

DAY CALENDAR
Tuesday, September 13, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

770.0
TP 15-02181

STEVEN ANDERSON
V
ANTHONY ANNUCCI

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, Oneida County [Patrick F. MacRae, J.], entered June 22, 2015) to review a determination of respondent. The determination found after a Tier II hearing that petitioner had violated various inmate rules.

STEVEN ANDERSON for HIMSELF

Submitted

KATHLEEN M. TREASURE for ANTHONY ANNUCCI

Submitted

771.0
KA 14-00093

PEOPLE
V
MAXWELL B. MOHAWK

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered July 1, 2013. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree.

SUSAN C. MINISTERO for MAXWELL B. MOHAWK

Submitted

LORI PETTIT RIEMAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

772.0
KA 13-02138

PEOPLE
V
VERNIEL L. WILSON

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered November 1, 2013. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree, robbery in the second degree and attempted robbery in the second degree

GARY MULDOON for VERNIEL L. WILSON

10 minutes

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK

10 minutes

773.0
KA 14-01519

PEOPLE
V
STEPHEN R. BOMBARD

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered February 26, 2014. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class E felony.

GARY MULDOON for STEPHEN R. BOMBARD

5 minutes

MELANIE J. BAILEY for PEOPLE OF THE STATE OF NEW YORK

5 minutes

774.0
KA 14-01506

PEOPLE
V
GLASCO P. ROZIER

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered May 12, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

TIMOTHY P. MURPHY for GLASCO P. ROZIER

10 minutes

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

10 minutes

775.0
KA 12-00098

PEOPLE

V

FLEMING W. ASHFORD, III

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered October 25, 2011. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

SHIRLEY A. GORMAN for FLEMING W. ASHFORD, III

10 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

10 minutes

776.0
KA 14-00231

PEOPLE

V

NICHOLAS E. CARDUCCI

Appeal from a judgment of the Erie County Court (E. Jeannette Ogden, A.J.), rendered September 3, 2013. The judgment convicted defendant upon a jury verdict, of burglary in the second degree.

TIMOTHY P. MURPHY for NICHOLAS E. CARDUCCI

10 minutes

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

10 minutes

777.0
KA 13-00576

PEOPLE

V

CARLOS MANSILLA

Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered December 13, 2011. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree.

PATRICK J. MARTHAGE for CARLOS MANSILLA

Submitted

MATTHEW P. WORTH for PEOPLE OF THE STATE OF NEW YORK

Submitted

778.0
KA 15-00437

PEOPLE

V

GEORGE ALFRED, JR.

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered July 7, 2014. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree and kidnapping in the second degree.

LINDA M. CAMPBELL for GEORGE ALFRED, JR.

10 minutes

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

10 minutes

779.0
KA 14-00977

PEOPLE

V

KRYSTIAN BROWN

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered May 21, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

CAITLIN M. CONNELLY for KRYSTIAN BROWN 5 minutes

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

780.0
CAF 15-00091

RONALD CRAMER
V
DULSA CRAMER

Appeal from an order of the Family Court, Oneida County (Julia M. Brouillette, R.), entered December 5, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded Ronald Cramer sole custody of the subject children.

PETER J. DIGIORGIO, JR., for DULSA CRAMER 10 minutes

HERBERT J. CULLY for RONALD CRAMER 5 minutes

MARY R. HUMPHREY, ATTORNEY FOR CHILD 10 minutes

781.0
CAF 15-00691

KRISTIN DAWLEY
V
SEAN T. DAWLEY

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered March 24, 2015. The order granted the violation of visitation petition of Kristin M. Dawley, as amended and granted the violation petition of Sean T. Dawley.

PAUL B. WATKINS for KRISTIN DAWLEY 5 minutes

SEAN T. DAWLEY for HIMSELF Submitted

MICHELLE M. SCUDERI, ATTORNEY FOR CHILD 10 minutes

782.0
CAF 15-00692

KRISTIN M. DAWLEY
V
SEAN DAWLEY

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered March 24, 2015 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition with prejudice.

PAUL B. WATKINS for KRISTIN M. DAWLEY Submitted

SEAN T. DAWLEY for HIMSELF Submitted

MICHELLE M. SCUDERI, ATTORNEY FOR CHILD Submitted

783.0
CA 15-02057

BUFFALO BIODIESEL, INC.
V
TAJ MAHAL, INC.

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Paula L. Feroletto, J.), entered August 19, 2015. The order and judgment, insofar as appealed from, granted the motion of defendant to dismiss the complaint and dismissed the complaint.

APRIL J. ORLOWSKI for BUFFALO BIODIESEL, INC. 10 minutes

ANDREW J. STIMSON for TAJ MAHAL, INC. 10 minutes

784.0
CA 15-02182

**WILLIAM SCRUTON
V
ACRO-FAB, LTD.**

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered March 20, 2015. The order, insofar as appealed from, granted the motion of plaintiff for partial summary judgment on liability pursuant to Labor Law § 240 (1) against defendant Acro-Fab, Ltd.

TERANCE V. WALSH for ACRO-FAB, LTD.

10 minutes

EDWARD J. SMITH, III, for WILLIAM SCRUTON

15 minutes

785.0
CA 15-00410

**STATE OF NEW YORK
V
CHRISTOPHER BUSHEY**

Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered January 28, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order, inter alia, determined that respondent is a dangerous sex offender requiring confinement and committed respondent to a secure treatment facility.

BRYCE THERRIEN for CHRISTOPHER BUSHEY

15 minutes

FRANK BRADY for STATE OF NEW YORK

10 minutes

786.0
CA 15-00217

**VAN WIE CHEVROLET, INC.
V
GENERAL MOTORS, LLC**

Appeal from an order of the Supreme Court, Onondaga County (Brian F. DeJoseph, J.), entered October 6, 2012. The order, among other things, granted in part the motion of defendant General Motors, LLC to dismiss plaintiff's complaint and granted the cross motion of defendant Sharon Chevrolet, Inc. to dismiss plaintiff's complaint as against them.

ERIC L. CHASE for VAN WIE CHEVROLET, INC.

15 minutes

JOHN J. O'DONNELL for GENERAL MOTORS, LLC

15 minutes

787.0
CA 15-00218

**VAN WIE CHEVROLET, INC.
V
GENERAL MOTORS, LLC**

Appeal and cross appeal from an order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered June 16, 2014. The order, among other things, denied in part the motion of defendant General Motors, LLC for summary judgment and denied in part plaintiff's motion for summary judgment.

ERIC L. CHASE for VAN WIE CHEVROLET, INC.

Submitted

JOHN J. O'DONNELL for GENERAL MOTORS, LLC

Submitted

788.0
CA 15-00219

**VAN WIE CHEVROLET, INC.
V
GENERAL MOTORS, LLC**

Appeal from a judgment of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered November 10, 2014. The judgment, among other things, granted in part the motion of defendant General Motors, LLC to dismiss plaintiff's complaint and granted in part the motion of defendant General Motors, LLC for summary judgment.

	ERIC L. CHASE for VAN WIE CHEVROLET, INC.	Submitted
	JOHN J. O'DONNELL for GENERAL MOTORS, LLC	Submitted
789.0 CA 15-01752	JASON FAWCETT V FRANKLYN COLE STEARNS	
	Appeal from an order of the Supreme Court, Chautauqua County (Paul B. Wojtaszek, J.), entered May 15, 2015. The order, insofar as appealed from, granted the motion of defendant to dismiss plaintiffs' Labor Law §§ 240 (1) and 241 (6) causes of action and denied the cross motion of plaintiffs for partial summary judgment on liability pursuant to Labor Law § 240 (1).	
	SAMUEL J. CAPIZZI for JASON FAWCETT	10 minutes
	PAUL D. MCCORMICK for FRANKLYN COLE STEARNS	10 minutes
790.0 CA 15-02099	In the Matter of ALLSTATE INSURANCE COMPANY (MICHAEL J. CAPPADONIA)	
	Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered June 23, 2015. The order granted the petition to permanently stay the supplemental uninsured/underinsured motorist coverage arbitration hearing.	
	GEORGE A. KOHL, II, for MICHAEL J. CAPPADONIA	Submitted
	BARNEY FRANK BILELLO for ALLSTATE INSURANCE COMPANY	Submitted
791.0 CA 15-02106	JOHN FREDERICK V NEW YORK STATE THRUWAY AUTHORITY	
	Appeal from an order of the Court of Claims (Renee Forgensi Minarik, J.), entered March 23, 2015. The order denied in part defendant's motion for a protective order.	
	FREDERICK A. BRODIE for NEW YORK STATE THRUWAY AUTHORITY	10 minutes
	AMY K. KENDALL for JOHN FREDERICK	10 minutes
792.0 CA 16-00019	MILTON GRINAGE V DIANE DURAWA	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 25, 2015. The order directed plaintiff to reimburse respondent ACA Insurance Company for Additional Personal Injury Protection benefits paid to plaintiff.	
	JOSHUA ISRAEL RAMOS for MILTON GRINAGE	15 minutes
	SUZANNE BILLIG for ACA INSURANCE COMPANY	15 minutes