

DAY CALENDAR
Monday, November 26, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1286.0
KA 16-02358

PEOPLE
V
FRIZELL O. AUGHTRY

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered November 16, 2016. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree (three counts).

TIMOTHY P. MURPHY for FRIZELL O. AUGHTRY Submitted

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

1287.0
KA 17-00194

PEOPLE
V
RYAN DONNELLY

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, J.); entered January 12, 2017. The judgment revoked defendant's probation and imposed a term of imprisonment.

LEAH R. NOWOTARSKI for RYAN DONNELLY Submitted

MICHAEL FLAHERTY, JR., for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1288.0
KA 17-00062

PEOPLE
V
TIMOTHY L. WILLIAMS

Appeal from a judgment of the Cayuga County Court (Mark Fandrich, J.), rendered December 20, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of marihuana in the second degree.

RYAN J. MULDOON for TIMOTHY L. WILLIAMS Submitted

BRITTANY ANTONACCI for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1289.0
KA 15-01128

PEOPLE
V
LESLIE W. HOKE

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered August `19, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted course of sexual conduct against a child, criminal sexual act in the first degree and criminal sexual act in the third degree.

JOHN A. CIRANDO for LESLIE W. HOKE 10 minutes

V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1290.0
KA 16-00791

PEOPLE
V
RANDALL C. HOLDEN

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered February 10, 2016. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class D felony.

	CARA A. WALDMAN for RANDALL C. HOLDEN	Submitted
	V. CHRISTOPHER EAGGELSTON for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1291.0 KA 16-00789	PEOPLE V RANDALL C. HOLDEN	
	Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered February 10, 2016. The judgment convicted defendant, upon his plea of guilty, of forgery in the second degree (two counts), identity theft in the first degree and scheme to defraud in the first degree.	
	CARA A. WALDMAN for RANDALL C. HOLDEN	Submitted
	V. CHRISTOPHER EAGGELSTON for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1292.0 KA 16-00788	PEOPLE V RANDALL C. HOLDEN	
	Appeal from a judgment of the Ontario County Court (Stephen D. Aronson, J.), rendered February 11, 2016. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a misdemeanor (four counts) and aggravated unlicensed operation of a motor vehicle in the first degree (two counts).	
	CARA A. WALDMAN for RANDALL C. HOLDEN	Submitted
	V. CHRISTOPHER EAGGELSTON for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1293.0 KA 18-00993	PEOPLE V THOMAS BEEBE	
	Appeal from an order of the Erie County Court (Sheila A. DiTullio, J.), dated December 20, 2017. The order granted the motion to dismiss the indictment.	
	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
	ERIN A. KULESUS for THOMAS BEEBE	10 minutes
1294.0 KA 15-01095	PEOPLE V BRADFORD M. CLARK, JR.	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered June 8, 2015. The judgment convicted defendant, upon a jury verdict, of assault in the first degree.	
	BENJAMIN L. NELSON for BRADFORD M. CLARK, JR.	10 minutes
	SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1295.0 CAF 17-01028	In the Matter of EDEN S.	
	Appeals from an order of the Family Court, Cayuga County (Mark H. Fandrich, J.), entered April 10, 2017 in a proceeding pursuant to pursuant to Social Services Law § 384-b. The order, among other things, terminated respondents' parental rights with respect to the subject children.	
	BRIDGET L. FIELD for CRYSTAL S.	10 minutes

	JOHN A. CIRANDO for JOSHUA S.	10 minutes
	CHRISTOPHER PALERMO for CAYUGA CO. DSS	10 minutes
	STEVEN H. BUSCHMAN for ROSE S.	10 minutes
	LAURA ESTELA CARDONA, ATTORNEY FOR THE CHILD	5 minutes
	THEODORE W. STENUF, ATTORNEY FOR THE CHILD	10 minutes
1297.0 CAF 17-00778	In the Matter of RICKY A.	
	Appeal from an order of Family Court, Wayne County (John B. Nesbitt, J.), entered April 10, 2017 in a proceeding pursuant to Family Court article 10. The order, among other things, adjudged that respondent Suzanne C., had neglected the subject children and placed her under the supervision of the Wayne County Department of Social Services.	
	TYSON BLUE for SUZANNE C.	10 minutes
	HEATHER MAURE for WAYNE CO. DSS	5 minutes
	SARA E. ROOK, ATTORNEY FOR THE CHILD	Submitted
	PETER G. CHAMBERS, ATTORNEY FOR THE CHILD	Submitted
	EDWIN P. FRICK, ATTORNEY FOR THE CHILD	Submitted
1298.0 CAF 17-00348	In the Matter of ANNABELLA C.	
	Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered February 3, 2017, in a proceeding pursuant to Family Court Act article 10. The order determined that respondent had neglected the subject child.	
	KELI ANN ILES-HERNANDEZ for SANDRA C.	Submitted
	NATALIE MUNOZ STUTZ for ERIE CO. DSS	5 minutes
	DAVID E. BLACKLEY, ATTORNEY FOR THE CHILD	Submitted
1299.0 CAF 17-00463	In the Matter of JARRETT P.	
	Appeal from an order of the Family Court, Ontario County (William F. Kocher, J.), entered February 15, 2017 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, terminated respondent's parental rights and freed the subject child for adoption.	
	MARY P. DAVISON for JEREMY P.	Submitted
	HOLLY AMY ADAMS for ONTARIO CO. DSS	5 minutes
	PAUL WENDELL BLEAKLEY, ATTORNEY FOR THE CHILD	Submitted
1300.0 CAF 17-00796	In the Matter of JAIME D.	

Appeal from a decision and order of the Family Court, Oswego County (James K. Eby, J.), entered April 13, 2017, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent Jacqueline D., had educationally neglected the subject children.

LINDA M. CAMPBELL for JACQUELINA D. Submitted

ALLISON J. NELSON for OSWEGO CO. DSS Submitted

MICHAEL R. O'NEILL, ATTORNEY FOR THE CHILD Submitted

1301.0
CAF 17-02044

**In the Matter of
JAIME D.**

Appeals from and order of the Family Court, Oswego County (James K. Eby, J.), entered October 13, 2017, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, granted a suspended judgment against respondent Jacqueline D.

LINDA M. CAMPBELL for JACQUELINA D. Submitted

ALLISON J. NELSON for OSWEGO CO. DSS Submitted

MICHAEL R. O'NEILL, ATTORNEY FOR THE CHILD Submitted

1302.0
CA 18-00604

**MICHAEL BRUNETTO
V
NEW YORK STATE OFFICE OF MENTAL HEALTH**

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered January 29, 2018 in a proceeding pursuant to CPLR article 78. The order, among other things, conditionally dismissed the petition.

MICHAEL BRUNETTO for HIMSELF 30 minutes

ASHMITA ROKA for BRYLIN HOSPITAL 10 minutes

MEGHAN M. BROWN for SUICIDE PREVENTION AND CRISIS SERVICES 10 minutes

ALLYSON B. LEVINE for NEW YORK STATE OFFICE OF MENTAL HEALTH 10 minutes

KATHERINE V. MARKEL for ERIE CO. MEDICAL CENTER CORPORATION 10 minutes

1303.0
CA 18-00605

**MICHAEL BRUNETTO
V
NEW YORK STATE OFFICE OF MENTAL HEALTH**

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered March 6, 2018 in a proceeding pursuant to CPLR article 78. The order dismissed the petition on the merits with prejudice.

MICHAEL BRUNETTO for HIMSELF Submitted

ASHMITA ROKA for BRYLIN HOSPITAL Submitted

MEGHAN M. BROWN for SUICIDE PREVENTION AND CRISIS SERVICESE Submitted

ALLYSON B. LEVINE for NEW YORK STATE OFFICE OF MENTAL HEALTH Submitted

KATHERINE V. MARKEL for ERIE CO. MEDICAL CENTER CORPORATION Submitted

1304.0
CA 18-01339

NASIR MUZAID OMAR
V
MICHAEL MOORE, II

Appeal from an order of the Supreme Court, Erie County (Emilio Colaiacovo, J.), entered March 29, 2018. The order, insofar as appealed from, denied the motion of defendants Nu-Era Home Improvement and Sadeq Ahmed, also known as Sadeq Ahmed Alshamarai, to dismiss causes of action first through third of the amended complaint.

ANDREW P. DEVINE for NU-ERA HOME IMPROVEMENT 10 minutes

BRITTANY L. PENBERTHY for NASIR MUZAID OMAR 10 minutes

1305.0
CA 18-01107

ROBERT DERNARD DICKINSON
V
BASSETT HEALTHCARE

Appeals from an order of the Supreme Court, Herkimer County (Norman I. Siegal, J.), entered November 21, 2017. The order, among other things, denied in part the motions of defendants Bassett Healthcare, Marshall E. Pedersen, Jr., M.D., and Patrick Dietz, M.D., for summary judgment dismissing plaintiff's complaint on the merits, in its entirety.

ADAM H. COOPER for BASSETT HEALTHCARE 10 minutes

JOHN W. VANDENBURGH for MARSHALL E. PEDERSEN, JR., M.D. 10 minutes

ROBERT F. JULIAN for ROBERT DERNARD DICKINSON 10 minutes

1306.0
CA 18-01169

CLIFFORD SCHLEMMER
V
JANICE COVELL

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered May 8, 2018. The order denied the motion of plaintiff for partial summary judgment.

GREGORY V. PAJAK for CLIFFORD SCHLEMMER 10 minutes

MATTHEW D. PFALZER for JANICE COVELL 10 minutes

1307.0
CA 18-00120

CATHY TUMINNO
V
MARJORIE WAITE

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered April 18, 2017. The order, inter alia, rejected the finding of a referee that the sale of real property triggered a right of first refusal in favor of defendant James Flagella.

JAMES FLAGELLA for HIMSELF 15 minutes

LESLIE MARK GREENBAUM for CATHY TUMINNO 10 minutes

PAUL V. WEBB, JR., for MARJORIE WAITE 10 minutes

1308.0
CA 18-01207

KATHERINE WALDECK **SETTLED**
V
STARPOINT CENTRAL SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered October 6, 2017. The order denied the motion of defendants for summary judgment dismissing the complaint.

JOSHUA A. BLOOM for STARPOINT CENTRAL SCHOOL DISTRICT

MATTHEW J. KAISER for KATHERINE WALDECK

**1309.0
CA 18-00457**

PATRICIA WIEDENBECK

V

ALLISON LAWRENCE

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered October 12, 2017. The order granted defendants' motion for summary judgment and dismissed plaintiffs' complaint.

JOHN A. COLLINS for PATRICIA WIEDENBECK

10 minutes

PATRICIA S. CICCARELLI for ALLISON LAWRENCE

10 minutes

DAY CALENDAR
Tuesday, November 27, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1310.0
TP 18-01178

MARTIN WASHINGTON
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 June 29, 2018) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for MARTIN WASHINGTON Submitted

FRANK BRADY for ANTHONY ANNUCCI Submitted

1311.0
KA 13-00035

PEOPLE
V
JORDAN J. ELLISON

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered January 7, 2013. The judgment convicted defendant, upon a jury verdict, of burglary in the third degree (two counts) and criminal possession of stolen property in the fourth degree.

DONALD M. THOMPSON for JORDAN J. ELLISON 10 minutes

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

1312.0
KA 16-01140

PEOPLE
V
JOSEPH LEE

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Francis A. Affronti, J.), dated June 7, 2016. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of robbery in the first degree (two counts), grand larceny in the fourth degree (two counts), assault in the first degree (two counts), robbery in the second degree, attempted robbery in the second degree (two counts) and attempted petit larceny.

JEFFREY WICKS for JOSEPH LEE 10 minutes

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1313.0
KA 18-00289

PEOPLE
V
MARTIN CONSIDINE, II

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), rendered November 14, 2017. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class E felony.

JOSEPH G. FRAZIER for MARTIN CONSIDINE, II Submitted

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

1314.0
KA 16-01246

PEOPLE
V
ROBERT SMITH

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered October 8, 2015. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

DEBORAH K. JESSEY for ROBERT SMITH

Submitted

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1315.0
KA 15-01850

PEOPLE
V
MARK H. STAHL

Appeal from a judgment of the Ontario County Court (Stephen D. Aronson, J.), rendered September 24, 2015. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class E felony (two counts), and unlawful possession of marihuana.

GARY MULDOON for MARK H. STAHL

5 minutes

V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

1316.0
KA 16-02167

PEOPLE
V
SEAN HUNTER

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered December 17, 2015. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and criminal possession of a weapon in the second degree (two counts).

NATHANIEL V. RILEY for SEAN HUNTER

10 minutes

KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1317.0
KA 14-02101

PEOPLE
V
JON K. NIKITEAS

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered November 18, 2014. The judgment convicted defendant, upon his plea of guilty, fo robbery in the first degree.

TIMOTHY S. DAVIS for JON K. NIKITEAS

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1318.0
KA 16-01231

PEOPLE
V
RONZELL CAMBER

Appeal from a judgment of the Supreme Court, Onondaga County (Stephen J. Dougherty, J.), rendered April 12, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

DARIENN POWERS for RONZELL CAMBER

10 minutes

KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1319.0
KA 15-00277

PEOPLE
V
TERRANCE STRONG

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered November 14, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the second degree (five counts), endangering the welfare of a child (four counts), attempted assault in the second degree and assault in the third degree.

DREW R. DUBRIN for TERRANCE STRONG 10 minutes

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

1320.0
KA 15-00706

PEOPLE
V
TERRANCE STRONG

Appeal from a resentence of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered March 10, 2015. Defendant was resented upon his convictions for assault in the second degree (five counts), endangering the welfare of a child (four counts), attempted assault in the second degree and assault in the third degree.

DREW R. DUBRIN for TERRANCE STRONG Submitted

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

1321.0
CAF 17-01215

TARA BUTLER
V
DIANE L. BUTLER

Appeal from an order of the Family Court, Steuben County (Mathew McCarthy, J.), entered June 19, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner full custody of the subject child.

ROSEMARIE RICHARDS for DIANE L. BUTLER 10 minutes

TARA BUTLER for HERSELF Submitted

RICHARD E. VANGORDEN for HIMSELF Submitted

EDWARD FRANCIS MURPHY, ATTORNEY FOR THE CHILD 15 minutes

1322.0
CAF 16-01378

In the Matter of
DEON M.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered August 4, 2016 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, terminated respondent's parental rights and freed the subject children for adoption.

CHARLES J. GREENBERG for VERNON B. 5 minutes

ERIC R. ZIOBRO for ERIE CO. DSS 5 minutes

TIMOTHY P. MURPHY, ATTORNEY FOR THE CHILD 10 minutes

1323.0
CAF 17-02179

In the Matter of
GABRIELL H.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered August 11, 2017 in a proceeding pursuant to Family Court Act article 10. The order denied respondent's motion to dismiss the petition.

DAVID J. PAJAK for KAYLEE T. Submitted

AMBER R. POULOS for ERIE CO. DSS 5 minutes

RICHARD L. SULLIVAN, ATTORNEY FOR THE CHILD 5 minutes

1324.0
CA 18-01052

MICHAEL P. GARRETT
V
1030 GENESEE COMPANY, LLC

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered October 24, 2017. The order, insofar as appealed from, denied the motion of defendant 1030 E. Genesee Company, LLC, for summary judgment dismissing the complaint.

MICHELLE M. DAVOLI for 1030 GENESEE COMPANY, LLC 10 minutes

THOMAS J. GRILLO, JR., for MICHAEL P. GARRETT 10 minutes

1325.0
CA 18-01090

MARGARET L. MONZON
V
JOHN A. PORTER, M.D.

Appeal from a judgment of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered October 27, 2017. The judgment dismissed the complaint upon a jury verdict of no cause of action.

JOHN C. CHERUNDOLO for MARGARET L. MONZON 15 minutes

DANIEL PATRICK PURCELL for JOHN A. PORTER, M.D. 10 minutes

1326.0
CA 18-01249

PATRICIA KAREN KILLIAN
V
CAPTAIN SPICER'S GALLERY, LLC

Appeal from a judgment of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered October 4, 2017. The judgment dismissed the complaint after a jury trial.

TERESA M. BENNETT for PATRICIA KAREN KILLIAN 15 minutes

JAMES A. BURROWS for CAPTAIN SPICER'S GALLERY, LLC 10 minutes

1327.0
CA 18-01020

NANCY BURKHART
V
PEOPLE, INC.

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered February 2, 2018. The order insofar as appealed from, granted the motion of defendants People, Inc., Elisa Smith, Katelynne Coleman and Amy Mazurkiewicz for summary judgment dismissing the plaintiff's claim for punitive damages and granted the motion of said defendants to strike from the bill or particulars allegations related to any incident other than the incident of January 17, 2008.

JOSEPH D. MORATH, JR., for NANCY BURKHART 15 minutes

MICHAEL E. APPLEBAUM for PEOPLE, INC. 15 minutes

1328.0
CA 18-01162

SHAWNA SOOTHERAN
V
CARROLS, LLC

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered April 6, 2018. The order denied the motion of defendant to dismiss the complaint.

KRISTIN L. NORFLEET for CARROLS, LLC 10 minutes

JOHN A. COLLINS for SHAWNA SOOTHERAN 10 minutes

1329.0
CA 18-01163

CATHLEEN A. SEEBALD
V
NEW YORK STATE DIVISION OF HUMAN RIGHTS

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered September 25, 2017 in a proceeding pursuant to Executive Law § 298. The order, among other things, dismissed the petition in its entirety.

CHARLES L. MILLER, II, for CATHLEEN A. SEEBALD 15 minutes

CHRISTOPHER NICKSON for ROSWELL PARK CANCER INSTITUTE 15 minutes

MARILYN BALCACER for NYSDHR Submitted

1330.0
CA 18-00987

LAUREN L. SHIEVE
V
HOLLEY VOLUNTEER FIRE COMPANY, INC.

Appeal from an order of the Supreme Court, Orleans County (Tracy A. Bannister, J.), entered August 4, 2017. The order dismissed the petition

MULAN CUI for LAUREN L. SHIEVE 15 minutes

STEVEN C. SHAHAN for HOLLEY VOLUNTEER FIRE COMPANY, INC. 15 minutes

DAY CALENDAR
Tuesday, November 27, 2018 - 10:00 AM
COURTROOM 2

1331.0
KA 16-00445

PEOPLE
V
HARRISON LESTER

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered October 27, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree and burglary in the second degree.

PIOTR BANASIAK for HARRISON LESTER

Submitted

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

Submitted

DAY CALENDAR
Wednesday, November 28, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1332.0
TP 18-01252

MAURICE BURGESS
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 July 11, 2018) to review a determination of respondent. The determination found after a Tier III hearing that petitioner violated an inmate rule.

ADAM W. KOCH for MAURICE BURGESS

Submitted

VICTOR PALADINO for ANTHONY ANNUCCI

Submitted

1333.0
KA 17-01247

PEOPLE
V
RAMISI TRUITT

Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered April 28, 2017. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

LINDA M. CAMPBELL for RAMISI TRUITT

10 minutes

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

10 minutes

1334.0
KA 16-01163

PEOPLE
V
JUSTIN R. CRAMER

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered September 29, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree.

MICHAEL S. DEAL for JUSTIN R. CRAMER

Submitted

LORI PETTIT RIEMAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1335.0
KA 17-01686

PEOPLE
V
LEON YINGST

Appeal from a decision/order of the Onondaga County Court (Stephen J. Dougherty, J.), entered July 7, 2017. The decision/order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

THEODORE W. STENUF for LEON YINGST

Submitted

KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1336.0
KA 16-01963

PEOPLE
V
WESLEY B.

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered October 4, 2016. The judgment adjudicated defendant a youthful offender.

KRISTIN M. PREVE for WESLEY B.

Submitted

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1337.0
KA 15-02050

PEOPLE
V
ANTHONY S. ORTIZ

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered June 2, 2015. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the second degree and criminal possession of a weapon in the second degree (two counts).

BRIAN SHIFFRIN for ANTHONY S. ORTIZ

10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1338.0
KA 16-02174

PEOPLE
V
EDDIE CARRASQUILLO

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered January 15, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the first degree, and criminal possession of a weapon in the second degree (two counts).

ELIZABETH S. RIKER for EDDIE CARRASQUILLO

10 minutes

KENNETH H. TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1339.0
KA 15-01964

PEOPLE
V
GUY DILLON, JR.

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered March 13, 2015. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree and petit larceny.

CRAIG P. SCHLANGER for GUY DILLON, JR.

10 minutes

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

10 minutes

1340.0
KA 13-01612

PEOPLE
V
LAMONT FREEMAN

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), entered June 14, 2013. The judgment revoked defendant's probation and imposed a term of imprisonment.

CATHERINE H. JOSH for LAMONT FREEMAN

5 minutes

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

1341.0
KA 11-00416

PEOPLE
V
RONNEY L. ELLIS

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered December 22, 2010. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child (two counts) and sexual abuse in the first degree.

ERIC M. DOLAN for RONNEY L. ELLIS

Submitted

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1342.0
KA 16-01258

PEOPLE
V
MARCOS DELACRUZ

Appeal from a decision and order of the Onondaga County Court (Walter W. Hafner, Jr., J.), entered March 11, 2016. The decision and order denied the motion of defendant for resentencing.

PHILIP ROTHSCHILD for MARCOS DELACRUZ

10 minutes

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

10 minutes

1343.0
CAF 17-01749

In the Matter of
ZACKERY S.

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered August 24, 2017, in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject child and placed respondent under the supervision of petitioner.

JANET C. SOMES for STEPHANIE S.

10 minutes

CAROL LYNN EISENMAN for MONROE CO. DSS

5 minutes

TANYA J. CONLEY, ATTORNEY FOR THE CHILD

Submitted

1344.0
CA 18-01262

ISIDRO MORALES, JR.
V
ADIRONDACK TRAILWAYS, INC.

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered April 19, 2018. The order denied the motion of defendant Adirondack Trailways, Inc., for summary judgment dismissing the complaint.

GABRIEL L. BOUVET-BOISCLAIR for ADIRONDACK TRAILWAYS, INC.

15 minutes

MATTHEW J. KAISER for ISIDRO MORALES, JR.

5 minutes

1345.0
CA 18-00647

RGRTA
V
JOHN R. STENSRUD

Appeal from an order of Supreme Court, Monroe County (Thomas A. Stander, J.) entered December 15, 2016. The order, among other things, granted petitioner's motion to strike a portion of respondents' appraisal report.

JOHN T. REFERMAT for JOHN R. STENSRUD

15 minutes

KATHLEEN BENNETT for RGRTA

15 minutes

1346.0
CA 18-01123

CENTRAL CITY ROOFING COMPANY, INC.
V
ALTMAR-PARISH-WILLIAMSTOWN CSD

Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered October 6, 2017. The order, among other things, granted defendants' motion for summary judgment.

JOSEPH ROBERT TALARICO II, for CENTRAL CITY ROOFING COMPANY 15 minutes

CHARLES E. SYMONS for ALTMAR-PARISH-WILLIAMSTOWN CSD 15 minutes

1347.0
CA 18-01075

HART LYMAN CONSTRUCTION LLC
V
SCOTT BERGIN

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered December 18, 2017. The order granted the motion of defendants to dismiss the complaint.

DAVID G. BURCH, JR., for HART LYMAN CONSTRUCTION LLC 10 minutes

JANET D. CALLAHAN for SCOTT BERGIN 10 minutes

1348.0
CA 18-01352

JESIOLOWSKI ENTERPRISES, INC.
V
DATA KEY HOLDINGS, LLC

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered January 16, 2018. The order denied plaintiff's motion for summary judgment.

SANJEEV DEVABHAKTHUNI for JESIOLOWSKI ENTERPRISES, INC. 10 minutes

W. BRADLEY HUNT for DATA KEY HOLDINGS, LLC 15 minutes

1349.0
CA 18-00881

JACQUELINE DEL ROSARIO
V
LIVERPOOL LODGING, LLC

Appeal from an order and of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered February 1, 2018. The order granted the motion of defendants for summary judgment and dismissed the complaint.

JANET D. CALLAHAN for JACQUELINE DEL ROSARIO 10 minutes

HEATHER K. ZIMMERMAN for LIVERPOOL LODGING, LLC 10 minutes

1350.0
CA 18-01000

NATHAN ZIVERTS
V
SULLIVAN O. WUNDERLICH

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered April 10, 2018. The order denied the motion of defendant to dismiss the complaint.

DAVID HENRY WALSH, IV, for SULLIVAN O. WUNDERLICH 10 minutes

DAVID E. ZUKHER for NATHAN ZIVERTS 10 minutes

1351.0
CA 17-02048

LEEANN B. HOFFNER
V
DAVID E. NELSON

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered August 9, 2017. The order denied the motion of plaintiff to set aside the verdict.

MATTHEW J. KAISER for LEEANN B. HOFFNER

15 minutes

KRISTIN L. NORFLEET for DAVID E. NELSON

15 minutes

1352.0
CA 18-00263

LEEANN B. HOFFNER

V

DAVID E. NELSON

Appeal from a statement for judgment of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered September 11, 2017. The statement for judgment awarded costs and disbursements to defendant.

MATTHEW J. KAISER for LEEANN B. HOFFNER

Submitted

KRISTIN L. NORFLEET for DAVID E. NELSON

Submitted

DAY CALENDAR
Wednesday, November 28, 2018 - 10:00 AM
COURTROOM 2

1353.0
TP 17-01004

DARNELL BALLARD
V
NUNZIO DOLDO

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, Jefferson County [James P. McClusky, J.], entered May 25, 2017) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated an inmate rule.

DARNELL BALLARD for HIMSELF

Submitted

MARCUS J. MASTRACCO for NUNZIO DOLDO

Submitted

1354.0
TP 18-01224

CHRIS SAWYER FEWELL
V
STEWART ECKERT

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, Erie County [E. Jeanette Ogden, J.], entered May 8, 2018) to review a determination of respondent. The determination found after a Tier II hearing that petitioner violated various inmate rules.

CHRIS SAWYER FEWELL for HIMSELF

Submitted

BARBARA D. UNDERWOOD for STEWART ECKERT

Submitted

1355.0
TP 17-01995

ANTHONY MEDINA
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, Erie County [Russell P. Buscaglia, A.J.], entered October 11, 2017) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ANTHONY MEDINA for HIMSELF

Submitted

VICTOR PALADINO for ANTHONY ANNUCCI

Submitted

1356.0
KA 16-01772

PEOPLE
V
ALONTE WORKS

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered August 22, 2016. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.

NICHOLAS P. DIFONZO for ALONTE WORKS

Submitted

DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1357.0
KA 16-01004

PEOPLE
V
BRODES J. GIBSON

Appeal from a judgment of the Genesee County Court (Michael F. Pietruszka, J.), rendered May 6, 2016. The judgment convicted defendant, upon a jury verdict, of aggravated unlicensed operation of a motor vehicle in the first degree (two counts), driving while ability impaired, reckless driving, unlawfully fleeing a police officer in the third degree and endangering the welfare of a child.

CAITLIN M. CONNELLY for BRODES J. GIBSON

5 minutes

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1358.0
KA 17-00692

PEOPLE
V
ALPHONSE O'NEILL

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered March 29, 2017. The judgment convicted defendant, upon a non jury verdict, of attempted criminal sexual act in the third degree.

KATHRYN B. FRIEDMAN for ALPHONSE O'NEILL

10 minutes

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

10 minutes

1359.0
KA 16-02286

PEOPLE
V
MICHAEL F. GEER

Appeal from a judgment of the Genesee County Court (Michael F. Pietruszka, J.), rendered November 4, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree and unauthorized use of a vehicle in the third degree.

BENJAMIN L. NELSON for MICHAEL F. GEER

10 minutes

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1360.0
KA 16-02147

PEOPLE
V
RAYMOND GONZALEZ

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered September 22, 2016. The judgment convicted defendant, upon a non jury verdict, of manslaughter in the first degree.

ERIN A. KULESUS for RAYMOND GONZALEZ

10 minutes

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1361.0
KA 16-02149

PEOPLE
V
ALEXANDER COLON-COLON

Appeal from a judgment of the Genesee County Court (Michael F. Pietruszka, J.), rendered September 2, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the second degree.

CAITLIN M. CONNELLY for ALEXANDER COLON-COLON

5 minutes

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1362.0
KA 16-00890

PEOPLE
V
INNA NICHIPORUK

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered April 4, 2016. The judgment convicted defendant, upon her plea of guilty, of driving while intoxicated and aggravated unlicensed operation of a motor vehicle in the first degree.

KATHRYN B. FRIEDMAN for INNA NICHIPORUK Submitted

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

1363.0
CAF 17-01462

**In the Matter of
ARMANI W.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered July 7, 2017 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, determined that the subject child had been abandoned by respondent and placed subject child in the custody and guardianship of petitioner.

EVELYNE A. O'SULLIVAN for ADIFAH W. Submitted

ELISABETH M. COLUCCI for ERIE CO. DSS Submitted

RICHARD L. SULLIVAN, ATTORNEY FOR THE CHILD 5 minutes

1364.0
CAF 16-01129

**In the Matter of
YADIEL S.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered June 15, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Johanna A., abused Yaidel S., and derivatively abused Damian S. and Angelina T.

CHARLES J. GREENBERG for JOHANNA A. Submitted

AMBER R. POULOS for ERIE CO. DSS Submitted

AYOKA APRIL TUCKER, ATTORNEY FOR THE CHILD 10 minutes

MINDY LYNN MARRANCA, ATTORNEY FOR THE CHILD 5 minutes

1365.0
CA 18-01256

**THOMAS L. YOUNG
V
ERICA M. DAINOTTO**

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered May 4, 2018. The order granted the motion of plaintiff to amend the complaint and to compel the production of defendant's toxicology records.

RICHARD J. ZIELINSKI for ERICA M. DAINOTTO 10 minutes

TIMOTHY HUDSON for THOMAS L. YOUNG 10 minutes

1366.0
CA 18-01312

**ROBIN EASLEY
V
MOUNT OLIVE BAPTIST CHURCH**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered December 7, 2017. The order granted the motion of defendant Mount Olive Baptist Church for summary judgment and dismissed the complaint against said defendant.

BETHANY A. RUBIN for ROBIN EASLEY 10 minutes

	ALYSON C. CULLITON for MOUNT OLIVE BAPTIST CHURCH	10 minutes
1367.0 CA 18-01192	ABR WHOLESALERS, INC. V GENA M. KING	
	Appeal from an order of the Supreme Court, Erie County (Tracy A. Bannister, J.), entered September 26, 2017. The order, among other things, granted plaintiff's motion for summary judgment.	
	GREGORY ZINI for GENA M. KING	5 minutes
	AARON RICHARD WALKOW for ABR WHOLESALERS, INC.	10 minutes
1368.0 CA 18-01156	CHARLES M. MORANO V VICTORIA KAY RONEY	
	Appeal from an order of the Supreme Court, Erie County (Paul Wojtaszek, J.), entered April 12, 2018. The order, insofar as appealed from, denied the motion of defendants for summary judgment dismissing the complaint.	
	STEVEN P. CURVIN for VICTORIA KAY RONEY	10 minutes
	RICHARD ANGELO NICOTRA for CHARLES M. MORANO	10 minutes
1369.0 CA 18-00474	JASON JOHNSON V PIXLEY DEVELOPMENT CORP.	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered December 8, 2017. The order, among other things, granted the motion of defendant Candy Apple Café, Inc., seeking summary judgment and denied the motion of defendant Pixley Development, Corp., seeking summary judgment.	
	JONATHAN M. GORSKI for JASON JOHNSON	10 minutes
	MARINA A. MURRAY for PIXLEY DEVELOPMENT CORP.	15 minutes
	THOMAS P. CUNNINGHAM for CANDY APPLE CAFE, INC.	15 minutes
1370.0 CA 18-01338	DEANA GODWIN V KARLY MANCUSO	
	Appeal from an order of the Supreme Court, Niagara County (Sara Sheldon, A.J.), entered June 28, 2018. The order, insofar as appealed from, denied the motion of defendant for summary judgment dismissing the complaint.	
	MARTHA E. DONOVAN for KARLY MANCUSO	10 minutes
	BRETT D. TOKARCZYK for DEANA GODWIN	10 minutes
1371.0 CA 17-01876	MARK V. THOMPSON V CLIFFSTAR CORPORATION	
	Appeal from a judgment of the Supreme Court, Erie County (Paul B. Wojtaszek, J.), entered September 20, 2017. The judgment dismissed the action in its entirety.	
	MICHAEL SZCZYGIEL for MARK V. THOMPSON	15 minutes

	ROBERT E. SCOTT for CLIFFSTAR CORPORATION	15 minutes
1372.0	GARRETT CULVER	
CA 18-01276	V	
	SHAWN M. SIMKO, D.O.	
	Appeal from an order of the Supreme Court, Erie County (Eugene F. Pigott, Jr., J.), entered October 5, 2017. The order, insofar as appealed from, denied the motion of defendant Carl T. Pearson, D.C., individually and doing business as Pearson Chiropractic.	
	GORDON D. TRESCH for CARL T. PEARSON, D.C.	10 minutes
	JOHN A. COLLINS for GARRETT CULVER	10 minutes
1372.1	JACLYN H. NEMES	
CAF 18-01161	V	
	MARK C. TUTINO, II	
	Appeal from an order of the Family Court, Steuben County (Mathew K. McCarthy, J.), entered November 15, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied respondent's motion to vacate a prior court order.	
	SUSAN BETZJITOMIR for MARK C. TUTINO, II	15 minutes
	RUTH A. CHAFFEE for JACLYN H. NEMES	10 minutes
	LORENZO NAPOLITANO, ATTORNEY FOR THE CHILD	5 minutes

DAY CALENDAR
Thursday, November 29, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1373.0
KA 17-00104

PEOPLE
V
LELAND S. BURKS

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered December 20, 2016. The judgment convicted defendant, upon his plea of guilty, of identity theft in the first degree and scheme to defraud in the first degree.

DEBORAH K. JESSEY for LELAND S. BURKS Submitted

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

1374.0
KA 14-00633

PEOPLE
V
LUIS A. VAZQUEZ-DIAZ

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered September 24, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree (two counts) and criminal possession of a controlled substance in the seventh degree.

MARY P. DAVISON for LUIS A. VAZQUEZ-DIAZ Submitted

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

1375.0
KA 16-00643

PEOPLE
V
HERBERT FARRINGTON

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered January 25, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.

CHARLES J. GREENBERG for HERBERT FARRINGTON 10 minutes

MICHAEL FLAHERTY, JR., for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1376.0
KA 16-01977

PEOPLE
V
THEODORE E. MYERS

Appeal from a judgment of the Steuben County Court (Marianne Furfure, J.), rendered June 1, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted manslaughter in the first degree.

MARK C. DAVISON for THEODORE E. MYERS Submitted

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1377.0
KA 14-00924

PEOPLE
V
SCOTT T. BITTLES

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered May 9, 2014. The judgment convicted defendant, upon a non jury verdict, of assault in the third degree.

	ERIC M. DOLAN for SCOTT T. BITTLES	Submitted
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1378.0 KA 15-01902	PEOPLE V HENRY JIMENEZ	
	Appeal from a decision and order of the Jefferson County Court (Kim H. Martusewicz, J.), dated September 21, 2015. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CL 440.10.	
	PATRICK J. BRACKLEY for HENRY JIMENEZ	15 minutes
	KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1379.0 KA 16-00782	PEOPLE V DEVINE M. HARMON	
	Appeal from a judgment of the Monroe County Court (Christopher S. Ciaccio, J.), rendered January 13, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the third degree.	
	JOHN P. COLLINS, JR., for DEVINE M. HARMON	10 minutes
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1380.0 KA 15-02037	PEOPLE V ROBERT GARROW	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered October 8, 2015. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child and rape in the first degree.	
	ELIZABETH S. RIKER for ROBERT GARROW	10 minutes
	NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1381.0 KA 14-01313	PEOPLE V JAMES HARVEY, III	
	Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered May 20, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and criminal possession of a weapon in the second degree.	
	ERIC M. DOLAN for JAMES HARVEY, III	Submitted
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1382.0 CAF 17-01794	ANA I. MALDONADO V EZEQUIEL SANTANA	
	Appeal from an order of the Family Court, Monroe County (Julie A. Gordon, R.), entered July 12, 2017, in a proceeding pursuant to Family Court Act article 6. The order terminated a consent order of visitation and granted petitioner permission to relocate with the subject child to Texas.	

	LORENZO NAPOLITANO for EZEQUIEL SANTANA	Submitted
	DONALD A. WHITE for ANA I. MALDONADO	15 minutes
	ELLA MARSHALL, ATTORNEY FOR THE CHILD	10 minutes
1383.0 CAF 17-01795	EZEQUIEL SANTANA V ANA I. MALDONADO	
	Appeal from an order of the Family Court, Monroe County (Julie A. Gordon, R.), entered July 12, 2017, in a proceeding pursuant to Family Court Act article 6. The order denied the petition for a modification of custody.	
	LORENZO NAPOLITANO for EZEQUIEL SANTANA	Submitted
	DONALD A. WHITE for ANA I. MALDONADO	Submitted
	ELLA MARSHALL, ATTORNEY FOR THE CHILD	Submitted
1384.0 CAF 17-01796	EZEQUIEL SANTANA V ANA I. MALDONADO	
	Appeal from an order of the Family Court, Monroe County (Julie A. Gordon, R.), entered July 12, 2017, in a proceeding pursuant to Family Court Act article 6. The order denied the petition for a violation of court order.	
	LORENZO NAPOLITANO for EZEQUIEL SANTANA	Submitted
	DONALD A. WHITE for ANA I. MALDONADO	Submitted
	ELLA MARSHALL, ATTORNEY FOR THE CHILD	Submitted
1385.0 CAF 17-00982	NICHOLAS PALIANI V STEPHANIE SELAPACK	
	Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered April 11, 2017, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted child custody to petitioner.	
	CHARLES J. GREENBERG for STEPHANIE SELAPACK	5 minutes
	BRIDGET L. FIELD for NICHOLAS PALIANI	5 minutes
	AUDREY ROSE HERMAN, ATTORNEY FOR THE CHILD	5 minutes
1386.0 CAF 17-01516	JACQUELINE BONTZOLAKES V NORMAN E. GREEN	
	Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered July 31, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied the petition.	
	WILLIAM D. BRODERICK, JR., for JACQUELINE BONTZOLAKES	10 minutes
	NORMAN E. GREEN for HIMSELF	Submitted
	MARY ANNE CONNELL, ATTORNEY FOR THE CHILD	10 minutes
1387.0 CA 18-00884	MAUREEN A. WEINERT-SALERNO V APRIL L. STEFANSKI	

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered July 19, 2017. The order, insofar as appealed from, granted the motion of defendant April Stefanski for summary judgment dismissing the complaint and all cross claims and counterclaims against her.

PATRICK SHAUN KENNEY for CHRISTOPHER E. MONACO 10 minutes

MATTHEW J. KAISER for MAUREEN A. WEINERT-SALERNO 5 minutes

AMANDA L. RAIMONDI for APRIL L. STEFANSKI 10 minutes

MARTHA E. DONOVAN for ANDREW J. DAVID Submitted

1388.0
CA 18-01088

PATRICIA M. SCHULT
V
PYRAMID WALDEN COMPANY, L.P.

Appeal from an order of the Supreme Court, Genesee County (Emilio Colaiaacovo, J.), entered April 5, 2018. The order, insofar as appealed from, denied the motion of defendant Pyramid Walden Company, L.P., for summary judgment dismissing the complaint.

RAUL E. MARTINEZ for PYRAMID WALDEN COMPANY, L.P. 10 minutes

ELLEN B. STURM for PATRICIA M. SCHULT 10 minutes

1390.0
CA 17-01811

DANIEL MANCUSO
V
KALEIDA HEALTH

Appeal from a judgment of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 17, 2017. The judgment awarded plaintiff money damages upon a jury verdict.

MICHAEL J. WILLETT for KALEIDA HEALTH 15 minutes

BRIAN R. HOGAN for DANIEL MANCUSO 15 minutes

1391.0
CA 17-01812

DANIEL MANCUSO
V
KALEIDA HEALTH

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered October 13, 2017. The order denied the motion of defendant to set aside a jury verdict.

MICHAEL J. WILLETT for KALEIDA HEALTH Submitted

BRIAN R. HOGAN for DANIEL MANCUSO Submitted

1392.0
CA 18-01078

PROGRESSIVE ADVANCED INSURANCE COMPANY
V
HOLLY JORDON

Appeal from a decision and order (one paper) of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered September 28, 2017 in a proceeding pursuant to CPLR article 75. The decision and order denied the petition.

MICHAEL ZARKOWER for PROGRESSIVE ADVANCED INSURANCE CO. 15 minutes

MATTHEW J. KAISER for HOLLY JORDON 10 minutes

1393.0
CA 18-01347

R-J TAYLOR CONTRACTING, INC.
V
FAIRPORT CENTRAL SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered October 19, 2017. The order, among other things, denied defendant's motion for partial summary judgment.

HARRIS LINDENFELD for FAIRPORT CENTRAL SCHOOL DISTRICT 15 minutes

ANTHONY J. ADAMS, JR., for R-J TAYLOR CONTRACTING, INC. 15 minutes

1394.0
CA 18-01170

DIANA BEECHLER
V
KILL BROTHERS COMPANY

Appeals from a decision and order of the Supreme Court, Genesee County (Emilio Colaiacovo, J.), entered May 22, 2018. The decision and order denied the motions of defendants for summary judgment.

THOMAS JOSEPH SPEYER for KILL BROTHERS COMPANY 10 minutes

RAUL E. MARTINEZ for BENTLEY BROS, INC. 10 minutes

JOHN A. COLLINS for DIANA BEECHLER 15 minutes

1395.0
CA 18-01208

DESHANE LEVERE
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered December 21, 2017. The order, among other things, denied defendants' motion for summary judgment dismissing plaintiffs' complaint.

MARY D'AGOSTINO for CITY OF SYRACUSE 10 minutes

ANASTASIA M. SEMPEL for DESHANE LEVERE 15 minutes

DAY CALENDAR
Thursday, November 29, 2018 - 10:00 AM
COURTROOM 2

1396.0
KA 12-02153

PEOPLE
V

ANTHONY T. HENDERSON, JR.

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered September 26, 2012. The appeal was held by this Court by order entered March 25, 2016, decision was reserved and the matter was remitted to Monroe County Court for further proceedings (137 AD3d 1670). The proceedings were held and completed (Douglas A. Randall, J.).

JANET C. SOMES for ANTHONY T. HENDERSON, JR.

Submitted

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Monday, December 3, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1397.0
KA 16-01755

PEOPLE
V
DEMARIO WASHINGTON

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered August 30, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

KRISTIN M. PREVE for DEMARIO WASHINGTON Submitted

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

1398.0
KA 17-01098

PEOPLE
V
SEAN P. MCLAUGHLIN

Appeal from a judgment of Niagara County Court (Matthew J. Murphy, J.), rendered June 3, 2015. The judgment convicted defendant, after a nonjury trial, of failure to register as a sex offender his internet identifier (two counts).

JOSEPH G. FRAZIER for SEAN P. MCLAUGHLIN Submitted

CAROLINE WOJTASZEK for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1399.0
KA 15-00813

PEOPLE
V
DAVON S. MACON

Appeal from a judgment of the Monroe County Court (Christopher S. Ciaccio, J.), rendered February 11, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree, assault in the first degree and criminal possession of a weapon in the second degree (two counts).

DREW R. DUBRIN for DAVON S. MACON Submitted

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

1400.0
KA 17-01375

PEOPLE
V
CHAD WELLINGTON

Appeal from a judgment of the Herkimer County Court (John H. Crandall, J.), rendered June 22, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

DANIEL MARK GRIEBEL for CHAD WELLINGTON 10 minutes

MICHELLE K. FASSETT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1401.0
KA 16-01429

PEOPLE
V
GEORGE EVERSON

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered February 5, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the third degree.

NATHANIEL V. RILEY for GEORGE EVERSON

5 minutes

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

10 minutes

1402.0
KA 15-00002

PEOPLE
V
RASHOD HARVEY

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.) rendered September 18, 2014. The judgment convicted defendant, upon a jury trial, of criminal possession of a weapon in the second degree and tampering with physical evidence.

KATHLEEN P. REARDON for RASHOD HARVEY

10 minutes

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1403.0
KA 15-01596

PEOPLE
V
JOHNNY BOYDE

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered July 21, 2015. The judgment convicted defendant, upon his plea of guilty, of sexual abuse in the first degree.

PHILIP ROTHSCHILD for JOHNNY BOYDE

10 minutes

KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1404.0
KA 17-01053

PEOPLE
V
JOHNNY BOYDE

Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered February 21, 2017. The judgment convicted defendant, upon his plea of guilty, of failure to register as a sex offender.

PHILIP ROTHSCHILD for JOHNNY BOYDE

Submitted

KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1405.0
KA 14-01085

PEOPLE
V
ELOY COLON

Appeal from a judgment of the Monroe County Court (John J. Connell, J.), rendered March 2, 2007. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the first degree.

DIANNE C. RUSSELL for ELOY COLON

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1406.0
KA 16-01000

PEOPLE
V
ASAD HIXON

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered December 5, 2014. The judgment convicted defendant, upon his plea of guilty, of assault in the third degree (three counts) and aggravated vehicular assault.

RICHARD L. SULLIVAN for ASAD HIXON 5 minutes

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1407.0
CAF 17-00126

CORY MORENO
V
JAN ELLIOTT

Appeal from an order of the Family Court, Steuben County (Marianne Furfure, A.J.), entered December 21, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the parties shall share joint custody of the subject children, with primary placement with petitioner.

ROSEMARIE RICHARDS for JAN ELLIOTT Submitted

CARA A. WALDMAN for CORY MORENO 10 minutes

VIVIAN CLARA STRACHE, ATTORNEY FOR THE CHILD 5 minutes

1408.0
CAF 17-01138

JAN M. ELLIOTT
V
CORY A. MORENO

Appeal from an order of the Family Court, Steuben County (Marianne Furfure, A.J.), entered May 11, 2017 in proceedings pursuant to Family Court Act article 6. The order dismissed the petitions.

ROSEMARIE RICHARDS for JAN M. ELLIOTT Submitted

CARA A. WALDMAN for CORY A. MORENO Submitted

VIVIAN CLARA STRACHE, ATTORNEY FOR THE CHILD Submitted

1409.0
CAF 17-01141

RICHARD K. H.
V
EMILIE P.

Appeal from a decision/order of the Family Court, Lewis County (Daniel R. King, J.), entered June 2, 2017, in a proceeding pursuant to Family Court Act article 5. The decision/order, inter alia, declared Gerald F.M. to be the father of the subject child.

PETER J. DIGIORGIO, JR., for EMILIE P. 10 minutes

SCOTT A. OTIS for GERARD FRED MARSH 10 minutes

RICHARD K. H. for HIMSELF Submitted

KRYSTAL A. RUPERT, ATTORNEY FOR THE CHILD 10 minutes

1410.0
CAF 17-00999

In the Matter of
CALLIE H.

Appeal from an order of the Family Court, Erie County (Rodwin L. Bloch, J.), entered May 18, 2017 in a proceeding pursuant to Social Services Law 384-b. The order, among other things, terminated respondent's parental rights to the subject child.

	WILLIAM D. BRODERICK, JR., for TALEENA W.	10 minutes
	AMBER R. POULOS for ERIE CO. DSS	5 minutes
	RICHARD L. SULLIVAN, ATTORNEY FOR THE CHILD	5 minutes
1411.0 CA 18-01122	CHRISTOPHER J. GERACE V DERICO OF EAST AMHERST CORP.	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered September 11, 2017. The order, among other things, granted defendants' motion for summary judgment dismissing plaintiffs' complaint.	
	THOMAS P. KOTRYS for CHRISTOPHER J. GERACE	10 minutes
	MEGHAN M. BROWN for DERICO OF EAST AMHERST CORP.	10 minutes
1412.0 CA 18-01313	SUSAN HOLLAND V LAURA MCCLUSKY	
	Appeal from an order of Supreme Court, Cayuga County (Mark H. Fandrich, A.J.) entered October 13, 2017. The order, among other things, granted defendant Wells College's motion for summary judgment dismissing plaintiff's amended complaint.	
	CHAIM JUDAH JAFFE for SUSAN HOLLAND	15 minutes
	JOHN HERBERT CALLAHAN for WELLS COLLEGE	15 minutes
	LAURA MCCLUSKY for HERSELF	Submitted
	MICHAEL NIMAN for HIMSELF	Submitted
	RANDALL HESS for HIMSELF	Submitted
1413.0 CA 18-01110	THE BANK OF NEW YORK MELLON V JAMES C. SIMMONS	
	Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered August 31, 2017. The order, among other things, granted plaintiff's motion for summary judgment.	
	JAMES C. SIMMONS for HIMSELF	15 minutes
	HENRY P. DISTEFANO for THE BANK OF NEW YORK MELLON	15 minutes
1414.0 CA 18-01279	EDWARD C. VAN LOAN, JR. V ROBIN V. JONES	
	Appeal from an order and judgment (one paper) of Supreme Court, Onondaga County (James P. Murphy, J.) entered October 3, 2017. The order and judgment, among other things, adjudged that defendant pay the Estate of Charlotte S. Van Loan the sum of \$150,000 plus interest.	
	RONALD D. HARIRI for ROBIN V. JONES	15 minutes
	JOHN M. DELANEY for EDWARD C. VAN LOAN, JR.	20 minutes

1415.0
CA 18-01235

DONALD PRESTON
V
CASTLE POINTE, LLC

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered August 11, 2017. The order granted the motion of defendants Castle Pointe, LLC, SL Master Lessee II, LLC. Health Care Reit, Inc., HCRI Pennsylvania Properties Holding Company, HCRI Illinois Properties, LLC, HCRI Wisconsin Properties, LLC, and Senior Lifestyle Management, LLC, seeking summary judgment dismissing plaintiff's complaint.

JOHN A. COLLINS for DONALD PRESTON 10 minutes

JACQUELINE MANDELL for CASTLE POINTE, LLC 15 minutes

1416.0
CA 18-00700

NOWELLE BIGELOW
V
HAMILTON MEDICAL, INC.

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.)P, entered April 5, 2018. The order, insofar as appealed from, granted the motion of plaintiff to compel certain discovery.

JOSEPH M. SPADOLA for HOLLY PAYNE, RT 10 minutes

JOHN C. CHERUNDOLO for NOWELLE BIGELOW 10 minutes

1417.0
CA 18-00077

JACQUELYN BENEDICT
V
TIMOTHY BENEDICT

Appeal from a judgment of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 3, 2017. The judgment, among other things, granted the parties a divorce and determined the issues of child custody, child support, spousal maintenance and the equitable distribution of marital property.

TIMOTHY A. BENEDICT for HIMSELF 15 minutes

CLIFFORD C. EISENHUT for JACQUELYN BENEDICT 15 minutes

1418.0
CA 18-00669

ROSS M. CELLINO, JR.
V
CELLINO & BARNES, P.C.

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered February 6, 2018. The order, insofar as appealed from, granted the cross motion of petitioner for the appointment of a temporary receiver.

GREGORY P. PHOTIADIS for CELLINO & BARNES, P.C. Submitted

TERRENCE MICHAEL CONNORS for ROSS M. CELLINO, JR. 30 minutes

1419.0
CA 18-00670

ROSS M. CELLINO, JR.
V
CELLINO & BARNES, P.C.

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered April 2, 2018. The order, insofar as appealed from, denied the motion of respondents to dismiss, or for summary judgment dismissing plaintiff's causes of action pursuant to Business Corporation Law §§ 1104 (a)(1) and (3).

GREGORY P. PHOTIADIS for CELLINO & BARNES, P.C.

Submitted

TERRENCE MICHAEL CONNORS for ROSS M. CELLINO, JR.

Submitted

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. 5 minutes

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

DAY CALENDAR
Wednesday, December 5, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1446.0
KA 17-01342

PEOPLE
V
PAUL J. HAVLEN

Appeal from an order of the Wyoming County Court (Michael M. Mohan, J.), entered May 23, 2017. The order determined that defendant is a level two risk, pursuant to the Sex Offender Registration Act.

MARK ALBERT ADRIAN for PAUL J. HAVLEN Submitted

MICHAEL J. FLAHERTY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1447.0
KA 13-01731

PEOPLE
V
JOHNATHON W. GIBBS

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered June 19, 2013. The judgment convicted defendant, upon a non jury verdict, of driving while ability impaired and aggravated unlicensed operation of a motor vehicle in the first degree.

ERIC M. DOLAN for JOHNATHON W. GIBBS Submitted

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

1448.0
KA 18-00177

PEOPLE
V
ROBERT J. CALEB

Appeal from an order of the Niagara County Court (William J. Watson , A.J.) entered September 6, 2017. The order adjudged defendant to be a level three risk pursuant to the Sex Offender Registration Act.

JOSEPH G. FRAZIER for ROBERT J. CALEB Submitted

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

1449.0
KA 18-01077

PEOPLE
V
ROBERT HINSHAW

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered September 15, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and unlawful possession of marihuana.

HERBERT L. GREENMAN for ROBERT HINSHAW 15 minutes

RYAN M. FLAHERTY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1450.0
KA 17-00608

PEOPLE
V
CHARLES GRAHAM

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered August 26, 2016. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child (four counts), sexual abuse in the first degree and endangering the welfare of a child (four counts).

BRITTNEY NICOLE CLARK for CHARLES GRAHAM 10 minutes

KENNETH H. TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1451.0
KA 16-02196

PEOPLE
V
ADAM SMART

Appeal from a judgment of the Genesee County Court (Michael F. Pietruszka, J.), rendered October 25, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree.

JAMES M. SPECYAL for ADAM SMART 10 minutes

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1452.0
KA 17-01204

PEOPLE
V
JAMES MOTHERSELL

Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered June 6, 2017. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree.

LINDA M. CAMPBELL for JAMES MOTHERSELL 5 minutes

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

1453.0
KA 17-00187

PEOPLE
V
ANTHONY WATSON

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered January 4, 2017. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree.

ROBERT L. KEMP for ANTHONY WATSON 5 minutes

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1454.0
KAH 18-00046

PEOPLE EX REL.
VINCENT TORRES
V
HAROLD T. GRAHAM

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered June 13, 2017 in a habeas corpus proceeding. The order, among other things, denied and dismissed the petition.

ADAM H. VAN BUSKIRK for VINCENT TORRES Submitted

MARTIN A. HOTVET for HAROLD T. GRAHAM Submitted

1455.0
CAF 18-00182

In the Matter of
MATTHEW S., JR.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered January 10, 2018, in a proceeding pursuant to Social Services Law article 384-b. The order, among other things, terminated respondent's parental rights to the subject children.

DAVID J. PAJAK for MATTHEW S. 5 minutes

KATHERINE E. MEIER-DAVIS for ERIE CO. DSS 5 minutes

JOHN L. TRIGILIO, ATTORNEY FOR THE CHILD 10 minutes

1456.0
CAF 16-00088

**In the Matter of
KEON D.**

Appeal from an order of the Family Court, Niagara County (John F. Batt, J.), entered December 22, 2015, in a proceeding pursuant to Family Court Act article 10. The order placed the subject child with his father.

CHARLES J. GREENBERG for DESIRE E. 5 minutes

ANTHONY L. RESTAINO for NIAGARA CO. DSS Submitted

MELISSA A. CAVAGNARO, ATTORNEY FOR THE CHILD 5 minutes

1457.0
CAF 17-00660

**In the Matter of
MAYCI W.**

Appeal from an order of the Family Court, Erie County (Sharon M. Lovallo, J.), entered October 28, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent abused the subject children.

CHARLES J. GREENBERG for DANIEL W. 5 minutes

KIMBERLY S. CONIDI for ERIE CO. DSS 5 minutes

MARY ANNE CONNELL, ATTORNEY FOR THE CHILD 10 minutes

1458.0
CAF 17-00661

**In the Matter of
CHASE W.**

Appeal from an order of the Family Court, Erie County (Sharon M. Lovallo, J.), entered March 7, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, directed respondent to comply with the terms and conditions of an order of protection issued by the court.

CHARLES J. GREENBERG for DANIEL W. Submitted

KIMBERLY S. CONIDI for ERIE CO. DSS Submitted

MARY ANNE CONNELL, ATTORNEY FOR THE CHILD Submitted

1459.0
CAF 17-01277

**WILLIAM J. TOWNSEND III
V
RASHIDA MIMS**

Appeal from a decision and order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered June 13, 2017, in a proceeding pursuant to Family Court Act article 6. The decision and order, inter alia, authorized petitioner to relocate with the subject children to North Carolina.

DANIELLE BLACKABY for RASHIDA MIMS 10 minutes

WILLIAM J. TOWNSEND III, for HIMSELF Submitted

	STUART JAMES LAROSE, ATTORNEY FOR THE CHILD	Submitted
1460.0 CA 18-01037	JOSEPH BURNS V MARCELLUS LANES, INC.	
	Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered April 10, 2018. The order, insofar as appealed from, denied the motion of defendant for summary judgment dismissing plaintiff's Labor Law § 240 (1) cause of action and granted the cross motion of plaintiff for summary judgment on liability pursuant to Labor Law § 240(1).	
	KAREN J. KROGMAN DAUM for MARCELLUS LANES, INC.	10 minutes
	KENNETH B. GOLDBLATT for JOSEPH BURNS	15 minutes
1461.0 CA 18-01324	DANIEL J. BECK V CITY OF NIAGARA FALLS	
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered October 26, 2017. The order, insofar as appealed from, denied the motion of defendant Niagara Falls Water Board for summary judgment dismissing the complaint.	
	CORY J. WEBER for NIAGARA FALLS WATER BOARD	10 minutes
	CAREY C. BEYER for DANIEL J. BECK	10 minutes
1462.0 CA 18-00506	EARL OWENS V TOMPKINS BANK OF CASTILE	
	Appeal from an order of the Supreme Court, Steuben County (Marianne Furfure, A.J.), entered January 8, 2018. The order, among other things, granted defendants' motion for an award of attorney's fees.	
	MICHAEL A. DONLON for EARL OWENS	10 minutes
	DAVID LEE RASMUSSEN for TOMPKINS BANK OF CASTILE	10 minutes
1463.0 CA 18-00089	HELENE KIM JENNINGS V MICHAEL BRIAN DOMAGALA	
	Appeal from an order of the Supreme Court, Niagara County (Mark Montour, J.), entered April 6, 2017. The order, among other things, granted in part plaintiff's application to modify the parties' Judgment of Divorce.	
	JASON R. DIPASQUALE for MICHAEL BRIAN DOMAGALA	10 minutes
	ASHLEA L. PALLADINO for HELENE KIM JENNINGS	10 minutes
1464.0 CA 17-00630	CARL S. V STATE OF NEW YORK	
	Appeal from an order of the Supreme Court, Oneida County (Charles C. Merrell, J.), entered February 15, 2017 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, adjudged that petitioner is a sex offender requiring civil management and subject to Strict and Intensive Supervision and Treatment.	

CAROLINE L. LEVITT for CARL S. 10 minutes

JONATHAN D. HITSOUS for STATE OF NEW YORK 10 minutes

1465.0
CA 18-00646

KENNETH GLAZER
V
CATLIN INSURANCE COMPANY, INC.

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered November 20, 2017. The order, among other things, granted defendants Liebherr-Aerospace Toulouse S.A.S. and Liebherr-Elektronik GMBH motion to dismiss plaintiff's first amended verified complaint for lack of personal jurisdiction.

DANIEL O. ROSE for KENNETH GLAZER 15 minutes

KEVIN L. KELLER for LIEBHERR-AEROSPACE TOULOUSE 15 minutes

1466.0
CA 18-01177

HOPE ANN LINDER
V
UNITY HOSPITAL OF ROCHESTER

Appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered April 25, 2018. The order granted the motion of defendants Andrew W. Murphy, M.D., and Westside Anesthesia Associates of Rochester, LLP, for summary judgment and dismissed the complaint against said defendants.

BRIAN J. ISAAC for HOPE ANN LINDER 15 minutes

JEFFREY S. ALBANESE for ANDREW W. MURPHY, M.D. 10 minutes

1389.0
CA 18-00894

DAVID DONAHUE
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (Nicholas V. Midey, Jr., J.), entered January 30, 2018. The judgment awarded plaintiff money damages.

MICHAEL C. O'NEILL for DAVID DONAHUE 10 minutes

KATHLEEN M. TREASURE for STATE OF NEW YORK 10 minutes

DAY CALENDAR
Thursday, December 6, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1467.0
KA 16-02284

PEOPLE
V
KOREY GARRETT

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered November 22, 2016. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

DAVID J. PAJAK for KOREY GARRETT 5 minutes

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1468.0
KA 16-01764

PEOPLE
V
DOMINIQUE YOUNG

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered August 29, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

TIMOTHY P. MURPHY for DOMINIQUE YOUNG Submitted

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1469.0
KA 16-00801

PEOPLE
V
EDWARD PETTIFORD

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered March 28, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

SARA A. GOLDFARB for EDWARD PETTIFORD 10 minutes

KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1470.0
KA 15-00039

PEOPLE
V
ADAM L. RICHARDSON

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered August 7, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree, burglary in the first degree (two counts) and assault in the second degree.

BRIDGET L. FIELD for ADAM L. RICHARDSON 10 minutes

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

1471.0
KA 16-01933

PEOPLE
V
CARON FLEMING

Appeal from a judgment of Supreme Court, Erie County (M. William Boller, A.J.), rendered September 30, 2016. The judgment convicted defendant, after a nonjury trial, of criminal possession of a weapon in the second degree.

DEBORAH K. JESSEY for CARON FLEMING

10 minutes

LAUREN M. SILVERSTEIN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1472.0
KA 17-00045

PEOPLE

V

DAVID L. CASTANEDA

Appeal from a judgment of the Genesee County Court (Michael F. Pietruszka, J.), rendered December 13, 2016. The judgment convicted defendant, upon his plea of guilty, of unlawful surveillance in the second degree.

JAMES M. SPECYAL for DAVID L. CASTANEDA

15 minutes

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1473.0
KA 17-00299

PEOPLE

V

DAVID L. CASTANEDA

Appeal from a decision and order of the Genesee County Court (Charles H. Zambito, J.), rendered February 7, 2017. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

JAMES M. SPECYAL for DAVID L. CASTANEDA

Submitted

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1474.0
KA 17-01506

PEOPLE

V

LARRY F. CRAFT, JR.

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, J.), rendered April 4, 2017. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

THERESA L. PREZIOSO for LARRY F. CRAFT, JR.

Submitted

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

Submitted

1475.0
CAF 17-02037

In the Matter of
JAXON S.

Appeal from an order of the Family Court, Ontario County (Stephen D. Aronson, J.), entered October 13, 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.

CARA A. WALDMAN for JASON S.

5 minutes

WENDY R. WELCH for ONTARIO CO. DSS

5 minutes

TERESA M. PARE, ATTORNEY FOR THE CHILD

5 minutes

1477.0
OP 18-01073

THE FRANK J. LUDOVICO SCULPTURE TRAIL

V

TOWN OF SENECA FALLS

Proceeding pursuant to Eminent Domain Procedure Law §207 to annul a determination of respondent. The determination resolved to obtain an easement over certain real property.

SHEILA M. CHALIFOUX for THE FRANK J. LUDOVICO SCULPTURE TRAIL 10 minutes

MARK RYAN MCNAMARA for TOWN OF SENECA FALLS 10 minutes

1478.0
CA 18-01314

CHERYL HELM
V
SUNG-HOON YANG, M.D.

Appeal from a decision and order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered December 4, 2017. The decision and order denied the motion of defendant Sung-Hoon Yang, M.D., to strike to complaint and dismiss the action.

NICHOLAS J. REEDER for SUNG-HOON YANG, M.D. 15 minutes

CHARLES E. LUCENO for CHERYL HELM 15 minutes

1479.0
CA 18-00651

FRED S. LEWIS
V
STATE OF NEW YORK DMV

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered June 21, 2017. The order vacated a civil penalty assessed against petitioner Richard W. Lilly.

JONATHAN D. HITSOUS for STATE OF NEW YORK DMV 10 minutes

WILLIAM P. SMITH, JR., for RICHARD W. LILLY 15 minutes

1480.0
CA 18-00547

CYNTHIA DIANE QUEEN
V
DAVID J. KOGUT

Appeal from a judgment of the Supreme Court, Erie County (Mark A. Montour, J.), entered September 20, 2017. The judgment awarded plaintiff money damages upon a jury verdict.

A. PETER SNODGRASS for CYNTHIA DIANE QUEEN 15 minutes

RYAN J. MILLS for DAVID J. KOGUT 15 minutes

1481.0
CA 18-01134

JAVIER RIOS **SETTLED**
V
LEE SHEPTER

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered September 25, 2017. The order, among other things, denied defendants' motion for summary judgment.

JENNIFER M. SCHWARTZOTT for LEE SHEPTER

ANNE E. JOYNT for JAVIER RIOS

1482.0
CA 18-01076

JOSEPH M. DINAPOLI
V
CITY OF LACKAWANNA

Appeal from a judgment of the Supreme Court, Erie County (Donna M. Siwek, J.), granted August 18, 2017. The judgment, among other things, awarded plaintiff the sum of \$30,000 as against defendant City of Lackawanna.

ANTONIO M. SAVAGLIO for CITY OF LACKAWANNA

10 minutes

KEVIN W SPITLER for JOSEPH M. DINAPOLI

Submitted