

DAY CALENDAR
Thursday, October 26, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1338.0
KA 14-01664

PEOPLE
V
COLBY CLAYFIELD

Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered September 9, 2010. The judgment convicted defendant, upon a jury verdict, of conspiracy in the second degree.

FRANK J. NEBUSH, JR., for COLBY CLAYFIELD Submitted

STEVEN G. COX for PEOPLE OF THE STATE OF NEW YORK Submitted

1339.0
KA 15-02166

PEOPLE
V
VERNELL ROBERSON

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered December 17, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ALAN WILLIAMS for VERNELL ROBERSON 10 minutes

JULIE BENDER FISKE for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1340.0
KA 16-00557

PEOPLE
V
ANTUAN M. STANLEY

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrigh, A.J.), rendered January 26, 2016. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree and criminal possession of a weapon in the third degree.

DAVID P. ELKOVITCH for ANTUAN M. STANLEY Submitted

CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK 10 minutes

1341.0
KA 15-00041

PEOPLE
V
BRYAN R. WALKER

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered August 4, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree

JANET C. SOMES for BRYAN R. WALKER 5 minutes

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1342.0
KA 16-00008

PEOPLE
V
MICHAEL FLOYD

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered December 15, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ROBERT L. KEMP for MICHAEL FLOYD 10 minutes

	STEPHEN EARNHART for PEOPLE OF THE STATE OF NEW YORK	5 minutes
1343.0 KA 14-01024	PEOPLE V DONTE S. TWILLIE	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered January 3, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of marihuana in the third degree.	
	JANET C. SOMES for DONTE S. TWILLIE	5 minutes
	LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK	5 minutes
1344.0 CAF 16-00594	In the Matter of BROOKE T.	
	Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered March 28, 2016 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had severely abused the subject child.	
	SALVATORE FREDERICK LANZA for JUSTIN T.	Submitted
	KRISTOPHER STEVENS for JEFFERSON COUNTY D.S.S.	10 minutes
	LYDIA L. YOUNG, ATTORNEY FOR CHILD	Submitted
1345.0 CA 16-02320	DELPHI HEALTHCARE PLLC V PETRELLA PHILLIPS LLP	
	Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered September 22, 2016. The order denied in part defendants' motion to dismiss plaintiffs' complaint in its entirety.	
	WILLIAM G. BALLAINE for PETRELLA PHILLIPS LLP	15 minutes
	D. CHARLES ROBERTS for DELPHI HEALTHCARE PLLC	10 minutes
1346.0 CA 17-00075	ESSEX INSURANCE COMPANY V NDC REALTY, INC.	
	Appeal from an order and judgment (one paper) of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered April 15, 2016. The order and judgment, inter alia, declared that plaintiff has no remaining duty to defend and indemnify defendant NDC Realty, Inc.	
	MICHAEL J. SKONEY for SCOTT LIGER	15 minutes
	SHARON ANGELINO for ESSEX INSURANCE COMPANY	15 minutes
1347.0 CA 17-00826	JAMES MALEK V VILLAGE OF DEPEW	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered December 7, 2016. The order denied defendant's motion for summary judgment dismissing plaintiff's complaint and granted plaintiff's cross motion to amend his bill of particulars.	
	ALYSON C. CULLITON for VILLAGE OF DEPEW	15 minutes
	A. PETER SNODGRASS for JAMES MALEK	10 minutes

1348.0
CA 17-00082

BROWN & BROWN, INC.
V
THERESA A. JOHNSON

Appeal and cross appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered August 25, 2016. The order, among other things, denied partial enforcement of the non-solicitation covenant contained in an employment agreement signed by defendant, Theresa A. Johnson.

THOMAS J. CAHILL for BROWN & BROWN, INC. 20 minutes

PRESTON LEE ZARLOCK for THERESA A. JOHNSON 20 minutes

1349.0
CA 17-00804

TRACY HICKMOTT
V
GEORGE STUCK

Appeal from an amended order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered August 18, 2016. The amended order, inter alia, granted defendants the right to enter upon the land of plaintiff to paint their fence, once per year in even numbered years.

MICHAEL STEINBERG for TRACY HICKMOTT 10 minutes

MICHAEL D. LEESS for GEORGE STUCK Submitted

1350.0
CA 16-01924

JOSHUA A. JIMERSON
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (Michael E. Hudson, J.), entered June 2, 2016. The order denied the motion of claimants for partial summary judgment on the issue of liability.

JOEL L. DANIELS for KENNETH VAN AERNAM 15 minutes

CHERYL MEYERS BUTH for JOSHUA A. JIMERSON Submitted

KATE H. NEPVEU for STATE OF NEW YORK 10 minutes

1351.0
CA 17-00309

TERRI A. MCDONALD
V
WHITNEY HIGHLAND HOMEOWNERS' ASSN.

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered September 22, 2016. The order granted the motion of defendants for summary judgment dismissing plaintiff's complaint.

FRANK GAETANO MONTEMALO for TERRI A. MCDONALD 15 minutes

AIMEE LAFEVER KOCH for WHITNEY HIGHLAND HOMEOWNERS' ASSN. 15 minutes

1352.0
CA 17-00310

TERRI A. MCDONALD
V
WHITNEY HIGHLAND HOMEOWNERS' ASSN.

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered September 22, 2016. The order granted the motion of defendants to dismiss plaintiff's complaint.

FRANK GAETANO MONTEMALO for TERRI A. MCDONALD Submitted

AIMEE LAFEVER KOCH for WHITNEY HIGHLAND HOMEOWNERS' ASSN. Submitted

1353.0
CA 17-00291

CAROL A. SANTILLO
V
THOMAS J. SANTILLO

Appeal from an amended order of the Supreme Court, Monroe County (James J. Piampiano, J.), entered August 10, 2016. The amended order, among other things, denied the motion of defendant to vacate the Qualified Domestic Relations Order entered on February 9, 1996.

JEFFREY L. TURNER for THOMAS J. SANTILLO 10 minutes

THEODORE S. KANTOR for CAROL A. SANTILLO 10 minutes

1354.0
CA 17-00292

CAROL A. SANTILLO
V
THOMAS J. SANTILLO

Appeal from an order of the Supreme Court, Monroe County (James J. Piampiano, J.), entered November 7, 2016. The order denied defendant's motion to reargue and renew his prior motion to vacate the Qualified Domestic Relations Order entered on February 9, 1996.

JEFFREY L. TURNER for THOMAS J. SANTILLO Submitted

THEODORE S. KANTOR for CAROL A. SANTILLO Submitted

1355.0
CA 16-01999

KRAMBU PORTER
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 KRAMBU PORTER Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI Submitted

1356.0
CA 16-01612

GLASCO WRIGHT
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (Michael E. Hudson, J.), entered August 1, 2016. The order denied the motion of claimant for a default judgment.

GLASCO WRIGHT for HIMSELF Submitted

KATHLEEN M. LANDERS for STATE OF NEW YORK Submitted

1357.0
CAF 17-00163

In the Matter of
ELLIE JO L.H.

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered January 13, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, temporarily removed the subject child from respondent's care.

JOHN A. CIRANDO for DEBRA A.M. 15 minutes

MELISSA L. KOFFS, ATTORNEY FOR THE CHILD 15 minutes

1358.0
CAF 17-00164

MELISSA L.K.
V
DEBRA A.M.

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered January 13, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, temporarily removed the subject child from respondent's care.

JOHN A. CIRANDO for DEBRA A.M.

Submitted

MELISSA L. KOFFS, ATTORNEY FOR CHILD

Submitted

1359.0
CAF 17-02244

In the Matter of
ELLIE JO L.H.

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered January 13, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject child.

JOHN A. CIRANDO for DEBRA A.M.

Submitted

MELISSA L. KOFFS, ATTORNEY FOR THE CHILD

Submitted