

DAY CALENDAR
Tuesday, December 5, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1495.0
KA 16-00191

PEOPLE
V
ANDREW C. LAURY

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered October 29, 2015. The judgment convicted defendant, upon his plea of guilty, of rape in the third degree (two counts).

MARIO J. GUTIERREZ for ANDREW C. LAURY Submitted

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

1496.0
KA 14-01033

PEOPLE
V
BRANDON L. COCHRAN

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered January 19, 2012. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree (two counts).

MARY P. DAVISON for BRANDON L. COCHRAN Submitted

LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1497.0
KA 17-00017

PEOPLE
V
ANTHONY C. MYLES

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered November 16, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal sexual act in the first degree.

JOSEPH G. FRAZIER for ANTHONY C. MYLES Submitted

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1498.0
KA 14-00309

PEOPLE
V
KEVIN WILSON

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered November 6, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the third degree and endangering the welfare of a child.

DREW R. DUBRIN for KEVIN WILSON Submitted

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

1499.0
KA 15-00133

PEOPLE
V
RAYSEAN JOHNSTON

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered December 16, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

PIOTR BANASIAK for RAYSEAN JOHNSTON Submitted

1500.0 KA 06-00538	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK PEOPLE V RANDY HALL	Submitted
	<p>Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered August 17, 2005. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, assault in the second degree, criminal possession of a weapon in the second degree, criminal mischief in the fourth degree, burglary in the second degree and tampering with physical evidence in the first degree.</p>	
	MARY P. DAVISON for RANDY HALL	20 minutes
	JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
1501.0 CAF 16-02241	JEFFREY KELLEY V ASHLIE FIFIELD	
	<p>Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered September 9, 2016 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition</p>	
	DANIELLE BLACKABY for JEFFREY KELLEY	10 minutes
	MARY C. JOHN for ASHLIE FIFIELD	10 minutes
1502.0 CAF 16-01340	In the Matter of JAYDALEE P.	
	<p>Appeal from an order of the Family Court, Herkimer County (John J. Brennan, J.), entered July 7, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject children.</p>	
	PETER J. DIGIORGIO, JR., for CODILEE R.	Submitted
	JACQUELYN M. ASNOE for HERKIMER CO. DEPT. OF SOCIAL SERVICES	Submitted
	EDWARD G. KAMINSKI, ATTORNEY FOR CHILD	10 minutes
1503.0 CAF 16-02054	CLIFFORD E. DRAKE V BELLE R. RILEY	
	<p>Appeal from an order of the Family Court, Steuben County (Gerard Alonzo, Jr., J.H.O.), entered September 14, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that petitioner shall have sole custody and sole placement of the subject children.</p>	
	ROSEMARIE RICHARDS for BELLE R. RILEY	10 minutes
	ASHILEE K. DICKINSON for CLIFFORD E. DRAKE	5 minutes
	SARA E. ROOK, ATTORNEY FOR CHILD	5 minutes
1504.0 CAF 16-01181	In the Matter of DAH'MARII G.	
	<p>Appeal from an order of the Family Court, Erie County (Eric R. Adams, J.), entered June 27, 2016, in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, terminated the parental rights of respondent.</p>	
	EVELYNE A. O'SULLIVAN for CASSANDRA G.	Submitted

	JOSEPH T. JARZEMBEK for ERIE CO. DEPT. OF SOCIAL SERVICES	10 minutes
	NANCY J. BIZUB, ATTORNEY FOR CHILD	10 minutes
1505.0 CA 17-00995	DANIEL REDEYE V PROGRESSIVE INSURANCE COMPANY	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered December 21, 2016. The order denied the motion of plaintiff to vacate an order granting summary judgment to defendant.	
	GREGORY V. PAJAK for DANIEL REDEYE	10 minutes
	DAN D. KOHANE for PROGRESSIVE INSURANCE COMPANY	10 minutes
1507.0 CA 17-01188	FARMERS NEW CENTURY INSURANCE CO. SETTLED V FEDEX FREIGHT, INC.	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered September 28, 2016. The order denied the motion by defendant FedEx Freight Inc., for summary judgment.	
	DONNA L. BURDEN for FEDEX FREIGHT, INC.	
	LIAN SKAF for FARMERS NEW CENTURY INSURANCE COMP	
	DAVID MITCHELL HEHR for NIAGARA MOHAWK POWER CORPORATION	
1508.0 CA 16-00865	DEBORAH J. MCCULLOCH V MELVIN HOWARD	
	Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered March 14, 2016. The order granted the application of Deborah J. McCulloch, Executive Director of Central New York Psychiatric Center, to administer medication to respondent over his objection.	
	GUY A. TALIA for MELVIN HOWARD	10 minutes
	ROBERT M. GOLDFARB for DEBORAH J. MCCULLOCH	Submitted
1509.0 CA 17-01145	KATHLEEN GUMKOWSKI V TOWN OF TONAWANDA	
	Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered March 21, 2017. The order granted the motion of plaintiff to serve a late notice of claim.	
	MARK P. DELLA POSTA for TOWN OF TONAWANDA	15 minutes
	CATHERINE B. DEMPSEY for KATHLEEN GUMKOWSKI	10 minutes
1510.0 CA 17-01125	CERTIFIED ENVIRONMENTAL SERVICES, INC. V AMERICAN SAFETY CASUALTY INSURANCE	
	Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karaluas, J.), entered August 16, 2016. The order granted the motion of defendants American Safety Casualty Insurance Company and Indian Harbor Insurance Company to dismiss plaintiff's complaint as against them.	

KEVIN M. COX for CERTIFIED ENVIRONMENTAL SERVICES, INC. Submitted

BRIAN M. MARGOLIES for AMERICAN SAFETY CASUALTY INSURANCE Submitted

1511.0
CA 17-00708

STEVEN R. KONESKI
V
ALEC R. SEPPALA

Appeal from an order of the Supreme Court, Genesee County (Mark J. Grisanti, A.J.), entered December 21, 2016. The order granted in part defendants' motion for summary judgment dismissing plaintiff's complaint.

NORMAN E.S. GREENE for STEVEN R. KONESKI 15 minutes

HENRY A. ZOMERFELD for ALEC R. SEPPALA 15 minutes

1512.0
CA 16-02212

DR. VIRGINIA M. FICHERA, PH.D
V
NEW YORK STATE DEC

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered May 17, 2016. The order, insofar as appealed from, denied the amended verified petition, granted the motions of respondents to dismiss the amended verified petition and dismissed the amended verified petition.

RICHARD J. LIPPES for DR. VIRGINIA M. FICHERA, PH.D 15 minutes

KEVIN M. COX for ZONING BOARD OF APPEALS OF TOWN OF 15 minutes

MARIE CHERY-SEKHOBBO for NEW YORK STATE DEC 15 minutes

KIMBERLY A. STEELE for CHRISTOPHER J. CONSTRUCTION, LLC 15 minutes

1513.0
CA 17-00786

HAMILTON EQUITY GROUP, LLC
V
SOUTHERN WELLCARE MEDICAL, P.C.

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered June 8, 2016. The order denied respondent's motion to vacate the judgment entered in this matter on May 29, 2014 in favor of petitioner and against respondent.

NAVPREET K. GILL for SOUTHERN WELLCARE MEDICAL, P.C. 15 minutes

KYLE C. DIDONE for HAMILTON EQUITY GROUP, LLC 15 minutes

1514.0
CA 17-00915

LORI E. ULLMAN, M.D.
V
MEDICAL LIABILITY MUTUAL INSURANCE CO.

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered October 20, 2016. The order, among other things, denied defendant Medical Liability Mutual Insurance Company's motion to dismiss plaintiff's complaint in its entirety.

SHARON MARIE PORCELLIO for MEDICAL LIABILITY MUTUAL INS. CO. 15 minutes

MICHAEL E. APPELBAUM for LORI E. ULLMAN, M.D. 15 minutes

DAY CALENDAR
Wednesday, December 6, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1515.0
KA 15-00067

PEOPLE
V
WAYNE BAKER

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered September 16, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

KRISTEN MCDERMOTT for WAYNE BAKER Submitted

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

1516.0
KA 16-00158

PEOPLE
V
BRYANT CUNNINGHAM

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered July 1, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree, criminal contempt in the second degree, and tampering with a witness in the fourth degree.

TIMOTHY P. MURPHY for BRYANT CUNNINGHAM Submitted

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1517.0
KA 12-02146

PEOPLE
V
GREGORY L. THACKER, JR.

Appeal from a judgment of the Monroe County Court (Vincent M. DiNolfo, J.), rendered December 8, 2011. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

MARY P. DAVISON for GREGORY L. THACKER, JR. 5 minutes

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1518.0
KA 15-00570

PEOPLE
V
LATROY D. SAMPSON

Appeal from a judgment of the Monroe County Court (James J. Pampiano, J.), rendered January 30, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

DAVID R. JUERGENS for LATROY D. SAMPSON Submitted

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1519.0
KA 13-01429

PEOPLE
V
WILLIE J. BAKER

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered June 5, 2013. The judgment convicted defendant, upon a jury verdict, of assault in the first degree.