

**DAY CALENDAR**  
**Tuesday, May 15, 2018 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

661.0  
TP 18-00195

**FRANCISCO SANTOS**  
**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 31, 2018) to review a determination of respondent. The determination found after a Tier II hearing that petitioner violated an inmate rule.

ADAM W. KOCH for FRANCISCO SANTOS

Submitted

JULIE M. SHERIDAN for ANTHONY ANNUCCI

Submitted

662.0  
KA 16-02367

**PEOPLE**  
**V**  
**BRIAN ASHWORTH**

Appeal from a judgment of the Onondaga County Court (James H. Cecile, A.J.), rendered August 16 , 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

LINDA M. CAMPBELL for BRIAN ASHWORTH

Submitted

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

Submitted

663.0  
KA 16-00162

**PEOPLE**  
**V**  
**MUHAMMED BAQIR**

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered October 26, 2015. The judgment convicted defendant, upon his plea of guilty, of aggravated vehicular homicide and aggravated vehicular assault (four counts).

NATHANIEL V. RILEY for MUHAMMED BAQIR

Submitted

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

Submitted

664.0  
KA 16-00884

**PEOPLE**  
**V**  
**CARDELL SINGLETARY, JR.**

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered May 13, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the second degree and attempted burglary in the second degree.

ROBERT TUCKER for CARDELL SINGLETARY, JR.

Submitted

JEFFREY L. TAYLOR for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

665.0  
KA 15-01413

**PEOPLE**  
**V**  
**FREDDIE GLOVER**

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Monroe County Court (Vincent M. Dinolfo, J.), entered June 7, 2015. The order denied defendant's motion to set aside his sentence pursuant to CPL 440.20.

DAVID M. ABBATOY, JR., for FREDDIE GLOVER 10 minutes

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

666.0  
KA 17-00993

PEOPLE  
V  
RAMEL BELL-SCOTT

Appeal from an order of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), dated September 20, 2016. The order granted defendant's motion to suppress verbal statements made to Syracuse Police Officers.

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

RAMEL BELL-SCOTT for HIMSELF Submitted

667.0  
KA 13-01471

PEOPLE  
V  
ROBERT COTTON

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered July 30, 2013. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree and assault in the first degree.

DAVID M. ABBATOY, JR., for ROBERT COTTON 10 minutes

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

668.0  
CAF 17-01729

CINDY A. KRIEGAR  
V  
TIMOTHY MCCARTHY

Appeal from an order of the Family Court, Wayne County (Richard M. Healy, J.), entered August 18, 2017, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of custody.

ROBERT A. DINIERI for CINDY A. KRIEGAR 15 minutes

TIMOTHY MCCARTHY for HIMSELF Submitted

LORENZO NAPOLITANO, ATTORNEY FOR THE CHILD 5 minutes

669.0  
CAF 17-01448

RENE MONTES  
V  
TERINA JOHNSON

Appeal from an amended order of the Family Court, Monroe County (Thomas W. Polito, R.), entered July 10, 2017, in a proceeding pursuant to Family Court article 6. The amended order, inter alia, granted primary physical custody to petitioner.

JANET C. SOMES for TERINA JOHNSON 10 minutes

KATHLEEN P. REARDON for RENE MONTES 10 minutes

TANYA CONLEY, ATTORNEY FOR THE CHILD 5 minutes

670.0  
CAF 17-01332

**MICHAEL J. BUCKLEY**  
V  
**JACQUELYN KLEINAHANS**

Appeal from an order of the Family Court, Oswego County (Thomas Benedetto, R.), entered July 14, 2017, in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded respondent sole legal and physical custody of the subject children.

**COURTNEY S. RADICK for MICHAEL J. BUCKLEY** 10 minutes

**STEPHANIE N. DAVIS for JACQUELYN KLEINAHANS** 5 minutes

**SAMUEL JOHN SUGAR, ATTORNEY FOR THE CHILD** 10 minutes

671.0  
CAF 17-00337

**In the Matter of**  
**NEVIN H.**

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered January 27, 2017, in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject children and placed respondent under the supervision of petitioner.

**PHILIP ROTHSCHILD for STEPHANIE H.** 10 minutes

**MAGGIE SEIKALY for ONONDAGA CO. SEPT OF CHID SERVICES** Submitted

**DEBORAH ANNBELLOMO for ERIC M.F.** 10 minutes

**ROBERT F. RHINEHART, ATTORNEY FOR THE CHILD** 10 minutes

672.0  
CAF 17-00580

**ERIK M. F.**  
V  
**STEPHANIE L. H.**

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered February 16, 2017, in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole legal and physical custody of the subject child.

**PHILIP ROTHSCHILD for STEPHANIE L.H.** Submitted

**MAGGIE SEIKALY for ONONDAGA CO. SEPT OF CHID SERVICES** Submitted

**DEBORAH ANN BELLOMO for ERIK M. F.** Submitted

**ROBERT F. RHINEHART, ATTORNEY FOR THE CHILD** Submitted

673.0  
CA 17-02187

**WILLIAM LANDAHL**  
V  
**DANIEL B. STEIN**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered March 29, 2017. The order denied the motion of defendants for summary judgment.

**JENNIFER V. SCHIFFMACHER for DANIEL B. STEIN** 10 minutes

**JOHN A. COLLINS for WILLIAM LANDAHL** 10 minutes

674.0  
CAF 17-01216

**TIMOTHY MCCARTHY**  
V  
**CINDY A. KRIEGAR**

Appeal from an order of the Family Court, Wayne County (David G. Barrett, A.J.), entered February 17, 2017, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, continued joint legal custody.

ROBERT A. DINIERI for CINDY A. KRIEGAR

15 minutes

TIMOTHY MCCARTHY for HIMSELF

Submitted

LORENZO NAPOLITANO, ATTORNEY FOR THE CHILD

5 minutes

675.0  
CA 17-02157

J. MICHAEL SIMONI  
V  
EASTMAN KODAK COMPANY

Appeals from an order of the Supreme Court, Monroe County (Renee Forgens Minarik, A.J.), entered November 13, 2017. The order denied the motions of defendants for summary judgment dismissing the amended complaint and all cross claims and denied the motion of defendant Eastman Kodak Company for summary judgment against defendant Johnson Controls, Inc., on contractual defense and indemnification.

JANICE MARIE IATI for EASTMAN KODAK COMPANY

15 minutes

AMY L. DI FRANCO for JOHNSON CONTROLS, INC.

15 minutes

ADAM P. DEISINGER for J. MICHAEL SIMONI

15 minutes

676.0  
CA 17-02001

TROY L. SHUKNECHT  
V  
JOAN SHUKNECHT

Appeal from an order of the Supreme Court, Genesee County (Henry J. Nowak, J.), entered August 2, 2017. The order, inter alia, granted the motion of defendant for summary judgment on her second counterclaim.

JAMES M. WUJCIK for TROY L. SHUKNECHT

10 minutes

MICHAEL J. WEGMAN for JOAN SHUKNECHT

10 minutes

677.0  
CA 17-01885

SUSAN D. MONGIELO  
V  
DAVID J. MONGIELO

Appeal from an order of the Supreme Court, Niagara County (Mark A. Montour, J.), entered December 28, 2016. The order, among other things, granted plaintiff's quantum meruit application for counsel fees.

JAMES OSTROWSKI for DAVID J. MONGIELO

10 minutes

DIANE R. TIVERON for SUSAN D. MONGIELO

10 minutes

678.0  
CA 17-01886

SUSAN D. MONGIELO  
V  
DAVID J. MONGIELO

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered July 31, 2017. The order awarded a money judgment to HoganWillig, PLLC, in the amount of \$31,852.64.

JAMES OSTROWSKI for DAVID J. MONGIELO

Submitted

DIANE R. TIVERON for SUSAN D. MONGIELO

Submitted

679.0  
CA 17-01887

**SUSAN D. MONGIELO**  
V  
**DAVID J. MONGIELO**

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered October 20, 2017. The order denied defendant's motion to reargue, stay, and vacate, an order of the court entered December 28, 2016.

JAMES OSTROWSKI for DAVID J. MONGIELO

Submitted

DIANE R. TIVERON for SUSAN D. MONGIELO

Submitted

680.0  
CA 17-01547

**VERONICA RODRIGUEZ**  
V  
**FIRST STUDENT, INC.**

Appeal and cross appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 3, 2017. The order, among other things, denied in part defendants' motion for summary judgment.

PHYLISS A. HAFNER for FIRST STUDENT, INC.

15 minutes

JOSEPH A. TODORO for VERONICA RODRIGUEZ

15 minutes

681.0  
CA 18-00142

**HOPE DAY CARE, LLC**  
V  
**NYS OFFICE OF CHILDREN & FAMILY SERVS.**

Appeal from an order and judgment of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered November 28, 2017 in a proceeding pursuant to CPLR article 78. The order and judgment, among other things, dismissed the petition.

LAURA L. SPRING for HOPE DAY CARE, LLC

15 minutes

PATRICK A. WOODS for NYS OFFICE OF CHILDREN & FAMILY SERVS.

10 minutes

682.0  
CA 18-00081

**MARY G. DENG**  
V  
**BEAU J. YOUNG**

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered November 20, 2017. The order granted the motion of defendants Syracuse City School District and Webster Elementary School for summary judgment and dismissed the complaint against those defendants.

MATTHEW J. KAISER for MARY G. DENG

10 minutes

JAMES A. MEGGESTO for SYRACUSE CITY SCHOOL DISTRICT

10 minutes

683.0  
CA 18-00108

**NICHOLAS SPARKS**  
V  
**FOCUS 1 LLC**

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered April 11, 2017. The order denied the motion of defendant Focus 1 LLC for summary judgment.

KELLY J. PHILIPS for FOCUS 1 LLC

10 minutes

R. COLIN CAMPBELL for NICHOLAS SPARKS

10 minutes

