

DAY CALENDAR
Monday, May 15, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

680.0
TP 17-00127

RAYMOND ALLEN
V
ANTHONY ANNUCCI

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, Wyoming County [Michael M. Mohun, A.J.], entered January 16, 2017) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated an inmate rule.

LEAH R. NOWOTARSKI for RAYMOND ALLEN

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

681.0
TP 16-02273

EBRIMA TAMBADOU
V
ANTHONY ANNUCCI

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, Wyoming County [Michael M. Mohun, A.J.], entered November 30, 2016) to review a determination of respondent. The determination revoked the parole of petitioner.

LEAH R. NOWOTARSKI for EBRIMA TAMBADOU

Submitted

KATHLEEN M. TREASURE for ANTHONY ANNUCCI

Submitted

682.0
KA 14-01507

PEOPLE
V
MARINO PADILLA

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered May 14, 2013. The judgment convicted defendant, upon his plea of guilty, of promoting prison contraband in the first degree.

MARIO J. GUTIERREZ for MARINO PADILLA

Submitted

ANDREW R. KELLY for PEOPLE OF THE STATE OF NEW YORK

Submitted

683.0
KA 13-01425

PEOPLE
V
JENNIFER A. ROBINSON

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered April 26, 2013. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class E felony.

JEFFREY WICKS for JENNIFER A. ROBINSON

Submitted

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

Submitted

684.0
KA 16-01244

PEOPLE
V
RICHARD L. SCOTT

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered June 23, 2016. The judgment convicted defendant, upon his plea of guilty, of possessing a sexual performance by a child and tampering with physical evidence.

CHARLES A. MARANGOLA for RICHARD L. SCOTT Submitted

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

685.0
KA 16-00329

PEOPLE
V
MICHAEL MAIER

Appeal from an order of the Monroe County Court (James J. Piampiano, J.), entered January 19, 2016. The order determined that defendant is a level two risk, pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for MICHAEL MAIER Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

686.0
KA 12-00438

PEOPLE
V
JOHN J. MCCORMACK

Appeal from a judgment of the Monroe County Court (John R. Schwartz, A.J.), rendered November 14, 2011. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

KIMBERLY J. CZAPRANSKI for JOHN J. MCCORMACK 5 minutes

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

687.0
CAF 15-01245

KATRINA V. DESHOTEL
V
MARK A. MANDILE

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered June 30, 2015 in a proceeding pursuant to Family Court Act article 4. The order denied and dismissed petitioner's objections to orders issued by the Support Magistrate.

JAMES P. YOUNGS for KATRINA V. DESHOTEL 15 minutes

TERRENCE C. BROWN-STEINER for MARK A. MANDILE 10 minutes

688.0
CAF 16-00384

MARK A. MANDILE
V
KATRINA V. DESHOTEL

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered February 24, 2016 in a proceeding pursuant to Family Court Act article 4. The order denied respondent's objections to the order of the Support Magistrate, which denied her cross petition.

JAMES P. YOUNGS for KATRINA V. DESHOTEL Submitted

TERRENCE C. BROWN-STEINER for MARK A. MANDILE Submitted

689.0
CAF 16-00688

In the Matter of
COLTON B.

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered March 23, 2016, in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

BRIDGET L. FIELD for CODY A.B.

Submitted

COLLEEN S. HEAD for GENESEE COUNTY DSS

Submitted

JACQUELINE M. GRASSO, ATTORNEY FOR CHILD

5 minutes

690.0
CAF 16-01099

ANGELA M. KELLEY
V
ANTHONY J. HOLMES

Appeal from an order of the Family Court, Jefferson County (Eugene J. Langone, Jr., J.), entered June 9, 2016 in a proceeding pursuant to Family Court Act article 4. The order, among other things, adjudged that Anthony J. Holmes had wilfully violated an order of support.

PALOMA A. CAPANNA for ANTHONY J. HOLMES

10 minutes

ANGELA M. KELLEY for HERSELF

Submitted

691.0
CAF 16-00106

In the Matter of
MONICA M.

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenzo, J.), entered December 23, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent neglected the subject child and placed the child with petitioner.

LYLE T. HAJDU for MARY M.

5 minutes

WENDY G. PETERSON for CATTARAUGUS COUNTY DSS

5 minutes

LINDA M. SCHNELL, ATTORNEY FOR CHILD

Submitted

693.0
CA 16-01816

KAM CONSTRUCTION CORP.
V
MICHAEL J. BERGEY

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered May 5, 2016. The order denied the motion of defendants Tug Hill Environmental LLC, and Tug Hill Construction Inc., for summary judgment.

JON P. DEVENDORF for TUG HILL ENVIRONMENTAL LLC

10 minutes

STEPHEN M. COHEN for KAM CONSTRUCTION CORP.

10 minutes

694.0
CA 16-01498

PETER HAMMOND
V
BRUCE W. SMITH

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbuam, J.), entered May 27, 2016. The order granted defendant's motion for summary judgment.

DOUGLAS A. FOSS for PETER HAMMOND

15 minutes

MARK T. WHITFORD, JR., for BRUCE W. SMITH

15 minutes

695.0
CA 16-00775

WILLIAM J. THYGESEN
V
NORTH BAILEY VOLUNTEER FIRE COMPANY

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered February 9, 2016. The order granted defendants' motions for summary judgment dismissing plaintiff's complaint.

STEVEN MICHAEL COHEN for WILLIAM J. THYGESEN 10 minutes

FRANK BRADY for DANIEL STROZUK 5 minutes

COLIN D. RAMSEY for NORTH BAILEY VOLUNTEER FIRE COMPANY 15 minutes

696.0
CA 17-00099

DALLAS M. GROVE
V
SKYWORKS EQUIPMENT LEASING, LLC

Appeals and cross appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered August 2, 2016. The order, among other things, denied defendants' motions for summary judgment

MARYBETH P. MANTHARAM, for JLG INDUSTRIES, INC. 15 minutes

DENNIS R. MCCOY for SKYWORKS EQUIPMENT LEASING, LLC 15 minutes

DAVID RAY ADAMS for CORNELL UNIVERSITY 15 minutes

JOHN A. COLLINS for DALLAS M. GROVE 15 minutes

697.0
CA 16-02193

JOHN J. PERILLO
V
THOMAS I. DILAMARTER, JR., M.D.

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered February 17, 2016. The order granted the motion of plaintiff for leave to file and serve a supplemental summons and amended complaint on Oghenerukeuwe Achoja, M.D.

JOHN PATRICK DANIEU for ERIE COUNTY MEDICAL CENTER CORP. Submitted

JOHN A. COLLINS for JOHN J. PERILLO 10 minutes

698.0
CA 16-02130

LILLIE MOORE
V
DEL-RICH PROPERTIES, INC.

Appeals from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered February 17, 2016. The order, among other things, denied the motions of defendants City of Buffalo and City of Buffalo Urban Renewal Agency for summary judgment.

ROBERT E. QUINN for CITY OF BUFFALO 15 minutes

SCOTT C. BILLMAN for CITY OF BUFFALO URBAN RENEWAL AGENCY 15 minutes

ZACHARY JAMES WOODS for LILLIE MOORE 15 minutes

699.0
CA 17-00143

CHARLENE SPICER **SETTLED**
V
USA BODY, INC.

Appeal 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 third-party defendant Volles Dairy Farm, LLC seeking summary judgment dismissing the third-party plaintiff's complaint.

ALAN R. PETERMAN for VOLLES DAIRY FARM, LLC

ERNEST A. DELDUCHETTO for CHARLENE SPICER

BRADY O'MALLEY for USA BODY, INC.

700.0
CA 16-00311

CLARISSA L. VAIDA
V
HSBC BANK USA, N.A.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered December 22, 2015. The order, among other things, adjudged that petitioner shall be reimbursed for attorney fees paid to Blair & Roach LLP for legal services rendered in connection with this proceeding.

LAWRENCE J. KONCELIK, JR., for CLARISSA L. VAIDA

15 minutes

JOHN P. DEE for HSBC BANK USA, N.A.

15 minutes

701.0
CA 16-00312

GRACIA E. CAMPBELL
V
HSBC BANK USA, N.A.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered December 22, 2015. The order, among other things, adjudged that petitioner shall be reimbursed for attorney fees paid to Blair & Roach LLP for legal services rendered in connection with this proceeding.

LAWRENCE J. KONCELIK, JR., for GRACIA E. CAMPBELL

Submitted

JOHN P. DEE for HSBC BANK USA, N.A.

Submitted

DAY CALENDAR
Tuesday, May 16, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

707.0
KA 11-01918

PEOPLE
V
ROBERT B. SPAHALSKI

Appeal from a judgment of the Supreme Court, Monroe County (Stephen R. Sirkin, A.J.), rendered December 12, 2006. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (five counts).

DONALD M. THOMPSON for ROBERT B. SPAHALSKI 10 minutes

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK 10 minutes

702.0
KA 15-00080

PEOPLE
V
JAMES L. BLACKWELL

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, J.), rendered September 24, 2014. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the third degree.

JANE I. YOON for JAMES L. BLACKWELL Submitted

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

703.0
KA 15-01117

PEOPLE
V
SEANDELL KING

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered April 19, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree, criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

JOHN GILSENAN for SEANDELL KING Submitted

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

704.0
KA 15-02164

PEOPLE
V
DYLAN J. SIMONS

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered October 26, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fourth degree.

THERESA L. PREZIOSO for DYLAN J. SIMONS Submitted

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

705.0
KA 15-01677

PEOPLE
V
DEVIN ISIDORE

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered July 29, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.

PETER J. PULLANO for DEVIN ISIDORE

Submitted

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

Submitted

706.0
KA 13-01187

PEOPLE
V
ERIC A. MAGIN

Appeal from a judgment of the Monroe County Court (Vincent M. DiNolfo, J.), rendered April 11, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a forged instrument in the second degree (12 counts).

JEFFREY WICKS for ERIC A. MAGIN

Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

708.0
KA 15-01972

PEOPLE
V
ANTOINE RICHARDS

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered September 8, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

STEVEN D. SESSLER for ANTOINE RICHARDS

10 minutes

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

5 minutes

709.0
KA 14-01974

PEOPLE
V
WILLIAM T. REED

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered July 22, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree (two counts).

JOHN GILSENAN for WILLIAM T. REED

10 minutes

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

10 minutes

710.0
KA 11-02145

PEOPLE
V
TISHARA HARRIS

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered September 22, 2011. The judgment convicted defendant, upon a jury verdict, of criminal possession of a attempted robbery in the second degree.

ERIC M. DOLAN for TISHARA HARRIS

10 minutes

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK

10 minutes

711.0
KA 17-00100

PEOPLE
V
DEVIN D. GRIFFIN

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered December 14, 2011. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

JEFFREY WICKS for DEVIN D. GRIFFIN 10 minutes

KELLY CHRISTINE WOLFORD for PEOPLE OF THE STATE OF NEW YORK 10 minutes

712.0
KA 12-02099

PEOPLE
V
DEVIN D. GRIFFIN

Appeal from a sentence of the Monroe County Court (John L. DeMarco, J.), rendered December 21, 2011. The sentenced resented defendant for criminal possession of a weapon in the third degree.

JEFFREY WICKS for DEVIN D. GRIFFIN Submitted

SANDRA J. DOORLEY for PEOPLE OF THE STATE OF NEW YORK Submitted

713.0
OP 16-02271

PEOPLE EX REL.,
ANDREW WYNDER
V
ROBERT M. MACIOL

Proceeding pursuant to CPLR article 70 (initiated in the Appellate Division of the Supreme Court for the Fourth Judicial Department pursuant to CPLR 7002 [B] [2]). Petitioner seeks his release from custody on recognizance or bail.

REBECCA L. WITTMAN for ANDREW WYNDER Submitted

SCOTT D. MCNAMARA for ROBERT M. MACIOL Submitted

715.0
CA 16-02230

DEBRA VELEY
V
PATRICIA A. MANCHESTER

Appeal from a decision and order of the Supreme Court, Erie County (John L. Michalski, J.), entered August 22, 2016. The decision and order, upon reargument, granted the motion of defendant Patricia A. Manchester for summary judgment and dismissed the complaint.

EDWARD J. MARKARIAN for DEBRA VELEY 10 minutes

JAMES P. RENDA for PATRICIA A. MANCHESTER 15 minutes

716.0
CA 17-00171

PAUL LEONE
V
CITY OF JAMESTOWN ZONING BOARD OF APPEALS

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), dated August 11, 2016. The order denied and dismissed the CPLR article 78 petition.

DARYL BRAUTIGAM for PAUL LEONE 10 minutes

STEPHEN M. ABDELLA for JAMESTOWN COMMUNITY COLLEGE 10 minutes

MARILYN FIORE-LEHMAN for CITY OF JAMESTOWN ZBA 10 minutes

KRISTEN M. LEE YAW for LYNN DEVELOPMENT, INC. Submitted

717.0
CA 16-01046

**CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT
V
COR DEVELOPMENT COMPANY, LLC**

Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (James P. Murphy, J.), entered March 31, 2016. The order and judgment granted the motion of defendants to dismiss the verified amended complaint.

JON P. DEVENDORF for CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT 10 minutes

CHRISTOPHER BUCKEY for COR DEVELOPMENT COMPANY, LLC 10 minutes

718.0
CA 16-00504

**SHOPPINGTOWN MALL, LLC
V
ASSESSOR, TOWN OF DEWITT**

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered December 4, 2015 in a proceeding pursuant to RPTL article 7. The order, among other things, granted the motion of intervenor Jamesville Central School District for summary judgment dismissing the petition.

RICHARD P. CRONIN for SHOPPINGTOWN MALL, LLC 10 minutes

DAVID W. HERKALA for ASSESSOR, TOWN OF DEWITT 10 minutes

KATHLEEN M. BENNETT for JAMESVILLE DEWITT CENTRAL SCHOOL DIST. 10 minutes

719.0
CA 16-01651

**MARIO PIETRANTONI
V
EDUARDO GALAN**

Appeal from a decision and order of the Supreme Court, Monroe County (Renee Forgensi Minarek, A.J.), entered June 28, 2016. The decision granted the motion of defendants Lance Mark, PLLC, and Lance J. Mark, Esq., to dismiss the complaint and dismissed the complaint against said defendants.

CARLOS J. CUEVAS for MARIO PIETRANTONI 15 minutes

HEDWIG M. AULETTA for LANCE J. MARK, PLLC 15 minutes

720.0
CA 16-01338

**ANTHONY MORRIS
V
CITY OF BUFFALO**

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered March 31, 2016. The order denied the motion of plaintiff for summary judgment, granted the motion of defendants for summary judgment and dismissed the complaint.

JOSEPH DEMARIE for ANTHONY MORRIS Submitted

DAVID M. LEE for CITY OF BUFFALO Submitted

721.0
CA 16-02220

**PETRI BAKING PRODUCTS, INC.
V
HATCH LEONARD NAPLES, INC.**

Appeal and cross appeal from an order of the Supreme court, Chautauqua County (Timothy J. Walker, A.J.), entered June 3, 2016. The order denied the motion of plaintiff for summary judgment and granted in part and denied in part the motion of defendants for summary judgment.

THOMAS J. GAFFNEY for PETRI BAKING PRODUCTS, INC. 15 minutes
RYAN K. CUMMINGS for HATCH LEONARD NAPLES, INC. 10 minutes

722.0
CA 16-02002

JAMES MORRIS
V
ONTARIO COUNTY

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered May 20, 2016. The order granted the motion of defendant Ontario County for summary judgment and denied the cross motion of plaintiffs for summary judgment against Ontario County.

DEBORAH M. FIELD for JAMES MORRIS 15 minutes
MICHAEL GLENN REINHARDT for ONTARIO COUNTY 15 minutes
PHYLISS A. HAFNER for RAMSEY CONSTRUCTORS, INC. 15 minutes
TIMOTHY P. WELCH for PHELPS GUIDE RAIL, INC. 15 minutes

723.0
CA 16-01855

JAMES MORRIS
V
ONTARIO COUNTY

Appeal from an amended order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered June 2, 2016. The order granted the motion of defendant Ontario County for summary judgment and denied as moot the cross motion of plaintiffs for summary judgment against Ontario County.

DEBORAH M. FIELD for JAMES MORRIS Submitted
MICHAEL GLENN REINHARDT for ONTARIO COUNTY Submitted
PHYLISS A. HAFNER for RAMSEY CONSTRUCTORS, INC. Submitted
TIMOTHY P. WELCH for PHELPS GUIDE RAIL, INC. Submitted

724.0
CA 16-02003

JAMES MORRIS
V
ONTARIO COUNTY

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered July 29, 2016. The order granted the motions of defendants Ramsey Constructors, Inc., and Phelps Guide Rail, Inc., for summary judgment.

DEBORAH M. FIELD for JAMES MORRIS Submitted
MICHAEL GLENN REINHARDT for ONTARIO COUNTY Submitted
PHYLISS A. HAFNER for RAMSEY CONSTRUCTORS, INC. Submitted
TIMOTHY P. WELCH for PHELPS GUIDE RAIL, INC. Submitted

725.0
CA 16-02004

JAMES MORRIS
V
ONTARIO COUNTY

Appeal from an amended order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered October 16, 2016. The amended order granted the motions of defendants Ramsey constructors, Inc., and Phelps Guide Rail, Inc., for summary judgment.

DEBORAH M. FIELD for JAMES MORRIS Submitted

MICHAEL GLENN REINHARDT for ONTARIO COUNTY

Submitted

PHYLISS A. HAFNER for RAMSEY CONSTRUCTORS, INC.

Submitted

TIMOTHY P. WELCH for PHELPS GUIDE RAIL, INC.

Submitted

DAY CALENDAR
Tuesday, May 16, 2017 - 10:00 AM
COURTROOM 2

726.0
KA 10-02419

PEOPLE
V
LAQUAN CRIMM

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered October 6, 2010. The appeal was held by this Court by order entered June 10, 2016, decision was reserved and the matter was remitted to Monroe County Court for further proceedings (140 AD3d 1672). The proceedings were held and completed.

DAVID R. JUERGENS for **LAQUAN CRIMM**

Submitted

ROBERT J. SHOEMAKER for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

DAY CALENDAR
Wednesday, May 17, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

727.0
KA 16-00001

PEOPLE
V
SAVONNE J. WINSTEAD

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered May 7, 2015. The judgment convicted defendant, upon her plea of guilty, of criminal sale of a controlled substance in the third degree.

RYAN J. MULDOON for SAVONNE J. WINSTEAD Submitted

NATHAN J. GARLAND for PEOPLE OF THE STATE OF NEW YORK Submitted

728.0
KA 16-00051

PEOPLE
V
CINDY WELLES

Appeal from a judgment of the Wayne County Court (John B. Nesbitt, J.), rendered December 3, 2015. The judgment revoked a term of probation and imposed a term of incarceration.

CARA A. WALDMAN for CINDY WELLES Submitted

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

729.0
KA 16-01241

PEOPLE
V
CHARLES J. ALLEN

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered May 5, 2016. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree, tampering with physical evidence and conspiracy in the fourth degree.

CHARLES A. MARANGOLA for CHARLES J. ALLEN Submitted

BRIAN THOMAS LEEDS for PEOPLE OF THE STATE OF NEW YORK Submitted

730.0
KA 15-01897

PEOPLE
V
KENNETH SCOTT

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered October 28, 2015. The judgment revoked a sentence of probation and imposed a term of incarceration.

JOSEPH G. FRAZIER for KENNETH SCOTT Submitted

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

731.0
KA 15-01269

PEOPLE
V
CHARLES T. BRINSON, JR.

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered July 16, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree (six counts) and criminal sale of marihuana in the fourth degree.

	ROBERT TUCKER for CHARLES T. BRINSON, JR.	Submitted
	V. CHRISTOPHER EAGGLESTON for PEOPLE OF THE STATE OF NEW YORK	Submitted
732.0 KA 16-00268	PEOPLE V TONY O. FRAZIER	
	Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.); entered September 8, 2015. The judgment revoked defendant's probation and imposed a term of imprisonment.	
	ADAM H. VAN BUSKIRK for TONY O. FRAZIER	Submitted
	CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK	Submitted
733.0 KA 15-00604	PEOPLE V DAMONE LEWIS	
	Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered September 2, 2014 and February 26, 2015. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and criminal possession of a weapon in the second degree and, upon his plea of guilty, of attempted murder in the second degree assault in the first degree and criminal possession of a weapon in the second degree.	
	SHERRY A. CHASE for DAMONE LEWIS	10 minutes
	JULIE BENDER FISKE for PEOPLE OF THE STATE OF NEW YORK	10 minutes
734.0 KA 14-00980	PEOPLE V JENNIFER MARCHANT	
	Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered March 26, 2014. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree.	
	EDWARD P. PERLMAN for JENNIFER MARCHANT	10 minutes
	THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK	10 minutes
736.0 KA 15-01453	PEOPLE V JAVON ELLISON, SR.	
	Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered August 27, 2015. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, assault in the first degree and criminal possession of a weapon in the second degree.	
	ROBERT M. GRAFF for JAVON ELLISON, SR.	10 minutes
	LAURA T. BITTNER for PEOPLE OF THE STATE OF NEW YORK	10 minutes
737.0 KA 15-01226	PEOPLE V RONALD WALKER	
	Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered April 7, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.	

	ALAN WILLIAMS for RONALD WALKER	10 minutes
	ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK	5 minutes
738.0 CAF 15-01441	TIMOTHY MYC V STACY WAGNER	
	Appeal from an order of the Family Court, Erie County (Michael F. Griffith, J.), entered August 21, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner Timothy Myc custody of the subject child	
	ELIZABETH J. CIAMBRONE for STACY WAGNER	Submitted
	MICHELLE G. CHAAS for TIMOTHY MYC	Submitted
	JENNIFER M. PAULINO, ATTORNEY FOR CHILD	Submitted
739.0 CA 16-02369	STEVEN A. CALVANESO V ALLSTATE LIFE INSURANCE COMPANY	SETTLED
	Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered March 17, 2016. The order, among other things, adjudged that respondents Allstate Life Insurance Company of New York and Allstate Assignment Company pay petitioner a sum of \$62,890.42 from the proceeds of two Single Premium Immediate Certain Annuity payments owed to respondent Megan L. Steffenhagen.	
	ARLOW M. LINTON for MEGAN STEFFENHAGEN	
	JOHN KENNEDY ROTTARIS for STEVEN A. CALVANESO	
740.0 CA 16-02180	ALEXIS M. MAIETTA V DEAN A. SNYDER	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered July 27, 2016. The order, insofar as appealed from, denied the cross motion of plaintiff for summary judgment on the issue of serious injury.	
	JOHN J. DELMONTE for ALEXIS M. MAIETTA	10 minutes
	MEGAN F. ORGANEK for DEAN A. SNYDER	10 minutes
742.0 CA 16-01912	FRANK A. PATERNOSH V EDWARD A. WOOD	
	Appeal from an order of the Supreme Court, Chautauqua County (Paul B. Wojtaszek, J.), entered December 4, 2015. The order, insofar as appealed from, granted in part the motion of defendant for summary judgment.	
	MICHAEL R. DRUMM for FRANK A. PATERNOSH	15 minutes
	NORMAN E.S. GREENE for EDWARD A. WOOD	15 minutes
743.0 CA 16-00829	MICHAEL J. REW V THOMAS A. BEILEIN	

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered January 12, 2016. The order denied the motion of plaintiff to set aside a jury verdict and for a new trial.

RALPH C. LORIGO for MICHAEL J. REW 15 minutes

ELIZABETH M. BERGEN for THOMAS A. BEILEIN 15 minutes

744.0
CA 16-00830

MICHAEL J. REW
V
THOMAS A. BEILEIN

Appeal from a judgment of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered February 17, 2016. The judgment awarded defendants costs and disbursements.

RALPH C. LORIGO for MICHAEL J. REW Submitted

ELIZABETH M. BERGEN for THOMAS A. BEILEIN Submitted

745.0
CA 16-01698

ANTHONY RINE, JR.
V
MICHAEL QUADT

Appeal from a decision and order of the Supreme Court, Erie County (Russell P. Buscaglia, J.), entered July 7, 2016. The decision and order, insofar as appealed from, granted the motion of defendant Michael Quadt, d/b/a Vista Motors, and dismissed the complaint against said defendant.

EDWARD J. MARKARIAN for ANTHONY RINE, JR. 10 minutes

THOMAS P. CUNNINGHAM for MICHAEL QUADT 10 minutes

747.0
CA 16-02258

WILLIAM C. SAGER, SR.
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered August 15, 2016. The order, among other things, denied the motion of defendants NHJB, Inc. and Norman Habib seeking to dismiss plaintiff's complaint.

BRENDAN H. LITTLE for NHJB, INC. 15 minutes

DANIEL T. HUNTER for MICHAEL MIRANDA 15 minutes

CAREY C. BEYER for WILLIAM C. SAGER, SR. 15 minutes

747.1
KA 12-00386

PEOPLE
V
ROBERT LOVERDE

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered February 7, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree.

STEVEN D. SESSLER for ROBERT LOVERDE 10 minutes

JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK 5 minutes

DAY CALENDAR
Wednesday, May 17, 2017 - 10:00 AM
COURTROOM 2

748.0
TP 17-00145

ROY TARBELL
V
S. HANSON

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, Jefferson County [James P. McClusky, J.], entered November 9, 2016) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated various inmate rules.

ROY TARBELL for HIMSELF

Submitted

VICTOR PALADINO for S. HANSON

Submitted

749.0
TP 16-02187

JAHMEL CLARK
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 November 30, 2016) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated an inmate rule.

LEAH R. NOWOTARSKI for JAHMEL CLARK

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

750.0
KA 14-00922

PEOPLE
V
ALHASSAN KABBA

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

KIMBERLY F. DUGUAY for ALHASSAN KABBA

Submitted

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

5 minutes

751.0
KA 15-01728

PEOPLE
V
TIMOTHY J. NICCLOY

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered September 10, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted menacing a police officer, resisting arrest and criminal possession of a weapon in the fourth degree.

TIMOTHY P. MURPHY for TIMOTHY J. NICCLOY

Submitted

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

Submitted

752.0
KA 14-01896

PEOPLE
V
JAMES M. VERNOOY

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered July 24, 2014. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class E felony.

JAMES A. HOBBS for JAMES M. VERNOOY

5 minutes

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

5 minutes

753.0
KA 13-01453

PEOPLE

V

MICHAEL J. COOPER

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered June 11, 2013. The judgment convicted defendant, upon a non jury verdict, of course of sexual conduct against a child in the first degree.

WILLIAM CLAUSS for MICHAEL J. COOPER

10 minutes

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK

10 minutes

754.0
KA 15-00916

PEOPLE

V

TODD A. EDWARDS

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered April 9, 2015. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree, criminal possession of a weapon in the third degree and menacing in the third degree.

MARK C. DAVISON for TODD A. EDWARDS

5 minutes

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

5 minutes

755.0
KA 14-01635

PEOPLE

V

DOMINIC DENNARD

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Joseph E. Fahey, J.), dated June 23, 2014. The order denied defendant's motion pursuant to CPL 440.20 to set aside his sentence.

PIOTR BANASIAK for DOMINIC DENNARD

5 minutes

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

10 minutes

756.0
KA 15-00766

PEOPLE

V

ROMEO WILLIAMS

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered July 23, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

PIOTR BANASIAK for ROMEO WILLIAMS

10 minutes

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

10 minutes

757.0
KA 14-00854

PEOPLE

V

DARRIEN E. WILSON

Appeal from a judgment of Monroe County Court (Melchor E. Castro, A.J.), rendered January 7, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

DAVID M. ABBATOY, JR., for DARRIEN E. WILSON 10 minutes

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

758.0
KA 14-01239

PEOPLE
V
SHAWN J. COFFEE

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered April 24, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree, criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the fourth degree.

MARK C. DAVISON for SHAWN J. COFFEE 5 minutes

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK 5 minutes

759.0
KAH 15-01228

PEOPLE EX REL.,
JAMES A. MOORE
V
DAVID STALLONE

Appeal from a memorandum decision and order of the Supreme Court, Cayuga County (Mark H., Fandrich, A.J.), entered May 8, 2015. The memorandum decision and order denied and dismissed the petition for a writ of habeas corpus.

MARIO J. GUTIERREZ for JAMES A. MOORE Submitted

FRANK BRADY for DAVID STALLONE Submitted

760.0
CA 17-00086

PAMELA J. MOYER
V
AJJOY K. ROY, M.D.

Appeal from a decision and order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered March 24, 2016. The decision and order granted the motion of defendant for summary judgment.

JOHN A. CIRANDO for PAMELA J. MOYER 10 minutes

ANTHONY R. BRIGHTON for AJJOY K. ROY, M.D. 10 minutes

761.0
CA 16-02048

CHARLES F. DAMICK, II
V
CITY OF GENEVA

Appeal from a judgment of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered January 21, 2016. The judgment dismissed the complaint and vacated a notice of pendency.

DAVID H. EALY for CHARLES F. DAMICK, II 15 minutes

JANET D. CALLAHAN for CITY OF GENEVA 10 minutes

762.0
CA 16-02259

SHARON FRONGETTA
V
CITY OF ROCHESTER

Appeal from an order of the Supreme Court, Monroe County (Renee Forgens Minarek, A.J.), entered April 15, 2016. The order denied the motion of defendant to dismiss the complaint.

PATRICK BEATH for CITY OF ROCHESTER 10 minutes

PAMELA ROSEANN HALPIN for SHARON FRONGETTA 10 minutes

763.0
CA 16-01914

TERESA CRANE
V
CASEY GLOVER

Appeal from a decision and order of the Supreme Court, Monroe County (William K. Taylor, J.), entered July 7, 2016. The decision and order granted the motion of defendants for summary judgment, denied the cross motion of plaintiff for summary judgment and dismissed the complaint.

TIMOTHY C. BELLAVIA for TERESA CRANE 15 minutes

KAREN J. KROGMAN DAUM for CASEY GLOVER 15 minutes

764.0
CA 16-01449

PATRICK J. CARNEY
V
JUN W. CARNEY

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, J.), entered January 5, 2016. The order dismissed the application of plaintiff for joint custody and other relief.

TIMOTHY S. DAVIS for PATRICK J. CARNEY 10 minutes

MICHAEL STEINBERG for JUN W. CARNEY 10 minutes

PAUL B. WATKINS, ATTORNEY FOR CHILD 10 minutes

765.0
CA 16-02218

JANE DOE
V
ONONDAGA COUNTY

Appeal from an order of the Supreme Court, Onondaga County (Spencer J. Ludington, A.J.), entered July 20, 2016. The order denied the motion of defendants Onondaga County and Onondaga County Department of Social Services to dismiss the complaint.

CAROL LOUISE RHINEHART for ONONDAGA COUNTY Submitted

MARK D. GORIS for JANE DOE 10 minutes

ROBERT A. DURR for ONONDAGA COUNTY DSS Submitted

766.0
CA 16-02237

ROBERT WEICHERT
V
KENNETH PLUMADORE

Appeal from an order and judgment of the Supreme court, Oswego County (James W. McCarthy, J.), entered May 9, 2016. The order and judgment, inter alia, dismissed the complaint.

ROBERT WEICHERT for HIMSELF 15 minutes

JOHN M. NICHOLS for KENNETH PLUMADORE 10 minutes

MARK D. GORIS for JAMES W. HILTON 5 minutes

SUSAN M. WEICHERT for HERSELF Submitted

767.0
CA 16-00976

THERESA A. SCHILLACI
V
VILLAGE OF SACKETS HARBOR ZBA

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered January 26, 2016 in a proceeding pursuant to CPLR article 78. The order dismissed the petition.

JOHN A. CIRANDO for THERESA A. SCHILLACI **15 minutes**

J. P. WRIGHT for VILLAGE OF SACKETS HARBOR ZBA **15 minutes**

PAUL J. CURTIN, JR., for LIBERTY SACKETS HARBOR LLC **Submitted**

DAY CALENDAR
Thursday, May 18, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

768.0
TP 17-00147

NOEL KANE
V
NUNZIO DOLDO

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, Jefferson County [James P. McClusky, J.], entered December 12, 2016) to review a determination of respondent. The determination found after a Tier II hearing that petitioner had violated an inmate rule.

NOEL KANE for HIMSELF

Submitted

MARCUS J. MASTRACCO for NUNZIO DOLDO

Submitted

769.0
KA 15-00065

PEOPLE
V
MHALIK J. BALDWIN

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered October 15, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree (two counts).

JANE I. YOON for MHALIK J. BALDWIN

Submitted

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

Submitted

770.0
KA 16-01035

PEOPLE
V
EDGAR MILLS

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered August 14, 2015. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree (two counts).

JOSEPH G. FRAZIER for EDGAR MILLS

Submitted

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

Submitted

771.0
KA 12-02208

PEOPLE
V
CHRISTOPHER A. CARTER, JR.

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered November 2, 2011. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

ERIC M. DOLAN for CHRISTOPHER A. CARTER, JR.

Submitted

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

Submitted

772.0
KA 14-01706

PEOPLE
V
SIERRA CLARK

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered May 9, 2014. The judgment convicted defendant, upon her plea of guilty, of rape in the first degree (two counts).

PIOTR BANASIAK for SIERRA CLARK

Submitted

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

Submitted

773.0
KA 15-00005

PEOPLE
V
SAMUEL J. WATKINS

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered June 20, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts) and criminal possession of marihuana in the third degree.

DAVID R. JUERGENS for SAMUEL J. WATKINS

10 minutes

KELLY CHRISTINE WOLFORD for PEOPLE OF THE STATE OF NEW YORK

10 minutes

774.0
KA 16-00366

PEOPLE
V
PAUL NAHALKA

SETTLED

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.); entered September 24, 2015. The judgment revoked defendant's probation and imposed a term of imprisonment.

LYLE T. HAJDU for PAUL NAHALKA

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

775.0
KA 09-02536

PEOPLE
V
FRANKLIN DECAPUA

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered October 21, 2009. The judgment convicted defendant, upon a jury verdict, of criminal possession of stolen property in the fourth degree.

KATHLEEN P. REARDON for FRANKLIN DECAPUA

Submitted

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK

5 minutes

776.0
KA 15-01399

PEOPLE
V
BRYAN COLON

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered December 9, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree (six counts).

KRISTIN M. PREVE for BRYAN COLON

10 minutes

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

10 minutes

777.0
KA 12-00859

PEOPLE
V
JOE N. FLOWERS, JR.

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered August 19, 2011. The judgment convicted defendant, upon a jury verdict, of course of sexual conduct against a child in the second degree.

JANET C. SOMES for JOE N. FLOWERS, JR. 10 minutes

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK 10 minutes

778.0
CAF 15-01624

LAHNI THOMAS
V
GEOFFREY THOMAS

Appeal from an order of the Family Court, Steuben County (J.C. Argetsinger, JHO), entered August 27, 2015 in a proceeding pursuant to Family Court Act article 8. The order, among other things, dismissed the petition.

RUTH A. CHAFFEE for LAHNI THOMAS Submitted

JOHN A. CIRANDO for GEOFFREY THOMAS 10 minutes

JOAN D. MERRY, ATTORNEY FOR CHILD 5 minutes

779.0
CAF 15-01625

GEOFFREY THOMAS
V
LAHNI THOMAS

Appeal from an order of the Family Court, Steuben County (J.C. Argetsinger, JHO), entered September 17, 2015, in a proceeding pursuant to Family Court Act article 10. The order, among other things, denied respondent's request to relocate to Buffalo, New York.

RUTH A. CHAFFEE for LAHNI THOMAS Submitted

JOHN A. CIRANDO for GEOFFREY THOMAS Submitted

JOAN D. MERRY, ATTORNEY FOR CHILD Submitted

780.0
CA 16-01791

DAGMAR NEARPASS
V
SENECA COUNTY INDUSTRIAL DEVELOPMENT

Appeal from a memorandum-decision and order of the Supreme Court, Seneca County (W. Patrick Falvey, A.J.), entered August 18, 2016 in a CPLR article 78 proceeding. The memorandum-decision and order denied the petition.

JEFFREY HOOPS for DAGMAR NEARPASS 20 minutes

MARK C. HOLSCHER for LAGO RESORT & CASINO, LLC 20 minutes

ROBERT L. HALPIN for SENECA COUNTY INDUSTRIAL DEVELOPMENT 10 minutes

781.0
CA 16-00710

LUIS ROSALES
V
ANTHONY J. ANNUCCI

Appeal from an order of the Supreme Court, Erie County (Russell P. Buscaglia, J.), entered February 2, 2016. The order dismissed the CPLR article 78 petition.

LUIS ROSALES for HIMSELF Submitted

FRANK BRADY for ANTHONY J. ANNUCCI Submitted

782.0
CA 16-00937

BETTE DAVIS WEHLE
V
ALFREDA MOROCZKO

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered January 6, 2016. The order granted the motion of plaintiff for summary judgment against decedent in the amount of \$149,652 and denied the cross motion of decedent to dismiss the complaint.

JUSTIN S. WHITE for ACEA M. MOSEY 15 minutes

RALPH C. LORIGO for BETTE DAVIS WEHLE 15 minutes

783.0
CA 16-02279

DIPIZIO CONSTRUCTION COMPANY, INC.
V
ERIE CANAL HARBOR DEVELOPMENT CORP.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 11, 2016. The order, among other things, granted the cross motion of Travelers Casualty and Surety Company of America seeking to intervene in this matter and to replace plaintiff DiPizio Construction Company, Inc., as the plaintiff and real party of interest in this matter.

ANNAMARIE RICHMOND for DIPIZIO CONSTRUCTION COMPANY, INC. 10 minutes

PATRICIA A. MANCABELLI for ERIE CANAL HARBOR DEV. CORP. 10 minutes

BENJAMIN D. LENTZ for TRAVELERS CASUALTY AND SURETY CO. 15 minutes

784.0
CA 16-01946

LORI L. MARTINEZ
V
BARBARA A. GRIMM

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered February 10, 2016. The order granted the motion of plaintiff to reargue, reinstated the complaint, vacated an order granting the motion of defendants' motion for summary judgment, denied the motion of defendant for summary judgment and granted the motion of plaintiff for summary judgment on the issue of serious injury.

WILLIAM A. LONG, JR., for BARBARA A. GRIMM 15 minutes

MARK P. DELLA POSTA for LORI L. MARTINEZ 15 minutes

785.0
CA 17-00002

DAVID M. AHLERS
V
ECOVATION, INC.

Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered October 3, 2016. The order granted the motions of defendants W. Jerone Frautschi, et al., and defendants Diane C. Creel, et al., for summary judgment dismissing the third amended complaint.

JONATHAN D. FORSTOT for DAVID M. AHLERS 20 minutes

KEVIN M. KEARNEY for W. JEROME FRAUTSCHI 20 minutes

ELI SEGAL for DIANE C. CREEL 20 minutes

786.0
CA 16-02316

DARRYL E. SOMMERFELDT
V
MADLINE PICKETT

Appeals from an order of the Supreme Court, Orleans County (Tracey A. Bannister, J.), entered June 20, 2015. The order granted the motion of plaintiff for summary judgment on liability against defendants Madeline Pickett and Diane Hart and denied the motion of defendant Star Growers Farm, LLC, for summary judgment.

DANIEL M. DIMATTEO for MADELINE PICKETT 10 minutes

KRISTIE L. DEFREZE for DARRYL E. SOMMERFELDT 10 minutes

DAVID M. DIMATTEO for STAR GROWERS FARM, LLC Submitted

787.0
CA 17-00084

DEMARIS WILSON
V
EXIGENCE OF TEAM HEALTH

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered March 22, 2016. The order granted the motion of defendant to dismiss the complaint and dismissed the complaint.

HARVEY PHILIP SANDERS for DEMARIS WILSON 10 minutes

MARTIN W. ARON for EXIGENCE OF TEAM HEALTH 15 minutes

788.0
CA 16-02060

KRISTEN SMITH
V
TRAVELERS CASUALTY AND SURETY COMPANY

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered March 15, 2016. The order granted the motion of defendant for summary judgment and dismissed the complaint.

MICHELE E. DETRAGLIA for KRISTEN SMITH 10 minutes

ANTHONY G. MARECKI for TRAVELERS CASUALTY AND SURETY CO. 10 minutes

789.0
CA 16-02061

KRISTEN SMITH
V
TRAVELERS CASUALTY AND SURETY COMPANY

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered June 22, 2016. The order denied the motion of plaintiff to renew or reargue.

MICHELE E. DETRAGLIA for KRISTEN SMITH Submitted

ANTHONY G. MARECKI for TRAVELERS CASUALTY AND SURETY CO. Submitted

DAY CALENDAR
Thursday, May 18, 2017 - 10:00 AM
COURTROOM 2

790.0
KA 14-00190

PEOPLE
V
EARL F. SPRAGUE, III

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered January 22, 2014. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree (28 counts).

NICHOLAS P. DIFONZO for **EARL F. SPRAGUE, III**

Submitted

WILLIAM G. ZICKL for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

DAY CALENDAR
Monday, May 22, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

791.0
TP 17-00178

KELLI HELMER
V
NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Erie County [John F. O' Donnell, J.], entered January 24, 2017) to review a determination of respondent New York State Office of Children and Family Services. The determination affirmed the determination of Erie County Department of Social Services to remove foster children from petitioners' home.

DAVID E. GUTOWSKI for **KELLI HELMER** Submitted
JOSEPH T. JARZEMBEK for **ERIE COUNTY DSS** Submitted
PATRICK A. WOODS for **NYS OFFICE OF CHILDREN & FAMILY SERVS.** Submitted

792.0
KA 14-02225

PEOPLE
V
ANDREW B. WOMACK

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered June 25, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a forged instrument in the second degree and offering a false instrument for filing.

GARY MULDOON for **ANDREW B. WOMACK** Submitted
V. CHRISTOPHER EAGGLESTON for **PEOPLE OF THE STATE OF NEW YORK** Submitted

793.0
KA 15-00471

PEOPLE
V
THOMAS R. OSWOLD

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered February 11, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of weapon in the third degree and perjury in the first degree.

ROBERT A. TUCKER for **THOMAS R. OSWOLD** Submitted
R. MICHAEL TANTILLO for **PEOPLE OF THE STATE OF NEW YORK** Submitted

794.0
KA 15-01682

PEOPLE
V
PHILLIP M. FRAISAR

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered September 16, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.

TIMOTHY P. MURPHY for **PHILLIP M. FRAISAR** Submitted
SHIRLEY A. GORMAN for **PEOPLE OF THE STATE OF NEW YORK** Submitted

795.0
KA 16-00550

PEOPLE
V
KRISTY L. CHAVIS

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered January 7, 2016. The judgment convicted defendant, upon her plea of guilty, of criminal possession of a controlled substance in the third degree (three counts), criminal use of drug paraphernalia in the second degree (two counts) and endangering the welfare of a child (two counts).

CHARLES A. MARANGOLA for KRISTY L. CHAVIS Submitted

BRIAN THOMAS LEEDS for PEOPLE OF THE STATE OF NEW YORK Submitted

796.0
KA 16-00346

PEOPLE
V
KRISTY L. CHAVIS

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered January 7, 2016. The judgment convicted defendant, upon her plea of guilty, of criminal sale of a controlled substance in the third degree (four counts), criminal possession of a controlled substance in the third degree (four counts).

CHARLES A. MARANGOLA for KRISTY L. CHAVIS Submitted

BRIAN THOMAS LEEDS for PEOPLE OF THE STATE OF NEW YORK Submitted

797.0
KA 14-01986

PEOPLE
V
GARRY L. ROBINSON

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered November 4, 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 weapon in the third degree.

JANET C. SOMES for GARRY L. ROBINSON 10 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 10 minutes

798.0
KA 14-02226

PEOPLE
V
ANDREW B. WOMACK

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered May 30, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the third degree, grand larceny in the fourth degree, petit larceny, endangering the welfare of a child, assault in the third degree and resisting arrest.

GARY MULDOON for ANDREW B. WOMACK 10 minutes

V. CHRISTOPHER EAGGLESTON for PEOPLE OF THE STATE OF NEW YORK 5 minutes

799.0
KA 11-00094

PEOPLE
V
RAYON L. WONG

Appeal from a judgment of Monroe County Court (Melchor E. Castro, A.J.), rendered January 5, 2011. The judgment convicted defendant, upon his plea of guilty, of insurance fraud in the fourth degree and criminal possession of a forged instrument in the second degree.

	ERIC M. DOLAN for RAYON L. WONG	Submitted
	SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK	10 minutes
800.0 KA 14-00669	PEOPLE V DOUGLAS L. KING, JR.	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered November 27, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree and assault in the third degree.	
	JAMES A. HOBBS for DOUGLAS L. KING, JR.	5 minutes
	LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK	5 minutes
801.0 KA 14-01295	PEOPLE V FLOYD VAN HOOSER	
	Appeal from a decision/order of the Onondaga County Court (Thomas J. Miller, J.), dated June 4, 2014. The decision/order denied the motion of defendant to vacate a judgment of conviction.	
	JOHN J. GILSENAN for FLOYD VAN HOOSER	15 minutes
	VICTORIA M. WHITE for PEOPLE OF THE STATE OF NEW YORK	10 minutes
802.0 KA 16-00072	PEOPLE V FLOYD VAN HOOSER	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered August 14, 2015. The judgment imposed concurrent sentences on defendant as a persistent violent felony offender.	
	PHILIP ROTHSCHILD for FLOYD VAN HOOSER	Submitted
	VICTORIA M. WHITE for PEOPLE OF THE STATE OF NEW YORK	Submitted
803.0 KA 11-01178	PEOPLE V LYNN LETA	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered April 5, 2011. The judgment convicted defendant, upon a non jury verdict, of possession of a forged instrument in the second degree (two counts) and identity theft in the second degree.	
	ERIC M. DOLAN for LYNN LETA	Submitted
	JOSEPH PLUKAS for PEOPLE OF THE STATE OF NEW YORK	10 minutes
804.0 CA 16-02373	KENNETH M. QUINNIEY V NISSAN-INFINITI LT	
	Appeal from an order of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered November 30, 2016. The order, insofar as appealed from, denied in part the motion of defendants Nissan-Infiniti LT and Nilt, Inc., to dismiss plaintiffs' complaint as against them.	
	CLIFFORD B. AARON for NISSAN-INFINITI LT	15 minutes

	JOHN A. COLLINS for KENNETH M. QUINNIEY	10 minutes
805.0 CA 16-02066	In the Matter of MARGARET Z.	
	Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered October 13, 2016. The order denied the motion to compel respondent to provide certain evidence, and for other relief.	
	JON Z. for HIMSELF	Submitted
	WILLIAM P. SCHMITT for THERESA M. GIROUARD	Submitted
806.0 CA 16-02181	JOHN J. GABRIEL, III V GREAT LAKES CONCRETE PRODUCTS, LLC	
	Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered August 23, 2016. The order, insofar as appealed from, denied the motion of plaintiff for summary judgment on the issues of negligence, proximate cause and comparative negligence.	
	ELLEN B. STURM for JOHN J. GABRIEL, III	10 minutes
	MAUREEN G. FATCHERIC for GREAT LAKES CONCRETE PRODUCTS, LLC	10 minutes
807.0 CA 16-02140	NEAL J. GOLDWATER V NYS DIVISION OF HUMAN RIGHTS	
	Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 25, 2016. The order dismissed the petition pursuant to Human Rights Law § 298.	
	LINDY KORN for NEAL J. GOLDWATER	15 minutes
	JOSHUA FEINSTEIN for FIRST NIAGARA FINANCIAL GROUP, INC.	15 minutes
	MARILYN BALCACER for NYS DIVISION OF HUMAN RIGHTS	Submitted
808.0 CA 17-00122	JANIE GRIGSBY V JOSEPH FRANCA BANDIERO	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered October 20, 2016. The order, among other things, granted defendants' motions to dismiss plaintiff's amended complaint.	
	F. BRENDAN BURKE, JR., for JANIE GRIGSBY	10 minutes
	JOSEPH S. MONTAGNOLA for JOSEPH FRANCA BANDIERO	5 minutes
	RICHARD A. CLACK for ROBERT MCDONALD	10 minutes
809.0 CA 16-01808	GENE MAJCHRZAK V NYS DIVISION OF HUMAN RIGHTS	
	Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered December 9, 2015. The order, among other things, denied and dismissed the petition.	
	CHARLES B. MILLER, III, for GENE MAJCHRZAK	15 minutes
	VINCENT MIRANDA for UPONOR INFRA CORP.	15 minutes

	MARILYN BALCACER for NYS DIVISION OF HUMAN RIGHTS	Submitted
810.0 CA 15-00988	ELROY HENDRIX V MONROE CO. DEPARTMENT OF COMMUNICATION	
	Appeal from a decision and order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered April 20, 2015. The decision and order denied the CPLR article 78 petition.	
	ELROY HENDRIX for HIMSELF	Submitted
	MERIDETH H. SMITH for MONROE CO. DEPT. OF COMMUNICATION	Submitted
811.0 CA 16-01559	KIMBERLY CROWNER V THOMAS A. KING	
	Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered May 26, 2016. The order, among other things, granted in part plaintiff's motion for summary judgment.	
	REBECCA C. CRONAUER for THOMAS A. KING	10 minutes
	EUGENE W. LANE for KIMBERLY CROWNER	10 minutes
812.0 CA 17-00037	THOMAS H. WILLIAMS V PHILIPS MEDICAL SYSTEMS	
	Appeal from a decision and order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered March 21, 2016. The decision and order granted the motion of defendants for summary judgment and sanctions.	
	JEFFREY RALPH PARRY for THOMAS H. WILLIAMS	15 minutes
	WILLIAM J. HARRINGTON for PHILIPS MEDICAL SYSTEMS	15 minutes
813.0 CA 17-00038	THOMAS H. WILLIAMS V PHILIPS MEDICAL SYSTEMS	
	Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered May 3, 2016. The order appointed a referee to hear and report on the reasonableness of attorney's fees.	
	JEFFREY RALPH PARRY for THOMAS H. WILLIAMS	Submitted
	EDWARD G. MELVIN for PHILIPS MEDICAL SYSTEMS	Submitted

DAY CALENDAR
Monday, May 22, 2017 - 10:00 AM
COURTROOM 2

814.0
KA 13-00159

PEOPLE
V
TIMOTHY D. SAMUEL

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered July 2, 2012. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree (two counts), robbery in the second degree (two counts), kidnapping in the second degree, assault in the second degree (two counts) and criminal possession of a weapon in the second degree (two counts).

DIANNE C. RUSSELL for **TIMOTHY D. SAMUEL**

Submitted

ROBERT J. SHOEMAKER for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

DAY CALENDAR
Tuesday, May 23, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

830.0
CA 16-01356

ABDUL W. ARRAHIM
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered April 15, 2016. The order, among other things, denied defendants' motion for summary judgment dismissing plaintiff's complaint.

DAVID M. LEE for CITY OF BUFFALO 15 minutes

MATTHEW J. KAISER for ABDUL W. ARRAHIM 15 minutes

815.0
KA 15-02149

PEOPLE
V
SHANE D. HIGGINS

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered June 18, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

JOSEPH G. FRAZIER for SHANE D. HIGGINS Submitted

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

816.0
KA 14-01904

PEOPLE
V
CHASE WALKER

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered January 29, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ROBERT L. KEMP for CHASE WALKER Submitted

NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK Submitted

817.0
KA 11-00861

PEOPLE
V
ANTHONY WIGGINS

Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.); entered February 24, 2011. The judgment revoked defendant's probation and imposed a term of imprisonment.

ERIC M. DOLAN for ANTHONY WIGGINS Submitted

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

818.0
KA 15-00910

PEOPLE
V
EUGENE STEWART

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered March 20, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

EDWARD P. PERLMAN for EUGENE STEWART Submitted

	THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK	Submitted
819.0 KA 15-00911	PEOPLE V EUGENE STEWART	
	Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered March 20, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree (three counts).	
	EDWARD P. PERLMAN for EUGENE STEWART	Submitted
	THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK	Submitted
820.0 CAF 15-01112	In the Matter of DANARYEE B.	
	Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered June 16, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred the guardianship and custody of the subject child to petitioner.	
	EVELYNE A. O'SULLIVAN for ERICA THREATT	Submitted
	LAUREN CREIGHTON for ERIE COUNTY DSS	Submitted
	CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
821.0 CAF 15-00821	In the Matter of NEVAEH T.	
	Appeal from an order of protection of the Family Court, Erie County (Margaret O. Szczur, J.), entered April 9, 2015, in a proceeding pursuant to Family Court Act article 10. The order prohibited respondent-appellant from any contact with the subject child until after March 17, 2018 [sic].	
	TIMOTHY R. LOVALLO for WILBERT JONES	5 minutes
	CHARLES JOSEPH GALLAGHER, JR., for ERIE COUNTY DSS	5 minutes
	NOEMI FERNANDEZ, ATTORNEY FOR CHILD	5 minutes
822.0 CAF 15-01695	JESSICA N. AUSTIN V PHILIP W. WRIGHT	
	Appeal from an order of the Family Court, Steuben County (Joseph W. Latham, J.), entered September 24, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the primary placement of the child shall be with Phillip W. Wright.	
	RUTH A. CHAFFEE for JESSICA N. AUSTIN	10 minutes
	TRAVIS J. BARRY for PHILIP W. WRIGHT	5 minutes
	MARYBETH D. BARNET, ATTORNEY FOR CHILD	10 minutes
823.0 CAF 16-00210	JOHN F. YOUNG V MERRY L. RIOS	

Appeal from an order of the Family Court, Oneida County (Randall B. Caldwell, J.), entered December 22, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied and dismissed the petition.

PAUL M. DEEP for JOHN F. YOUNG 5 minutes

BENJAMIN LEE HIRSHFIELD for MERRY L. RIOS Submitted

MICHAEL N. KALIL, ATTORNEY FOR CHILD 5 minutes

824.0
CAF 16-01179

FALISHA FLEISHER
V
DAVID B. FLEISHER

Appeal from an order of the Family Court, Erie County (Julie A. Gordon, R.), entered June 14, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted Falisha Fleisher's petition to relocate herself and the subject child from Monroe to Orleans County.

KATHLEEN P. REARDON for DAVID B. FLEISHER 5 minutes

TIMOTHY S. DAVIS for FALISHA FLEISHER 10 minutes

TANYA CONLEY, ATTORNEY FOR CHILD 5 minutes

825.0
CAF 16-01574

WILLIAM BRAGA
V
JODI ANN BELL

Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered March 31, 2016 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted primary physical custody of the parties' child to respondent

LISA FAHEY for WILLIAM BRAGA 5 minutes

DANIELLE BLACKABY for JODI ANN BELL 10 minutes

ANDREW SCOTT GREENBERG, ATTORNEY FOR CHILD 5 minutes

826.0
CAF 15-00822

In the Matter of
KARAE J.

Appeal from an order of protection of the Family Court, Erie County (Margaret O. Szczur, J.), entered April 9, 2015, in a proceeding pursuant to Family Court Act article 10. The order prohibited respondent-appellant from any contact with the subject child until after December 12, 2030.

TIMOTHY R. LOVALLO for WILBERT J. 5 minutes

CHARLES JOSEPH GALLAGHER, JR., for ERIE COUNTY DSS 5 minutes

NOEMI FERNANDEZ, ATTORNEY FOR CHILD 5 minutes

827.0
CA 16-00709

JAMES ADAMS
V
NEW YORK STATE DOCCS

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), entered August 26, 2016 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

JAMES ADAMS for HIMSELF Submitted

	WILLIAM E. STORRS for NEW YORK STATE DOCCS	Submitted
828.0 CA 16-01248	<p>JOHNNIE L. YOUNG V ERIE COUNTY OFFICE OF CHILD SUPPORT</p> <p>Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered September 22, 2015 in a proceeding pursuant to CPLR article 78. The order denied and dismissed the petition.</p>	
	JOHNNIE L. YOUNG for HIMSELF	Submitted
	KELLIE POYNTON-GALLAGHER for ERIE CO. OFFICE OF CHILD SUPPORT	Submitted
829.0 CA 16-00614	<p>BANK OF AKRON V SPRING CREEK ATHLETIC CLUB, INC.</p> <p>Appeal from an order of the Supreme Court, Erie County (E. Jeanette Ogden, J.), entered January 5, 2016. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment dismissing the answer and counterclaim of defendant Robert Lowman, dismissed said answer and counterclaim and determined the easements held by Lowman to be subject to plaintiff's mortgages.</p>	
	ROBERT LEE LOWMAN, JR., for HIMSELF	20 minutes
	DANIEL E. SARZYNSKI for BANK OF AKRON	15 minutes
831.0 CA 17-00205	<p>THE BANK OF NEW YORK MELLON V ROBERT ANDERSON</p> <p>Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered February 22, 2016. The order, among other things, granted plaintiff's motion for summary judgment.</p>	
	CHARLES WALLSHEIN for ROBERT ANDERSON	10 minutes
	LARRY T. POWELL for THE BANK OF NEW YORK MELLON	10 minutes
832.0 CA 16-01929	<p>JAMIE LOBELLO V NEW YORK CENTRAL MUTUAL FIRE INSURANCE COMPANY</p> <p>Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered December 31, 2015. The order, inter alia, granted in part the motion of defendant for summary judgment.</p>	
	JAMES J. GASCON for JAMIE LOBELLO	10 minutes
	KEITH D. MILLER for NEW YORK CENTRAL MUTUAL FIRE INS. CO.	10 minutes
833.0 CA 17-00172	<p>PHH MORTGAGE CORPORATION V MICHAEL HAMER</p> <p>Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered May 19, 2016. The order, among other things, denied plaintiff's motion to vacate the foreclosure sale and relieving the bid of third party purchaser Robert Nicholson.</p>	
	AUSTIN T. SHUFELT for PHH MORTGAGE CORPORATION	Submitted

TIMOTHY J. FENNELL for ROBERT J. NICHOLSON

10 minutes

834.0
CA 16-02280

JEFFREY TATE
V
STATE UNIVERSITY CONSTRUCTION FUND

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered May 13, 2016. The order, among other things, granted claimant's application for leave to serve a late notice of claim.

DANIEL R. ROSE for STATE UNIVERSITY CONSTRUCTION FUND

10 minutes

ANNE M. WHEELER for JEFFREY TATE

10 minutes

835.0
CA 16-02216

PHILIP L. GURNSEY
V
J. DAVID SAMPSON

Appeal from a decision and order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered January 22, 2016. The decision and order denied the CPLR article 78 petition.

DAVID J. PAJAK for PHILIP L. GURNSEY

5 minutes

JEFFREY W. LANG for J. DAVID SAMPSON

10 minutes

DAY CALENDAR
Wednesday, May 24, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

858.0
TP 16-02321

WELDON INGRAM
V
ANTHONY ANNUCCI

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, Wyoming County [Michael M. Mohun, A.J.], entered December 20, 2016) to review a determinations after a Tier II hearings. The determinations found that petitioner had violated inmate various rules.

ADAM W. KOCH for WELDON INGRAM

Submitted

KATHLEEN M. LANDERS for ANTHONY ANNUCCI

Submitted

859.0
KA 15-00098

PEOPLE
V
MICHAEL L. PACHECO

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered December 22, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree, assault in the first degree, burglary in the first degree (two counts), assault in the second degree and endangering the welfare of a child.

DAVID R. JUERGENS for MICHAEL L. PACHECO

Submitted

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

Submitted

860.0
KA 13-01455

PEOPLE
V
WILLIAM L. SMITH

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered June 12, 2013. The judgment convicted defendant, upon a his plea of guilty, of attempted course of sexual conduct against a child in the first degree.

BRIDGET L. FIELD for WILLIAM L. SMITH

Submitted

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

Submitted

861.0
KA 12-02299

PEOPLE
V
CHRISTOPHER A. CARTER, JR.

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered November 2, 2011. The judgment convicted defendant, upon his plea of guilty, of conspiracy in the second degree.

ERIC M. DOLAN for CHRISTOPHER A. CARTER, JR.

Submitted

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

Submitted

862.0
KA 15-01679

PEOPLE
V
LAKUSHA M. MCMORRIS

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered August 17, 2015. The judgment convicted defendant, upon her plea of guilty, of attempted criminal sale of a controlled substance in the third degree.

CAITLIN M. CONNELLY for LAKUSHA M. MCMORRIS

Submitted

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

Submitted

863.0
KA 13-00447

PEOPLE
V
RAHEEM H. OQUENDO

Appeal from a judgment of the Monroe County Court (Alex R. Renzi, J.), rendered June 24, 2009. The judgment convicted defendant, upon a jury verdict, of grand larceny in the fourth degree (four counts) and petit larceny.

JANET C. SOMES for RAHEEM H. OQUENDO

10 minutes

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

10 minutes

864.0
KA 16-02069

PEOPLE
V
RICKY GATES

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered August 6, 2015. The judgment convicted defendant, upon his plea of guilty, of possessing/transporting 30,000 or more unstamped cigarettes.

JOHN A. CIRANDO for RICKY GATES

10 minutes

GREGORY R. SHAFFER, III for PEOPLE OF THE STATE OF NEW YORK

Submitted

865.0
KA 10-02352

PEOPLE
V
TAHSEAN K. EAVES

Appeal from a judgment of the Monroe County Court (John L. Demarco, J.), rendered September 7, 2010. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree, murder in the second degree, attempted robbery in the first degree and criminal possession of a weapon in the second degree.

ERIC M. DOLAN for TAHSEAN K. EAVES

Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

866.0
KA 16-01615

PEOPLE
V
SCOTT SCHAFFER

Appeal from a decision and order of the Wayne County Court (Daniel G. Barrett, J.), entered September 9, 2015. The decision and order, insofar as appealed from, granted the motion of defendant to suppress evidence obtained upon a warrantless search.

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

10 minutes

RICHARD W. YOUNGMAN for SCOTT SCHAFFER

5 minutes

867.0
KA 14-01746

PEOPLE
V
MICHAEL K. HOLLOMAN

Appeal from a judgment of the Supreme court, Monroe County (Francis A. Affronti, J.), rendered July 29, 2014. The judgment convicted defendant, upon a jury verdict, of aggravated unlicensed operation of a motor vehicle in the first degree.

JANE I. YOON for MICHAEL K. HOLLOMAN 10 minutes

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK 10 minutes

868.0
KA 14-01833

PEOPLE
V
FRANKLIN TERNOOIS, III

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered September 23, 2014. The judgment convicted defendant, upon his plea of guilty, of sexual abuse in the first degree.

PETER G. CHAMBERS for FRANKLIN TERNOOIS, III 5 minutes

BRUCE A. ROSEKRANS for PEOPLE OF THE STATE OF NEW YORK 5 minutes

869.0
CAF 16-00135

LORI D. HOLMES
V
OTIS L. SIMMONS

Appeal from an order of the Family Court, Onondaga County (Julie A. Cecile, J.), entered December 23, 2015 in a proceeding pursuant to Family Court Act article 6 The order, among other things, adjudged that respondent shall have sole legal and physical custody of the subject children.

JOHN A. CIRANDO for LORI D. HOLMES 10 minutes

DANIELLE BLACKABY for OTIS L. SIMMONS 10 minutes

COURTNEY S. RADICK, ATTORNEY FOR CHILD 5 minutes

870.0
CA 16-02159

ALIZABETH LAMB
V
STUART TRUST, P.C.

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, J.), entered July 8, 2016. The order granted the motion of defendants Stuart Trust, P.C., and Stuart Trust, D.O., for summary judgment and dismissed the complaint against said defendants.

JEFF D. DEFRANCISCO for ALIZABETH LAMB 15 minutes

JEFFREY S. ALBANESE for STUART TRUST, P.C. 10 minutes

871.0
CA 16-02188

TOWN OF TURIN
V
JAMES E. CHASE

Appeal from a memorandum decision and order of the Supreme Court, Lewis County (Hugh A. Gilbert, J.), entered March 2, 2016. The memorandum decision and order dismissed the complaint.

MARK G. GEBO for TOWN OF TURIN 15 minutes

MICHAEL F. YOUNG for JAMES E. CHASE 15 minutes

872.0
CA 17-00094

VINCENT C. STEVENSON
V
DAWN CRAMER

Appeal from a letter decision and order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered July 28, 2016. The letter decision and order, insofar as appealed from, granted the motion of defendants Village of East Syracuse, East Syracuse Fire Department and East Syracuse Fire Department, Inc., for summary judgment and dismissed the complaint against said defendants.

TERRANCE J. HOFFMANN for VINCENT C. STEVENSON 10 minutes

COREY JAMES VINCENT for VILLAGE OF EAST SYRACUSE 15 minutes

873.0
CA 16-01727

**In the Matter of
CITY OF WATERTOWN
(WATERTOWN PROFESSIONAL FIREFIGHTERS)**

Appeal and cross appeal from a decision and order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered September 12, 2016. The decision and order granted in part and denied in part the petition to stay arbitration.

TERRY O'NEIL for CITY OF WATERTOWN 15 minutes

NATHANIEL LAMBRIGHT for WATERTOWN PROFESSIONAL FIREFIGHTERS 15 minutes

874.0
CA 16-01826

**JEWISH HOME OF ROCHESTER
V
DAVID DWORKIN**

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarek, A.J.), entered January 7, 2016. The order denied the motion of respondent to dismiss the petition.

JASON S. DIPONZIO for DAVID DWORKIN 10 minutes

DAVID T. LUNTZ for JEWISH HOME OF ROCHESTER 10 minutes

875.0
CA 17-00150

**STEPHEN J. JONES
V
JAY P. TOVEY CO., INC.**

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered September 13, 2016. The order granted plaintiffs' motion for partial summary judgment on liability under their Labor Law § 240 (1) cause of action against defendant.

MATTHEW A. LENHARD for JAY P. TOVEY CO., INC. 10 minutes

JASON ABBOTT for STEPHEN J. JONES 10 minutes

876.0
CA 16-02124

**ICM CONTROLS CORP.
V
BENJAMIN V. MORROW**

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered January 20, 2016. The order, among other things, denied plaintiff's request to compel discovery relative to damages before holding an inquest on damages.

JANET D. CALLAHAN for ICM CONTROLS CORP. 10 minutes

BENJAMIN V. MORROW for HIMSELF Submitted

DAY CALENDAR
Wednesday, May 24, 2017 - 10:00 AM
COURTROOM 2

836.0
TP 16-02186

FRANS SITAL
V
ANTHONY ANNUCCI

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, Wyoming County [Michael H, Mohun, A.J.], entered November 30, 2016) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for FRANS SITAL

Submitted

LAURA ETLINGER for ANTHONY ANNUCCI

Submitted

837.0
KA 15-00066

PEOPLE
V
NATHANIEL J. DOYLE

Appeal from a judgment of the Monroe County Court (Christopher S. Ciaccio, J.), rendered April 2, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree (two counts).

KIMBERLY F. DUGUAY for NATHANIEL J. DOYLE

Submitted

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

Submitted

838.0
KA 15-00279

PEOPLE
V
ROBERT F. HERMAN

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered December 3, 2014. The judgment convicted defendant, upon his plea of guilty, of failure to register or verify as a sex offender.

JANET C. SOMES for ROBERT F. HERMAN

Submitted

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

Submitted

839.0
KA 16-01034

PEOPLE
V
JERALD D. LASHER

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered May 3, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the second degree and attempted sexual abuse in the first degree.

THERESA L. PREZIOSO for JERALD D. LASHER

Submitted

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

Submitted

840.0
KA 14-02283

PEOPLE
V
FABIAN RANDALL

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered October 2, 2014. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree.

JANE I. YOON for FABIAN RANDALL

Submitted

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

Submitted

841.0
KA 14-02097

PEOPLE
V
VIRGIL R. BROWN

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered April 14, 2014. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child.

TIMOTHY P. MURPHY for VIRGIL R. BROWN

15 minutes

NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK

10 minutes

842.0
CAF 16-00234

In the Matter of
NEVAEH D.J.

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered January 15, 2016 in a proceeding pursuant to Family Court Act article 10. The order granted custody of the subject child to Kimberly J. Souder.

DEBORAH J. SCINTA for DANIEL J.

5 minutes

ELISABETH M. COLUCCI for ERIE COUNTY DSS

Submitted

PETER P. VASILION for JANELLE J.

Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD

Submitted

843.0
CAF 16-02055

ANDY FARNER
V
BRANDY FARNER

Appeal from a decision and order of the Family Court, Cattaraugus County (Judith E. Samber, R.), entered February 19, 2016, in a proceeding pursuant to Family Court Act article 6. The decision and order granted the motion of respondent to dismiss, dismissed the amended petition and directed the return of the child to respondent.

EMILY A. VELLA for ANDY FARNER

Submitted

RANDY STUART MARGULIS for BRANDY FARNER

10 minutes

LYLE T. HAJDU, ATTORNEY FOR CHILD

10 minutes

844.0
CAF 16-01280

LACIE TURGEON
V
JESSIE BURGWARDT

SETTLED

Appeal from an order of the Family Court, Erie County (Paula G. Buchanan, J.H.O.), entered December 16, 2015, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, designated respondent as the primary residential parent.

TINA M. HAWTHORNE for LACIE TURGEON

GERALD P. GORMAN for JESSIE BURGWARDT

KEVIN C. GIBBONS, ATTORNEY FOR CHILD

845.0
CAF 16-00360

CARLOS SANCHEZ
V
ALBA ALVAREZ

Appeal from an order of the Family Court, Erie County (Brenda M. Freedman, J.), entered February 8, 2016 in a proceeding pursuant to Family Court Act article 6 The order, among other things, denied the petition and awarded respondent sole custody of the subject child.

BERNADETTE HOPPE for CARLOS SANCHEZ 5 minutes
ELIZABETH J. CIAMBRONE for ALBA ALVAREZ 10 minutes
RONALD M. CINELLI, ATTORNEY FOR CHILD Submitted

846.0
CAF 16-00265

MONIQUE DESIREE KELLY
V
CHAUVONNE SENIOR

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered December 14, 2015, in a proceeding pursuant to Family Court article 6. The order dismissed the petition.

WILLIAM D. BRODERICK, JR., for MONIQUE DESIREE KELLY 10 minutes
DAVID J. PAJAK for CHAUVONNE SENIOR Submitted
MELISSA A. REESE, ATTORNEY FOR CHILD 5 minutes

847.0
CAF 15-01347

WILLIAM W. KELLY, III
V
MELANIE WACHOWIAK

Appeal from a corrected decision and order of the Family Court, Erie County (Kevin M. Carter, J.), entered July 7, 2015, in a proceeding pursuant to Family Court Act article 6. The corrected decision and order, inter alia, granted sole custody to William W. Kelly, III.

DENIS A. KITCHEN, JR., for MELANIE WACHOWIAK 10 minutes
CATHARINE M. VENZON for WILLIAM W. KELLY, III 15 minutes
GIOVANNI GENOVESE, ATTORNEY FOR CHILD 10 minutes

848.0
CAF 15-01348

MELANIE WACHOWIAK
V
WILLIAM W. KELLY, III

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered July 10, 2015, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for custody.

DENIS A. KITCHEN, JR., for MELANIE WACHOWIAK Submitted
CATHARINE M. VENZON for WILLIAM W. KELLY, III Submitted
GIOVANNI GENOVESE, ATTORNEY FOR CHILD Submitted

849.0
CAF 15-01602

WILLIAM W. KELLY, III
V
MELANIE WACHOWIAK

Appeal from a corrected decision and order of the Family Court, Erie County (Kevin M. Carter, J.), entered August 3, 2015, in a proceeding pursuant to Family Court Act article 6. The corrected decision and order, inter alia, granted sole custody to William W. Kelly, III.

DENIS A. KITCHEN, JR., for MELANIE WACHOWIAK Submitted

CATHARINE M. VENZON for WILLIAM W. KELLY, III Submitted

GIOVANNI GENOVESE, ATTORNEY FOR CHILD Submitted

850.0
CA 16-02328

DECHANTE BARLESTON
V
CHRISTOPHER J. GIANCARLO

Appeals from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered September 20, 2016. The order denied the motions of defendants Christopher J. Giancarlo and John C. Radel to bifurcate the trial of this matter.

JENNIFER J. PHILLIPS for CHRISTOPHER J. GIANCARLO 10 minutes

JILL C. TREMBATH for JOHN C. RADEL 5 minutes

KENNETH A. SZYSZKOWSKI for DECHANTE BARLESTON 10 minutes

851.0
CA 15-01487

SHARON OCCHINO
V
X. CYNTHIA FAN, M.D.

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered May 22, 2015. The order granted defendants' motion for summary judgment dismissing all claims against them.

MICHAEL J. SKONEY for SHARON OCCHINO 15 minutes

TOMAS J. CALLOCCHIA for X. CYNTHIA FAN, M.D. 15 minutes

852.0
CA 17-00162

JACQUELINE ABATE
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered May 4, 2016. The order granted the motion of plaintiff to compel disclosure and denied the cross motion of defendants for a protective order.

ANTHONY B. TARGIA for COUNTY OF ERIE 10 minutes

DEREK J. ROLLER for JACQUELINE ABATE 10 minutes

853.0
CA 16-02141

BAUMANN REALTORS, INC.
V
FIRST COLUMBIA CENTURY-30, LLC

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 28, 2016. The order denied the motion of defendants for summary judgment dismissing the complaint.

KIMBERLY M. THRUN for FIRST COLUMBIA CENTURY-30, LLC 15 minutes

DAVID L. ROACH for BAUMANN REALTORS, INC. 15 minutes

854.0
CA 16-02233

DARLENE SIKORSKI-PETRITZ
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered April 7, 2016 in a proceeding pursuant to CPLR article 78. The order denied and dismissed the petition with prejudice.

JASON R. DIPASQUALE for DARLENE SIKORSKI-PETRITZ

15 minutes

ANN E. EVANKO for COUNTY OF ERIE

15 minutes

855.0
CA 16-02059

KIM A. KIRSCH

V

BOARD OF EDUCATION OF WILLIAMSVILLE

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered March 3, 2016 in a proceeding pursuant to CPLR article 78. The order, among other things, granted the motion of Michael A. Starvaggi, Esq. to add him as a petitioner and for the court to reconsider its decision to dismiss the petition, and upon reconsideration, granted the petition.

KRISTIN K. WHEATON for BOARD OF EDUCATION OF WILLIAMSVILLE

10 minutes

STANLEY J. SILVERSTONE for KIM A. KIRSCH

15 minutes

856.0
CA 16-01554

MELODY L. DARRIN

V

COUNTY OF CATTARAUGUS

Appeal from an order of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty, III, A.J.), entered November 4, 2015. The order, insofar as appealed from, denied the motion of plaintiff Bradley Darrin for leave to file and serve a late notice of claim

CHRISTOPHER A. SPENCE for MELODY L. DARRIN

10 minutes

ERIN M. BRADY SWENSON for COUNTY OF CATTARAUGUS

10 minutes

857.0
CA 16-02374

DAVID BOUCHARD

SETTLED

V

PRIORITY CONTRACTING SERVICES, INC.

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered March 30, 2016. The order, insofar as appealed from, granted the motion of plaintiff for partial summary judgment pursuant to Labor Law § 240 (1) against defendant Priority Contracting Services, Inc., and granted the motion of defendants Pyramid Management Group, LLC, and Pyramid Walden Company, L.P., for summary judgment on common law indemnification against Priority Contracting Services, Inc.

RICHARD T. SARAF for PRIORITY CONTRACTING SERVICES, INC.

MARC C. PANEPINTO for DAVID BOUCHARD

MARK C. RODGERS for PYRAMID MANAGEMENT GROUP, LLC

DAY CALENDAR
Thursday, May 25, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

878.0
KA 15-01401

PEOPLE
V
PAUL MANNING

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered July 30, 2015. The judgment convicted defendant, upon a jury verdict, of kidnapping in the second degree and attempted kidnapping in the second degree.

SHERRY A. CHASE for PAUL MANNING 10 minutes

EMMANUEL O. ULUBIYO for PEOPLE OF THE STATE OF NEW YORK 10 minutes

879.0
KA 14-01379

PEOPLE
V
MARK S. SNYDER

Appeal from a judgment of the Seneca County Court (Dennis F. Bender, J.), rendered September 16, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

CHARLES J. GREENBERG for MARK S. SNYDER 10 minutes

BARRY L. PORSCHE for PEOPLE OF THE STATE OF NEW YORK 5 minutes

880.0
KA 14-01380

PEOPLE
V
MARK S. SNYDER

Appeal from a judgment of the Seneca County Court (Dennis F. Bender, J.), rendered September 16, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

CHARLES J. GREENBERG for MARK S. SNYDER Submitted

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

881.0
KA 14-01878

PEOPLE
V
ROBERTO A. GUERRERO

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered July 21, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree (two counts).

JAMES A. HOBBS for ROBERTO A. GUERRERO 10 minutes

KELLY C. WOLFORD for PEOPLE OF THE STATE OF NEW YORK 10 minutes

882.0
KA 15-01765

PEOPLE
V
DURVAL W. PARKER

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered April 25, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

	TIMOTHY P. MURPHY for DURVAL W. PARKER	5 minutes
	HANNAH STITH LONG for PEOPLE OF THE STATE OF NEW YORK	5 minutes
883.0 KA 14-02280	PEOPLE V PETROS SOUTEMENIDES	
	Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered October 23, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.	
	JAMES A. HOBBS for PETROS SOUTEMENIDES	5 minutes
	SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK	5 minutes
884.0 KA 16-00558	PEOPLE V KENNETH SMITH	
	Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered March 2, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.	
	KATHRYN B. FRIEDMAN for KENNETH SMITH	Submitted
	MICHAEL J. HILLERY for PEOPLE OF THE STATE OF NEW YORK	Submitted
885.0 KA 16-02079	PEOPLE V FRANK L. MORRISON	
	Appeal from a decision and order of the Genesee County Court (Robert C. Noonan, J.), dated August 12, 2015. The decision order affirmed an order of the Town Court of the Town of Elba.	
	NICHOLAS P. DIFONZO for FRANK L. MORRISON	Submitted
	SHIRLEY A. GORMAN for PEOPLE OF THE STATE OF NEW YORK	Submitted
886.0 KA 16-00616	PEOPLE V ANDREW C. LEADER	
	Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered December 23, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree (two counts).	
	ADAM H. VAN BUSKIRK for ANDREW C. LEADER	10 minutes
	CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK	5 minutes
887.0 CAF 15-01961	CHERIS N. LAWRENCE V STEPHEN C. LAWRENCE	
	Appeal from an order of the Family Court, Oswego County (Thomas Benedetto, R.), entered August 28, 2015, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of custody.	
	SUSAN B. MARRIS, ATTORNEY FOR CHILD	10 minutes
	CHERIS N. LAWRENCE for HERSELF	Submitted

	STEPHEN C. LAWRENCE for HIMSELF	Submitted
	STEPHANIE N. DAVIS, ATTORNEY FOR CHILD	Submitted
888.0 CA 17-00149	JESSICA M. PERKINS V CITY OF BUFFALO	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered September 23, 2016. The order, insofar as appealed from, denied the cross motion of defendants for summary judgment and granted the motion of plaintiffs for summary judgment on negligence and causation.	
	ROBERT E. QUINN for CITY OF BUFFALO	10 minutes
	MICHAEL J. WILLETT for JESSICA M. PERKINS	10 minutes
889.0 CA 16-02219	DONALD HALL V CITY OF BUFFALO	
	Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered August 15, 2016. The order, insofar as appealed from, denied the motion of defendants NHJB, Inc., d/b/a Molly's Pub, and Norman Habib to dismiss the complaint.	
	BRENDAN H. LITTLE for NHJB, INC.	15 minutes
	RAFAEL O. GOMEZ for DONALD HALL	10 minutes
890.0 CA 16-02276	TROY S. KIENTZ V STATE OF NEW YORK	
	Appeal from a interlocutory judgment of the Court of Claims (Michael E. Hudson, J.), entered February 25, 2016. The interlocutory judgment apportioned liability 60% to defendant and 40% to claimants.	
	PATRICK A. WOODS for STATE OF NEW YORK	10 minutes
	RICHARD S. JUDA, JR., for TROY S. KIENTZ	15 minutes
891.0 CA 16-02323	MIRANDA HOLDINGS, INC. V TOWN BOARD OF TOWN OF ORCHARD PARK	
	Appeal from a judgment of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered March 23, 2016. The judgment, among other things, declared that Orchard Park Local Law No. 9 of 2014 is null and void insofar as that law designates drive-through facilities as Type I actions under the State Environmental Quality Review Act.	
	KIMBERLY A. COLAIACOVO for TOWN BD OF TOWN OF ORCHARD PARK	10 minutes
	SEAN W. HOPKINS for MIRANDA HOLDINGS, INC.	10 minutes
892.0 CA 16-01532	KARI ANN FULL V MONROE COUNTY SHERIFF'S DEPARTMENT	
	Appeal from a bench decision of the Supreme Court, Monroe County (J. Scott Odorisi, J.), dated November 17, 2015. The bench decision and order granted the motions of defendants-respondents for summary judgment and dismissed the complaint against defendants-respondents.	

LINDA LALLI STARK for KARI ANN FULL	15 minutes
MATTHEW BROWN for MONROE COUNTY SHERIFF'S DEPARTMENT	15 minutes
JOHN M. CAMPOLIETO for CITY OF ROCHESTER	Submitted
JOHN C. PALERMO for TOWN OF GREECE	10 minutes

893.0
CA 16-01533

KARI ANN FULL
V
MONROE COUNTY SHERIFF'S DEPARTMENT

Appeal from an amended bench decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), dated November 18, 2015. The amended bench decision and order granted the motions of defendants-respondents for summary judgment and dismissed the complaint against defendants-respondents.

LINDA LALLI STARK for KARI ANN FULL	Submitted
MATTHEW BROWN for MONROE COUNTY SHERIFF'S DEPARTMENT	Submitted
JOHN M. CAMPOLIETO for CITY OF ROCHESTER	Submitted
JOHN C. PALERMO for TOWN OF GREECE	Submitted

894.0
CA 16-01534

KARI ANN FULL
V
MONROE COUNTY SHERIFF'S DEPARTMENT

Appeal from a judgment of the Supreme Court, Monroe County (J. Scott Odorisi, J.), dated November 15, 2015. The judgment dismissed the complaint against defendants-respondents.

LINDA LALLI STARK for KARI ANN FULL	Submitted
MATTHEW BROWN for MONROE COUNTY SHERIFF'S DEPARTMENT	Submitted
JOHN M. CAMPOLIETO for CITY OF ROCHESTER	Submitted
JOHN C. PALERMO for TOWN OF GREECE	Submitted

895.0
CA 16-02173

JOSEPH M. ROZEWSKI
V
MICHAEL T. TRAUTMANN

Appeal from an order of Supreme Court, Erie County (John A. Michalek, J.), entered February 16, 2016. The order granted the motion of defendant for leave to serve an amended answer and struck all claims of left wrist injury for plaintiff's bill of particulars and supplemental bill of particulars.

ARTHUR J. RUMIZEN for JOSEPH M. ROZEWSKI	15 minutes
JEFFREY C. SENDZIAK for MICHAEL T. TRAUTMANN	10 minutes

896.0
KA 15-01189

PEOPLE
V
NICOLE E. HARGIS

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered February 2, 2015. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child (two counts), criminal sexual act in the second degree (35 counts), criminal sexual act in the third degree (three counts), rape in the second degree (two counts), rape in the third degree (four counts) and endangering the welfare of a child (three counts).

LINDA M. CAMPBELL for NICOLE E. HARGIS

20 minutes

HARMONY A. HEALY for PEOPLE OF THE STATE OF NEW YORK

20 minutes

897.0
KA 15-01190

PEOPLE

V

NICOLE E. HARGIS

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered February 2, 2015. The judgment convicted defendant, upon a jury verdict, of rape in the second degree.

LINDA M. CAMPBELL for NICOLE E. HARGIS

Submitted

HARMONY A. HEALY for PEOPLE OF THE STATE OF NEW YORK

Submitted