

**DAY CALENDAR**  
**Thursday, October 19, 2017 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1267.1  
CAE 17-01781

**IRENE RILEY**  
V  
**ANTHONY M. NEDDO**

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered October 2, 2017, in a proceeding pursuant to the Election Law. The order dismissed the petition and directed the Jefferson County Board of Elections to place respondent Anthony M. Neddo on the November ballot under the Law and Order Party designation for the position of Watertown City Court Judge.

**DOUGLAS WALTER DRAZEN for IRENE RILEY** 15 minutes

**MICHAEL F. YOUNG for ANTHONY M. NEDDO** 15 minutes

**DAVID JOHN PAULSEN for JEFFERSON COUNTY BOARD OF ELECTIONS** Submitted

1255.0  
KA 16-01785

**PEOPLE**  
V  
**TOMMY BRINSON**

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered July 5, 2016. The judgment convicted defendant, upon his plea of guilty, 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).

**ROBERT A. DINIERI for TOMMY BRINSON** 15 minutes

**TIMOTHY G. CHAPMAN for PEOPLE OF THE STATE OF NEW YORK** 10 minutes

1247.0  
KA 15-00943

**PEOPLE**  
V  
**NATHANAL J. ROOKER**

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered January 13, 2015. The judgment convicted defendant, upon his plea of guilty, of rape in the third degree.

**MARIO J. GUTIERREZ for NATHANAL J. ROOKER** Submitted

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

1248.0  
KA 15-02152

**PEOPLE**  
V  
**BRIAN EDELSTEIN**

Appeal from an order of the Monroe County Court (Christopher S. Ciaccio, J.), entered November 10, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

**KIMBERLY F. DUGUAY for BRIAN EDELSTEIN** Submitted

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

1249.0  
KA 16-01549

**PEOPLE**  
V  
**KENNETH T. MULCAHY**

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered July 15, 2016. The judgment convicted defendant, upon his plea of guilty, of use of a child in a sexual performance as a sexually motivated felony.

TERESA L. PREZIOSO for KENNETH T. MULCAHY Submitted

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

1250.0  
KA 14-00474

PEOPLE  
V  
TAJH ANDERSON

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered September 19, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

WILLIAM G. PIXLEY for TAJH ANDERSON 10 minutes

KELLY CHRISTINE WOLFORD for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1251.0  
KA 15-01519

PEOPLE  
V  
SHANON RICHARDSON

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered September 1, 2015. The judgment convicted defendant, upon a jury verdict, of prohibition of animal fighting (four counts) and overdriving, torturing and injuring animals (two counts).

NICHOLAS P. DIFONZO for SHANON RICHARDSON 10 minutes

MICHAEL J. HILLERY for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1252.0  
KA 16-00179

PEOPLE  
V  
KENNETH PRINGLE

Appeal from an order of the Supreme Court, Erie County (Penny M. Wolfgang, J.), dated December 23, 2015. The order denied the motion of defendant pursuant to CPL 440.10

TIMOTHY P. MURPHY for KENNETH PRINGLE 10 minutes

DANIEL J. PUNCH for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1253.0  
KA 09-01810

PEOPLE  
V  
LEROY TUFF, JR.

Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered August 7, 2009. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the first degree, criminal sale of a controlled substance in the third degree, criminal possession of a controlled substance in the third degree (two counts), criminally using drug paraphernalia in the second degree (two counts), unlawful possession of marihuana and intimidating a victim or witness in the third degree.

JOHN A. CIRANDO for LEROY TUFF, JR. 15 minutes

STEVEN G. COX for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1254.0  
KA 14-02107

PEOPLE  
V  
GERALD L. SMITH

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered August 21, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

JAMES A. HOBBS for GERALD L. SMITH 10 minutes

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

1256.0  
KA 15-01851

PEOPLE  
V  
DAVID L. FIORETTI

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered October 6, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of marihuana in the fifth degree.

SHERRY A. CHASE for DAVID L. FIORETTI 10 minutes

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

1257.0  
KA 14-00969

PEOPLE  
V  
ERROL POTTINGER

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered December 31, 2013. The order denied the motion of defendant to vacate a judgment of conviction.

DAVID R. JUERGENS for ERROL POTTINGER 10 minutes

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

1258.0  
KA 16-00807

PEOPLE  
V  
PAUL J. PRIEST

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered December 21, 2015. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree and rape in the third degree.

DANIELLE WILD for PAUL J. PRIEST 10 minutes

KRISTYNA S. MILLS for PEOPLE OF THE STATE OF NEW YORK Submitted

1259.0  
CA 17-00227

JOHN THOMAS GALVIN, JR.  
V  
SINGER REAL ESTATE, L.P.

Appeal from an order of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered April 13, 2016. The order, among other things, dismissed the complaint against all defendants in its entirety.

G. MICHAEL MILLER for JOHN THOMAS GALVIN, JR. 5 minutes

KENNETH W. GORDON for COMMISSIONERS OF THE BRIGHTON HISTO 10 minutes

STEVEN EDWARD FEDER for SINGER REAL ESTATE, L.P. 5 minutes

ADAM M. CLARK for CHERYL DINOLFO Submitted

1260.0  
CA 17-00644

**CERAMIC TECHNICS, LTD.**  
**V**  
**DESPIRIT MOSAIC & MARBLE CO., INC.**

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered February 28, 2017. The order denied the motion of plaintiff for summary judgment.

JAY B. HASHMALL for CERAMIC TECHNICS, LTD. 15 minutes

RICHARD A. CLACK for DESPIRIT MOSAIC & MARBLE CO., INC. 15 minutes

1261.0  
CA 17-00720

**PATRICIA FINLEY**  
**V**  
**KEN CURRIE MOTORS, INC.**

Appeal from an order of the Niagara County Court (Sara Sheldon, J.), dated June 30, 2016. The order affirmed a judgment of the Niagara Falls City Court.

SCOTT ANDREW STEPIEN for KEN CURRIE MOTORS, INC. 5 minutes

NICOLE K. PARSHALL for PATRICIA FINLEY Submitted

1262.0  
CA 16-01971

**In the Matter of**  
**LORIE M. DEHIMER IRREVOCABLE TRUST**

Appeals from an order of the Surrogate's Court, Oneida County (Louis P. Gigliotti, S.), entered June 9, 2016. The order denied the motions of petitioners for summary judgment, granted the motions of respondents for summary judgment and dismissed the petitions.

JOHN A. CIRANDO for LORIE M. DEHIMER 15 minutes

CECELIA R. CANNON for THOMAS A. SEARS 15 minutes

1263.0  
CA 17-00809

**GENEVA ASSOCIATION OF RETIRED TEACHERS**  
**V**  
**GENEVA CITY SCHOOL DISTRICT**

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered July 25, 2016. The order, among other things, granted defendant's motion to dismiss the complaint.

EDWARD P. PERLMAN for GENEVA ASSN. OF RETIRED TEACHERS 15 minutes

CRAIG M. ATLAS for GENEVA CITY SCHOOL DISTRICT 15 minutes

1264.0  
CA 17-00174

**DONNA HAHER**  
**V**  
**DAVID J. PELUSIO, SR.**

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered November 15, 2016. The order, inter alia, directed defendants to make certain payments to plaintiff.

GLENN E. PEZZULO for DAVID J. PELUSIO, SR. 15 minutes

JARED K. COOK for DONNA HAHER 15 minutes

1265.0  
CA 17-00466

**DONNA HAHER**  
**V**  
**DAVID J. PELUSIO, SR.**

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered January 25, 2017. The order, inter alia, directed defendants to make certain payments to plaintiff.

GLENN E. PEZZULO for DAVID J. PELUSIO, SR.

Submitted

JARED K. COOK for DONNA HAHER

Submitted

1266.0  
CA 17-00408

H. MICHAEL STROH

V

LASHARIE M. JOHNSON

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered November 15, 2016. The order and judgment granted the motions of defendants Yalanda D. Curry and Michael H. Stroh for summary judgment dismissing plaintiff's complaint.

LOUIS ROSADO for LASHARIE JOHNSON

Submitted

JOAN M. RICHTER for YALANDA D. CURRY

15 minutes

ALYSON C. CULLITON for MICHAEL H. STROH

10 minutes

1267.0  
CA 17-00722

JAMES P. LOMBARDO

V

CHRISTINE A. AGOLA

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, A.J.), entered September 13, 2016. The judgment, among other things, adjudged that defendant had breached the terms of her lease agreement with plaintiff and awarded plaintiff the sum of \$48,300.

CHRISTINA A. AGOLA for HERSELF

Submitted

MATTHEW T. MOSHER for JAMES P. LOMBARDO

Submitted