

DAY CALENDAR
Tuesday, December 6, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1226.0
KA 15-00736

PEOPLE
V
SAMUEL RIVALDO

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), entered March 28, 2014. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

DAVID R. JUERGENS for SAMUEL RIVALDO Submitted

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

1227.0
TP 16-00762

TERRY DAUM
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 May 4, 2016) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for TERRY DAUM Submitted

OWEN DEMUTH for ANTHONY ANNUCCI Submitted

1228.0
TP 16-00691

MICHAEL FREDERICK
V
DONALD E. VENETOZZI

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, Cayuga County [Thomas G. Leone, A.J.], entered April 22, 2016) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated an inmate rule.

MICHAEL FREDERICK for HIMSELF Submitted

MARCUS J. MASTRACCO for DONALD E. VENETOZZI Submitted

1229.0
KA 15-00902

PEOPLE
V
PATRICK J. ELLIOTT

Appeal from a judgment of the Lewis County Court (Daniel R. King, J.), rendered November 8, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the second degree and endangering the welfare of a child.

JOHN J. RASPANTE for PATRICK J. ELLIOTT Submitted

JOHN A. CIRANDO for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1230.0
KA 14-00230

PEOPLE
V
MALQUAN R. JUNIOUS

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered December 19, 2013. The judgment convicted defendant, upon a jury verdict, of attempted assault in the first degree, criminal possession of a weapon in the third degree and criminal possession of a weapon in the fourth degree.

DAVID M. ABBATOY, JR., for MALQUAN R. JUNIOUS 10 minutes

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

1231.0
KA 14-00666

PEOPLE
V
DARYL HILKERT, JR.

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered February 18, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the third degree and petit larceny.

TYSON BLUE for DARYL HILKERT, JR. 10 minutes

LORA TRYON for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1232.0
KA 14-00834

PEOPLE
V
ALLEN L. RICKS, JR.

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered December 16, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree and attempted criminal possession of a weapon in the second degree.

JOHN A. CIRANDO for ALLEN L. RICKS, JR. 10 minutes

NICOLE L. KYLE for PEOPLE OF THE STATE OF NEW YORK Submitted

1233.0
CAF 15-00712

In the Matter of
TRISTYN R.

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenno, J.), entered March 24, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, granted custody of Addasyn R. and Tristyn R. to Jenna W. and Trevor W.

JAY DAVID CARR for JOSHUA R. 5 minutes

WENDY G. PETERSON for CATTARAUGUS COUNTY D.S.S. Submitted

GERALD J. VELLA for JENNA W. Submitted

MICHAEL D. BURKE, ATTORNEY FOR CHILD Submitted

1234.0
CAF 15-01871

In the Matter of
KENNETH C.

Appeal from an order of the Family Court, Onondaga County (Michele Pirro Bailey, J.), entered September 8, 2015 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent had neglected the subject children.

KRISTEN N. MCDERMOTT for TERRI C. 10 minutes

CATHERINE Z. GILMORE for ONONDAGA COUNTY D.C.F. 10 minutes

THEODORE W. STENUF, ATTORNEY FOR CHILD 10 minutes

1235.0
CAF 15-01118

JOSEPH L. KING
V
TIFFANY A. KING

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenzo, J.), entered June 3, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner custody of the subject children.

JANINE C. FODOR for TIFFANY A. KING 10 minutes

GERALD J. VELLA for JOSEPH L. KING 10 minutes

LYLE T. HAJDU, ATTORNEY FOR CHILD 10 minutes

1236.0
CAF 16-00369

ANDREW R. SABOL
V
PAUL G. IANNELLO

Appeal from an order of the Family Court, Herkimer County (Anthony J. Garramone, J.H.O.), entered September 22, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted petitioners visitation with the subject children.

PETER J. DIGIORGIO, JR., for PAUL G. IANNELLO 10 minutes

WILLIAM H. GETMAN for ANDREW R. SABOL 5 minutes

JOSEPH MICHAEL CIRILLO, ATTORNEY FOR CHILD Submitted

1237.0
CAF 14-02252

In the Matter of
CHARITY M.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered November 17, 2014 in proceedings pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Warren M. had abused the subject child Kordell S.

DAVID J. PAJAK for WARREN M. Submitted

KIMBERLY S. CONIDI for ERIE COUNTY D.S.S. Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD Submitted

1238.0
CAF 15-00407

In the Matter of
CHARITY M.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered February 20, 2015 in proceedings pursuant to Family Court Act article 10. The order, among other things, directed respondent Warren M. to comply with the terms and conditions specified in the order of protection issued in favor of Charity M.

DAVID J. PAJAK for WARREN M. Submitted

KIMBERLY S. CONIDI for ERIE COUNTY D.S.S. Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD Submitted

1239.0
CA 16-00690

PEGGY HALL
V
SCHRADER, ISRAELY, DELUCA & WATERS

Appeal and cross appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered March 7, 2016. The order denied the motion of defendant for summary judgment and denied the cross motion of plaintiff for summary judgment.

PETER A. LAURICELLA for SCHRADER, ISRAELY, DELUCA & WATERS 10 minutes

DAVID L. MURPHY for PEGGY HALL 10 minutes

1240.0
CA 16-00653

SYDNEY H. RAIT
V
MATTHEW D. SHEEHAN

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered June 30, 2015. The order granted the motion of defendants for summary judgment and dismissed the amended complaint.

DAVID M. BLOCK for SYDNEY H. RAIT 10 minutes

LEO T. FABRIZI for MATTHEW D. SHEEHAN 10 minutes

1241.0
CA 16-00467

CARRIE MARX
V
LYNN M. KESSLER

Appeals from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered June 2, 2015. The order, insofar as appealed from, granted the motion of defendant Bernard M. Shevlin for summary judgment dismissing the complaints against him.

HERSCHEL GELBER for CARRIE MARX 15 minutes

LEONARD D. ZACCAGNINO for KEITH MARX Submitted

AARON M. ADOFF for BERNARD M. SHEVLIN 10 minutes

1242.0
CA 16-00328

HOGANWILLIG, PLLC
V
CARRIE W. KAHN

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered May 18, 2015. The order granted the motion of defendant Carrie H. Kahn, in her individual capacity, for summary judgment dismissing plaintiff's amended complaint.

LINDA LALLI STARK for HOGANWILLIG, PLLC 15 minutes

BRIAN M. MELBER for CARRIE W. KAHN 15 minutes

1243.0
CA 15-02079

WILLIAM E. HAMILTON
V
BOARD OF EDUCATION OF JORDAN-ELBRIDGE C.S.D.

Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered August 7, 2015. The order and judgment, among other things, denied plaintiff's motion for summary judgment and granted defendants' motions for summary judgment.

STEPHEN CIOTOLI for WILLIAM E. HAMILTON 15 minutes

BRIAN J. BUTLER for BD. OF ED. OF THE JORDAN-ELBRIDGE C.S.D. 15 minutes

DANNY LOUIS MEVEC for HIMSELF 5 minutes

1245.0
CA 16-00497

MARCIA WENTLAND
V
E.A. GRANCHELLI DEVELOPERS, INC.

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered January 22, 2016. The order denied the motion of plaintiff to set aside a verdict.

DAVID W. OLSON for MARCIA WENTLAND 15 minutes

ELISE L. CASSAR for E.A. GRANCHELLI DEVELOPERS, INC. 10 minutes

DANIEL D. DUBNICKI for K.M. TREATS 15 minutes

1246.0
CA 16-00500

MARCIA WENTLAND
V
E.A. GRANCHELLI DEVELOPERS, INC.

Appeal from a judgment of the Supreme Court, Niagara County (Frank Caruso, J.), entered January 22, 2016. The judgment granted judgment in favor of defendants upon a jury verdict.

DAVID W. OLSON for MARCIA WENTLAND Submitted

ELISE L. CASSAR for E.A. GRANCHELLI DEVELOPERS, INC. Submitted

DANIEL D. DUBNICKI for K.M. TREATS Submitted

1247.0
CA 15-01472

GREG WILLIAMS
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered July 14, 2015 in a CPLR article 78 proceeding. The judgment dismissed the petition.

ADAM W. KOCH for GREG WILLIAMS Submitted

ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI Submitted