

DAY CALENDAR
Thursday, November 30, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1449.0
TP 17-01063

BENJAMIN GARROW
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 June 5, 2017) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for BENJAMIN GARROW

Submitted

KATHLEEN M. TREASURE for ANTHONY ANNUCCI

Submitted

1450.0
KA 16-00772

PEOPLE
V
CHRISTOPHER J. LOGUE

Appeal from a judgment of the Allegany County Court (Thomas P. Brown, J.), rendered April 22, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

DAVID J. PAJAK for CHRISTOPHER J. LOGUE

Submitted

J. THOMAS FUOCO for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1451.0
KA 16-00533

PEOPLE
V
MAHALIA GUEST

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered March 10, 2016. The judgment convicted defendant, upon her plea of guilty, of manslaughter in the first degree.

TIMOTHY P. MURPHY for MAHALIA GUEST

Submitted

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

Submitted

1452.0
KA 16-00444

PEOPLE
V
ANDRE D. THOMAS

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered September 23, 2015. The judgment convicted defendant, upon his plea of guilty, criminal possession of a weapon in the second degree.

TIMOTHY P. MURPHY for ANDRE D. THOMAS

Submitted

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

Submitted

1453.0
KA 10-00859

PEOPLE
V
GERALD ADGER

Appeal from a judgment of the Supreme Court, Monroe County (Stephen R. Sirkin, A.J.), rendered July 27, 2005. The judgment convicted defendant, after a nonjury trial, of rape in the first degree, criminal sexual act in the first degree (two counts), burglary in the second degree, criminal contempt in the first degree (two counts) and endangering the welfare of a child.

DAVID R. JUERGENS for GERALD ADGER 10 minutes

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

1454.0
KA 17-00311

PEOPLE
V
LESTER LANAUX

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered February 7, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree (two counts).

CRAIG P. SCHLANGER for LESTER LANAUX 15 minutes

NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1455.0
KA 17-00997

PEOPLE
V
BRIAN ZEMAN

Appeal from a judgment of the Onondaga County Court (Walter W. Hafner, Jr., J.), rendered June 1, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and assault in the third degree.

PETER J. PULLANO for BRIAN ZEMAN 10 minutes

NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1456.0
KA 14-00063

PEOPLE
V
DEVONTE R. MOORER

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered March 15, 2013. The judgment convicted defendant, upon a non jury verdict, of manslaughter in the first degree.

LINDA M. CAMPBELL for DEVONTE R. MOORER 15 minutes

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

1457.0
KA 14-00562

PEOPLE
V
AYOTUNJI AKINLAWON

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered October 31, 2013. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

KATHLEEN P. REARDON for AYOTUNJI AKINLAWON 10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

1458.0
KA 15-00063

PEOPLE
V
DAWN M. NGUYEN

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered May 19, 2014. The judgment convicted defendant, upon a jury verdict, of falsifying business records in the first degree.

DREW R. DUBRIN for DAWN M. NGUYEN 10 minutes

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

1459.0
CA 17-01105

KAYLA WASHINGTON
V
CITY OF ROCHESTER

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered August 15, 2016. The order, insofar as appealed from, denied the motion of defendant City of Rochester for summary judgment.

SPENCER L. ASH for CITY OF ROCHESTER 10 minutes

ZACHARY JAMES WOODS for KAYLA WASHINGTON 15 minutes

1460.0
CA 16-02231

In the Matter of
THE ESTATE OF ROBYN R. LEWIS

Appeal from a decision and decree of the Surrogate's Court, Jefferson County (Peter A. Schwerzmann, S.), entered September 6, 2016. The decision and decree determined that the last will and testament of Robyn R. Lewis, deceased, executed July 15, 1996, is the only original last will and testament executed on that date.

JOHN A. CIRANDO for MEREDITH M. STEWART 15 minutes

JULIAN B. MODESTI for JAMES ROBERT SIMMONS 15 minutes

1461.0
TP 17-01039

MELISSA M. HUTTENLOCKER
V
NYS DEPARTMENT OF MOTOR VEHICLES

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 [Donna M. Siwek, J.], entered June 1, 2017) to review a determination of respondent. The determination revoked petitioner's license and/or driving privilege.

DANIEL J. CHIACCHIA for MELISSA M. HUTTENLOCKER 10 minutes

WILLIAM E. STORRS for NYS DEPARTMENT OF MOTOR VEHICLES 10 minutes

ERIC T. SCHNEIDERMAN for THOMAS B. LENNON Submitted

1462.0
CA 17-00985

EULA C. DOZIER
V
VERIZON

Appeal from an order of the Supreme Court, Monroe County (Renee F. Minarik, A.J.), entered August 18, 2016. The order, among other things, denied defendant's motion to stay the action and compel arbitration.

LEIGH R. SCHACHTER for VERIZON 10 minutes

EULA C. DOZIER for HIMSELF 10 minutes

1463.0
TP 17-00481

RYAN WEST
V
STATE UNIVERSITY OF NEW YORK AT BUFFALO

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, Erie County [John L. Michalski, A.J.], entered March 9, 2017) to review a determination of respondent. The determination placed petitioner on persona non grata status.

RICHARD L. SULLIVAN for RYAN WEST Submitted

ALLYSON B. LEVINE for SUNY BUFFALO Submitted

1464.0
CA 17-00512

BERSIN PROPERTIES, LLC
V
COUNTY OF MONROE IDA

Appeal from an order and judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered June 3, 2016. The order and judgment, inter alia, granted the motion of defendants Monroe County Industrial Development Agency and County of Monroe for summary judgment on counterclaims.

ANDREW R. DUNLAP for BERSIN PROPERTIES, LLC 15 minutes

PHILIP G. SPELLANE for COUNTY OF MONROE INDUSTRIAL DEVELOP 15 minutes

CHARLES E. SYMONS for EAST IRONDEQUOIT CENTRAL SCHOOL DIS 15 minutes

EDWARD F. PREMO, II for TOWN OF IRONDEQUOIT 15 minutes

1465.0
CA 17-00513

BERSIN PROPERTIES, LLC
V
COUNTY OF MONROE IDA

Appeal from an order and judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum,, J.), entered June 2, 2016. The order and judgment, inter alia, granted the motion of defendant Town of Irondequoit for summary judgment on its counterclaims.

ANDREW R. DUNLAP for BERSIN PROPERTIES, LLC Submitted

PHILIP G. SPELLANE for COUNTY OF MONROE INDUSTRIAL DEVELOP Submitted

CHARLES E. SYMONS for EAST IRONDEQUOIT CENTRAL SCHOOL DIS Submitted

EDWARD F. PREMO, II for TOWN OF IRONDEQUOIT Submitted

1466.0
CA 17-00514

BERSIN PROPERTIES, LLC
V
COUNTY OF MONROE IDA

Appeal from an order and judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered June 14, 2016. The order and judgment, inter alia, granted the motion of defendant East Irondequoit Central School District for summary judgment on its second and third counterclaims.

ANDREW R. DUNLAP for BERSIN PROPERTIES, LLC Submitted

PHILIP G. SPELLANE for COUNTY OF MONROE INDUSTRIAL DEVELOP Submitted

CHARLES E. SYMONS for EAST IRONDEQUOIT CENTRAL SCHOOL DIS Submitted

EDWARD F. PREMO, II for TOWN OF IRONDEQUOIT Submitted

1467.0
CA 17-00515

BERSIN PROPERTIES, LLC
V
COUNTY OF MONROE IDA

Appeal from a statement of judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered June 30, 2016. The statement for judgment directed plaintiff to pay certain monies to defendant Monroe County Industrial Development Agency.

ANDREW R. DUNLAP for BERSIN PROPERTIES, LLC Submitted

PHILIP G. SPELLANE for COUNTY OF MONROE IDA Submitted

CHARLES E. SYMONS for EAST IRONDEQUOIT CSDTRAL SCHOOL DIS Submitted

EDWARD F. PREMO, II, for TOWN OF IRONDEQUOIT Submitted

1468.0
CA 17-00516

BERSIN PROPERTIES, LLC
V
COUNTY OF MONROE IDA

Appeal from a statement of judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered June 30, 2016. The order and judgment directed defendants to pay certain monies to defendant County of Monroe .

ANDREW R. DUNLAP for BERSIN PROPERTIES, LLC Submitted

PHILIP G. SPELLANE for COUNTY OF MONROE IDA Submitted

CHARLES E. SYMONS for EAST IRONDEQUOIT CSD Submitted

EDWARD F. PREMO, II, for TOWN OF IRONDEQUOIT Submitted

1469.0
CA 17-00517

BERSIN PROPERTIES, LLC
V
COUNTY OF MONROE IDA

Appeal from a statement for judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered June 22, 2016. The statement for judgment directed plaintiff to pay certain monies to defendant Town of Irondequoit.

ANDREW R. DUNLAP for BERSIN PROPERTIES, LLC Submitted

PHILIP G. SPELLANE for COUNTY OF MONROE IDA Submitted

CHARLES E. SYMONS for EAST IRONDEQUOIT CSD Submitted

EDWARD F. PREMO, II, for TOWN OF IRONDEQUOIT Submitted

1470.0
CA 17-00518

BERSIN PROPERTIES, LLC
V
COUNTY OF MONROE IDA

Appeal from a statement of judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered June 21, 2016. The statement for judgment declared supplemental PILOT payments valid and binding, declared that COMIDA properly terminated the PILOT agreement and lease agreement and directed plaintiff to pay certain monies to defendant East Irondequoit Central School District.

ANDREW R. DUNLAP for BERSIN PROPERTIES, LLC Submitted

PHILIP G. SPELLANE for COUNTY OF MONROE IDA Submitted

CHARLES E. SYMONS for EAST IRONDEQUOIT CSD Submitted

EDWARD F. PREMO, II, for TOWN OF IRONDEQUOIT Submitted

1471.0
CA 17-01217

CACH, LLC
V
NANNETTE RYAN

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered November 1, 2016. The order denied defendant's application seeking leave to vacate a default judgment entered on December 11, 2007.

FRANK J. BORGESE for NANNETTE RYAN

Submitted

IRA R. SITZER for CACH, LLC

Submitted

1472.0
CA 17-00988

VILLAGE OF ILION
V
COUNTY OF HERKIMER

Appeal from an order of the Supreme Court, Oneida County (Anthony J. Paris, J.), entered August 4, 2016. The order, among other things, directed defendant County of Herkimer to refund plaintiff Village of Herkimer the amount of \$363,521.07, plus interest.

MICHAEL JON LONGSTREET for VILLAGE OF HERKIMER

10 minutes

ALBERT J. MILLUS, JR., for COUNTY OF HERKIMER

10 minutes

1473.0
CA 16-01513

STATE OF NEW YORK
V
GEORGE N.

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered June 3, 2016, in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, revoked respondent's release and committed respondent to the custody of the Commissioner of the New York State Office of Mental Health for confinement in a secure treatment facility.

VICKY L. VALVO for GEORGE N.

15 minutes

FRANK BRADY for STATE OF NEW YORK

10 minutes

1474.0
CA 17-00705

PAUL KRAEGER
V
FEDERAL EXPRESS CORP.

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered December 14, 2016. The order granted the motion of defendant Federal Express Corp. and Amber Stevens for summary judgment dismissing the complaint.

JOHN C. CHERUNDOLO for PAUL KRAEGER

15 minutes

STEVEN W. WILLIAMS for FEDERAL EXPRESS CORP.

10 minutes