

**DAY CALENDAR**  
**Wednesday, October 19, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

908.0  
TP 16-00260

**SHAWN AVERY**  
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 February 18, 2016) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for SHAWN AVERY

Submitted

JULIE M. SHERIDAN for ANTHONY ANNUCCI

Submitted

909.0  
TP 16-00115

**FRED HARRIS**  
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 January 14, 2016) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for FRED HARRIS

Submitted

FRANK BRADY for ANTHONY ANNUCCI

Submitted

910.0  
TP 16-00103

**SAMUEL WALTON**  
V  
**JOHN COLVIN**

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, Seneca County [Dennis F. Bender, A.J.], entered January 19, 2016) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

SAMUEL WALTON for SAMUEL WALTON

Submitted

MARCUS J. MASTRACCO for JOHN COLVIN

Submitted

911.0  
KA 15-01097

**PEOPLE**  
V  
**KENNETH LAND**

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered April 8, 2015. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

KATHRYN B. FRIEDMAN for KENNETH LAND

Submitted

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

Submitted

912.0  
KA 15-01301

PEOPLE  
V  
EDDIE WASHINGTON

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Thomas J. Miller, J.), entered July 1, 2015. The order denied the motion of defendant pursuant to CPL 440.10.

EDDIE WASHINGTON for HIMSELF Submitted

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

913.0  
KA 13-01708

PEOPLE  
V  
JESSE MORMAN

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered June 27, 2013. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree (two counts) and criminal possession of a controlled substance in the third degree (two counts).

PIOTR BANAIK for JESSE MORMAN 20 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

914.0  
KA 14-01018

PEOPLE  
V  
JESSE MORMAN

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered June 27, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree (two counts), criminal use of drug paraphernalia in the second degree (two counts), and two vehicle and traffic infractions.

POITR BANASIAK for JESSE MORMAN Submitted

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

915.0  
KA 15-02068

PEOPLE  
V  
RENE SUSAN BAILEY

Appeal from an order of the Monroe County Court (James J. Piampiano, J.), dated December 16, 2014. The order granted the motion of defendant to vacate her judgment of conviction pursuant to CPL 440.10 (1) (g) and granted defendant a new trial.

MATTHEW DUNHAM for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

ADELE BERNHARD for RENE SUSAN BAILEY 10 minutes

916.0  
KA 15-00785

PEOPLE  
V  
TRAVON CARTER

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered April 2, 2015. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

MARY R. HUMPHREY for TRAVON CARTER Submitted

	STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
917.0 KA 14-01709	PEOPLE V MARVIN DEJESUS	
	Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered March 3, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the first degree.	
	DONALD R. GERACE for MARVIN DEJESUS	15 minutes
	STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
918.0 KA 14-00235	PEOPLE V JUDSON WATKINS	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Joseph E. Fahey, J.), entered December 18, 2013. The order denied the motion of defendant pursuant to CPL article 440.	
	PIOTR BANASIAK for JUDSON WATKINS	5 minutes
	ROMANA A. LAVALAS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
919.0 CAF 16-00102	ONIEDA COUNTY DSS V ADRIAN THOMAS	
	Appeal from an order of the Family Court, Oneida County (Julia M. Brouillette, J.), entered June 19, 2015, in a proceeding pursuant to Family Court Act article 4. The order denied the objections to the corrected order of a Support Magistrate.	
	TRACY LEE PUGLIESE for ONIEDA CO. DSS	Submitted
	ADRIAN THOMAS for HIMSELF	Submitted
920.0 CAF 15-01292	MICHAEL EDWARD WORTHINGTON V HOLLY LYNN WORTHINGTON	
	Appeal from an order of the Supreme Court, Onondaga County (Kevin G. Young, J.), dated June 26, 2015 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition with prejudice.	
	PHILIP ROTHSCHILD, for MICHAEL EDWARD WORTHINGTON	Submitted
	JOSEPH PAUL MORAWSKI for HOLLY LYNN WORTHINGTON	Submitted
921.0 CAF 15-01298	VICTORIA THOMAS V JECARL ARMSTRONG	
	Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered June 24, 2015 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted custody and primary physical residence of the parties' children to petitioner.	
	JAMES A. HOBBS for ROSETTA BRYANT	5 minutes
	KATHLEEN P. REARDON for VICTORIA THOMAS	5 minutes

	TANYA CONLEY, ATTORNEY FOR CHILD	5 minutes
922.0 CAF 15-01134	RYAN J. ELLIOTT, SR. V BRITTANY ROSARIO	
	Appeal from an order of the Family Court, Oswego County (James K. Eby, J.), entered June 3, 2015 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted respondent legal and sole physical child custody.	
	LINDA M. CAMPBELL for RYAN J. ELLIOTT, SR.	Submitted
	JOHN A. CIRANDO for BRITTANY ROSARIO	10 minutes
	CATHERINE MARY SULLIVAN, ATTORNEY FOR CHILD	5 minutes
923.0 CAF 15-01492	JOSHUA HOUSE V SUSAN O'ROURKE	
	Appeal from an order of the Family Court, Oneida County (Julia M. Brouillette, J.), entered August 10, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that Susan O'Rourke shall have primary physical residence of the subject child.	
	JOHN J. RASPANTE for JOSHUA HOUSE	Submitted
	PAUL A. NORTON for SUSAN O'ROURKE	Submitted
	DOREEN ST. THOMAS, ATTORNEY FOR CHILD	Submitted
924.0 CA 16-00223	DARYL A. HANIFAN V COR DEVELOPMENT COMPANY, LLC	
	Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered April 27, 2015. The order denied the motion of defendants for summary judgment, attorney's fees, costs and disbursements.	
	L. DAMIEN COSTANZA for COR DEVELOPMENT COMPANY, LLC	15 minutes
	DARYL A. HANIFAN for HIMSELF	20 minutes
925.0 CA 15-00883	BRODERICK HART V ANTHONY ANNUCCI	
	Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), entered May 4, 2015 in a CPLR article 78 proceeding. The judgment dismissed the petition.	
	LEAH R. NOWOTARSKI for BRODERICK HART	Submitted
	ALLYSON B. LEVINE for ANTHONY ANNUCCI	Submitted
926.0 CA 15-01939	In the Matter of THE ESTATE OF MANSFIELD B. JORDON	
	Appeal from an order of the Surrogate's Court, Jefferson County (Peter A. Schwerzmann, S.), entered June 8, 2015. The order, among other things, denied the motion of respondent to dismiss the petition.	
	RALPH S. ALEXANDER for VERONICA T. REYES	10 minutes

**ANTHONY A. MARRONE, II, for NORMAN J. MOBLEY**

**15 minutes**

**927.0  
CA 16-00263**

**POMCO, INC.  
V  
HEALTHEDGE SOFTWARE, INC.**

**Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered August 10, 2015. The order granted in part defendant's motion for summary judgment.**

**EDWARD E. KOPKO for POMCO, INC.**

**15 minutes**

**MITCHELL J. KATZ for HEALTHEDGE SOFTWARE, INC.**

**15 minutes**

**928.0  
CA 16-00300**

**JOAN STEIN  
V  
SARKISIAN BROTHERS, INC.**

**Appeal from an order and partial judgment (one paper) of the Supreme Court, Erie County (Donna M. Siwek, J.), entered May 19, 2015. The order and partial judgment, among other things, denied the motion of defendant Sarkisian Brothers, Inc., seeking summary judgment dismissing plaintiff's complaint as against them.**

**ERIC M. KURTZ for SARKISIAN BROTHERS, INC.**

**15 minutes**

**IVAN KALTER for JOAN STEIN**

**15 minutes**