

DAY CALENDAR
Wednesday, December 7, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1248.0
KA 15-00948

PEOPLE
V
RICHARD A. DAVIS

Appeal from an order of the Supreme Court, Erie County (Deborah A. Haendiges, J.), entered November 6, 2014. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

CAITLIN M. CONNELLY for RICHARD A. DAVIS Submitted

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

1249.0
KA 15-01402

PEOPLE
V
CLIFFORD BROWN

Appeal from an order of the Wayne County Court (Dennis M. Kehoe, J.), entered April 27, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

JAMES S. KERNAN for CLIFFORD BROWN Submitted

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

1250.0
KA 13-01951

PEOPLE
V
WILLIS KNIGHT, JR.

Appeal from a resentencing of the Monroe County Court (John L. DeMarco, J.), rendered September 6, 2013. Defendant was resentenced upon his conviction of burglary in the second degree.

DAVID R. JUERGENS for WILLIS KNIGHT, JR. Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

1251.0
KA 15-00814

PEOPLE
V
STEPHEN M. REBER

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered March 30, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for STEPHEN M. REBER Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

1252.0
KA 13-02164

PEOPLE
V
MATTHEW ROACH

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 20, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the third degree and resisting arrest.

PIOTR BANASIAK for MATTHEW ROACH 10 minutes

	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1253.0 KA 15-00420	PEOPLE V WILLIE D. SMITH, III	
	Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered September 12, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the first degree, assault in the second degree, reckless endangerment in the first degree and endangering the welfare of a child.	
	GUY A. TALIA for WILLIE D. SMITH, III	15 minutes
	SEAN R. STERLING for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1254.0 KA 14-00505	PEOPLE V BENNIE SMITH	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered January 29, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.	
	PIOTR BANASIAK for BENNIE SMITH	10 minutes
	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1255.0 KA 12-00910	PEOPLE V ANDREW DEAN	
	Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered February 23, 2012. The judgment convicted defendant, upon a jury verdict, of two counts of driving while intoxicated, as class E felonies, and aggravated unlicensed operation of a motor vehicle in the first degree.	
	STEPHEN J. BIRD for ANDREW DEAN	Submitted
	JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK	5 minutes
1256.0 KA 12-02263	PEOPLE V ZACHARY STRAUSS	
	Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered January 30, 2012. The judgment convicted defendant, upon a jury verdict, of rape in the first degree.	
	PETER J. DIGIORGIO, JR., for ZACHARY STRAUSS	15 minutes
	STEVEN G. COX for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1257.0 KA 15-01581	PEOPLE V SHAWN A. MULCAHEY	
	Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered June 22, 2015. The judgment convicted defendant, upon a jury verdict, of course of sexual conduct against a child in the second degree.	
	SALVATORE FREDERICK LANZA for SHAWN A. MULCAHEY	Submitted

	ALLISON O'NEILL for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1258.0 KA 09-00310	PEOPLE V WILLIAM MORRISON	
	Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered April 18, 2007. The judgment convicted defendant, upon a jury verdict, of rape in the first degree, sexual abuse in the first degree and endangering the welfare of a vulnerable elderly person, or an incompetent or physically disabled person in the second degree.	
	MARY R. HUMPHREY for WILLIAM MORRISON	10 minutes
	TIM WU for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1259.0 CAF 16-00476	In the Matter of CELINA D.	
	Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered May 26, 2015 in a proceeding pursuant to Family Court Act article 3. The order placed respondent with the New York State Office of Children and Family Services upon a juvenile delinquency adjudication.	
	BARBARA E. FARRELL, ATTORNEY FOR CHILD	10 minutes
	BRETT CHRISTOPHER GRANVILLE for COUNTY OF MONROE	Submitted
1260.0 CAF 16-00479	In the Matter of CELINA D.	
	Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered May 26, 2015 in a proceeding pursuant to Family Court Act article 3. The order adjudicated respondent a juvenile delinquent.	
	BARBARA E. FARRELL, ATTORNEY FOR CHILD	Submitted
	BRETT CHRISTOPHER GRANVILLE for COUNTY OF MONROE	Submitted
1261.0 CA 16-00545	THE PIKE COMPANY, INC. V JERSEN CONSTRUCTION GROUP, LLC	
	Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered October 27, 2015. The order granted the motion of plaintiff to dismiss the fifth counterclaim of defendant Jersen Construction Group, LLC.	
	ERIC W. GENTINO for JERSEN CONSTRUCTION GROUP, LLC	15 minutes
	MARK J. MORETTI for THE PIKE COMPANY, INC.	10 minutes
1262.0 CA 16-00526	J. THOMAS BASSETT V TOWN OF MANLIUS	
	Appeal from a judgment (denominated order) of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered January 15, 2016 in a CPLR article 78 proceeding. The judgment denied the petition	
	J. THOMAS BASSETT for HIMSELF	10 minutes
	SILVIA DE LA GARZA BASSETT for HERSELF	Submitted
	TIMOTHY A. FRATESCHI for TOWN OF MANLIUS	10 minutes

1263.0
CA 16-01079

SUZANNE BARNER
V
CHRISTOPHER R. DEPNER, M.D.

Appeal from an order of the Supreme Court, Allegany County (Thomas P. Brown, A.J.), entered August 4, 2015. The order, insofar as appealed from, granted the motion of defendants University of Rochester and Barbara J. Kircher, M.D., for summary judgment and dismissed the complaint against those defendants.

ERIC C. NORDBY for SUZANNE BARNER 15 minutes

CHRISTIAN C. CASINI for UNIVERSITY OF ROCHESTER 15 minutes

1264.0
CA 16-00286

WILLIAM ANDRE **SETTLED**
V
FRED L. SANFILIPO, D.C.

Appeal from an amended order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered November 30, 2015. The amended order, insofar as appealed from, denied the motion of defendants for summary judgment.

KEVIN E. HULSLANDER for FRED L. SANFILIPO, D.C. 15 minutes

DERRICK A. SPATORICO for WILLIAM ANDRE 15 minutes

1265.0
CA 16-00600

EXPRESSVIEW DEVELOPMENT, INC.
V
TOWN OF GATES ZONING BOARD OF APPEALS

Appeal from a judgment (denominated order) of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered January 21, 2016. The judgment, insofar as appealed from, granted the cross motion of respondents to dismiss the petition and complaint.

ALAN J. KNAUF for EXPRESSVIEW DEVELOPMENT, INC. 20 minutes

JOHN ANDREW DICARO for TOWN OF GATES ZONING BD. OF APPEALS 15 minutes

1266.0
CA 16-00062

COR ROUTE 5 COMPANY, LLC
V
VILLAGE OF FAYETTEVILLE

Appeal from a judgment (denominated order) of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered August 18, 2015. The judgment granted the motion of respondents to dismiss the petition and dismissed the petition without prejudice.

GABRIELLE MARDANY HOPE for COR ROUTE 5 COMPANY, LLC 15 minutes

W. BRADLEY HUNT for VILLAGE OF FAYETTEVILLE 10 minutes

WALTER DENNIS KOGUT for GOODFELLOW CONSTRUCTION Submitted

1267.0
CA 15-00185

ARTHUR GERBER
V
EMPIRE SCALE

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered April 2, 2014. The order and judgment granted the cross motion of defendant for summary judgment dismissing the complaint and for attorney's fees.

ANGELO T. CALLERI for ARTHUR GERBER

20 minutes

CANDACE MARIE CURRAN ESPINOSA for EMPIRE SCALE

15 minutes

**1268.0
CA 15-01438**

STATE OF NEW YORK

V

JEDEDIAH HUSTED

Appeal from an order of the Supreme Court, Ontario County (Craig J. Doran, A.J.), entered July 22, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order, inter alia, ordered the confinement of respondent in a secure treatment facility.

LISA L. PAINE for JEDEDIAH HUSTED

15 minutes

ALLYSON B. LEVINE for STATE OF NEW YORK

10 minutes