

DAY CALENDAR
Tuesday, September 6, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

663.0
TP 16-00052

ANGELA BRIGGS
V
NEW YORK STATE OFFICE OF CHILDREN

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, Monroe County [John J. Ark, J.], entered December 8, 2015) to review a determination of respondent. The determination affirmed the revocation of petitioner's family day care registration.

JONATHAN G. JOHNSEN for ANGELA BRIGGS Submitted

ANDREW B. AYERS for NEW YORK STATE OFFICE OF CHILDREN Submitted

664.0
KA 13-00913

PEOPLE
V
DOUGLAS P. BEARDSLEY, JR.

Appeal from a judgment of the Chautauqua County Court (John L. LaMancuso, A.J.), rendered March 7, 2013. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class E felony, and aggravated unlicensed operation of a motor vehicle in the first degree.

JOHN A. CIRANDO for DOUGLAS P. BEARDSLEY, JR. 10 minutes

ANDREW M. MOLITOR for PEOPLE OF THE STATE OF NEW YORK Submitted

665.0
KA 13-00155

PEOPLE
V
SARAH J. CUSHMAN

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered November 13, 2012. The judgment convicted defendant, upon her plea of guilty, of robbery in the first degree.

BRIDGET L. FIELD for SARAH J. CUSHMAN 10 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 5 minutes

666.0
KA 13-00156

PEOPLE
V
SARAH J. CUSHMAN

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered November 13, 2012. The judgment convicted defendant, upon her plea of guilty, of robbery in the first degree.

BRIDGET L. FIELD for SARAH J. CUSHMAN Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

667.0
KA 13-00157

PEOPLE
V
SARAH J. CUSHMAN

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered November 13, 2012. The judgment convicted defendant, upon her plea of guilty, of burglary in the second degree.

BRIDGET L. FIELD for SARAH J. CUSHMAN

Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

668.0
KA 12-02045

PEOPLE
V
DAVID DALE

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered October 3, 2012. The judgment convicted defendant, upon his plea of guilty, of scheme to defraud in the first degree and practice of law by an attorney who has been disbarred.

DAVID DALE for HIMSELF

15 minutes

DONNA A. MILLING for PEOPLE OF THE STATE OF NEW YORK

10 minutes

669.0
KA 14-00007

PEOPLE
V
ANTONIO L. JAMES

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered November 25, 2013. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree (three counts).

KIMBERLY F. DUGUAY for ANTONIO L. JAMES

15 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

5 minutes

670.0
KA 15-01140

PEOPLE
V
CARL EVANS

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered August 4, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

ANDREW C. LOTEMPIO for CARL EVANS

10 minutes

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK

10 minutes

671.0
KA 12-01585

PEOPLE
V
BRIAN K. HUTCHINGS

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered July 31, 2012. The judgment convicted defendant, after a nonjury trial, of scheme to defraud in the first degree (two counts), grand larceny in the third degree, grand larceny in the fourth degree (three counts), and petit larceny (five counts).

DAVID P. ELKOVITCH for BRIAN K. HUTCHINGS

10 minutes

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

10 minutes

672.0
KA 12-01925

PEOPLE
V
JAMES HALL, II

Appeal from a judgment of the Lewis County Court (Charles C. Merrell, J.), rendered October 28, 2011. The judgment convicted defendant, upon a jury verdict, of course of sexual conduct against a child in the first degree and endangering the welfare of a child.

TRACY SULLIVAN for JAMES HALL, II

5 minutes

JOHN A. CIRANDO for PEOPLE OF THE STATE OF NEW YORK

10 minutes

673.0
KA 12-00874

PEOPLE
V
FAHEEM ABDUL-JALEEL

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered April 26, 2012. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree and assault in the first degree.

BRIAN J. JACEK for FAHEEM ABDUL-JALEEL

10 minutes

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

10 minutes

674.0
KA 14-01172

PEOPLE
V
JESSE JOHNSTON

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered June 10, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

CARA A. WALDMAN for JESSE JOHNSTON

10 minutes

LORA TRYON for PEOPLE OF THE STATE OF NEW YORK

10 minutes

675.0
KA 15-00239

PEOPLE
V
THOMAS P. FARRELL

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered January 22, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

SHERRY A. CHASE for THOMAS P. FARRELL

Submitted

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

Submitted

676.0
KA 14-02142

PEOPLE
V
BETTY M. COLLETTE

Appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered September 23, 2014. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

JAMES ECKERT for BETTY M. COLLETTE

Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

677.0
CA 15-01950

FREDERICK INGUTTI
V
ROCHESTER GENERAL HOSPITAL

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered August 3, 2015. The order, insofar as appealed from, denied the motion of defendant to dismiss plaintiffs' second, fourth and fifth causes of action.

JENNIFER M. SCHWARTZOTT for ROCHESTER GENERAL HOSPITAL 10 minutes

PETER J. WEISHAAR for FREDERICK INGUTTI 15 minutes

678.0
CA 15-01924

CENTRAL CITY ROOFING, INC.
V
ASHLEY MCGRAW ARCHITECTS, D.P.C.

Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered January 16, 2015. The order granted the motion of defendant for summary judgment, dismissed the complaint and denied the cross motion of plaintiff to amend the complaint.

MATTHEW E. WARD for CENTRAL CITY ROOFING, INC. 15 minutes

MATTHEW D. GUMAER for ASHLEY MCGRAW ARCHITECTS, D.P.C. 10 minutes

679.0
CA 15-00701

BERTRAM PAYNE
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (Renee Forgens Minarik, J.), entered February 13, 2015. The judgment dismissed the claim after a trial.

BERTRAM PAYNE for HIMSELF Submitted

OWEN DEMUTH for STATE OF NEW YORK Submitted

680.0
CA 15-01974

WILLIAM M. EDDY
V
DAVID ANTANAVIGE

Appeal from a judgment of the Supreme Court, Oneida County (David A. Murad, J.), entered July 1, 2015. The judgment, among other things, determined that plaintiff is entitled to interest from June 14, 2013.

MURRAY J.S. KIRSHTEN for WILLIAM M. EDDY 15 minutes

DAVID A. LONGERETTA for DAVID ANTANAVIGE 10 minutes

681.0
CA 15-01542

HUGO RAFAEL RAMIREZ GABRIEL
V
JOHNSTON'S L.P. GAS SERVICE, INC.

Appeals and cross appeals from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered May 27, 2015. The order denied the motions of defendants for summary judgment dismissing the complaints and denied the motion of third-party defendants to dismiss the third-party complaint.

BRYAN J. MAGGS for ANTHONY A. DEMARCO 15 minutes

DONALD S. DIBENEDETTO for JOHNSTON'S L.P. GAS SERVICE, INC. 15 minutes

MICHAEL G. BERSANI for HUGO RAFAEL RAMIREZ GABRIEL 15 minutes

682.0
CA 15-01907

RAEQUEL L. GRAHAM
V
CHARLESETA JONES

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered May 28, 2015. The order, insofar as appealed from, denied the motion of defendant Buffalo Auto Rental, Inc., for summary judgment dismissing the complaint.

JEFFREY P. DIPALMA for **BUFFALO AUTO RENTAL, INC.** 20 minutes

ANNE M. WHEELER for **RAEQUEL L. GRAHAM** 10 minutes

683.0
CA 15-01646

JD&K ASSOCIATES
V
SELECTIVE INSURANCE GROUP, INC.

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered February 6, 2015. The order denied the motion of defendants Selective Insurance Company of America and Selective Way Insurance Company for summary judgment dismissing plaintiff's fourth cause of action and granted the cross motion of plaintiff to amend its complaint.

RICHARD S. MILLS for **SELECTIVE INSURANCE COMPANY OF AMERICA** 15 minutes

PATRICIA A. LYNN-FORD for **JD&K ASSOCIATES** 15 minutes

684.0
CA 15-01273

WILLIAM E. HAMILTON
V
MARY ALLEY

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered June 25, 2015 in a proceeding pursuant to CPLR article 75. The order denied petitioner's motion for leave to renew.

DENNIS G. O'HARA for **WILLIAM E. HAMILTON** 10 minutes

DOUGLAS M. MCRAE for **MARY ALLEY** 5 minutes