

DAY CALENDAR
Monday, October 23, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1268.0
KA 17-00637

PEOPLE
V
ERIC GESSNER

Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered January 29, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted sexual abuse in the first degree.

LINDA M. CAMPBELL for ERIC GESSNER 10 minutes

AMY LEIGH HALLENBECK for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1269.0
KA 16-02266

PEOPLE
V
CHAD J. COLSRUD

Appeal from an order of the Steuben County Court (Marianne Furfure, A.J.), dated December 15, 2015. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

ROSEMARIE RICHARDS for CHAD J. COLSRUD Submitted

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

1270.0
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.

STEPHEN J. BIRD for HERBERT FARRINGTON 10 minutes

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

1271.0
KA 16-00440

PEOPLE
V
RAMIRO ARMENDARIZ

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered January 26, 2016. The judgment convicted defendant, upon a jury verdict, of rape in the third degree and endangering the welfare of a child.

JOSHUA P. BANNISTER for RAMIRO ARMENDARIZ Submitted

JACQUELINE MCCORMICK for PEOPLE OF THE STATE OF NEW YORK Submitted

1272.0
KA 16-00562

PEOPLE
V
CHRISTOPHER SWICK

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered January 21, 2016. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree (two counts), criminal mischief in the second degree, grand larceny in the fourth degree (three counts), criminal mischief in the third degree, petit larceny (two counts) and criminal mischief in the fourth degree.

STEVEN D. SESSLER for CHRISTOPHER SWICK 10 minutes

	JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1273.0 KA 16-00563	PEOPLE V CHRISTOPHER SWICK	
	Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered January 21, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of stolen property in the fourth degree (two counts) and unauthorized use of a motor vehicle in the third degree (two counts).	
	STEVEN D. SESSLER for CHRISTOPHER SWICK	Submitted
	JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK	Submitted
1274.0 KA 13-01173	PEOPLE V TRELLIS L. PRESSLEY	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered May 15, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree and criminal sexual act in the third degree.	
	LINDA M. CAMPBELL for TRELLIS L. PRESSLEY	15 minutes
	DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1275.0 KA 13-02115	PEOPLE V JOSEPH J. SANTIAGO	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered September 24, 2013. 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).	
	ALFRED O'CONNOR for JOSEPH J. SANTIAGO	10 minutes
	KELLY C. WOLFORD for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1276.0 KA 16-01024	PEOPLE V CHARLES PACE	
	Appeal from an order of the Herkimer County Court (Daniel R. King, A.J.), dated November 30, 2015. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.	
	KURT D. SCHULTZ for CHARLES PACE	Submitted
	JACQUELYN M. ASNOE for PEOPLE OF THE STATE OF NEW YORK	Submitted
1277.0 KA 15-00937	PEOPLE V JUSTIN M. NICHOLS	
	Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered October 31, 2014. The judgment convicted defendant, upon a jury verdict, of criminal contempt in the first degree and reckless endangerment in the second degree.	
	GUY A. TALIA for JUSTIN M. NICHOLS	Submitted
	JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK	5 minutes

1278.0
CAF 17-00758

ROBERT BUCHANAN
V
COLLEEN KOCKE

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenzo, J.), entered June 21, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, determined that petitioner shall continue to pay child support at the prior agreed upon amount of \$100.00 each week for the support of the subject children, except for the weeks of the summer period of placement.

LAURA J. EMERSON for COLLEEN KOCKE 15 minutes

EMILY A. VELLA for ROBERT BUCHANAN Submitted

LINDA M. SCHNELL, ATTORNEY FOR CHILD Submitted

1279.0
CAF 16-00343

In the Matter of
AYDEN W.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered February 5, 2016 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred respondent's guardianship and custody rights to petitioner.

WILLIAM D. BRODERICK, JR., for JOHN W. Submitted

ELISABETH M. COLUCCI for ERIE COUNTY D.S.S. Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD Submitted

1280.0
CA 16-01649

JAQUANDA NERO
V
ISAAC KENDRICK

Appeal from a judgment and order (one paper) of the Supreme Court, Monroe County (John J. Ark, J.), entered April 15, 2016. The judgment and order granted the motion of defendants Isaac Kendrick and Elizabeth Kendrick for summary judgment dismissing the claims of infant plaintiff Jaquanda Nero.

MO J. ATHARI for JAQUANDA NERO 10 minutes

STEVEN P. CURVIN for ISAAC KENDRICK 10 minutes

1281.0
CA 16-01354

ANTHONY BLANKS
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered June 17, 2016 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for ANTHONY BLANKS Submitted

KATE H. NEPVEU for ANTHONY ANNUCCI Submitted

1282.0
CA 16-02123

ANTHONY P. COMUSO
V
JAY A. SUPNICK

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered September 8, 2016. The order granted the motion of defendants for summary judgment dismissing the complaint.

ANTHONY P. COMUSO for HIMSELF 15 minutes

	JOSEPH W. DUNBAR for JAY A. SUPNICK	10 minutes
1283.0 CA 17-00646	NORMAN ROBINSON, JR. V SPRAGUES WASHINGTON SQUARE, LLC	
	Appeal and cross appeals from an order of the Supreme Court, Cattaraugus County (Michael L. Nenno, A.J.), entered July 7, 2016. The order, among other things, denied plaintiff's motion for partial summary judgment.	
	ANNE M. WHEELER for NORMAN ROBINSON, JR.	10 minutes
	BRENDAN H. LITTLE for SPRAGUES WASHINGTON SQUARE, LLC	15 minutes
	JENNIFER L. RODGERS for BILL GUGINO BUILDERS, INC.	15 minutes
1284.0 CA 17-00083	DAVID B. SHAW V LAUREN M. SHAW	
	Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered October 19, 2016. The order, inter alia, denied the application of plaintiff for a modification of custody.	
	MICHAEL D. SCHMITT for DAVID B. SHAW	Submitted
	VINCENT M. FERRERO for LAUREN M. SHAW	10 minutes
1285.0 CA 17-00210	ROGER D. ELWELL V ROBERT SHUMAKER	
	Appeal from a judgment of the Supreme Court, Chautauqua County (Timothy J. Walker, A.J.), entered March 17, 2016. The judgment, insofar as appealed from, dismissed the complaint.	
	MICHAEL JAMES WRONA for ROGER D. ELWELL	10 minutes
	ROBERT SHUMAKER for HIMSELF	Submitted
	MARJORIE SHUMAKER for HIMSELF	Submitted
1286.0 CA 17-00175	CITY OF BUFFALO CITY SCHOOL DISTRICT V LPCIMINELLI, INC.	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered September 9, 2016. The order, among other things, granted in part the motion of defendant LPCiminelli, Inc. to dismiss.	
	DANIEL J. ALTIERI for CITY OF BUFFALO CITY SCHOOL DISTRICT	15 minutes
	BENJAMIN ZUFFRANIERI, JR., for LPCIMINELLI, INC.	15 minutes
1287.0 CA 17-00176	CITY OF BUFFALO CITY SCHOOL DISTRICT V LPCIMINELLI, INC.	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered December 8, 2016. The order, among other things, dismissed plaintiff City of Buffalo City School District's second, third, sixth and seventh causes of action in Action No. 1 and granted LPCiminelli's petition in Action No. 2.	
	DANIEL J. ALTIERI for CITY OF BUFFALO CITY SCHOOL DISTRICT	Submitted

BENJAMIN ZUFFRANIERI, JR., for LPCIMINELLI, INC.

Submitted

**1288.0
CA 17-00721**

SADASHIV S. SHENOY, M.D.

V

KALEIDA HEALTH

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered November 2, 2016. The order denied the motion of defendant Ralph Benedict, M.D. for summary judgement dismissing plaintiff's complaint in its entirety.

JOSEPH W. DUNBAR for RALPH BENEDICT, M.D.

15 minutes

MATTHEW JOHN GARVEY for SADASHIV S. SHENOY, M.D.

15 minutes

**1289.0
CA 17-00868**

PAMELA KRACKER

V

LIAM P. O'CONNOR

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered February 21, 2017. The order denied the motion of defendant for summary judgment on the issue of serious injury.

MATTHEW D. PFALZER for LIAM P. O'CONNOR

10 minutes

KENNETH A. SZYSZKOWSKI for PAMELA KRACKER

10 minutes