

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. LOTEPIPIO 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

DAY CALENDAR
Wednesday, September 7, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

699.0
CA 15-02049

UNIQUE BROWN
V
STATE OF NEW YORK

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered June 19, 2015. The order, insofar as appealed from, denied the motion of defendant State of New York to dismiss the complaint.

ZAINAB A. CHAUDHRY for STATE OF NEW YORK 10 minutes

LEAH KELMAN for FINA BELL 15 minutes

687.0
KA 14-02255

PEOPLE
V
LYLE F. DAVOY, SR.

Appeal from a judgment of the Lewis County Court (Daniel R. King, J.), rendered December 6, 2013. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.

ADAM R. MATTESON for LYLE F. DAVOY, SR. 10 minutes

JOHN A. CIRANDO for PEOPLE OF THE STATE OF NEW YORK 10 minutes

688.0
KA 08-01006

PEOPLE
V
BRANDON L. ROBINSON

Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.), rendered April 3, 2008. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree, criminal use of drug paraphernalia in the second degree and unlawful possession of marihuana.

KATHLEEN P. REARDON for BRANDON L. ROBINSON 5 minutes

DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK 5 minutes

689.0
KA 15-00418

PEOPLE
V
JOHANNES HIRAM

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered January 21, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

DEBORAH K. JESSEY for JOHANNES HIRAM Submitted

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK Submitted

690.0
KA 11-01062

PEOPLE
V
CRYSTAPHER HAMPTON

Appeal from a judgment of the Supreme Court, Monroe County (Elma A. Bellini, J.), rendered March 15, 2010. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.

	KATHLEEN P. REARDON for CRYSTAPHER HAMPTON	10 minutes
	ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK	10 minutes
691.0 KA 15-01532	PEOPLE V JENISE HADDAD SMITH	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Oneida County Court (Michael L. Dwyer, J.), dated July 27, 2015. The and order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10 (1) (h).	
	BRIAN SHIFFRIN for JENISE HADDAD SMITH	10 minutes
	STEVEN G. COX for PEOPLE OF THE STATE OF NEW YORK	10 minutes
692.0 KA 13-02063	PEOPLE V DAKOTA J. LYNN	
	Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered, rendered October 30, 2013. The judgment convicted defendant, upon her plea of guilty, of falsifying business records in the first degree (two counts) and petit larceny (two counts).	
	JOHN A. CIRANDO for DAKOTA J. LYNN	10 minutes
	BRIAN D. DENNIS for PEOPLE OF THE STATE OF NEW YORK	10 minutes
693.0 CAF 15-00037	In the Matter of HUNTER K.	
	Appeal from an order of the Family Court, Livingston County (Robert B. Wiggins, J.), entered September 23, 2014 in a proceeding pursuant to Family Court Act article 10. The order adjudged that the respondents had neglected the subject children.	
	CHARLES J. GREENBERG for ROBIN K.	5 minutes
	JOHN T. SYLVESTER for LIVINGSTON COUNTY D.S.S.	Submitted
	KIMBERLY WEISBECK, ATTORNEY FOR CHILD	5 minutes
694.0 CAF 15-00233	In the Matter of KEVIN A.B., JR.	
	Appeal from an order of the Family Court, Lewis County (Daniel R. King, J.), entered October 15, 2014 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent had neglected the subject child.	
	SCOTT A. OTIS for DEASIA R.	10 minutes
	MARY M. IOCOVOZZI for LEWIS COUNTY D.S.S.	10 minutes
	KRYSTAL A. RUPERT, ATTORNEY FOR CHILD	10 minutes
695.0 CAF 15-00154	In the Matter of CARTER W.	SETTLED

Appeal from an order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered January 16, 2015 in a proceeding pursuant to Family Court Act article 10. The order granted supervised visitation to respondent James D.

CAROL LYNN EISENMAN for MONROE COUNTY D.H.S.

DONALD A. WHITE for JAMES D.

RHIAN D. JONES, ATTORNEY FOR CHILD

696.0
CAF 15-00243

In the Matter of **SETTLED**
CARTER W.

Appeal from an amended order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered February 5, 2015 in a proceeding pursuant to Family Court Act article 6. The amended order granted supervised visitation to respondent James D.

CAROL LYNN EISENMAN for MONROE COUNTY D.H.S.

DONALD A. WHITE for JAMES D.

RHIAN D. JONES, ATTORNEY FOR CHILD

697.0
CAF 15-00717

In the Matter of
CHRISTINE P.

Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered February 25, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, placed respondent under the supervision of petitioner for one year.

LISA DIPOALA HABER for PAUL P.

10 minutes

MICHAEL WERNER for JEFFERSON COUNTY D.S.S.

5 minutes

MELISSA L. KOFFS, ATTORNEY FOR CHILD

Submitted

698.0
CA 15-01977

GASPER A. TIRONE
V
DEBORAH A. BUCZEK

Appeal from a judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered February 10, 2015. The judgment, inter alia, granted plaintiffs a judgment of foreclosure and sale.

DEBORAH A. BUCZEK for HERSELF

10 minutes

KEVIN M. KEARNEY for GASPER A. TIRONE

10 minutes

700.0
CA 15-01923

NANCY ALTIC
V
BOARD OF EDUCATION

Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (James P. Murphy, J.), entered January 20, 2015. The order and judgment annulled the change by respondents in the prescription drug benefits of petitioners.

CRAIG M. ATLAS for BOARD OF EDUCATION

15 minutes

MATTHEW E. BERGERON for NANCY ALTIC

15 minutes

701.0
CA 15-00775

DENISE AMBROSE
V
JAMES E. BROWN, JR., M.D.

Appeal and cross appeal from an order of the Supreme Court, Onondaga County (Walter W. Hafner, Jr., A.J.), entered March 12, 2015. The order denied the post-trial motion of defendants Suchitra Kavety, M.D., Jane Fields, C.N.M., and Associates for Women's Medicine to reverse and vacate the court's prior decision granting a mistrial and to reinstate the verdict in favor of defendants.

NANCY MAY-SKINNER for SUCHITRA KAVETY, M.D. 10 minutes

MICHAEL BOTTAR for DENISE AMBROSE 10 minutes

702.0
CA 15-02040

BROADWAY WAREHOUSE COMPANY
V
EMPIRE DIAGNOSTICS, INC.

Appeals and cross appeals from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered March 30, 2015. The order, among other things, denied in part plaintiff's motion for partial summary judgment.

J. MICHAEL LENNON, II, for BROADWAY WAREHOUSE COMPANY 15 minutes

BRADLEY A. HOPPE for DAVID R. PFALSGRAF, JR. 15 minutes

ANDREW O. MILLER for EMPIRE DIAGNOSTICS, INC. 15 minutes

703.0
CA 15-02004

BRITTANY PERKINS
V
SHARON E. COLOMBO

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered February 10, 2015. The order denied the motion of defendant Corbritt Management Services, Inc., for summary judgment dismissing the complaint.

CHRISTOPHER E. WILKINS for CORBRITT MANAGEMENT SERVICES, INC. 15 minutes

KATHLEEN A. BURR for BRITTANY PERKINS 10 minutes

704.0
CA 15-00301

ANTHONY BOTTOM
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (Michael E. Hudson, J.), dated January 2, 2015. The judgment denied and dismissed the claim against defendant.

ANTHONY BOTTOM for HIMSELF Submitted

LAURA ETLINGER for STATE OF NEW YORK Submitted

708.1
CAE 16-01451

PATRICE ATWOOD
V
MARKIETH PRIDGEN

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered August 16, 2016, in a proceeding pursuant to Election Law article 16. The order, insofar as appealed from, granted petitioners default relief against respondents Samuel Davis and Maurice McCray, Erie County Committeemen candidates in Election District Ellicott #23, Lashonda Roach and Willie Braxton, Erie County Committeemen candidates in Election District Fillmore #11, and Dolores Wilkenson and Jimmie Strong, Erie County Committeemen candidates in Election District Masten #33, set aside the designating petitions for said respondents and precluded the names of said respondents from appearing on the ballots for the September 13, 2016 Primary Election.

PETER A. REESE for MARKIETH PRODGEN

15 minutes

JEROME D. SCHAD for PATRICE ATWOOD

5 minutes

MICHELLE MARIE PARKER for ERIE COUNTY BOARD OF ELECTIONS

Submitted

DAY CALENDAR
Thursday, September 8, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

709.0
TP 15-01941

RACHEL FIGEUROA
V
NEW YORK STATE DIVISION OF HUMAN RIGHTS

Proceeding pursuant to Executive Law § 298 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Erie County [Catherine R. Nugent Panepinto, J.], dated November 16, 2015) to review a determination of respondent New York State Division of Human Rights. The determination adopted the recommended order of the Administrative Law Judge dismissing petitioner's complaint.

LINDY KORN for RACHEL FIGEUROA 10 minutes
CAROLINE J. DOWNEY for N.Y.S. DIVISION OF HUMAN RIGHTS Submitted
KRISTIN K. WHEATON for BUFFALO CITY SCHOOL DISTRICT 10 minutes

710.0
KA 11-00940

PEOPLE
V
JEFFREY L. NEWTON

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered March 7, 2011. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and gang assault in the first degree.

DONALD M. THOMPSON for JEFFREY L. NEWTON 10 minutes
SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK 10 minutes

711.0
KA 13-00944

PEOPLE
V
CHRISTOPHER YOUNG

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Francis A. Affronti, J.), dated May 13, 2013. The order denied the motion of defendant to set aside his sentence pursuant to CPL 440.20.

MARY P. DAVISON for CHRISTOPHER YOUNG 5 minutes
NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 5 minutes

712.0
KA 14-01095

PEOPLE
V
JENNIFER L. JONES

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered June 10, 2014. The judgment convicted defendant, upon her plea of guilty, of grand larceny in the fourth degree

RYAN J. MULDOON for JENNIFER L. JONES Submitted
NATHAN J. GARLAND for PEOPLE OF THE STATE OF NEW YORK Submitted

713.0
KA 13-00941

PEOPLE
V
THOMAS J. RICHARDSON

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered March 26, 2013. The judgment convicted defendant, after a nonjury trial, of incest in the third degree.

GUY A. TALIA for THOMAS J. RICHARDSON

Submitted

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

Submitted

714.0
TP 15-01940

ASHLEIGH SCHWALLIE
V
NEW YORK STATE DIVISION OF HUMAN RIGHTS

Proceeding pursuant to Executive Law § 298 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Erie County [Catherine R. Nugent Panepinto, J.], dated November 16, 2015) to review a determination of respondent New York State Division of Human Rights. The determination adopted the recommended order of the Administrative Law Judge dismissing petitioner's complaint.

LINDY KORN for ASHLEIGH SCHWALLIE

10 minutes

CAROLINE J. DOWNEY for N.Y.S. DIVISION OF HUMAN RIGHTS

Submitted

KRISTIN K. WHEATON for BUFFALO CITY SCHOOL DISTRICT

10 minutes

715.0
KA 14-02132

PEOPLE
V
NICHOLAS J. LOUGHLIN

Appeal from an order of the Monroe County Court (James J. Piampiano, J.), entered November 18, 2013. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

JAMES ECKERT for NICHOLAS J. LOUGHLIN

Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

716.0
KA 15-01477

PEOPLE
V
JESSE L. LEUBNER

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered August 25, 2015. The judgment convicted defendant, after a nonjury trial, of criminal possession of a controlled substance in the seventh degree.

PHIL MODRZYNSKI for JESSE L. LEUBNER

10 minutes

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

10 minutes

717.0
KA 15-01479

PEOPLE
V
JESSE L. LEUBNER

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered August 25, 2015. The judgment convicted defendant, after a nonjury trial, of criminal possession of marijuana in the second degree and unlawfully growing cannabis.

	PHIL MODRZYNSKI for JESSE L. LEUBNER	Submitted
	CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK	Submitted
718.0 KA 15-02030	PEOPLE V BRENT M. STEINIGER	
	Appeal from a judgment of the Steuben County Court (Alex R. Renzi, J.), rendered September 26, 2014. The judgment convicted defendant, upon a nonjury verdict, of sexual abuse in the first degree and endangering the welfare of a child.	
	JOHN A. CIRANDO for BRENT M. STEINIGER	15 minutes
	JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK	5 minutes
719.0 CAF 15-01139	DOUGLAS MACHADO V CHANDRA TANOURY	
	Appeal from an order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered May 5, 2015 in a proceeding pursuant to Family Court Act article 6. The order granted the motion of respondent to dismiss the petition.	
	WILLIAM L. KOSLOSKY for DOUGLAS MACHADO	10 minutes
	CARA A. WALDMAN for CHANDRA TANOURY	5 minutes
	MICHELE E. DETRAGLIA, ATTORNEY FOR CHILD	5 minutes
720.0 CAF 15-01141	DOUGLAS C. MACHADO V CHANDRA V. TANOURY	
	Appeal from an order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered May 5, 2015 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition	
	WILLIAM L. KOSLOSKY for DOUGLAS C. MACHADO	Submitted
	CARA A. WALDMAN for CHANDRA V. TANOURY	Submitted
	MICHELE E. DETRAGLIA, ATTORNEY FOR CHILD	Submitted
721.0 CAF 15-00189	SARAH ROSEMAN V ERNEST SIERANT	
	Appeal from an order of the Family Court, Oneida County (Joan E. Shkane, J.), entered December 16, 2014 in a proceedings pursuant to Family Court Act article 6. The order, inter alia, awarded custody of the children to petitioners.	
	BETH LOCKHART for ERNEST SIERANT	10 minutes
	SARAH ROSEMAN for HERSELF	Submitted
	JASON R. DIPASQUALE for CYNTHIA CARROLL	15 minutes
	WILLIAM L. KOSLOSKY for ROBIN SIERANT	Submitted
	DOUGLAS M. DEMARCHE, JR., ATTORNEY FOR CHILD	10 minutes

	JOHN J. RASPANTE, ATTORNEY FOR CHILD	Submitted
722.0 CAF 13-01822	In the Matter of MARY ROSE F.	
	Appeal from an order of the Family Court, Cayuga County (Thomas G. Leone, J.), entered September 9, 2013 in a proceeding pursuant to Family Court Act article 10. The order determined that respondent had neglected the subject children.	
	JOHN A. CIRANDO for ANGELA I.	10 minutes
	DAVID P. ELKOVITCH for CAYUGA COUNTY DEPARTMENT OF HEALTH	10 minutes
	ROBERT A. DINIERI, ATTORNEY FOR CHILD	15 minutes
723.0 CA 16-00042	CLAYTON A. POTTER V DONALD PADILLA	
	Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered October 20, 2015. The order, insofar as appealed from, granted the motion of defendants to dismiss plaintiff's first and second causes of action and dismissed those causes of action.	
	SANFORD R. SHAPIRO for CLAYTON A. POTTER	20 minutes
	ROBERT BARNES CALIHAN for DONALD PADILLA	10 minutes
724.0 CA 16-00041	MODERN DISPOSAL, INC. V TOWN OF CHEEKTOWAGA	
	Appeal from a judgment (denominated order and judgment) of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered December 3, 2015 in a proceeding pursuant to CPLR article 78. The judgment denied the petition.	
	RICHARD A. PALUMBO for MODERN DISPOSAL, INC.	10 minutes
	KEVIN LOFTUS for TOWN OF CHEEKTOWAGA	10 minutes
	RICHARD T. SULLIVAN for WASTE MANAGEMENT OF NEW YORK, LLC	10 minutes
725.0 CA 16-00025	YESENIA CRUZ V MICHAEL J. STACHOWSKI	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered October 5, 2015. The order, insofar as appealed from, denied the motion of defendants Michael J. Stachowski, as guardian of the property of Taquilo Castellanos, an infant, and Taquilo Castellanos, an infant, for summary judgment dismissing the complaint.	
	ARTHUR ALAN HERDZIK for MICHAEL J. STACHOWSKI	15 minutes
	GREGORY V. PAJAK for YESENIA CRUZ	10 minutes
726.0 CA 15-01754	ZELASKO CONSTRUCTION, INC. V MERCHANTS MUTUAL INSURANCE COMPANY	

Appeal from an order of the Supreme Court, Erie County (Penny M. Wolfgang, J.), entered December 12, 2014. The order, among other things, granted plaintiff's motion for summary judgment.

STEVEN E. PEIPER for MERCHANTS MUTUAL INSURANCE COMPANY 10 minutes

CRAIG R. BUCKI for ZELASKO CONSTRUCTION, INC. 15 minutes

727.0
CA 16-00043

MICHAEL STEBICK

V

RITA MCGEE

Appeal from a corrected order and judgment of the Supreme Court, Cattaraugus County (Michael L. Nenno, A.J.), entered November 4, 2015. The corrected order and judgment granted the motion of plaintiffs for summary judgment, declared null and void the deed of conveyance to defendant Kathleen Howard and granted plaintiffs specific performance.

A. NICHOLAS FALKIDES for RITA MCGEE 15 minutes

JANINE C. FODOR for MICHAEL STEBICK 10 minutes

728.0
CA 15-02116

EUGENE MARGERUM

SETTLED

V

CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered October 23, 2015. The order denied the motion of defendants City of Buffalo and City of Buffalo Department of Fire for the Court to recuse itself from this action.

JASON E. MARKEL for CITY OF BUFFALO

ANDREW P. FLEMING for EUGENE MARGERUM

729.0
CA 15-01904

KIMBERLY TURLINGTON

V

BROCKPORT CENTRAL SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered July 6, 2015. The order granted the application of plaintiff for leave to serve a late notice of claim

CRISTINA A. BAHR for BROCKPORT CENTRAL SCHOOL DISTRICT 15 minutes

RICHARD BRIAN GOEWY for KIMBERLY TURLINGTON 15 minutes

730.0
CA 15-01162

MAURA CLUNE

V

MICHAEL C. MOORE, M.D.

Appeal from a judgment of the Supreme Court, Erie County (John M. Curran, J.), entered April 17, 2015. The judgment dismissed with costs the complaint against defendants Mercy Hospital of Buffalo and Catholic Health System, Inc.

LINDA LALLI STARK for MAURA CLUNE 15 minutes

DAVID MICHAEL STILLWELL for MERCY HOSPITAL OF BUFFALO 10 minutes

MICHAEL J. WILLETT for MICHAEL C. MOORE, M.D. 15 minutes

731.0
CA 15-01163

MAURA CLUNE
V
MICHAEL C. MOORE, M.D.

Appeal from a judgment of the Supreme Court, Erie County (John M. Curran, J.), entered April 17, 2015. The judgment dismissed with costs the complaint against defendant Michael C. Moore, M.D.

LINDA LALLI STARK for MAURA CLUNE Submitted

MICHAEL J. WILLETT for MICHAEL C. MOORE, M.D. Submitted

DAVID MICHAEL STILLWELL for MERCY HOSPITAL OF BUFFALO Submitted

MICHAEL J. WILLETT for MICHAEL C. MOORE, M.D. Submitted

843.0
KA 14-01967

PEOPLE
V
CORDARISE HOUSTON

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered July 30, 2014. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, assault in the first degree and criminal possession of a weapon in the second degree.

ROBERT M. GRAFF for CORDARISE HOUSTON 10 minutes

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK 10 minutes

DAY CALENDAR
Friday, September 9, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

732.0
KA 14-01976

PEOPLE
V
GILBERT CRUZ

Appeal from a judgment of the Erie County Court (John L. Michalski, A.J.), rendered August 28, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the second degree.

TIMOTHY P. MURPHY for GILBERT CRUZ Submitted

ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK Submitted

733.0
KA 14-00310

PEOPLE
V
JULIO DIAZ

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered November 12, 2013. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree.

JAMES A. HOBBS for JULIO DIAZ Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

734.0
KA 14-02279

PEOPLE
V
LEVI W. MAYNARD

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered July 17, 2014. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child, sexual abuse in the first degree and endangering the welfare of a child.

CHARLES A. MARANGOLA for LEVI W. MAYNARD Submitted

BRIAN THOMAS LEEDS for PEOPLE OF THE STATE OF NEW YORK Submitted

735.0
KA 15-00027

PEOPLE
V
MATTHEW KUZDZAL

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered October 28, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and predatory sexual assault against a child.

LYLE T. HAJDU for MATTHEW KUZDZAL 15 minutes

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK 5 minutes

736.0
KA 13-00168

PEOPLE
V
RAYLAND L. HICKS

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered December 12, 2012. The judgment convicted defendant, upon a nonjury verdict, of burglary in the first degree, aggravated sexual abuse in the second degree and aggravated criminal contempt.

DREW R. DUBRIN for RAYLAND L. HICKS 10 minutes

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK 10 minutes

737.0
KA 13-01688

PEOPLE
V
EMILIER CARRASQUILLO-FUENTES

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 24, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the first degree and criminal possession of a weapon in the second degree.

PIOTR BANASIAK for EMILIER CARRASQUILLO-FUENTES 10 minutes

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

738.0
KA 10-02421

PEOPLE
V
JASON L. CLARK

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered October 26, 2010. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

JON P. GETZ for JASON L. CLARK 10 minutes

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK 10 minutes

739.0
KA 14-01526

PEOPLE
V
REGINALD O. PIERCE

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered June 19, 2014. 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.

ROBERT L. KEMP for REGINALD O. PIERCE 10 minutes

ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK 10 minutes

740.0
KA 15-00038

PEOPLE
V
BYRON BUZA

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered January 6, 2015. The judgment convicted defendant, after a nonjury trial, of criminal possession of marihuana in the second degree and criminal possession of a controlled substance in the seventh degree.

DANIEL R. MAGILL for BYRON BUZA 15 minutes

JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK 5 minutes

741.0
KA 13-01825

PEOPLE
V
ROBERT CARTER

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered March 7, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

EVAN B. HANNAY for ROBERT CARTER

10 minutes

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

10 minutes

742.0
CAF 15-00345

JOYCE SELAPACK

V

ROBERT W. SELAPACK

Appeal from an order of the Family Court, Wyoming County (Michael F. Griffith, J.), entered January 22, 2015 in a proceeding pursuant to Family Court Act article 6. The order granted sole custody of the child to respondent and supervised visitation to petitioner.

MICHAEL STEINBERG for JOYCE SELAPACK

10 minutes

ROBERT W. SELAPACK for HIMSELF

Submitted

JENNIFER M. LORENZ, ATTORNEY FOR CHILD

5 minutes

743.0
CAF 14-01019

MADELYN THOMAS

V

FELICIA SMALL

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, A.J.), entered April 24, 2014 in a proceeding pursuant to Family Court Act article 6. The order granted sole and primary physical custody of the child to petitioner.

DAVID J. PAJAK for FELICIA SMALL

Submitted

JENNIFER M. LORENZ for ERIC PEARSON, SR.

10 minutes

WILLIAM D. BRODERICK, JR., for MADELYN THOMAS

10 minutes

JENNIFER M. PAULINO, ATTORNEY FOR CHILD

5 minutes

744.0
CAF 14-01020

FELICIA SMALL

V

MADELYN THOMAS

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, A.J.), entered April 24, 2014 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition

DAVID J. PAJAK for FELICIA SMALL

Submitted

JENNIFER M. LORENZ for ERIC PEARSON, SR.

Submitted

WILLIAM D. BRODERICK, JR., for MADELYN THOMAS

Submitted

JENNIFER M. PAULINO, ATTORNEY FOR CHILD

Submitted

745.0
CAF 14-01021

FELICIA SMALL

V

ERIC PEARSON, SR.

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, A.J.), entered April 24, 2014 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition

DAVID J. PAJAK for FELICIA SMALL

Submitted

JENNIFER M. LORENZ for ERIC PEARSON, SR.

Submitted

WILLIAM D. BRODERICK, JR., for MADELYN THOMAS

Submitted

JENNIFER M. PAULINO, ATTORNEY FOR CHILD

Submitted

746.0
CA 15-01248

ALLISON PLANTE

SETTLED

V

SOUTH BRISTOL RESORTS LLC

Appeal from a judgment and order (one paper) of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered March 9, 2015. The judgment and order, insofar as appealed from, granted in part the motion of plaintiff for summary judgment.

ERIC M. DOLAN for SOUTH BRISTOL RESORTS LLC

JUSTIN M. CORDELLO for ALLISON PLANTE

747.0
CA 15-02023

AMIE E. WIRTH

V

WAYSIDE PUB, INC.

Appeal from an order of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered August 6, 2015. The order granted the motion of defendants Wayside Pub, Inc., doing business as Smart's Wayside Inn and Roger Spain for summary judgment dismissing the complaint.

STEPHEN CIOTOLI for AMIE E. WIRTH

10 minutes

HEATHER K. ZIMMERMAN for WAYSIDE PUB, INC.

10 minutes

748.0
CA 15-01669

RICHARD T. ANDREWS

V

COUNTY OF CAYUGA

Appeal and cross appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 5, 2015. The order denied plaintiff's motion for summary judgment on the issue of negligence and denied defendant's motion for dismissal and summary judgment.

RICHARD J. GRAHAM for COUNTY OF CAYUGA

10 minutes

JOHN A. CIRANDO for RICHARD T. ANDREWS

15 minutes

749.0
CA 15-02092

DARRYL GAITER

V

CITY OF BUFFALO BOARD OF EDUCATION

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered August 14, 2015. The order directed the appellate Law Office of Eric B. Grossman to pay to respondent HoganWillig, PLLC, 35% of the legal fees granted in the underlying action.

ERIC B. GROSSMAN for LAW OFFICE OF ERIC B. GROSSMAN

10 minutes

COREY J. HOGAN for HOGANWILLIG, PLLC

15 minutes

750.0
CA 15-02094

DARRYL GAITER

V

CITY OF BUFFALO BOARD OF EDUCATION

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered September 15, 2015. The order, insofar as appealed from, denied the motion of appellant Law Office of Eric B. Grossman to renew and reargue.

ERIC B. GROSSMAN for LAW OFFICE OF ERIC B. GROSSMAN

Submitted

COREY J. HOGAN for HOGANWILLIG, PLLC

Submitted

751.0
CA 15-01705

ALL-STATE SALES & ADMINISTRATIVE SERVICES, INC.

V

TOLEDO MOLDING & DIE, INC.

Appeal from an order of the Supreme Court, Onondaga County (Walter W. Hafner, Jr., A.J.), entered January 13, 2015. The order, insofar as appealed from, denied the motion of defendant for summary judgment.

JANET D. CALLAHAN for TOLEDO MOLDING & DIE, INC.

Submitted

MICHAEL BOTTAR for ALL-STATE SALES & ADMINISTRATIVE SERVICES

Submitted

752.0
CA 15-01359

TAMRA J. WERNER

V

KRAIG H. KENNEY

Appeal from an order of the Supreme Court, Ontario County (William F. Kocher, A.J.), entered December 23, 2014. The order, among other things, awarded defendant sole custody of the parties' child.

CHARLES P. INCLIMA for TAMRA J. WERNER

15 minutes

JOAN De R. O'BYRNE for KRAIG H. KENNEY

15 minutes

PAUL B. WATKINS, ATTORNEY FOR CHILD

5 minutes

754.0
CA 15-02074

RICCELLI ENTERPRISES, INC.

V

STATE OF NEW YORK WORKERS' COMPENSATION BOARD

Appeal from an order of the Supreme Court, Onondaga County (Donald F. Cerio, Jr., A.J.), entered May 8, 2015. The order granted the motion of petitioners-plaintiffs to hold respondents-defendants in contempt and granted petitioners-plaintiffs costs and fees.

JEFFREY W. LANG for STATE OF N.Y. WORKERS' COMPENSATION BD.

10 minutes

PATRICIA S. NAUGHTON for RICCELLI ENTERPRISES, INC.

15 minutes

DAY CALENDAR
Monday, September 12, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

755.0
KA 08-01549

PEOPLE
V
BURGESS MATTHEWS, JR.

Appeal from a judgment of the Monroe County Court (John J. Connell, J.), rendered April 4, 2008. The judgment convicted defendant, upon a jury verdict, of course of sexual conduct against a child in the first degree, endangering the welfare of a child and rape in the third degree.

ERIC M. DOLAN for BURGESS MATTHEWS, JR. 10 minutes

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK 10 minutes

756.0
KA 08-01938

PEOPLE
V
BURGESS MATTHEWS, JR.

Appeal from a resentence of the Monroe County Court (John J. Connell, J.), rendered May 9, 2008. Defendant was resentenced upon his conviction of course of sexual conduct against a child in the first degree.

ERIC M. DOLAN for BURGESS MATTHEWS, JR. Submitted

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK Submitted

757.0
KA 15-00024

PEOPLE
V
WESLEY WOODS

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered December 3, 2014. The judgment convicted defendant, upon a jury verdict, of kidnapping in the first degree, robbery in the first degree and assault in the second degree.

DAVID J. PAJAK for WESLEY WOODS Submitted

ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK Submitted

758.0
KA 13-01913

PEOPLE
V
RICARDO CARRASQUILLO

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered July 22, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

PIOTR BANASIAK for RICARDO CARRASQUILLO 15 minutes

ROMANA A. LAVALAS for PEOPLE OF THE STATE OF NEW YORK 10 minutes

759.0
KA 13-00720

PEOPLE
V
KEITH L. WILLIAMS

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered January 14, 2013. The judgment convicted defendant, upon a jury verdict, of attempted robbery in the first degree and assault in the second degree.

	JAMES A. HOBBS for KEITH L. WILLIAMS	10 minutes
	SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK	10 minutes
760.0 KA 14-00662	PEOPLE V DANTE RICHARDSON	
	Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered April 4, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree, robbery in the first degree and criminal possession of a weapon in the second degree.	
	KRISTIN M. PREVE for DANTE RICHARDSON	10 minutes
	NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK	10 minutes
761.0 CA 15-01794	CHRISTOPHER SMITH V NEW YORK STATE DIVISION OF HUMAN RIGHTS	
	Appeals from an order of the Supreme Court, Chautauqua County (Paul B. Wojtaszek, J.), entered May 7, 2015. The order vacated a determination of respondent New York State Division of Human Rights and remitted for a hearing pursuant to the Human Rights Law.	
	MARILYN BALCACER for N.Y.S. DIVISION OF HUMAN RIGHTS	10 minutes
	PAUL V. WEBB, JR., for SKF USA, INC.	10 minutes
	WILLIAM F. HARPER, V, for CHRISTOPHER SMITH	15 minutes
762.0 CA 15-00284	SHOPPINGTOWN MALL NY LLC V ASSESSOR, TOWN OF DEWITT	
	Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered December 10, 2014 in a proceeding pursuant to RPTL article 7. The order, among other things, dismissed the petition.	
	RICHARD P. CRONIN for SHOPPINGTOWN MALL NY LLC	10 minutes
	DAVID W. HERKALA for ASSESSOR, TOWN OF DEWITT	10 minutes
	KATHLEEN BENNETT for JAMESVILLE DEWITT CENTRAL SCHOOL DIST.	10 minutes
763.0 CA 15-02103	MARCIA CARRIER V HORNBY VOLUNTEER FIRE COMPANY, INC.	
	Appeal from an order of the Supreme Court, Steuben County (Joseph W. Latham, A.J.), entered March 9, 2015. The order, among other things, granted the motions of defendants North Corning Volunteer Fire Department, Inc., Adam Nehring, Jon Beverly, David Wyre, Amanda Nehring, Hornby Volunteer Fire Company, Inc., Albert Allen, Christopher Vandussen and Breanna Taggart for summary judgment dismissing plaintiff's complaint.	
	DAVID JACOBS for MARCIA CARRIER	15 minutes
	PAUL V. MULLIN for HORNBY VOLUNTEER FIRE COMPANY, INC.	10 minutes
	KEITH A. O'HARA for NORTH CORNING VOLUNTEER FIRE DEPARTMENT	10 minutes

764.0
CA 15-00559

DAMING ZHU
V
YE CHENG

Appeal from a judgment of the Supreme Court, Onondaga County (Martha Walsh Hood, A.J.), entered December 15, 2014. The judgment, among other things, awarded plaintiff primary physical custody of the parties' minor child.

HEATHER YOUNGMAN for YE CHENG 10 minutes

DAMING ZHU for HIMSELF Submitted

THEODORE W. STENUF, ATTORNEY FOR CHILD 10 minutes

765.0
CA 14-01555

WALTER F. REYNOLDS, III
V
WILLIAM KREBS

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered May 5, 2014. The order granted the motion of defendants for summary judgment and dismissed the complaint.

PARKER MACKAY for WALTER F. REYNOLDS, III 10 minutes

MICHAEL F. PERLEY for WILLIAM KREBS 10 minutes

766.0
CA 15-01978

MARGUERITE MITCHELL
V
NRG ENERGY, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered July 2, 2015. The order granted the motion of third-party defendant for summary judgment dismissing the third-party complaint and denied the cross motion of third-party plaintiff for partial summary judgment.

SIM R. SHAPIRO for NRG ENERGY, INC. 15 minutes

ANDREW ZAJAC for INTERNATIONAL CHIMNEY CORPORATION 15 minutes

767.0
CA 15-02104

LOUANN REHWALDT **SETTLED**
V
KATHLEEN M. KOKOLUS

Appeal from a judgment of the Supreme Court, Erie County (Michael L. D'Amico, A.J.), entered March 20, 2015. The judgment awarded plaintiff money damages upon a jury verdict.

JOHN A. COLLINS for LOUANN REHWALDT

JILL Z. FLORKOWSKI for KATHLEEN M. KOKOLUS

768.0
CA 15-02003

CASSARA PROPERTIES, LLC
V
TOWN OF GREECE

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered April 7, 2015 in a proceeding pursuant to CPLR article 78. The judgment denied the petition.

PETER J. WEISHAAR for CASSARA PROPERTIES, LLC 15 minutes

BRIAN E. MARIANETTI for TOWN OF GREECE 10 minutes

JOHN J. HENRY for FULLER ROAD MANAGEMENT CORPORATION 10 minutes

769.0
CA 15-01980

JOANNA BAKER
V
ERIN SAVO

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered March 30, 2015. The order denied the motion of the third-party defendant for summary judgment dismissing the third-party complaint.

JOAN M. RICHTER for KANDACE HURYSZ 10 minutes

SEAN M. SPENCER for ERIN SAVO Submitted

769.1
CAF 16-00175

In the Matter of
JAMIE J.

Appeal from an order of the Family Court, Wayne County (Daniel G. Barrett, J.), entered January 26, 2016, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, continued the placement of the subject child with petitioner.

KATHARINE F. WOODS for MICHELLE E.C. 5 minutes

GARY LEE BENNETT for WAYNE COUNTY D.S.S. 10 minutes

ROBERT A. DINIERI for DAVID U. 15 minutes

JAMES S. HINMAN for JAMES R. 10 minutes

SEAN LAIR, ATTORNEY FOR CHILD 5 minutes

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

DAY CALENDAR
Wednesday, September 14, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

793.0
KA 15-01606

PEOPLE
V
MARC MCCABE

Appeal from an order of the Orleans County Court (James P. Punch, J.), entered June 4, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

BRIDGET L. FIELD for MARC MCCABE

Submitted

KATHERINE K. BOGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

794.0
KA 12-01813

PEOPLE
V
MALCOLM DAME

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered February 1, 2012. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and criminal possession of a weapon in the third degree

J. SCOTT PORTER for MALCOLM DAME

10 minutes

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

10 minutes

795.0
KA 11-01473

PEOPLE
V
CODY WENNER

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered May 19, 2011. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

JANET C. SOMES for CODY WENNER

10 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

10 minutes

796.0
KA 14-01731

PEOPLE
V
SHAQUILLE HUNTER

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered September 8, 2014. The judgment convicted defendant, upon a nonjury verdict, of robbery in the second degree (two counts).

TIMOTHY P. MURPHY for SHAQUILLE HUNTER

5 minutes

JAMES M. MARRA for PEOPLE OF THE STATE OF NEW YORK

5 minutes

797.0
KA 11-02369

PEOPLE
V
EDDIE R. PALMER

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered June 14, 2011. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of stolen property in the fourth degree and unauthorized use of a vehicle in the second degree.

	MARY P. DAVISON for EDDIE R. PALMER	5 minutes
	SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK	5 minutes
798.0 KA 14-00208	PEOPLE V TIMOTHY A. JONES	
	Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered January 2, 2013. The judgment convicted defendant, upon a jury verdict, of attempted assault in the second degree.	
	MARTIN P. MCCARTHY, II, for TIMOTHY A. JONES	10 minutes
	JEFFREY L. TAYLOR for PEOPLE OF THE STATE OF NEW YORK	10 minutes
799.0 KA 14-01127	PEOPLE V DERRICK MANIGAULT	
	Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered June 24, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the third degree.	
	BARBARA J. DAVIES for DERRICK MANIGAULT	10 minutes
	DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK	10 minutes
800.0 KA 10-01823	PEOPLE V VENICE J. NESMITH	
	Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered July 30, 2010. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.	
	SHIRLEY A. GORMAN for VENICE J. NESMITH	10 minutes
	DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK	10 minutes
801.0 KA 14-00532	PEOPLE V GERALD MOSS	
	Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered March 17, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of stolen property in the fourth degree (two counts).	
	TIMOTHY P. MURPHY for GERALD MOSS	10 minutes
	MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK	5 minutes
802.0 KA 13-01729	PEOPLE V CRAIG OWENS	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered April 17, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	PIOTR BANASIAK for CRAIG OWENS	10 minutes
	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	10 minutes

803.0
CAF 14-00329

**In the Matter of
LUNDYN S.**

Appeal from an order of the Family Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 7, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, denied the petition of Velvia S. seeking custody of the subject child.

JOHN A. CIRANDO for VELVIA S. 10 minutes

DENNIS PAUL SEDOR for CARRIE L. Submitted

ALLISON A. BOSWORTH for CAYUGA COUNTY D.H.S. 10 minutes

MICHELE RITA DRISCOLL, ATTORNEY FOR CHILD 10 minutes

804.0
CAF 14-02290

**ETA ROTTENBERG
V
WAYNE CLARKE**

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered March 13, 2014 in proceedings pursuant to Family Court Act article 6. The order modified the visitation of respondent to supervised visitation.

WILLIAM D. BRODERICK, JR., for WAYNE CLARKE 10 minutes

WILLIAM R. HITES for ETA ROTTENBERG Submitted

SHEILA SULLIVAN DICKINSON, ATTORNEY FOR CHILD 5 minutes

805.0
CAF 15-00036

**ETA ROTTENBERG
V
WAYNE CLARKE**

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered March 13, 2014 in a proceeding pursuant to Family Court Act article 6. The order restrained respondent from injurious actions with respect to the subject child

WILLIAM D. BRODERICK, JR., for WAYNE CLARKE Submitted

WILLIAM R. HITES for ETA ROTTENBERG Submitted

SHEILA SULLIVAN DICKINSON, ATTORNEY FOR CHILD Submitted

806.0
CA 15-02109

**MELISSA LAZAR
V
BARRY D. LAZAR**

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered March 25, 2015. The order, among other things, modified the maintenance to be paid by defendant.

JAMES P. RENDA for BARRY D. LAZAR 15 minutes

JOHN A. COLLINS for MELISSA LAZAR 15 minutes

807.0
CA 15-01241

**DAWN M. PLACE
V
CHAFFEE-SARDINIA VOLUNTEER FIRE COMPANY**

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered June 1, 2015. The order, insofar as appealed from, denied the cross motion of defendants to strike the complaint, to dismiss the action and for sanctions.

	DONNA L. BURDEN for CHAFFEE-SARDINIA VOLUNTEER FIRE COMPANY	15 minutes
	WILLARD M. POTTLE, JR., for DAWN M. PLACE	15 minutes
808.0 CA 15-01242	DAWN M. PLACE V CHAFFEE-SARDINIA VOLUNTEER FIRE COMPANY	
	Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered June 17, 2015. The order held in abeyance the motion of defendants to strike the note of issue and certificate of readiness and denied the motion of defendants for costs or sanctions.	
	DONNA L. BURDEN for CHAFFEE-SARDINIA VOLUNTEER FIRE COMPANY	Submitted
	WILLARD M. POTTLE, JR., for DAWN M. PLACE	Submitted
809.0 CA 15-02157	CRANE-HOGAN STRUCTURAL SYSTEMS, INC. V MARY ELLEN BELDING	
	Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered September 2, 2015. The order, among other things, denied defendant's pre-answer motion to dismiss and for sanctions.	
	SHARON P. STILLER for MARY ELLEN BELDING	15 minutes
	RICHARD T. BELL, JR., for CRANE-HOGAN STRUCTURAL SYSTEMS, INC.	10 minutes
810.0 CA 16-00023	In the Matter of ALISSA JOY MCDONALD	SETTLED
	Appeal from an order of the Surrogate's Court, Monroe County (John M. Owens, S.), entered October 13, 2015. The order, among other things, denied the petition of David B. Lanzone for property guardianship of Alissa Joy McDonald.	
	NICOLE MARIE MARRO for DAVID B. LANZONE	
	ROBERT GEORGE GREENE for CHRISTOPHER MCDONALD	
	LOREN H. KROLL ATTORNEY FOR THE CHILD	
811.0 CA 15-02033	DANIELLE DOTZLER V THOMAS S. BUONO	
	Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Christopher J. Burns, J.), entered February 4, 2015. The order and judgment, inter alia, dismissed the answer of defendant, granted money damages to plaintiff and held in contempt and fined defendant.	
	MATT A. ALBERT for THOMAS S. BUONO	10 minutes
	MICHAEL C. WILD for DANIELLE DOTZLER	10 minutes
812.0 CA 15-01901	CATHERINE MAHAR V HELEN PROPER	
	Appeal from an order of the Niagara County Court (Matthew J. Murphy, III, J.), entered May 8, 2015. The order, insofar as appealed from, affirmed a determination of the Wilson Town Justice Court on liability.	

JON LOUIS WILSON for HELEN PROPER

Submitted

CATHERINE MAHAR for HERSELF

Submitted

813.0
CA 15-01909

LORRAINE MURRAY
V
SHANITA P. PARSON

SETTLED

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered March 31, 2015. The order denied the motion of plaintiff for summary judgment.

ELLEN B. STURM for LORRAINE MURRAY

EMILY M. COBB for SHANITA P. PARSON

814.0
CA 15-01361

CHRISTOPHER SEIFERT
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered February 27, 2015 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for CHRISTOPHER SEIFERT

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

814.1
CA 16-00358

MYRON WRIGHT
V
STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered March 1, 2016 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, directed the discharge of petitioner from the custody of the Office of Mental Health.

KATHLEEN M. TREASURE for STATE OF NEW YORK

10 minutes

MICHAEL H. MCCORMICK for MYRON WRIGHT

10 minutes

DAY CALENDAR
Thursday, September 15, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

815.0
KA 14-00729

PEOPLE
V
JAIMEN POMALES

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered December 3, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

JANET C. SOMES for JAIMEN POMALES 10 minutes

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK 10 minutes

816.0
KA 14-01733

PEOPLE
V
RANDOLPH HARRIS

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), entered July 2, 2014. The judgment convicted defendant, upon his plea of guilty, of false reporting an incident in the third degree.

TIMOTHY P. MURPHY for RANDOLPH HARRIS Submitted

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK Submitted

817.0
KA 14-01734

PEOPLE
V
RANDOLPH HARRIS

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), entered July 2, 2014. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

TIMOTHY P. MURPHY for RANDOLPH HARRIS Submitted

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK Submitted

818.0
KA 14-01735

PEOPLE
V
RANDOLPH HARRIS

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), entered July 2, 2014. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

TIMOTHY P. MURPHY for RANDOLPH HARRIS Submitted

MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK Submitted

819.0
KA 14-01736

PEOPLE
V
RANDOLPH HARRIS

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), entered July 2, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree.

TIMOTHY P. MURPHY for RANDOLPH HARRIS Submitted

	MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK	Submitted
820.0 KA 14-01107	PEOPLE V WINSTON R. PENDARVIS	
	Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered June 10, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.	
	KRISTIN M. PREVE for WINSTON R. PENDARVIS	10 minutes
	NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK	5 minutes
821.0 KA 13-00582	PEOPLE V RICHARD L. DAVIS	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered January 31, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.	
	WILLIAM CLAUSS for RICHARD L. DAVIS	5 minutes
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	5 minutes
822.0 KA 14-02103	PEOPLE V ANSON SPATES	
	Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered September 23, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.	
	TIMOTHY P. MURPHY for ANSON SPATES	10 minutes
	DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK	10 minutes
823.0 KA 13-01651	PEOPLE V ANIBAL SANTIAGO	
	Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered June 4, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the third degree.	
	EVAN B. HANNAY for ANIBAL SANTIAGO	10 minutes
	VICTORIA M. WHITE for PEOPLE OF THE STATE OF NEW YORK	10 minutes
824.0 KA 15-00812	PEOPLE V CHRISTOPHER J. KELLY	
	Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered November 23, 2011. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree.	
	DAVID P. ELKOVITCH for CHRISTOPHER J. KELLY	Submitted
	CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK	Submitted
825.0 KA 15-00954	PEOPLE V KHADIJAH LANE	

Appeal from an order of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), dated April 17, 2015. The order granted the motion of defendant to suppress certain evidence.

JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

PHILIP ROTHSCHILD for KHADIJAH LANE 10 minutes

826.0
KA 14-02057

PEOPLE
V
CLEOPHIS HARRIS

Appeal from a judgment of the Chautauqua County Court (John T. Ward, J.), rendered July 14, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

LYLE T. HAJDU for CLEOPHIS HARRIS 10 minutes

LYNN S. SCHAFFER for PEOPLE OF THE STATE OF NEW YORK Submitted

827.0
KA 14-01245

PEOPLE
V
TERREL A. GOODSON

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered May 15, 2014. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child and sexual abuse in the first degree.

ALAN WILLIAMS for TERREL A. GOODSON 15 minutes

WILLIAM G. ZICKL for PEOPLE OF THE STATE OF NEW YORK 15 minutes

828.0
CAF 15-01161

KELIANN M. ELNISKI
V
ROBERT M. JUNKER

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered June 27, 2014 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted the petition of respondent to modify custody and denied the petition of petitioner to modify custody.

KELIANN M. ARGY for HERSELF Submitted

MELISSA A. CAVAGNARO for ROBERT M. JUNKER 10 minutes

PAMELA THIBODEAU, ATTORNEY FOR CHILD 5 minutes

829.0
CAF 15-00282

DONIELLE L. CHYRECK
V
JOSEPH R. SWIFT

Appeal from an order of the Family Court, Cattaraugus County (Judith E. Samber, R.), entered December 31, 2014 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, denied the custody petition of Donielle Chyreck and granted the custody petition of Joseph Swift.

JANINE C. FODOR for DONIELLE L. CHYRECK 10 minutes

JOSEPH R. SWIFT for HIMSELF Submitted

DEBORAH J. SCINTA, ATTORNEY FOR CHILD 5 minutes

830.0
CA 15-02171

RYAN P. DENHAESE
V
BUFFALO SPINE SURGERY, PLLC

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered October 20, 2015. The order, among other things, denied in part defendant's motion for summary judgment dismissing the complaint.

ALAN J. BOZER for BUFFALO SPINE SURGERY, PLLC 15 minutes

EDWARD J. MARKARIAN for RYAN P. DENHAESE 15 minutes

831.0
CA 15-02110

BRYAN W. CUMMINGS
V
DOO WHA SUNG

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered June 22, 2015. The order denied the motion of defendant for summary judgment dismissing the complaint and granted the cross motion of plaintiff for partial summary judgment pursuant to Labor Law §§ 200 and 241 (6).

JONATHAN H. BARD for DOO WHA SUNG 15 minutes

MARTIN J. ZUFFRANIERI for BRYAN W. CUMMINGS 15 minutes

832.0
CA 15-02176

VICTORIA KNAVEL
V
WEST SENECA CENTRAL SCHOOL DIST.

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered April 13, 2015. The order granted the cross motion of respondents to dismiss the proceeding, dismissed the petition and dismissed as moot the motion of petitioners to amend the petition.

AARON E. KAPLAN for VICTORIA KNAVEL 10 minutes

AARON M. SAYKIN for WEST SENECA CENTRAL SCHOOL DIST. 10 minutes

833.0
CA 15-02143

STEVEN E. NORTHMAN **SETTLED**
V
SAM-SON DISTRIBUTION CENTER, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered February 27, 2015. The order, among other things, stayed the pending arbitration between the parties.

DANIEL B. MOAR for SAM-SON DISTRIBUTION CENTER, INC.

WILLIAM F. SAVINO for STEVEN E. NORTHMAN

834.0
CA 15-01566

SUSAN KOZLOWSKI **SETTLED**
V
UNILAND DEVELOPMENT COMPANY

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered April 2, 2015. The order, among other things, granted plaintiff's cross motion for a protective order.

H. WARD HAMLIN, JR., for UNILAND DEVELOPMENT COMPANY

RUSSELL T. QUINLAN for SUSAN KOZLOWSKI

835.0
CA 15-01999

ANNA V. LEWANDOWSKI
V
CLYDE-SAVANNAH CENTRAL SCHOOL DISTRICT

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Wayne County (Dennis M. Kehoe, A.J.), entered February 27, 2015 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

CHARLES D. STEINMAN for ANNA V. LEWANDOWSKI 15 minutes

AMY L. HEMENWAY for CLYDE-SAVANNAH CENTRAL SCHOOL DISTRICT 15 minutes

836.0
CA 15-01091

EARL REYES
V
ANTHONY ANNUCCI

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered March 5, 2015 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

LEAH R. NOWOTARSKI for EARL REYES Submitted

MARTIN A. HOTVET for ANTHONY ANNUCCI Submitted

837.0
CA 15-01489

PINNACLE INVESTMENTS, LLC **SETTLED**
V
ESPSCO SYRACUSE, LLC

Appeal from an order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered May 21, 2015. The order, insofar as appealed from, denied the motion of the plaintiff for further discovery and granted the motions of defendants Brett Greenky, M.D., Richard Esposito and John Sacco, M.D., to dismiss the complaint.

JAY SHAPIRO for PINNACLE INVESTMENTS, LLC

PATRICK DESSEIN for HIMSELF

JANET D. CALLAHAN for BRETT B. GREENKY, M.D.

MATTHEW VAN RYN for JOHN SACCO, M.D.

DAY CALENDAR
Friday, September 16, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

838.0
KA 15-00606

PEOPLE
V
MICHAEL TEDESCO, JR.

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered February 20, 2015. The judgment revoked defendant's sentence of probation and imposed a sentence of incarceration.

LYLE T. HAJDU for MICHAEL TEDESCO, JR.

Submitted

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

Submitted

839.0
KA 14-01533

PEOPLE
V
RAYSEAN GOSS

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered June 24, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree (two counts) and criminally using drug paraphernalia in the second degree (two counts).

CAITLIN M. CONNELLY for RAYSEAN GOSS

5 minutes

NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK

5 minutes

840.0
KA 13-00938

PEOPLE
V
EDUARDO HERNANDEZ, JR.

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered March 19, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

KIMBERLY F. DUGUAY for EDUARDO HERNANDEZ, JR.

Submitted

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

Submitted

841.0
KA 14-00517

PEOPLE
V
DEBORAH KLUSS

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered November 19, 2013. The judgment convicted defendant, upon a jury verdict, of offering a false instrument for filing in the first degree and welfare fraud in the fifth degree.

CARA A. WALDMAN for DEBORAH KLUSS

10 minutes

VALERIE G. GARDNER for PEOPLE OF THE STATE OF NEW YORK

Submitted

842.0
KA 10-01942

PEOPLE
V
DWAYNE D. GARCIA

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered September 7, 2010. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

KIMBERLY J. CZAPRANSKI for DWAYNE D. GARCIA

10 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

10 minutes

844.0
KA 15-00045

PEOPLE
V
TYRIEK A. JOHNSON

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered September 29, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree and criminal possession of a controlled substance in the fifth degree.

ALAN WILLIAMS for TYRIEK A. JOHNSON

15 minutes

KATHERINE K. BOGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

845.0
KA 15-01171

PEOPLE
V
LATEEK NEWTON

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered November 19, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted promoting prison contraband in the first degree.

LYLE T. HAJDU for LATEEK NEWTON

5 minutes

ERIC R. SCHIENER for PEOPLE OF THE STATE OF NEW YORK

Submitted

846.0
KA 14-01525

PEOPLE
V
ANTONIO PACE

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered July 16, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

BENJAMIN L. NELSON for ANTONIO PACE

10 minutes

TIMOTHY J. GARVIN for PEOPLE OF THE STATE OF NEW YORK

10 minutes

847.0
CAF 14-02250

ASHLEY FINZER
V
GEORGE MANNING

Appeal from an order of the Family Court, Orleans County (James P. Punch, J.), entered November 25, 2014 in proceedings pursuant to Family Court Act article 8. The order, among other things, placed respondent on probation for one year.

PATRICIA M. MCGRATH for GEORGE MANNING

Submitted

BRENDA CAMPBELL for ASHLEY FINZER

Submitted

848.0
CAF 14-01949

YVETTE NOBLE
V
TROY PARIS

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered October 6, 2014 in a proceeding pursuant to Family Court Act article 6. The order granted respondent's motion to dismiss the petition.

JOHN A. CIRANDO for YVETTE NOBLE 10 minutes

LISA H. BLITMAN for TROY PARIS 10 minutes

SUSAN B. MARRIS, ATTORNEY FOR CHILD 5 minutes

849.0
CAF 14-02047

JACKIE L. MICKLE
V
MICHAEL P. MICKLE

Appeal from an order of the Family Court, Allegany County (Thomas P. Brown, J.), entered October 14, 2014 in a proceeding pursuant to Family Court Act article 6. The order, inter alia, awarded sole custody of the children to respondent.

ROY G. FRANKS for JACKIE L. MICKLE 10 minutes

ROBERT E. MOUNTAIN, JR., for MICHAEL P. MICKLE Submitted

DAVID E. CODDINGTON, ATTORNEY FOR CHILD 5 minutes

850.0
CA 15-01585

CLAUDETTE E. STRUZI
V
GLADYS FULLINGTON

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered April 27, 2015. The order granted the motion of defendants Gladys Fullington and Bryant L. Fullington for summary judgment dismissing the complaint.

STEPHEN R. FOLEY for CLAUDETTE E. STRUZI 15 minutes

NORMAN E.S. GREENE for GLADYS FULLINGTON 15 minutes

851.0
CA 15-01617

BONNY J. MOMBREA
V
DANNY R. LAIRD

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered July 22, 2014. The order, insofar as appealed from, denied the cross motion of plaintiffs for summary judgment on defendants' counterclaim.

STEPHEN BOYD for BONNY J. MOMBREA 10 minutes

HENRY A. ZOMERFELD for DANNY R. LAIRD 10 minutes

852.0
CA 15-00121

MANFRED SACHS
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (Michael E. Hudson, J.), entered November 21, 2014. The judgment dismissed the claim against defendant.

MANFRED SACHS for HIMSELF Submitted

LAURA ETLINGER for STATE OF NEW YORK Submitted

853.0
CA 15-02085

PATRICIA FARRAUTO
V
THE BON-TON DEPARTMENT STORES, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered October 14, 2015. The order denied the motion of defendant for summary judgment dismissing the complaint.

AIMEE LAFEVER KOCH for THE BON-TON DEPARTMENT STORES, INC. 15 minutes

TODD M. SCHIFFMACHER for PATRICIA FARRAUTO 5 minutes

854.0
CA 15-01910

MIDLAND FUNDING, LLC **SETTLED**
V
GLIEE GUNSALIS

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered August 5, 2015. The order denied the motion of defendant for summary judgment.

DAVID KAPLAN for GLIEE GUNSALIS

RONALD J. FERRARO for MIDLAND FUNDING, LLC

855.0
CA 15-01911

PORTFOLIO RECOVERY ASSOCIATES, LLC **SETTLED**
V
SHELLY FIUMANO

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered August 5, 2015. The order denied the motion of defendant for summary judgment.

DAVID KAPLAN for SHELLY FIUMANO

VALERIE WATTS for PORTFOLIO RECOVERY ASSOCIATES, LLC

856.0
CA 15-01956

JANE FIXTER
V
COUNTY OF LIVINGSTON

Appeal from an order of the Supreme Court, Livingston County (Evelyn Frazee, J.), entered March 11, 2015. The order granted the motion of defendants County of Livingston, Livingston County Probation Department and Livingston County Sheriff Department to dismiss the complaint and dismissed the complaint against those defendants.

JANE FIXTER for HERSELF 10 minutes

MICHAEL P. MCCLAREN for COUNTY OF LIVINGSTON 10 minutes

857.0
CA 15-01921

ALEX C. MILLER **SETTLED**
V
KIRK HOWARD

Appeal from an order of the Supreme Court, Cattaraugus County (Paula L. Feroletto, J.), entered January 26, 2015. The order, among other things, denied in part the motion of defendant Amore's Used Cars & Repairs, Inc. seeking to compel plaintiff to respond to its Notice to Admit.

WILLIAM K. KENNEDY for AMORE'S USED CARS & REPAIRS, INC.

CAREY C. BEYER for ALEX C. MILLER

