

DAY CALENDAR
Wednesday, December 7, 2016 - 10:00 AM
COURTROOM 2

1269.0
KA 15-01395

PEOPLE
V
BRETT E. COPEs

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered July 7, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree and criminally using drug paraphernalia in the second degree.

CHARLES A. MARANGOLA for BRETT E. COPEs

Submitted

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

Submitted

1270.0
KA 14-01607

PEOPLE
V
YADIEL CORREA

Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered March 27, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree, criminal sale of a controlled substance in the third degree (two counts), and conspiracy in the fourth degree.

ROBERT A. DINIERI for YADIEL CORREA

Submitted

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

Submitted

1271.0
TP 16-00649

BRIAN HUNT
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 April 19, 2016) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated an inmate rule.

ADAM W. KOCH for BRIAN HUNT

Submitted

ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI

Submitted

1272.0
KA 15-00811

PEOPLE
V
ROOSEVELT R. COLEMAN, JR.

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered February 18, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree (two counts).

CHARLES A. MARANGOLA for ROOSEVELT R. COLEMAN, JR.

Submitted

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

Submitted

1273.0
KA 14-01338

PEOPLE
V
MICHAEL C. KRAATZ

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered July 24, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree.

SUSAN C. MINISTERO for MICHAEL C. KRAATZ 10 minutes

WILLIAM G. ZICKL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1274.0
KA 13-01282

PEOPLE
V
RICHARD E. VANGORDEN

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered January 11, 2013. The judgment convicted defendant, upon a jury verdict, of attempted murder in the first degree (two counts), tampering with physical evidence (two counts), criminal mischief in the second degree, criminal use of a firearm in the first degree, criminal possession of a weapon in the fourth degree and reckless endangerment in the first degree.

MARY P. DAVISON for RICHARD E. VANGORDEN 10 minutes

JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1275.0
KA 15-01475

PEOPLE
V
CHRISTOPHER A. TYLER

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered July 22, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (three counts) and menacing in the second degree.

WILLIAM MASELLI for CHRISTOPHER A. TYLER 10 minutes

JASON A. MACBRIDE for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1276.0
CAF 15-01895

KELLY NEUPERT
V
JASON M. NEUPERT

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered October 16, 2015 in a proceeding pursuant to Family Court Act article 6. The order denied respondent's motion to vacate a default judgment.

DEBORAH J. SCINTA for JASON M. NEUPERT 5 minutes

DENIS A. KITCHEN, JR., for KELLY NEUPERT 5 minutes

KELLY LINN BALL, ATTORNEY FOR CHILD 5 minutes

1277.0
CAF 16-00134

KIMBERLY M. BRINK
V
KEVIN P. BRINK

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenno, J.), entered April 14, 2015 in a proceeding pursuant to Family Court Act article 4. The order denied the objections of respondent to an order of a Support Magistrate.

GERALD J. VELLA for KEVIN P. BRINK 10 minutes

MAURA C. SEIBOLD for KIMBERLY M. BRINK 10 minutes

1278.0
CAF 15-01029

AMBER L. ORLOWSKI
V
CRYSTAL M. ZWACK

Appeals from an order of the Family Court, Cattaraugus County (Judith E. Samber, R.), entered June 2, 2015 in a proceeding pursuant to Family Court Act article 6. The order granted the petition.

MARY SPEEDY HAJDU for CRYSTAL M. ZWACK 10 minutes

AMBER L. ORLOWSKI for HERSELF Submitted

MICHAEL J. SULLIVAN, ATTORNEY FOR CHILD 10 minutes

1279.0
CAF 15-01600

MIRIAM M. OWENS
V
RICHARD G. POUND

Appeal from an order of the Family Court, Steuben County (Gerald J. Alonzo, J.H.O.), entered September 9, 2015 in proceedings pursuant to Family Court Act article 6. The order, among other things, awarded the parties joint legal custody of the subject child with primary physical placement with Richard G. Pound, Jr.

MARY P. DAVISON for MIRIAM M. OWENS 5 minutes

RUTH A. CHAFFEE for RICHARD G. POUND 10 minutes

PATRICIO JIMENEZ, ATTORNEY FOR CHILD Submitted

1280.0
CAF 15-01064

STACI L. CASPER
V
JAMES R. SOCCIO

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered June 4, 2015 in proceedings pursuant to Family Court Act article 6. The order adjudged that if James Soccio failed to complete his substance abuse evaluation within 45 days of the court's decision of May 7, 2015, James Soccio's visitation will be suspended until an evaluation is completed.

DAVID J. PAJAK for JAMES R. SOCCIO Submitted

MICHAEL STEINBERG for STACI L. CASPER 10 minutes

BRIAN P. DEGNAN, ATTORNEY FOR CHILD 5 minutes

1281.0
CA 16-01141

MICHAEL PILARZ
V
KEVIN HELFER

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Erie County (John F. O'Donnell, J.), entered February 3, 2016. The judgment granted the motion of respondent to dismiss the petition and dismissed the petition.

JOHN P. FORD for MICHAEL PILARZ 10 minutes

JOHN J. HANNIBAL, IV, for KEVIN HELFER Submitted

1282.0
CA 16-00413

COUNTY OF ERIE
V
FRANCES B. VOLANTE

Appeal from an order of the Supreme Court, Erie County (Catherine R.Nugent Panepinto, J.), entered August 19, 2015. The order granted the motion of defendant for partial summary judgment limiting plaintiff's claim for damages to amounts paid in excess of basic economic loss of \$50,000.

ANTHONY B. TARGIA for COUNTY OF ERIE

10 minutes

STEPHEN P. BROOKS for FRANCES B. VOLANTE

10 minutes

1283.0
CA 16-01136

MUIR LAKE ASSOCIATES

V

ASSOCIATED INDEMNITY CORPORATION

Appeals from an order and judgment (one paper) of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered February 23, 2016. The order and judgment, among other things, denied the motions of defendant D&D Power Inc.for summary judgment and denied the motion of defendant Associated Indemnity Corporation for summary judgment.

STEVEN E. PEIPER for ASSOCIATED INDEMNITY CORPORATION

15 minutes

SEAN W. COSTELLO for D&D POWER, INC.

10 minutes

ELIZABETH A. KRAENGEL for MUIR LAKE ASSOCIATES

10 minutes

1284.0
CA 16-00081

JEFFREY BURNS

SETTLED

V

LECESSE CONSTRUCTION SERVICES, LLC

Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered January 12, 2015. The order, among other things, denied the cross motion of defendants/third-party plaintiffs Lecesse Construction Services, LLC, The Mills at High Falls Housing Development Fund Company, Inc., and Urban League of Rochester, NY, Inc., for summary judgment.

PHILIP M. GULISANO for LECESSE CONSTRUCTION SERVICES, LLC

MELANIE S. WOLK for JEFFREY BURNS

1285.0
CA 16-00243

JEFFREY BURNS

SETTLED

V

LECESSE CONSTRUCTION SERVICES, LLC

Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered December 18, 2015. The order, among other things, denied the motion of defendants/third-party plaintiffs Lecesse Construction Services, LLC, The Mills at High Falls Housing Development Fund Company, Inc., and Urban League of Rochester, NY, Inc., for indemnification against plaintiff/third-party defendant Jeffrey W. Burns, doing business as Burns Flooring.

PHILIP M. GULISANO for LECESSE CONSTRUCTION SERVICES, LLC

MELANIE S. WOLK for JEFFREY BURNS

1286.0
CA 16-00664

NAKITA HARRIS

V

CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered May 5, 2015. The order granted the motion of defendant for summary judgment and dismissed the complaint.

JAMES P. DAVIS for NAKITA HARRIS

Submitted

DAVID M. LEE for CITY OF BUFFALO

10 minutes

1287.0
CA 15-01957

ANTONIO GIORGIONE

V

CORRY F. GIBAUD

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered August 13, 2015. The order, among other things, denied plaintiff's motion to set aside the jury verdict as against the weight of the evidence.

ROBERT L. VOLTZ for ANTONIO GIORGIONE

15 minutes

BENJAMIN R. WOLF for CORRY F. GIBAUD

15 minutes

1290.0
CA 16-00578

KATHLEEN M. HOLDING

SETTLED

V

MATTHEW BROOKS

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered January 22, 2016. The order and judgment, insofar as appealed from, granted the motion of plaintiffs for partial summary judgment on liability against defendant MGB Building, Inc., granted the motion of plaintiffs to dismiss the first, fifth, sixth and eighth affirmative defenses of defendant MGB Building, Inc., and denied the cross motion of defendant MGB Building, Inc., for summary judgment.

BENJAMIN R. WOLF for MGB BUILDING, INC.

KEVIN A. SZANYI for KATHLEEN M. HOLDING