARANGOLA for JERMAINE M. GOTHAM

Submitted

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

Submitted

145.0
KA 15-01430

PEOPLE
V
MARK A. PERRIN

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered March 16, 2015. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree.

MARK C. DAVISON for MARK A. PERRIN

Submitted

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

Submitted

146.0
KA 14-00802

PEOPLE
V
ANTHONY B. SMOUSE

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered March 11, 2014. The judgment convicted defendant, upon a jury verdict, of reckless endangerment in the second degree, reckless driving, and leaving the scene of a property damage incident without reporting.

DAVID R. JUERGENS for ANTHONY B. SMOUSE 10 minutes

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

147.0
KA 15-00252

PEOPLE
V
JERRY CROSBY

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered November 14, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts), robbery in the first degree, burglary in the first degree and criminal possession of a controlled substance in the fifth degree.

JOHN GILSENAN for JERRY CROSBY 10 minutes

VICTORIA M. WHITE for PEOPLE OF THE STATE OF NEW YORK 10 minutes

148.0
KAH 16-00071

PEOPLE EX REL.
ANTHONY T. WOODS
V
JOHN B. LEMPKE

Appeal from an order of the Supreme Court, Erie County (M. William Boller, A.J.), entered November 17, 2015. The order, insofar as appealed from, denied the petition for a writ of habeas corpus.

MICHAEL STACHOWSKI for ANTHONY T. WOODS 15 minutes

ERIC T. SCHNEIDERMAN for JOHN B. LEMPKE Submitted

149.0
CAF 16-00306

In the Matter of
MICHAEL S.

Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered February 4, 2016, in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, determined that respondents had permanently neglected the subject children.

DAVID J. PAJAK for TIMOTHY S. Submitted

REBECCA L. DAVISON-MARCH for CHAUTAUQUA COUNTY D.H.H.S. 5 minutes

MARY SPEEDY HAJDU, ATTORNEY FOR THE CHILD 5 minutes

150.0
CAF 16-00307

In the Matter of
MICHAEL S.

Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered February 7, 2016, in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, revoked a suspended judgment and terminated the parental rights of respondents.

DAVID J. PAJAK for TIMOTHY S. Submitted

REBECCA L. DAVISON-MARCH for CHAUTAUQUA COUNTY D.H.H.S. Submitted

MARY SPEEDY HAJDU, ATTORNEY FOR THE CHILD Submitted

151.0
CAF 16-01386

MICHAEL R. RODOLPH
V
SOU PHOMMAVONGSA

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered June 14, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted respondent's motion to dismiss the petition.

ELIZABETH J. CIAMBRONE for MICHAEL R. RODOLPH

10 minutes

TINA M. HAWTHORNE for SOU PHOMMAVONGSA

10 minutes

KATHERINE J. BESTINE, ATTORNEY FOR THE CHILD

Submitted

152.0
CAF 16-01387

MICHAEL R. RODOLPH
V
SOU PHOMMAVONGSA

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered June 14, 2016 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition filed on March 31, 2016.

ELIZABETH J. CIAMBRONE for MICHAEL R. RODOLPH

Submitted

TINA M. HAWTHORNE for SOU PHOMMAVONGSA

Submitted

KATHERINE J. BESTINE, ATTORNEY FOR THE CHILD

Submitted

153.0
CAF 16-01388

MICHAEL RODOLPH
V
SOU PHOMMAVONGSA

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered June 14, 2016 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition filed on June 2, 2016.

ELIZABETH J. CIAMBRONE for MICHAEL RODOLPH

Submitted

TINA M. HAWTHORNE for SOU PHOMMAVONGSA

Submitted

KATHERINE J. BESTINE, ATTORNEY FOR THE CHILD

Submitted

154.0
CAF 16-00466

In the Matter of
DANYEL J.

Appeal from an order of the Family Court, Jefferson County (Eugene J. Langone, Jr., J.), entered February 23, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Alan J., neglected the subject children.

LISA DIPOALA HABER for ALAN J.

10 minutes

MICHAEL WERNER for JEFFERSON COUNTY D.S.S.

10 minutes

MELISSA L. KOFFS, ATTORNEY FOR THE CHILD

15 minutes

155.0
CAF 16-01431

LUCILLE A. SOLDATO
V
JOHN W. FEKETA

Appeal from an order of the Family Court, Oneida County (Joan E. Shkane, J.), entered July 25, 2016 in a proceeding pursuant to Family Court Act article 4. The order, among other things, confirmed the Support Magistrate's finding that respondent had willfully violated an order of support dated December 11, 2009.

	PETER J. DIGIORGIO, JR., for JOHN W. FEKETA	10 minutes
	STEPHEN L. PEARCE for LUCILLE A. SOLDATO	Submitted
156.0 CAF 16-01101	JERRY W. GWOREK V MARY M. GWOREK	
	Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered April 6, 2016, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for modification.	
	DEBORAH J. SCINTA for JERRY W. GWOREK	5 minutes
	ELIZABETH J. CIAMBRONE for MARY M. GWOREK	10 minutes
	CATHERINE ELIZABETH MARRA, ATTORNEY FOR THE CHILD	10 minutes
	MINDY LYNN MARRANCA, ATTORNEY FOR THE CHILD	5 minutes
157.0 CAF 16-01103	JERRY W. GWOREK V MARY M. GWOREK	
	Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered April 6, 2016, in a proceeding pursuant to Family Court Act article 6. The order granted the motion of the Attorney for the Child to dismiss the petition.	
	DEBORAH J. SCINTA for JERRY W. GWOREK	Submitted
	ELIZABETH J. CIAMBRONE for MARY M. GWOREK	Submitted
	CATHERINE ELIZABETH MARRA, ATTORNEY FOR THE CHILD	Submitted
	MINDY LYNN MARRANCA, ATTORNEY FOR THE CHILD	Submitted
158.0 CAF 17-00051	JERRY GWOREK V MARY GWOREK	
	Appeal from a decision and order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered November 15, 2016, in a proceeding pursuant to Family Court Act article 6. The decision and order granted the motions to dismiss the amended petition for modification of custody and visitation.	
	DEBORAH J. SCINTA for JERRY GWOREK	Submitted
	ELIZABETH J. CIAMBRONE for MARY GWOREK	Submitted
	CATHERINE ELIZABETH MARRA, ATTORNEY FOR THE CHILD	Submitted
	MINDY LYNN MARRANCA, ATTORNEY FOR THE CHILD	Submitted
159.0 CAF 16-01436	In the Matter of SORAYA S.	
	Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered June 15, 2016, in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, determined that respondents had permanently neglected the subject child.	
	JOHN A. CIRANDO for KATHRYNE T.	10 minutes
	REBECCA L. DAVISON-MARCH for CHAUTAUQUA COUNTY D.S.S.	5 minutes

	MARY SPEEDY HAJDU, ATTORNEY FOR THE CHILD	Submitted
160.0 CA 17-00711	PATRICIA CURTO V TOWN OF ORCHARD PARK	
	Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered December 12, 2016. The order granted the motion of defendants Town of Orchard Park, et al., to dismiss the amended complaint and denied as moot the motion of plaintiff for a default judgment.	
	PATRICIA CURTO for HERSELF	10 minutes
	JAMES P. DOMAGALSKI for TOWN OF ORCHARD PARK	15 minutes
	JEREMY C. TOTH for COUNTY OF ERIE	10 minutes
161.0 CA 17-01487	PATRICIA CURTO V TOWN OF ORCHARD PARK	
	Appeal from a decision and order of the Supreme Court, Erie County (James H. Dillon, J.), entered December 12, 2016. The decision and order granted the motion of defendant County of Erie to dismiss the complaint, denied as moot the motion of plaintiff for a default judgment and dismissed the complaint.	
	PATRICIA CURTO for HERSELF	Submitted
	KIMBERLY A. COLAIACOVO for TOWN OF ORCHARD PARK	Submitted
	JEREMY C. TOTH for COUNTY OF ERIE	Submitted
162.0 CA 17-00823	KAREN A. TRACY V CITY OF BUFFALO	
	Appeal and from an order of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered January 12, 2017. The order denied defendant's motion for summary judgment dismissing the complaint.	
	CHRISTOPHER R. POOLE for CITY OF BUFFALO	10 minutes
	DANIEL J. CHIACCHIA for KAREN A. TRACY	10 minutes
163.0 CA 17-01520	KOTECKI'S GRANDVIEW GROVE CORP. V ACADIA INSURANCE COMPANY	
	Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered February 27, 2017. The order denied defendant Acadia Insurance Company's motion for summary judgment dismissing plaintiff's complaint.	
	BRIAN R. BIGGIE for ACADIA INSURANCE COMPANY	10 minutes
	JON F. MINEAR for KOTECKI'S GRANDVIEW GROVE CORP.	15 minutes
164.0 CA 17-01159	LATOYIA R. BAITY V CITY OF BUFFALO	

Appeal from an order of the Supreme Court, Erie County (Russell P. Buscaglia, J.), entered February 18, 2015. The order granted the motion of defendants to dismiss the complaint and denied the cross motion of plaintiff to amend the complaint.

LOUIS ROSADO for LATOYIA R. BAITY

10 minutes

DAVID M. LEE for CITY OF BUFFALO

Submitted

165.0
CA 17-01239

NEIL DOUCETTE
V
KYLE T. CUVIELLO

Appeal from an order of the Supreme Court, Niagara County (Mark A. Montour, J.), entered September 29, 2016. The order granted plaintiffs partial judgment on the issues of defendant's negligence and proximate cause and directed a new trial on the negligence of third-party defendant.

VICTOR M. WRIGHT for KYLE T. CUVIELLO

15 minutes

BARRY J. DONOHUE for NEIL DOUCETTE

10 minutes

DESTIN C. SANTACROSE for SARAH DOUCETTE

Submitted

166.0
CA 17-00022

LARRY E. DRUM
V
DON A. COLLURE, M.D.

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered October 4, 2016. The order denied the motion of defendants Don A. Collure, M.D., Jason Borton, M.D., Professional Emergency Services, PLLC, and Robert Sawyer, Jr., M.D., for a protective order and directed counsel for Sawyer to produce the entirety of the Power Point presentation prepared by Sawyer.

COLLEEN K. MATTREY for ROBERT N. SAWYER, JR., M.D.

10 minutes

JAMES E. HACKER for LARRY E. DRUM

10 minutes

KATHERINE V. MARKEL for DON A. COLLURE, M.D.

Submitted

167.0
CA 17-00324

STEPHEN T. DIVITO
V
EDWARD L. FIANDACH

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered October 14, 2016. The order granted the motion of defendant to dismiss the complaint, dismissed the complaint, denied the motion of plaintiff to disqualify counsel for defendant and denied the motion of plaintiff to stroke the affidavit of plaintiff to strike the affidavit of plaintiff's expert.

STEPHEN T. DIVITO for HIMSELF

Submitted

MICHAEL J. WILLETT for EDWARD L. FIANDACH

10 minutes

167.1
CA 18-00002

GEOFFREY M. SZYMANSKI
V
MOHAMED ALBANNA

Appeal from an order and judgment of the Supreme Court, Erie County (Tracey M. Bannister, J.), entered December 22, 2017. The order and judgment granted the motion of plaintiffs for summary judgment, denied the cross motion for summary judgment and declared that defendant is ineligible to assume the office of 1st Ward Councilman in the City of Lackawanna.

PETER A. REESE for MOHAMED ALBANNA

15 minutes

MICHAEL B. RISMAN for GEOFFREY M. SZYMANSKI

15 minutes

DAY CALENDAR
Thursday, January 18, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

168.0
KA 12-01087

PEOPLE
V
MARCUS J. MCMILLAN

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered March 8, 2012. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree and assault in the first degree.

MARY P. DAVISON for MARCUS J. MCMILLAN

Submitted

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK

Submitted

169.0
KA 12-01086

PEOPLE
V
MARCUS J. MCMILLAN

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered April 26, 2012. The judgment convicted defendant, upon his plea of guilty, criminal possession of a controlled substance in the third degree.

MARY P. DAVISON for MARCUS J. MCMILLAN

Submitted

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK

Submitted

170.0
TP 17-01307

DANIEL WILLIAMS
V
JOHN COLVIN

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, Seneca County [Dennis F. Bender, J.], entered July 20, 2017) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated inmate rules.

DANIEL WILLIAMS for HIMSELF

Submitted

MARCUS J. MASTRACCO for JOHN COLVIN

Submitted

171.0
KA 17-00213

PEOPLE
V
JOSEPH C. HOBBS

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered August 5, 2016. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree, criminal mischief in the third degree and criminal mischief in the fourth degree.

MARY P. DAVISON for JOSEPH C. HOBBS

Submitted

MELANIE J. BAILEY for PEOPLE OF THE STATE OF NEW YORK

Submitted

172.0
KA 17-00214

PEOPLE
V
JOSEPH C. HOBBS

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered August 5, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree (two counts), petit larceny and criminal mischief in the second degree.

MARY P. DAVISON for JOSEPH C. HOBBS

Submitted

MELANIE J. BAILEY for PEOPLE OF THE STATE OF NEW YORK

Submitted

173.0
KA 16-00798

PEOPLE
V
RONDELL JEMISON

Appeal from a judgment of the Supreme Court Erie County (Penny M. Wolfgang, J.), rendered April 11, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

NICHOLAS P. DIFONZO for RONDELL JEMISON

10 minutes

FRANK A. STRANO for PEOPLE OF THE STATE OF NEW YORK

10 minutes

174.0
KA 16-00086

PEOPLE
V
SELES VARIN

Appeal from an order of the Monroe County Court (James J. Piampiano, J.), entered December 17, 2015. The order determined that defendant is a level two risk, pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for SELES VARIN

Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

175.0
KA 15-01656

PEOPLE
V
MARTIN M. CAREY

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered January 8, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the third degree, menacing in the second degree and petit larceny.

GARY MULDOON for MARTIN M. CAREY

10 minutes

MELANIE J. BAILEY for PEOPLE OF THE STATE OF NEW YORK

10 minutes

176.0
KA 15-00972

PEOPLE
V
TIYHISE HUDDLESTON, JR.

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered February 19, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the fourth degree.

SARA A. GOLDFARB for TIYHISE HUDDLESTON, JR.

10 minutes

NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK

10 minutes

177.0
KA 16-01759

PEOPLE
V
DONALD JOHNSON

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered January 29, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree and criminal possession of a weapon in the second degree.

LYLE T. HAJDU for DONALD JOHNSON

10 minutes

DANIEL J. PUNCH for PEOPLE OF THE STATE OF NEW YORK

10 minutes

178.0
KA 15-01859

PEOPLE
V
CHRISTOPHER MOORE

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered September 10, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

DAVID R. JUERGENS for CHRISTOPHER MOORE

Submitted

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK

Submitted

179.0
KA 16-01601

PEOPLE
V
DANIEL FISHER

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered May 24, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree (two counts); burglary in the second degree, grand larceny in the fourth degree (two counts) and petit larceny.

CARA A. WALDMAN for DANIEL FISHER

5 minutes

BRUCE A. ROSEKRANS for PEOPLE OF THE STATE OF NEW YORK

5 minutes

180.0
KA 14-02099

PEOPLE
V
ERIC WOODY

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered November 17, 2014. The judgment convicted defendant, upon his plea of guilty, of murder in the first degree.

CRAIG P. SCHLANGER for ERIC WOODY

10 minutes

NICOLE K. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK

10 minutes

181.0
KA 15-00946

PEOPLE
V
JEREMY M. DAVIS

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered July 30, 2014. The judgment convicted defendant, upon a non jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

JANET C. SOMES for JEREMY M. DAVIS

10 minutes

JOSEPH PLUKAS for PEOPLE OF THE STATE OF NEW YORK

10 minutes

182.0
KA 17-01382

PEOPLE
V
ROY H. LANE

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered July 2, 2016. The judgment convicted defendant, upon a nonjury verdict, of sexual abuse in the first degree.

JON P. GETZ for ROY H. LANE

10 minutes

JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK

10 minutes

183.0
CAF 16-00582

**In the Matter of
DESEANTE R.**

Appeal from a decision and order of the Family Court, Erie County (Margaret O. Szczur, J.), entered December 28, 2015, in proceedings pursuant to Family Court Act article 10. The decision and order found Dilan P. and Dakari R. To be abused and Deseante R. to be neglected.

DAVID J. PAJAK for FEMI R.

5 minutes

AMBER R. POULOS for ERIE COUNTY D.S.S.

5 minutes

TRENEEKA CUSACK, ATTORNEY FOR THE CHILD

10 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD

10 minutes

DEAN S. PULEO, ATTORNEY FOR THE CHILD

10 minutes

184.0
CAF 16-00583

**In the Matter of
DESEANTE L.R.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered March 4, 2016, in a proceeding pursuant to Family court Act article 10. The order placed the subject child with petitioner until February 28, 2017.

DAVID J. PAJAK for FEMI R.

Submitted

AMBER R. POULOS for ERIE COUNTY D.S.S.

Submitted

TRENEEKA CUSACK, ATTORNEY FOR THE CHILD

10 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD

10 minutes

DEAN S. PULEO, ATTORNEY FOR THE CHILD

Submitted

185.0
CAF 16-00584

**In the Matter of
DAKARAI M.K.R.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered March 4, 2016, in a proceeding pursuant to Family court Act article 10. The order placed the subject child with petitioner until February 28, 2017.

DAVID J. PAJAK for FEMI R.

Submitted

AMBER R. POULOS for ERIE COUNTY D.S.S.

Submitted

TRENEEKA CUSACK, ATTORNEY FOR THE CHILD

Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD

Submitted

DEAN S. PULEO, ATTORNEY FOR THE CHILD

Submitted

186.0
CA 17-01279

**BRUCE A. SCHAUBROECK
V
COLIN P. MORIARTY**

Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered January 26, 2017. The order, insofar as appealed from, denied in part the motion of defendant for summary judgment.

JEFFREY C. SENDZIAK for COLIN P. MORIARTY

10 minutes

ELLEN B. STURM for BRUCE A. SCHAUBROECK

10 minutes

187.0
CA 17-01266

NEW YORK LAND DEVELOPMENT CORP.

V

GUY BROOKS BENNETT

Appeal and from an order and judgment (one paper) of the Supreme Court, Steuben County (Marianne Furfure, A.J.), entered November 23, 2016. The order and judgment, among other things, declared that defendant's property is subject to a permanent easement appurtenant in favor of plaintiff's property.

F. MICHAEL OSTRANDER for GUY BROOKS BENNETT

10 minutes

GABRIEL V. ROSSETTIE for NEW YORK LAND DEVELOPMENT CORP.

10 minutes

188.0
CA 17-00067

CELESTE GADBOW-MARENIC

V

THOMAS K. MARENIC

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered March 21, 2016 in a divorce action. The order, among other things, equitably distributed the marital assets.

PAUL M. DEEP for THOMAS K. MARENIC

15 minutes

JOHN W. DILLON for CELESTE GADBOW-MARENIC

Submitted

189.0
CA 17-00068

CELESTE GADBOW-MARENIC

V

THOMAS K. MARENIC

Appeal from a judgment of the Supreme Court, Oneida County (Erin P. Gall, J.), entered June 27, 2016 in a divorce action. The judgment, among other things, dissolved the marriage between the parties

PAUL M. DEEP for THOMAS K. MARENIC

Submitted

JOHN W. DILLON for CELESTE GADBOW-MARENIC

Submitted

190.0
CA 17-00069

CELESTE GADBOW-MARENIC

V

THOMAS K. MARENIC

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered July 28, 2016 in a divorce action. The order awarded plaintiff \$13,326.25 in attorney's fees to be paid by defendant.

PAUL M. DEEP for THOMAS K. MARENIC

Submitted

JOHN W. DILLON for CELESTE GADBOW-MARENIC

Submitted

191.0
CA 17-01429

RANDAL D. SMITH

V

SAFECO INSURANCE CO. OF AMERICA

Appeal from an order of the Supreme Court, Oneida County (Normal I. Siegal, J.), entered May 22, 2017. The order, among other things, denied plaintiffs' motion for summary judgment and granted defendant Safeco Insurance Company of America's cross motion for summary judgment.

GUSTAVE J. DETRAGLIA, JR., for RANDAL D. SMITH 10 minutes

JONATHAN SCHAPP for SAFECO INSURANCE CO. OF AMERICA 10 minutes

192.0
CA 17-01412

VILLAGE OF EAST AURORA

V

EAST AURORA UNION FREE SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered February 24, 2017. The order, among other things, granted the motions of respondents-defendants to dismiss.

PAUL DAVID WEISS for VILLAGE OF EAST AURORA 10 minutes

LAURA ETLINGER for NEW YORK STATE EDUCATION DEPARTMENT 10 minutes

RICHARD T. SULLIVAN for E. AURORA UNION FREE SCHOOL DISTRICT 10 minutes

193.0
CA 17-01369

SAMUEL M. GIANCARLO

V

CARLOS KUREK, M.D.

Appeal from an order of the Supreme Court, Erie County (Paula L. Feroletto, J.), entered May 26, 2017. The order denied the motion of defendants Carlos J. Kurek, M.D., Wendy P. Oueletto, C.R.N.A. and Maple-Gate Anesthesiologists, P.C., for summary judgment.

BRYAN J. DANIELS for CARLOS KUREK, M.D. 10 minutes

MICHAEL R. DRUMM for SAMUEL M. GIANCARLO 10 minutes

MATTHEW J. KIBLER for AARON B. HOFFMAN, M.D. Submitted

MARK R. AFFRONTI for KALEIDA HEALTH Submitted

193.1
CA 15-00543

JANE F. DEPERNO

V

DANIEL W. DEPERNO

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered February 18, 2015. The order denied defendant's application to vacate a default judgment of divorce.

DANIEL W. DEPERNO for HIMSELF Submitted

ERIN E. MCCAMPBELL for JANE F. DEPERNO 10 minutes

DAY CALENDAR
Friday, January 19, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

194.0
TP 17-01292

COVERCO, INC.
V
NYS DEPARTMENT OF ECONOMIC DEVELOPMENT

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 [E. Jeanette Ogden, J.], entered June 16, 2017) to review a determination of respondent New York State Department of Economic Development. The determination denied petitioner's application to for renewal of its certification as a Women-Owned Business.

ALICIA CECILE ROOD for COVERCO, INC. 15 minutes

ALLYSON B. LEVINE for NYS DEPT. OF ECONOMIC DEVELOPMENT 10 minutes

195.0
KA 14-01100

PEOPLE
V
NEKIA R. BURGESS

Appeal from a judgment of Monroe County Court (Vincent M. Dinolfo, J.), rendered June 5, 2014. The judgment convicted defendant, after a nonjury trial, of criminal possession of a controlled substance in the third degree.

KIMBERLY J. CZAPRANSKI for NEKIA R. BURGESS 10 minutes

JOSEPH PLUKAS for PEOPLE OF THE STATE OF NEW YORK 10 minutes

196.0
KA 15-00657

PEOPLE
V
WILBERT QUINONES

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered October 20, 2014. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

DAVID R. JUERGENS for WILBERT QUINONES Submitted

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

197.0
KA 15-00950

PEOPLE
V
STEVEN R. ALEXANDER

Appeal from a judgment of the Steuben County Court (Marianne Furfure, J.), rendered April 14, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

GUY A. TALIA for STEVEN R. ALEXANDER 10 minutes

JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

198.0
KA 16-01807

PEOPLE
V
JEREMIE S. BRASS

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered July 27, 2015. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree.

	ROBERT TUCKER for JEREMIE S. BRASS	Submitted
	JAMES B. RITTS for PEOPLE OF THE STATE OF NEW YORK	Submitted
199.0 KA 15-01890	PEOPLE V CARMEN M. DOTY	
	Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered September 9, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the fifth degree and criminal sale of a controlled substance in the fifth degree.	
	CARA A. WALDMAN for CARMEN M. DOTY	10 minutes
	JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK	5 minutes
200.0 KA 15-00424	PEOPLE V JOSE L. JOUBERT	
	Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered December 9, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.	
	JANET C. SOMES for JOSE L. JOUBERT	5 minutes
	JOSEPH PLUKAS for PEOPLE OF THE STATE OF NEW YORK	5 minutes
201.0 KA 15-00130	PEOPLE V MARK CARRIGAN	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered May 1, 2014. The judgment convicted defendant, upon a jury verdict, of using a child in a sexual performance (four counts), criminal sexual act in the second degree, criminal sexual act in the third degree, sexual abuse in the second degree (two counts), endangering the welfare of a child (four counts) and sexual abuse in the third degree (five counts).	
	JOHN GILSENAN for MARK CARRIGAN	10 minutes
	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	10 minutes
202.0 KA 15-00131	PEOPLE V MARK CARRIGAN	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered May 1, 2014. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the third degree.	
	JOHN GILSENAN for MARK CARRIGAN	Submitted
	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	Submitted
203.0 KA 14-01444	PEOPLE V JOEL A. TULL	
	Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered May 22, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of marihuana in the first degree.	
	MATTHEW BOROWSKI for JOEL A. TULL	Submitted

204.0 KA 14-01445	CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK PEOPLE V JOEL A. TULL Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered May 22, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of marihuana in the first degree. MATTHEW BOROWSKI for JOEL A. TULL	Submitted Submitted
205.0 KA 16-00717	CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK PEOPLE V MATTHEW SAPETKO Appeal from a judgment of the Livingston County Clerk (Robert B. Wiggins, J.), rendered September 22, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree CATHERINE H. JOSH for MATTHEW SAPETKO	Submitted 10 minutes
206.0 CA 17-01001	JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK 40 STATE LLC V SUZANNE KARR Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered December 5, 2016. The order, among other things, granted plaintiff's motion for partial summary judgment . DERRICK A. SPATORICO for SUZANNE KARR ROBERT DANIEL HOOKS for 40 STATE LLC	Submitted 5 minutes SETTLED
207.0 CA 17-01003	40 STATE LLC V SUZANNE KARR Appeal from a judgment of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered February 3, 2017. The judgment, among other things, awarded plaintiff the sum of \$52,470.21 as against defendants. DERRICK A. SPATORICO for SUZANNE KARR ROBERT DANIEL HOOKS for 40 STATE LLC	 SETTLED
208.0 CA 17-00633	CARLA L. PICCARRETO V DAVID J. MURA Appeal from a judgment of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered July 21, 2016. The judgment, inter alia, granted the motion of plaintiff for summary judgment, deemed fraudulent the transfer of certain real property from defendant David Mura to defendants David Mura and Ann Marie Mura and vacated said transfer. ROBERT J. LUNN for ANN MARIE MURA	 10 minutes
	MAUREEN A. PINEAU for CARLA L. PICCARRETO	5 minutes

209.0
CA 17-00634

CARLA L. PICCARRETO
V
DAVID J. MURA

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered August 29, 2016. The order granted the motion of defendants for an in camera review of the terms of settlement of the legal malpractice action between plaintiff and her former attorney.

ROBERT J. LUNN for ANN MARIE MURA

Submitted

MAUREEN A. PINEAU for CARLA L. PICCARRETO

Submitted

210.0
CA 17-00635

CARLA L. PICCARRETO
V
DAVID J. MURA

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered March 16, 2017. The order denied the motion of defendant Ann Marie Mura for a declaration that she is entitled to an offset against plaintiff's judgment for any proceeds received in plaintiff's malpractice case against plaintiff's former attorney.

ROBERT J. LUNN for ANN MARIE MURA

Submitted

MAUREEN A. PINEAU for CARLA L. PICCARRETO

Submitted

211.0
CA 17-00307

WILLIAM JAQUISH
V
TOWN BOARD OF TOWN OF GERMAN

Appeal from a judgment, order and injunction (one paper) of the Supreme Court, Herkimer County (Norman I. Siegel, J.), entered November 4, 2016 in a proceeding pursuant to CPLR article 78. The order, among other things, dismissed the petition and granted respondents a permanent injunction.

AUDREY BARON DUNNING for WILLIAM JAQUISH

15 minutes

MICHAEL J. MOORE for TOWN BOARD OF TOWN OF GERMAN

15 minutes

212.0
CA 17-00790

WILLIAM JAQUISH
V
TOWN BOARD OF TOWN OF GERMAN

Appeal and cross appeal from an order of the Supreme Court, Herkimer County (Norman I. Siegel, J.), entered March 20, 2017 in a proceeding pursuant to CPLR article 78. The order, among other things, denied petitioners' motion for leave to reargue and/or renew.

AUDREY BARON DUNNING for WILLIAM JAQUISH

Submitted

MICHAEL J. MOORE for TOWN BOARD OF TOWN OF GERMAN

Submitted

213.0
CA 17-01451

ROBERT KIPP
V
MARINUS HOMES, INC.

Appeal and cross appeals from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered April 28, 2017. The order granted the motions of defendants and third-party defendant for summary judgment dismissing plaintiff's Labor Law §§ 241 (6) and 200 and negligence claims and otherwise denied the respective motions of the parties for summary judgment

KAREN J. KROGMAN DAUM for GERALD OAKLEY

15 minutes

	STEPHEN A. DAVOLI for GREENWAY APARTMENTS, LLC	15 minutes
	MARTHA LOUISE BERRY for ROBERT KIPP	10 minutes
214.0	SCOTT E. WOODWORTH	
CA 17-01270	V	
	TOWN OF GROVELAND	
	Appeal from an order and judgment of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered December 21, 2016. The order and judgment dismissed the petition and amended petition of petitioners.	
	RYAN CHARLES WOODWORTH for SCOTT E. WOODWORTH	15 minutes
	DAVID M. ROACH for TOWN OF GROVELAND	15 minutes
215.0	GOLF GLEN PLAZA NILES, IL.	
CA 17-00869	V	
	AMCOID USA, LLC	
	Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered August 3, 2016. The order denied the motion of defendant David DePirro to vacate a default judgment and to dismiss the complaint.	
	RICHARD C. BRISTER for DAVID DE PIRRO	15 minutes
	DALE A. WORRALL for GOLF GLEN PLAZA NILES, IL.	15 minutes
216.0	GOLF GLEN PLAZA NILES, IL.	
CA 17-01311	V	
	AMCOID USA, LLC	
	Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered May 15, 2017. The order denied the motion of defendant David DePirro for renewal.	
	RICHARD C. BRISTER for DAVID DE PIRRO	Submitted
	DALE A. WORRALL for GOLF GLEN PLAZA NILES, IL.	Submitted