

**DAY CALENDAR**  
**Tuesday, May 24, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

552.0  
KA 13-01077

**PEOPLE**  
**V**  
**MICHAEL L. TYLER**

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered April 3, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the second degree

JANE I. YOON for MICHAEL L. TYLER Submitted

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

553.0  
KA 13-01649

**PEOPLE**  
**V**  
**DANIEL SEITZ**

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered May 24, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

EVAN B. HANNAY for DANIEL SEITZ Submitted

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

554.0  
KA 13-01424

**PEOPLE**  
**V**  
**EARNEST L. BELL**

Appeal from a judgment of the Monroe County Court (John R. Schwartz, A.J.), rendered April 15, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree, (two counts) and criminal possession of a controlled substance in the third degree (three counts).

JANE I. YOON for EARNEST L. BELL Submitted

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

555.0  
KA 15-00638

**PEOPLE**  
**V**  
**MICHAEL NEWSOME**

Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered January 8, 2015. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree (two counts), assault in the second degree and criminal obstruction of breathing or blood circulation.

ROBERT TUCKER for MICHAEL NEWSOME Submitted

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

556.0  
KA 15-00637

**PEOPLE**  
**V**  
**MICHAEL NEWSOME**

Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered January 8, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree (two counts).

	ROBERT TUCKER for MICHAEL NEWSOME	Submitted
	BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
557.0 KA 15-00431	<b>PEOPLE</b> V <b>STEVEN B. LEWIS</b>	
	Appeal from an order of the Wayne County Court (Daniel G. Barrett, J.), entered March 9, 2015. The order determined that defendant is a level three risk, pursuant to the Sex Offender Registration Act.	
	DAVID M. PARKS for STEVEN B. LEWIS	Submitted
	BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
558.0 KA 12-02309	<b>PEOPLE</b> V <b>DONYELL MCKENZIE</b>	
	Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered December 5, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	DREW R. DUBRIN for DONYELL MCKENZIE	10 minutes
	ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
559.0 KA 15-02114	<b>PEOPLE</b> V <b>MICHAEL TYO</b>	
	Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered May 5, 2014. The judgment convicted defendant, upon his plea of guilty, of forgery in the second degree.	
	JOHN A. CIRANDO for MICHAEL TYO	15 minutes
	AMY L. HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
560.0 KA 14-00979	<b>PEOPLE</b> V <b>RASHEED JACKSON</b>	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 3, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and reckless endangerment in the first degree.	
	PHILIP ROTHSCHILD for RASHEED JACKSON	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
561.0 KA 11-00093	<b>PEOPLE</b> V <b>HERIBERTO SOTO</b>	
	Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.), rendered January 4, 2011. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child.	
	DREW R. DUBRIN for HERIBERTO SOTO	10 minutes
	SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes

562.0  
KA 14-00525

**PEOPLE**  
**V**  
**LEROY SAVAGE SMITH**

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered May 20, 2013. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the fourth degree.

PHILIP ROTHSCHILD for LEROY SAVAGE SMITH 10 minutes

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

563.0  
CAF 14-02135

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

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered October 28, 2014, in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

DAVID J. PAJAK for ASHLEY K. Submitted

PAULA A. CAMPBELL for GENESEE COUNTY DSS Submitted

SARA E. ROOK, ATTORNEY FOR CHILD 5 minutes

564.0  
CAF 14-02136

**In the Matter of**  
**JORDIN K.**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered October 28, 2014, in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

DAVID J. PAJAK for ASHLEY K. Submitted

PAULA A. CAMPBELL for GENESEE COUNTY DSS Submitted

SARA E. ROOK, ATTORNEY FOR CHILD Submitted

565.0  
CAF 14-01936

**CHARISE R. TELLES**  
**V**  
**TODD J. DEWIND**

Appeal from an order of the Family Court, Monroe County (John J. Rivoli, J.H.O.), entered October 8, 2014, in a proceeding pursuant to article 8 of the Family Court Act. The order, among other things, directed respondent to stay away from petitioner.

CYNTHIA FEATHERS for TODD J. DEWIND 5 minutes

CHARLES A. SCHIANO, JR., for CHARISE R. TELLES 5 minutes

566.0  
CAF 15-00264

**LINDSAY A. ESPOSITO**  
**V**  
**MATTHEW E. MAGILL**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered January 12, 2015, in proceedings pursuant to Family Court Act article 6. The order dismissed the petition

CHARLES J. GREENBERG for LINDSAY A. ESPOSITO 5 minutes

MATTHEW E. WARD for HIMSELF 5 minutes

FARES A. RUMI, ATTORNEY FOR CHILD 10 minutes

567.0  
CA 15-01719

**CHELSEY A. O'BRYAN**  
**V**  
**TONAWANDA HOUSING AUTHORITY**

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered February 10, 2015. The order granted the motion of defendant for summary judgment and dismissed th complaint.

JOHN A. COLLINS for CHELSEY A. O'BRYAN 10 minutes

KEVIN A. LANE for TONAWANDA HOUSING AUTHORITY 10 minutes

568.0  
CA 15-00907

**LAURIE MILLS**  
**V**  
**BUFFALO GENERAL HOSPITAL**

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered April 13, 2015. The order, among other things, denied defendant's motion for summary judgment dismissing the complaint.

AMANDA C. ROSSI for BUFFALO GENERAL HOSPITAL 15 minutes

DOMINIC J. POMPO for LAURIE MILLS 10 minutes

569.0  
CA 15-01762

**MICHAEL R. EBELING** **SETTLED**  
**V**  
**JOSHUA R. WALKER**

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered July 6, 2015. The order denied the motion of plaintiff for summary judgment.

J. MICHAEL HAYES for MICHAEL R. EBELING

ROBERT M. LIPPMAN for JOSHUA R. WALKER

570.0  
CA 15-01427

**JAMES MYKYTYN**  
**V**  
**HANNAFORD BROS. CO.**

Appeal and cross appeal from an order of the Supreme Court, Oneida County (Patrick F. McCrae, J.), entered May 14, 2015. The order granted in part and denied in part the motion of defendants for summary judgment dismissing the complaint.

TED HENRY WILLIAMS for HANNAFORD BROS. CO. 15 minutes

A.J. BOSMAN for JAMES MYKYTYN 15 minutes

571.0  
CA 15-01429

**In the Matter of**  
**THE ESTATE OF ERNEST EARL COWELL**

Appeal from a decision and order of the Surrogate's Court, Allegany County (Thomas P. Brown, S.), entered October 15, 2014. The decision and order denied the motion of appellant to confirm his bid for an oil and gas lease.

GERALD J. VELLA for ERNEST COWELL 10 minutes

ALAN LEROY SPEARS for GLORIA LOUK 10 minutes

MICHAEL B. FINN for TERRI ROSS Submitted

572.0  
CA 15-01755

JABARI PENDA  
V  
MARY J. DUVALL

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered June 11, 2015. The order denied the motion of defendant Michael F. Bartowski for summary judgment dismissing the complaint.

KEITH D. MILLER for MICHAEL F. BARTOWSKI

10 minutes

ROBERT E. LAHM for JABARI PENDA

10 minutes

573.0  
CA 15-01861

LARRY WEST  
V  
TIME CAP DEVELOPMENT CORP.

**SETTLED**

Appeal and cross appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered July 13, 2015. The order, among other things, denied plaintiff's motion for partial summary judgment and granted in part defendants' motion for summary judgment.

MICHAEL G. BERSANI for LARRY WEST

JENNA W. KLUCSIK for TIME CAP DEVELOPMENT CORP.