

DAY CALENDAR
Tuesday, December 4, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1421.0
KA 18-00973

PEOPLE
V
LAWRENCE F. WEHNER

Appeal from a decision and order of the Monroe County Court (Stephen T. Miller, A.J.), entered April 26, 2017. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

BRIAN SHIFFRIN for LAWRENCE F. WEHNER Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1422.0
KA 16-02115

PEOPLE
V
SALEEM T. SPENCER

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered October 13, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

RYAN J. MULDOON for SALEEM T. SPENCER Submitted

BRITTANY L. GROME for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1423.0
KA 16-02114

PEOPLE
V
SALEEM T. SPENCER

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered October 13, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled possession in the third degree.

RYAN J. MULDOON for SALEEM T. SPENCER Submitted

BRITTANY L. GROME for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1424.0
KA 14-01179

PEOPLE
V
ANTHONY C. STENDARDO, III

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered March 6, 2014. The judgment convicted defendant, upon his plea of guilty, of possessing a sexual performance by a child.

BRIDGET L. FIELD for ANTHONY C. STENDARDO, III 10 minutes

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

1425.0
KA 01-01182

PEOPLE
V
TAJAUN PAUL

Appeal from a judgment of Onondaga County Court (Fahey, J.), entered May 15, 2001, convicting defendant after a jury trial of, inter alia, murder in the second degree (two counts).

	THOMAS P. THEOPHILOS for TAJAUN PAUL	15 minutes
	KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1426.0 KA 16-00806	PEOPLE V STEVEN D. SZATANEK	
	Appeal from a judgment of the Supreme Court, Oswego County (James W. McCarthy, J.), rendered February 10, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	MICHAEL G. CIANFARANO for STEVEN D. SZATANEK	10 minutes
	AMY HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1427.0 KA 15-02163	PEOPLE V JASPAR THOMAS	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered February 10, 2015. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree (five counts).	
	WILLIAM WARD MONKS, IV, for JASPAR THOMAS	10 minutes
	DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1428.0 KA 16-01794	PEOPLE V MARCUS GRAHAM	
	Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered December 15, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.	
	ERIN A. KULESUS for MARCUS GRAHAM	10 minutes
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1429.0 KA 16-01793	PEOPLE V MARCUS GRAHAM	
	Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered September 12, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.	
	ERIN A. KULESUS for MARCUS GRAHAM	Submitted
	DAVID A . HEARTY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1430.0 KA 16-00439	PEOPLE V JAMES B. METALES	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered July 22, 2015. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.	
	DAVID R. JUERGENS for JAMES B. METALES	10 minutes
	DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes

1431.0
KA 15-01407

PEOPLE
V
VELINE HICKS

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered July 29, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree, criminal possession of a controlled substance in the fourth degree, unlawfully fleeing a police officer in the third degree, reckless endangerment in the second degree and resisting arrest.

SARA A. GOLDFARB for VELINE HICKS 10 minutes

BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1432.0
KA 15-00839

PEOPLE
V
EVERETT D. BALKMAN

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered April 7, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

JANET C. SOMES for EVERETT D. BALKMAN 10 minutes

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1433.0
CAF 17-00524

In the Matter of
AMIRACLE R.

Appeal from an order of Family Court, Erie County (Margaret O. Szczur, J.) entered February 7, 2017 in a proceeding pursuant to Family Court article 10. The order, among other things, adjudged that respondent neglected the subject children and placed her under the supervision of the Erie County Department of Social Services.

CHARLES J. GREENBERG for ELIZABETH H. Submitted

LAUREN CREIGHTON for ERIE CO. DSS 5 minutes

MINDY LYNN MARRANCA, ATTORNEY FOR THE CHILD 5 minutes

DOMINIC PAUL CANDINO, ATTORNEY FOR THE CHILD Submitted

1434.0
CAF 18-00082

In the Matter of
ASHANTE H.

Appeal from an order of the Family Court, Monroe Court (Sharon M. LoVallo, J.), entered December 26, 2017, in a proceeding pursuant to Social Services Law article 384-b. The order, among other things, terminated respondent's parental rights to the subject child.

DAVID J. PAJAK for MEKO H., SR. Submitted

AMBER R. POULOS for ERIE CO. DSS 5 minutes

RICHARD L. SULLIVAN, ATTORNEY FOR THE CHILD Submitted

1435.0
CAF 18-00083

In the Matter of
DEVANTE H.

Appeal from an order of the Family Court, Monroe Court (Sharon M. LoVallo, J.), entered December 26, 2017, in a proceeding pursuant to Social Services Law article 384-b. The order, among other things, terminated respondent's parental rights to the subject child.

DAVID J. PAJAK for MEKO H., SR.

Submitted

AMBER R. POULOS for ERIE CO. DSS

Submitted

RICHARD L. SULLIVAN, ATTORNEY FOR THE CHILD

Submitted

1436.0
CAF 18-00084

**In the Matter of
MEKO H., JR.**

Appeal from an order of the Family Court, Monroe Court (Sharon M. LoVallo, J.), entered December 26, 2017, in a proceeding pursuant to Social Services Law article 384-b. The order, among other things, terminated respondent's parental rights to the subject child.

DAVID J. PAJAK for MEKO H., SR.

Submitted

AMBER R. POULOS for ERIE CO. DSS

Submitted

RICHARD L. SULLIVAN, ATTORNEY FOR THE CHILD

Submitted

1437.0
CA 18-00494

**SANTINA GATTO
V
DIONISIO (DION) ROMAN, JR.**

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegal, J.), entered January 2, 2018. The order, other things, denied defendants' motions for summary judgment.

NANCY QUINN KOBAYASHI for DIONISIO (DION) ROMAN, JR.

15 minutes

MICHELE E. DETRAGLIA for SANTINA GATTO

10 minutes

1438.0
CA 18-01306

**DEBORAH LEGGIO
V
STATE OF NEW YORK**

Appeal from a decision and order of the Court of Claims, (Renee Forgensi Minarik, J), entered January 12, 2018. The decision and order granted the motion of defendant for summary judgment, dismissing the claim and denied the cross motion of claimant for summary judgment.

EUGENE B. NATHANSON for DEBORAH LEGGIO

Submitted

FRANK BRADY for STATE OF NEW YORK

Submitted

1439.0
CA 18-01295

**ERIN L. BISHOP
V
ZACHARY L. SPAULDING**

SETTLED

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered January 22, 2018. The order denied the motion of defendants for summary judgment dismissing the complaint and granted the cross motion of plaintiff for summary judgment.

KEVIN J. GRAFF for ZACHARY L. SPAULDING

CHARLES S. DESMOND, II, for ERIN L. BISHOP

1440.0
CA 18-01353

ALBERT G. FRACCOLA, JR.
V
1ST CHOICE REALTY, INC.

Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered December 5, 2017. The order, inter alia, granted the motions of defendants Attorney Robert K. Hilton, III, Attorney Jay G. Williams, III, and Getnick, Livingston, Atkinson, Gigliotti and Prune, LLP, to dismiss the complaint.

ALBERT G. FRACCOLA, JR., for HIMSELF	20 minutes
JAY G. WILLIAMS, III, for HIMSELF	15 minutes
PATRICK G. RADEL for GETNICK, LIVINGSTON, ATKINSON, ET AL.	5 minutes
ROBERT K. HILTON, III, for HIMSELF	Submitted

1441.0
CA 18-01320

JOSEPH L. STAATS
V
MEGAN M. EBERL

SETTLED

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered February 26, 2018. The order denied the motion of defendant Thomas A. Kowalczyk for summary judgment on the issue of negligence.

MEGAN F. ORGANEK for THOMAS A. KOWALCZYK
NANCY A. LONG for MEGAN M. EBERL
SAMUEL A. ALBA for JOSEPH L. STAATS

1442.0
CA 18-01019

COUNTY OF ERIE
V
CHARLES J. SIBLEY

Appeal from an order of the Supreme Court, Erie County (James F. Bargnesi, A.J.), entered August 29, 2017. The order, among other things, granted petitioner's motion for summary judgment.

CHARLES J. SIBLEY for HIMSELF	Submitted
MARGARET A. HURLEY for COUNTY OF ERIE	Submitted

1443.0
CA 18-01335

DEBORAH A. DINIRO
V
ASPEN ATHLETIC CLUB, LLC

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered January 25, 2018. The order, insofar as appealed from, denied the motions of defendants Aspen Athletic Club, LLC, and Zee Medical, Inc., for summary judgment and denied in part the motion of defendant En Pro Management, Inc., for summary judgment.

KEVIN R. VAN DUSER for ASPEN ATHLETIC CLUB, LLC	15 minutes
ERIC JOHN WARD for ZEE MEDICAL, INC.	10 minutes
ERNEST F. KOSCHINEG, III, for EN PRO MANAGEMENT, INC.	10 minutes
JOHN C. CHERUNDOLO for DEBORAH A. DINIRO	10 minutes

1444.0
CA 18-00322

DEBORAH A. CARR-HOAGLAND
V
JOHN L. PATTERSON

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered October 12, 2017. The order denied the motion of plaintiffs to compel disclosure.

TIMOTHY G. O'CONNELL for DEBORAH A. CARR-HOAGLAND 10 minutes

ELIZABETH BRUCE for JOHN L. PATTERSON 10 minutes

1445.0
CA 18-00324

DEBORAH A. CARR-HOAGLAND
V
JOHN L. PATTERSON

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered October 25, 2017. The order denied the motion of defendants for bifurcation.

ELIZABETH BRUCE for JOHN L. PATTERSON 10 minutes

TIMOTHY G. O'CONNELL for DEBORAH A. CARR-HOAGLAND 5 minutes