

DAY CALENDAR
Tuesday, October 16, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1094.0
KA 17-00746

PEOPLE
V
RONALD THOMAS

Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, A.J.), entered March 23, 2017. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree and criminal possession of a weapon in the third degree.

LINDA M. CAMPBELL for RONALD THOMAS

Submitted

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

Submitted

1095.0
KA 15-01597

PEOPLE
V
MICHAEL SANTIAGO

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered January 20, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

DAVID A. COOKE for MICHAEL SANTIAGO

Submitted

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

Submitted

1096.0
KA 16-00316

PEOPLE
V
KEVIN KING

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered June 15, 2015. The judgment convicted defendant, upon a jury verdict, of conspiracy in the second degree, criminal possession of a controlled substance in the third degree (three counts), criminal sale of a controlled substance in the third degree (two counts) and criminal sale of a controlled substance in the first degree.

MICHAEL J. STACHOWSKI for KEVIN KING

15 minutes

JODI A. DANZIG for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1097.0
KA 16-00802

PEOPLE
V
MARQUAN LINDSEY

Appeal from a judgment of the Onondaga County Court (Walter W. Hafner, Jr., A.J.), rendered March 22, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of stolen property in the fourth degree.

PHILIP ROTHSCHILD for MARQUAN LINDSEY

10 minutes

KAITLYN M. GUPTILL for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1098.0
KA 13-01622

PEOPLE
V
JUSTIN R. WURTENBERG

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered May 31, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the first degree, attempted robbery in the second degree (two counts), and assault in the second degree (two counts).

ERIC M. DOLAN for JUSTIN R. WURTENBERG

Submitted

DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1099.0
KA 16-01504

PEOPLE
V
MOHAMED KABA

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, Jr., A.J.), rendered July 18, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the second degree

SHERRY A. CHASE for MOHAMED KABA

5 minutes

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

5 minutes

1100.0
KA 17-00759

PEOPLE
V
BRANDON HEMINGWAY

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered January 15, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

ELIZABETH S. RIKER for BRANDON HEMINGWAY

10 minutes

KAITLYN M. GUPTILL for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1101.0
KA 14-01531

PEOPLE
V
MICHAEL A. ALBERT

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered July 30, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

KIMBERLY J. CZAPRANSKI for MICHAEL A. ALBERT

15 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

15 minutes

1102.0
KA 15-01730

PEOPLE
V
ANQUAWN LINDER

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered September 29, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree.

NATHANIEL V. RILEY for ANQUAWN LINDER

10 minutes

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

10 minutes

1103.0
KAH 16-01834

PEOPLE EX REL.
RICKY WINTERS
V
KAREN CROWLEY

Appeal from a judgment (denominated order) of the Supreme Court, Orleans County (James P. Punch, A.J.), entered August 22, 2016 in a habeas corpus proceeding. The order dismissed the petition.

JAMES M. SPECYAL for RICKY WINTERS

10 minutes

BRIAN D. GINSBERG for KAREN CROWLEY

10 minutes

1104.0
CA 17-02002

RICHARD H. WARNER
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (J. David Sampson, J.), entered March 15, 2017. The judgment dismissed the claim after a trial.

EDWARD C. COSGROVE for RICHARD H. WARNER

15 minutes

BRIAN D. GINSBERG for STATE OF NEW YORK

10 minutes

1105.0
CA 17-02003

RICHARD H. WARNER
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (J. David Sampson, J.), entered March 15, 2017. The judgment dismissed the claim after a trial.

EDWARD C. COSGROVE for RICHARD H. WARNER

Submitted

BRIAN D. GINSBERG for STATE OF NEW YORK

Submitted

1106.0
CA 17-02004

RICHARD H. WARNER
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (J. David Sampson, J.), entered May 31, 2017. The order denied the motion of claimant to set aside judgments pursuant to CPLR 4404 (b).

EDWARD C. COSGROVE for RICHARD H. WARNER

Submitted

BRIAN D. GINSBERG for STATE OF NEW YORK

Submitted

1107.0
CA 18-00430

LINDA M. BROWN
V
T-L MARKETPLACE, LLC

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered December 5, 2017. The order denied the motion of defendant for summary judgment dismissing the complaint.

ANTHONY F. DESTEFANO for T-L MARKETPLACE, LLC

15 minutes

BRITTANY L. HANNAH for LINDA M. BROWN

15 minutes

1108.0
CA 18-00261

DAVID FLOWERS
V
HARBORCENTER DEVELOPMENT, LLC

Appeal from a judgment of the Supreme Court, Erie County (Henry J. Nowak, Jr., J.), entered August 24, 2017. The judgment awarded plaintiff money damages upon a jury verdict.

JOSH H. KARDISCH for HARBORCENTER DEVELOPMENT, LLC

15 minutes

SAMUEL J. CAPIZZI for DAVID FLOWERS

10 minutes

1109.0
CA 18-00951

**GROCHOLSKI CADY ROAD, LLC
V
THOMAS SMITH, JR.**

Appeal from a judgment (denominated order) of the Supreme Court, Oneida County (David A. Murad, J.), entered August 14, 2017 in a CPLR article 78 proceeding and a declaratory judgment action. The judgment, among other things, denied the motion of respondent Noah Palczynski to dismiss.

KENNETH L. AYERS for NOAH PALCZYNSKI	15 minutes
RAYMOND A. MEIER for GROCHOLSKI CADY ROAD, LLC	10 minutes
CHARLES W. ENGELBRECHT for THOMAS SMITH, JR.	Submitted

1110.0
CA 18-00681

**DITECH FINANCIAL, LLC
V
TIMOTHY W. CORBETT**

Appeal from an order of the Supreme Court, Onondaga County (Kevin G. Young, J.), entered September 25, 2017. The order, among other things, awarded plaintiff a default judgment against defendants Timothy W. Corbett and Sheila B. Corbett.

CRAIG C. HUMPLEBY for TIMOTHY W. CORBETT	15 minutes
GLENN PATRICK WARMUTH for DITECH FINANCIAL, LLC	15 minutes

1111.0
CA 18-00786

**JAMES E. FAYSON
V
RENT-A-CENTER, EAST, INC.**

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered July 21, 2017. The order, insofar as appealed from, denied the motion of defendants Melanie E. Weigel and Fantasia K. Jacobs for summary judgment and denied the cross motion of plaintiff for partial summary judgment.

GREGORY V. PAJAK for JAMES E. FAYSON	10 minutes
CHRISTIAN J. SOLLER for RENT-A-CENTER, EAST, INC.	10 minutes
MARTHA E. DONOVAN for MELANIE E. WEIGEL	10 minutes

1112.0
CA 17-01559

**JENNIFER HAGGERTY
V
RYAN HAGGERTY**

Appeal from a judgment of the Supreme Court, Erie County (Terrence M. Parker, A.J.), entered June 22, 2017 in a divorce action. The judgment, among other things, granted the parties a divorce and determined the issue of child support.

WILLIAM R. HITES for JENNIFER HAGGERTY	15 minutes
RYAN HAGGERTY for HIMSELF	Submitted
MARY ANNE CONNELL, ATTORNEY FOR THE CHILD	15 minutes

1113.0
CA 18-00367

**JENNIFER HAGGERTY
V
RYAN HAGGERTY**

Appeal from an order of the Supreme Court, Erie County (Terrence M. Parker, A.J.), entered April 4, 2017 in a divorce action. The order, among other things, adjudged that plaintiff remains responsible for child support arrears.

WILLIAM R. HITES for JENNIFER HAGGERTY

Submitted

RYAN HAGGERTY for HIMSELF

Submitted

MARY ANNE CONNELL, ATTORNEY FOR THE CHILD

Submitted

1114.0
CA 18-00294

JOHN T. TIMKEY
V
CITY OF LOCKPORT

Appeal from an order of the Supreme Court, Niagara County (Sara Sheldon, A.J.), entered July 7, 2017. The order granted the motion of plaintiff for summary judgment, denied the cross motion of defendant for summary judgment and ordered defendant to pay certain health insurance benefits to plaintiff.

RYAN G. SMITH for CITY OF LOCKPORT

10 minutes

THOMAS H. BRANDT for JOHN T. TIMKEY

10 minutes

1115.0
CA 17-01015

ANTHONY N.
V
STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered February 15, 2017 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, adjudged that petitioner shall continue to be committed to a secure treatment facility.

ADAM H. VAN BUSKIRK for ANTHONY N.

Submitted

JONATHAN D. HITSOUS for STATE OF NEW YORK

Submitted

1116.0
CA 18-00971

ONE FLINT STREET, LLC
V
EXXON MOBIL CORPORATION

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered January 26, 2018. The order, among other things, granted the motion of third-party defendant for summary judgment.

GRETA KATRIN KOLCON for LOUIS ATKIN

15 minutes

MARK J. MORETTI for MARTIN T. MARKS

10 minutes

LAURA SICLARI for EXXON MOBIL CORPORATION

Submitted

ALAN J. KNAUF for ONE FLINT STREET, LLC

Submitted