

DAY CALENDAR
Thursday, May 19, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

507.0
KA 12-02098

PEOPLE
V
MATTHEW ALLEN

Appeal from a judgment of the Monroe County Court (Vincent M. DiNolfo, J.), rendered September 27, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

KIMBERLY F. DUGUAY for MATTHEW ALLEN Submitted

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

508.0
KA 15-00422

PEOPLE
V
CAMMESOA M. WILLIAMS

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered December 10, 2014. The judgment revoked a term of probation and imposed a term of incarceration.

JOSEPH G. FRAZIER for CAMMESOA M. WILLIAMS Submitted

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

509.0
KA 13-01462

PEOPLE
V
CORTNEY J. WILLIAMS

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered April 29, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree

JANE I. YOON for CORTNEY J. WILLIAMS Submitted

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

510.0
KA 14-02143

PEOPLE
V
DAVID A. WITHERSPOON

Appeal from an order of the Livingston County Court (Robert B. Wiggins, J.), entered November 4, 2014. The order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

JEANNIE MICHALSKI for DAVID A. WITHERSPOON Submitted

JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

511.0
KA 14-01106

PEOPLE
V
NICOLE DESGROSIELLIER

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.); entered May 12, 2014. The judgment revoked defendant's probation and imposed a term of imprisonment.

EDWARD P. PERLMAN for NICOLE DESGROSIELLIER Submitted

	THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
512.0 KA 15-01365	<p>PEOPLE V MICHAEL J. REGATUSO</p> <p>Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered May 13, 2015. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree, criminal possession of a controlled substance in the third degree (two counts), criminal possession of a controlled substance in the seventh degree and unlawful possession of marihuana.</p>	
	DANIELLE C. WILD for MICHAEL J. REGATUSO	10 minutes
	VINCENT A. HEMMING for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
513.0 KA 15-01366	<p>PEOPLE V MICHAEL J. REGATUSO, II</p> <p>Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered May 13, 2015. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree (seven counts), criminal possession of a controlled substance in the third degree (seven counts) and conspiracy in the fourth degree.</p>	
	DANIELLE C. WILD for MICHAEL J. REGATUSO, II	Submitted
	VINCENT A. HEMMING for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
514.0 KA 14-00658	<p>PEOPLE V EUGENE LAWRENCE</p> <p>Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered February 28, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.</p>	
	DEBORAH JESSEY for EUGENE LAWRENCE	10 minutes
	MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
515.0 KA 13-01689	<p>PEOPLE V ELFIN ELLIOTT</p> <p>Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered September 5, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the seventh degree.</p>	
	DAVID R. JUERGENS for ELFIN ELLIOTT	10 minutes
	SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
516.0 KA 12-02276	<p>PEOPLE V MICHAEL T. ARTERBERRY</p> <p>Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered October 24, 2012. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of marihuana in the third degree.</p>	

JANE I. YOON for MICHAEL T. ARTERBERRY 5 minutes

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

517.0
KA 15-01130

PEOPLE
V
DANIEL FINOCCHIARO

Appeal from a decision/order of the Onondaga County Court (Joseph E. Fahey, J.), entered January 27, 2015. The decision/order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

EVAN B. HANNAY for DANIEL FINOCCHIARO Submitted

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

518.0
CAF 15-01132

LATASHA R. GRANT
V
MICHAEL J. HABALOU

Appeal from an order of the Family Court, Niagara County (Kathleen M. Wojtaszek-Gariano, J.), entered June 10, 2015 in proceeding pursuant to Family Court Act article 6. The order, among other things, modified a prior order, dated July 16, 2013, by granting respondent supervised access to the subject children.

MARY-JEAN BOWMAN for MICHAEL J. HABALOU Submitted

JENELLE L. MESSER for LATASHA R. GRANT Submitted

PATRICIA M. MCGRATH, ATTORNEY FOR CHILD Submitted

519.0
CA 15-01485

PATRICIA PAGE
V
NIAGARA FALLS MEMORIAL MEDICAL CTR.

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered November 24, 2014. The order insofar as appealed from, granted the motions of defendants to dismiss the complaint, denied as moot the motion of plaintiffs to compel disclosure and denied the motion of plaintiffs to vacate the order of January 30, 2014.

LINDA LALLI STARK for PATRICIA PAGE 15 minutes

MARK R. AFFRONTI for NIAGARA FALLS MEMORIAL MEDICAL CTR 15 minutes

SVETLANA K. IVY for CURLIN MEDICAL INC. 15 minutes

520.0
CA 15-01486

PATRICIA PAGE
V
NIAGARA FALLS MEMORIAL MEDICAL CTR.

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered March 13, 2015. The order denied the motion of plaintiffs for reargument.

LINDA LALLI STARK for PATRICIA PAGE Submitted

MARK R. AFFRONTI for NIAGARA FALLS MEMORIAL MEDICAL CENT Submitted

SVETLANA K. IVY for CURLIN MEDICAL INC. Submitted

521.0
CAF 15-00017

JOSEPH CLARK
V
TARA HAWKINS

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered December 16, 2014, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted sole custody of the parties' child to petitioner.

TIMOTHY R. LOVALLO for TARA HAWKINS 5 minutes
JOSEPH CLARK for HIMSELF Submitted
NOEMI FERNANDEZ, ATTORNEY FOR CHILD 10 minutes

522.0
CAF 14-01120

In the Matter of
AMANDA M.

Appeal from a decision and order of the Family Court, Erie County (Margaret O. Szczer, J.), entered June 16, 2014, in proceeding pursuant to Social Services Law § 384-b. The decision and order terminated the parental rights of respondent.

DAVID J. PAJAK for GEORGE M. Submitted
JOSEPH T. JARZEMBEK for ERIE COUNTY DSS 5 minutes
KRISTIN L. ARCURI, ATTORNEY FOR CHILD 5 minutes
WILLIAM D. BRODERICK, JR., ATTORNEY FOR CHILD 10 minutes

523.0
CA 15-01272

THE SHORE WINDS, LLC
V
SEBASTIAN CACCAMO

Appeal from an amended order and judgment of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered October 3, 2014. The amended order and judgment granted the motion of plaintiff for a money judgment pursuant to CPLR 3215.

CHRISTOPHER J. CALABRESE for SEBASTIAN CACCAMO 10 minutes
CANDACE M. CURRAN for THE SHORE WINDS, LLC 10 minutes

524.0
CA 15-01750

KENNETH M. BUTKOWSKI
V
BRENDAN J. KIEFER

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered January 7, 2015. The order granted the motion of respondents to dismiss the amended petition and dismissed the amended petition.

W. JAMES SCHWAN for KENNETH M. BUTKOWSKI 10 minutes
MARK A. MOLDENHAUER for BRENDAN J. KIEFER 10 minutes

525.0
CA 15-01717

In the Matter of Arbitration Between
CITY OF LOCKPORT
(LOCKPORT PROFESSIONAL FIREFIGHTERS)

Appeal from a decision and order of the Supreme Court, Niagara County (Frank Caruso, J.), entered December 22, 2014. The decision and order denied the petition for a stay of arbitration and granted the motion of respondent to dismiss and to compel arbitration.

BRIAN S. KREMER for CITY OF LOCKPORT

Submitted

ANDREA LEE SAMMARCO for LOCKPORT PROF. FIREFIGHTERS ASSOC.

Submitted

526.0
CAF 15-00314

In the Matter of
BRIAN S.

Appeal from an order of the Family Court, Cayuga County (Thomas G. Leone, J.), entered March 2, 2015, in a proceeding pursuant to Family Court Act article 10. The order determined that respondent Tanya S. Had neglected the subject children.

ADAM H. VAN BUSKIRK for TANYA S.

10 minutes

ALLISON A. BOSWORTH for CAYUGA CO. DSS

10 minutes

THEODORE W. STENUF, ATTORNEY FOR CHILD

5 minutes

SUSAN JAMES, ATTORNEY FOR CHILD

5 minutes

MARYBETH D. BARNET, ATTORNEY FOR CHILD

5 minutes

527.0
CA 15-01711

TODD SPRING
V
COUNTY OF MONROE

Appeal from a decision, order and judgment of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered January 7, 2015. The decision, order and judgment, insofar as appealed from, granted in part the petition to compel response to the Freedom of Information Law request of petitioner.

EUGENE WELCH for COUNTY OF MONROE

15 minutes

GLENN E. PEZZULO for TODD SPRING

Submitted

528.0
CA 15-01703

MARK DODGE
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 16, 2015. The order, insofar as appealed from, denied defendant County of Erie's motion for summary judgment dismissing the complaint of plaintiffs Mark Dodge and Kristin Dodge.

THOMAS JOHN NAVARRO, JR., for COUNTY OF ERIE

15 minutes

PETER M. KOOSHOIAN for MARK DODGE

15 minutes