

**DAY CALENDAR**  
**Tuesday, May 26, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

737.0  
KA 14-00966

**PEOPLE**  
**V**  
**MICHAEL G. BUTLER**

Appeal from a decision and order of the Supreme Court, Monroe County (Francis A. Affronti, J.), entered May 5, 2014. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

**JAMES ECKERT for MICHAEL G. BUTLER** Submitted

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

738.0  
KA 13-00827

**PEOPLE**  
**V**  
**VINCENT TORRES**

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered May 10, 2013. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, attempted sodomy in the first degree (two counts), sodomy in the first degree and sexual abuse in the first degree.

**J. SCOTT PORTER for VINCENT TORRES** Submitted

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

739.0  
KA 11-00202

**PEOPLE**  
**V**  
**JEROLD N. MITCHUM**

Appeal from a judgment of the Supreme Court, Monroe County (Robert B. Wiggins, A.J.), rendered December 22, 2010. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts); criminal possession of a weapon in the third degree; and criminally using drug paraphernalia in the second degree (two counts).

**MAURA C. MCGUIRE for JEROLD N. MITCHUM** 10 minutes

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

740.0  
KA 12-01617

**PEOPLE**  
**V**  
**DONTA ALBERT**

Appeal from a judgment of the Onondaga County Court (Donald E. Todd, J.), rendered May 8, 2012. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree.

**PIOTR BANASIAK for DONTA ALBERT** 5 minutes

**ROMANA A. LAVALAS for PEOPLE OF THE STATE OF NEW YORK** 10 minutes

741.0  
KA 12-01873

**PEOPLE**  
**V**  
**JOHN C. HOWARD, JR.**

Appeal from a judgment of the Monroe County Court (Thomas E. Moran, J.), rendered August 6, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree, criminal mischief in the third degree and petit larceny.

JANET C. SOMES for JOHN C. HOWARD, JR. 5 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 5 minutes

742.0  
CAF 13-01891

**In the Matter of  
CRYSTIANA M.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered September 13, 2013 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Pamela J. neglected the subject child.

DAVID J. PAJAK for PAMELA J. 5 minutes

JOSEPH T. JARZEMBEK for ERIE COUNTY D.S.S. 5 minutes

BERNADETTE HOPPE for CRYSTAL M. Submitted

JESSICA L. VESPER, ATTORNEY CHILD 5 minutes

743.0  
CAF 14-00869

**RONALD D. ROSSBOROUGH  
V  
HALA Y. ALATAWNEH**

Appeal from a decision and order of the Family Court, Allegany County (Thomas P. Brown, J.), entered March 27, 2014, in a proceeding pursuant to Family Court Act article 6. The decision and order dismissed the petitions of petitioner for visitation, modification of custody and visitation and violation of court order.

MARK C. DAVISON for RONALD D. ROSSBOROUGH 10 minutes

JOSEPH P. MILLER for HALA Y. ALATAWNEH 10 minutes

PETER JEROME DEGNAN, ATTORNEY FOR CHILD 5 minutes

DAVID E. CODDINGTON, ATTORNEY FOR CHILD 5 minutes

744.0  
CAF 13-01576

**In the Matter of  
KWAME B.**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered July 31, 2013, in a proceeding pursuant to Social Services Law § 384-b. the order terminated the parental rights of respondent.

DAVID J. PAJAK for DASHAWN B. 5 minutes

COLLEEN S. HEAD for GENESEE COUNTY D.S.S. 5 minutes

JACQUELINE M. GRASSO, ATTORNEY FOR CHILD 5 minutes

745.0  
CAF 13-01577

**In the Matter of  
CHANCE B.**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered July 31, 2013, in a proceeding pursuant to Social Services Law § 384-b. the order terminated the parental rights of respondent.

DAVID J. PAJAK for DASHAWN B. Submitted

	COLLEEN S. HEAD for GENESEE COUNTY D.S.S.	Submitted
	JACQUELINE M. GRASSO, ATTORNEY FOR CHILD	Submitted
746.0 CAF 13-01578	<b>In the Matter of TATYANNA B.</b>	
	Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered July 31, 2013, in a proceeding pursuant to Social Services Law § 384-b. the order terminated the parental rights of respondent.	
	DAVID J. PAJAK for DASHAWN B.	Submitted
	COLLEEN S. HEAD for GENESEE COUNTY D.S.S.	Submitted
	JACQUELINE M. GRASSO, ATTORNEY FOR CHILD	Submitted
747.0 CAF 13-01579	<b>In the Matter of TEEHONESTEE B.</b>	
	Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered July 31, 2013, in a proceeding pursuant to Social Services Law § 384-b. the order terminated the parental rights of respondent.	
	DAVID J. PAJAK for DASHAWN B.	Submitted
	COLLEEN S. HEAD for GENESEE COUNTY D.S.S.	Submitted
	JACQUELINE M. GRASSO, ATTORNEY FOR CHILD	Submitted
748.0 CAF 14-02146	<b>CHRISTOPHER J. SCHIEBLE, SR. V MICHELE R. SWANTEK</b>	
	Appeal from a decision and order of the Family Court, Oneida County (Joan E. Shkane, J.), entered March 20, 2014, in a proceeding pursuant to Family Court article 6. The decision and order continued sole custody and primary physical custody with respondent.	
	MEADE VERSACE for CHRISTOPHER J. SCHIEBLE, SR.	Submitted
	DIANE M. MARTIN-GRANDE for MICHELE R. SWANTEK	15 minutes
	JOHN G. KOSLOSKY, ATTORNEY FOR CHILD	5 minutes
749.0 CAF 14-00557	<b>ELIZABETH A. DENISE V THEODORE R. DENISE</b>	
	Appeal from an order of the Family Court, Genesee County, (Eric R. Adams, J.), entered March 17, 2014, in a proceeding pursuant to Family Court Act article 6. The order, insofar as appealed from, granted custody to respondent.	
	DAVID J. PAJAK for ELIZABETH A. DENISE	5 minutes
	WENDY S. SISSON for THEODORE R. DENISE	Submitted
	LORENZO NAPOLITANO, ATTORNEY FOR CHILD	5 minutes
750.0 CA 14-01337	<b>TOWN OF AMHERST V GRANITE STATE INSURANCE COMPANY, INC.</b>	

Appeal from a decision and order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered May 15, 2014. The decision and order denied the motion of defendant to compel arbitration and granted the cross motion of plaintiff for a permanent stay of arbitration.

MARC S. VOSES for GRANITE STATE INSURANCE COMPANY, INC. 15 minutes

JOHN GEORGE SCHMIDT, JR., for TOWN OF AMHERST 15 minutes

751.0  
CA 14-01207

**BERNARD OLIVIERI**  
V  
**RUSSELL P. COLOSI, DDS**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered April 9, 2014. The order granted the motions of defendants Russell P. Colosi, DDS, Individually and d/b/a Russell P. Colosi, DDS, and Patricia Colosi and dismissed the complaint against those defendants.

RALPH C. LORIGO for BERNARD OLIVIERI 15 minutes

JONATHAN H. BARD, for PATRICIA COLOSI 15 minutes

CARLTON K. BROWNELL, III, for RUSSELL P. COLOSI, DDS 5 minutes

752.0  
CA 14-01627

**TAMMY GARDNER**  
V  
**NATHAN KORTHALS**

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered September 3, 2014. The order, among other things, allowed the subject child to register for and attend Tonawanda High School.

ANDREW F. EMBORSKY for TAMMY GARDNER Submitted

BARBARA A. KILBRIDGE for NATHAN KORTHALS Submitted

MINDY LYNN MARRANCA, ATTORNEY FOR CHILD Submitted

753.0  
CA 14-00671

**DETROY LIVINGSTON**  
V  
**STATE OF NEW YORK**

Appeal from a judgment of the Court of Claims (Michael E. Hudson, J.), entered September 18, 2013. The judgment dismissed the claim after a trial.

DETROY LIVINGSTON for HIMSELF Submitted

JULIE M. SHERIDAN for STATE OF NEW YORK Submitted

754.0  
CA 14-01578

**GEORGE EASTMAN HOUSE, INC.**  
V  
**MORGAN MANAGEMENT, LLC**

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered May 29, 2014. The order adjudged and deemed that the amended verified petition be dismissed.

THOMAS H. JACKSON for GEORGE EASTMAN HOUSE, INC. 20 minutes

REUBEN ORTENBERG for MORGAN MANAGEMENT, LLC 10 minutes

PAUL VINCENT CIMINELLI for MONROE VOITURE NO. 111 10 minutes

	<b>JOHANNA F. BRENNAN for CITY OF ROCHESTER PLANNING BOARD</b>	<b>10 minutes</b>
<b>755.0 CA 14-02174</b>	<b>DAWN L. BAKER V JEFFREY P. BAKER</b>	
	Appeal from an order of the Supreme Court, Niagara County (Catherine Nugent Panepinto, J.), entered April 8, 2014. The order, among other things, denied defendant's request for plaintiff to pay child support.	
	<b>CATHARINE M. VENZON for JEFFREY P. BAKER</b>	<b>15 minutes</b>
	<b>LEONARD G. TILNEY, JR., for DAWN L. BAKER</b>	<b>15 minutes</b>
<b>756.0 CA 14-02166</b>	<b>MARY DORE-COCKERHAM V TOWN OF FORESTPORT</b>	
	Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered March 18, 2014. The order denied the motion of defendant for summary judgment.	
	<b>DEREK L. HAYDEN for TOWN OF FORESTPORT</b>	<b>10 minutes</b>
	<b>MARTIN J. KERNAN for MARY DORE-COCKERHAM</b>	<b>10 minutes</b>
<b>757.0 CA 14-02297</b>	<b>LARRY J. LOMAGLIO V CARMEN M. LOMAGLIO</b>	
	Appeal and cross appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered June 10, 2014. The order, among other things, denied defendant's motion to hold plaintiff in contempt.	
	<b>RICHARD S. LEVIN for CARMEN M. LOMAGLIO</b>	<b>10 minutes</b>
	<b>TERRENCE C. BROWN-STEINER for LARRY J. LOMAGLIO</b>	<b>10 minutes</b>
<b>758.0 CA 14-01101</b>	<b>In the Matter of MARIA J.</b>	
	Appeal from an order of the Supreme Court, Erie County (John A. Michalski, J.), entered August 23, 2013. The order, among other things, adjudged that the appointment of Maria J. as guardian of the person and property of Peter J. is deemed to have ceased as of August 15, 2013.	
	<b>MARK E. LEWIS for MARIA J.</b>	<b>15 minutes</b>
	<b>JOSEPH L. NICASTRO for BERNHARDI &amp; LUKASIK LAW OFFICES</b>	<b>5 minutes</b>
	<b>AVEN RENNIE for KALEIDA HEALTH</b>	<b>5 minutes</b>
<b>759.0 CA 14-00549</b>	<b>PAUL DAVILA V ANTHONY ANNUCCI</b>	
	Appeal a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, J.), entered February 19, 2014 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.	
	<b>ADAM W. KOCH for PAUL DAVILA</b>	<b>Submitted</b>
	<b>PETER H. SCHIFF for ANTHONY ANNUCCI</b>	<b>Submitted</b>

760.0  
CA 14-01644

**MICHAEL E. BLACK**  
**V**  
**ADWAIT ATHALE**

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered May 16, 2014. The order, insofar as appealed from, granted the motion of plaintiffs to compel the depositions of employees of defendant County of Erie.

JEREMY C. TOTH for COUNTY OF ERIE 15 minutes

BRIAN BOGNER for MICHAEL E. BLACK 15 minutes

761.0  
CA 15-00051

**LEONARD FISCHER**  
**V**  
**MICHAEL GRAZIANO**

Appeal from a decision and order of the Supreme Court, Erie County (John L. Michalski, J.), entered September 15, 2014. The decision and order vacated the determination of respondents to deny petitioner parole release and directed a hearing de novo.

MARCUS J. MASTRACCO for MICHAEL GRAZIANO 10 minutes

LEONARD FISCHER for LEONARD FISCHER Submitted

762.0  
KA 14-02086

**In the Matter of**  
**REPORT OF JEFFERSON COUNTY GRAND JURY**

Appeal from a decision/order of the Jefferson County Court (Kim H. Martusewicz, J.), entered December 18, 2013. The decision/order forever sealed a certain grand jury report.

SCOTT D. MCNAMARA for HIMSELF Submitted

JOHN BURNS for HIMSELF Submitted

CINDY F. INTSCHERT for PEOPLE OF THE STATE OF NEW YORK Submitted