

DAY CALENDAR
Tuesday, September 5, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

964.1
CAE 17-01479

WENDY A. VAN DER WATER
V
DUSTIN M. CZARNEY

Appeal from a decision and order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J), entered August 17, 2017, in a proceeding pursuant to Election Law article 16. The decision and order invalidated the designating petition for respondent Kevin L. Bush, Jr., for the Office of Onondaga County Legislator District 13 in the Republican primary election on September 12, 2017, and precluded the Board of Elections from placing Bush's name on the ballot.

SCOTT F. CHATFIELD for KENNETH L. BUSH, JR. 10 minutes

BENJAMIN YAUS for DUSTIN M. CZARNEY 5 minutes

TIMOTHY J. LAMBRECHT for WENDY A. VAN DER WATER 10 minutes

964.2
CAE 17-01525

ALFONSO DAVIS
V
DUSTIN M. CZARNY

Appeal from a decision and judgment of the Supreme Court, Onondaga County (Norman W. Seiter, Jr., J.), entered August 18, 2017, in a proceeding pursuant to Election Law article 16. The decision and judgment dismissed the petition.

I. AURORA FLORES for ALFONSO DAVIS 15 minutes

BENJAMIN YAUS for DUSTIN M. CZARNY 5 minutes

JOSEPH S. COTE, III, for HEIDI TESKA Submitted

940.0
KAH 16-01170

PEOPLE EX REL.
GERALD SMITH
V
MICHELLE ARTUS

Appeal from a judgment of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered February 26, 2015 in a habeas corpus proceeding. The judgment denied and dismissed the petition.

CHARLES J. GREENBERG for GERALD SMITH 5 minutes

HEATHER MCKAY for MICHELLE ARTUS 5 minutes

941.0
TP 17-00420

PAUL J. CHISOLM
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, Wyoming County [Michael M. Mohun, A.J.], entered February 28, 2017) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for PAUL J. CHISOLM Submitted

	FRANK BRADY for ANTHONY ANNUCCI	Submitted
942.0 KA 15-00321	PEOPLE V JOSEPH A. SARACENI, JR.	
	Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered February 5, 2015. The judgment convicted defendant, upon his plea of guilty, of sexual abuse in the first degree.	
	BENJAMIN L. NELSON for JOSEPH A. SARACENI, JR.	15 minutes
	SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
943.0 KA 15-00695	PEOPLE V JOSEPH A. SARACENI, JR.	
	Appeal from an order of the Genesee County Court (Robert C. Noonan, J.), entered March 11, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.	
	BENJAMIN L. NELSON for JOSEPH A. SARACENI, JR.	Submitted
	SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
944.0 KA 14-00643	PEOPLE V JEFFREY J. TERBORG	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered February 28, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of stolen property in the fifth degree.	
	JOHN A. CIRANDO for JEFFREY J. TERBORG	10 minutes
	ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
946.0 KA 15-00263	PEOPLE V DERRICK PERSON	
	Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered August 4, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.	
	DAVID M. ABBATOY, JR., for DERRICK PERSON	10 minutes
	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
947.0 KA 11-00481	PEOPLE V QUINNTARIUS WHITE	
	Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered September 15, 2010. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	MARK C. DAVISON for QUINNTARIUS WHITE	10 minutes
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes

948.0
KA 14-00663

PEOPLE
V
TRAVIS L. PETERKIN

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered February 3, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree, attempted burglary in the second degree and resisting arrest.

CHARLES J. GREENBERG for TRAVIS L. PETERKIN 10 minutes

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

949.0
CA 16-02192

ANN VANYO
V
BUFFALO POLICE BENEVOLENT ASSOCIATION

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered February 5, 2016. The order and judgment denied the motion of plaintiff for an extension of time to serve the complaint and dismissed the complaint.

JAMES OSTROWSKI for ANN VANYO 10 minutes

DAVID M. LEE for CITY OF BUFFALO 15 minutes

IAN HAYES for BUFFALO POLICE BENEVOLENT ASSOCIATION 10 minutes

950.0
CA 17-00249

ANN VANYO
V
BUFFALO POLICE BENEVOLENT ASSOCIATION

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered February 5, 2016. The order and judgment granted the motions of defendants to dismiss the complaint and dismissed the complaint.

JAMES OSTROWSKI for ANN VANYO 10 minutes

DAVID M. LEE for CITY OF BUFFALO 15 minutes

CATHERINE CREIGHTON for BUFFALO POLICE BENEVOLENT ASSOC. 10 minutes

952.0
CA 17-00231

TAMMY PREP **SETTLED**
V
SODEXO MANAGEMENT, INC.

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered November 10, 2016. The order granted the motion of plaintiff for bifurcation.

ANN M. CAMPBELL for SODEXO MANAGEMENT, INC.

SCOTT R. ORNDOFF for TAMMY PREP

953.0
CA 17-00548

LASZLO BIRO
V
HARRY KEEN

Appeal from an order of the Supreme Court, Steuben County (Joseph W. Latham, A.J.), entered August 25, 2016. The order denied the motion of defendants for summary judgment.

DAVID MICHAEL FULVIO for HARRY KEEN 15 minutes

	MICHAEL A. DONLON for LASZLO BIRO	10 minutes
954.0 CA 16-01352	JASON KIRCHNER V COUNTY OF NIAGARA	
	Appeal from an order of the Supreme Court, Niagara County (Mark A. Montour, J.), entered October 29, 2015. The order, among other things, granted the motions of defendants for summary judgment dismissing plaintiff's amended complaint.	
	STEVEN M. COHEN for JASON KIRCHNER	15 minutes
	MATTHEW J. KIBLER for JAMES J. WOYTASH, M.D.	15 minutes
	MICHAEL J. WILLETT for COUNTY OF NIAGARA	15 minutes
	SHAWN P. HENNESSY for COUNTY OF ERIE	Submitted
955.0 CA 16-01353	JASON KIRCHNER V COUNTY OF NIAGARA	
	Appeal from an order of the Supreme Court, Niagara County (Mark A. Montour, J.), entered April 25, 2016. The order, among other things, denied plaintiff's motion for leave to reargue and/or renew the motions of defendants for summary judgment.	
	LINDA LALLI STARK for JASON KIRCHNER	Submitted
	MATTHEW J. KIBLER for JAMES J. WOYTASH, M.D.	Submitted
	MICHAEL J. WILLETT for COUNTY OF NIAGARA	Submitted
	SHAWN P. HENNESSY for COUNTY OF ERIE	Submitted
956.0 CA 16-02275	CAYSEA CONTRACTING CORP. V MASSA CONSTRUCTION, INC.	
	Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered October 3, 2016. The order denied the motion of defendants Massa Construction, Inc., and International Fidelity Insurance seeking to dismiss plaintiff's complaint as against them.	
	JASON B. BAILEY for MASSA CONSTRUCTION, INC.	15 minutes
	MARK C. DAVIS for CAYSEA CONTRACTING CORP.	10 minutes
957.0 CA 17-00216	SARAH J. GREGORY V STEVEN R. CAVARELLO	
	Appeals from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered October 17, 2016. The order denied the motions of defendants National Fuel Gas Distribution Corp., Municipal Pipe Co., LLC, and City of Buffalo for summary judgment and granted the cross motion of plaintiffs for partial summary judgment on the issues of serious injury and that the accident occurred in a work or construction zone.	
	DAVID M. LEE for CITY OF BUFFALO	10 minutes
	MEGHAN M. BROWN for NATIONAL FUEL GAS DISTRIBUTION CORP.	15 minutes
	JOHN A. CIRANDO for SARAH J. GREGORY	15 minutes

958.0
CA 17-00253

THERESA HECKER
V
EDEN CENTRAL SCHOOL DISTRICT

SETTLED

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered November 3, 2016. The order, insofar as appealed from, denied in part the motion of defendant for summary judgment.

JENNA W. KLUCSIK for EDEN CENTRAL SCHOOL DISTRICT

CHARLES S. DESMOND, II, for THERESA HECKER

959.0
CA 17-00447

In the Matter of Arbitration Between
LEWIS COUNTY
(CSEA LOCAL 1000 AFSCME)

Appeal from an order of the Supreme Court, Lewis County (James P. McClusky, J.), entered July 5, 2016. The order granted the petition for a permanent stay of arbitration.

JEREMY GINSBURG for CSEA LOCAL 1000 AFSCME

10 minutes

FRANK W. MILLER for LEWIS COUNTY

10 minutes

960.0
CA 17-00258

JOSEPH SALLUSTIO
V
R. KESSLER AND ASSOCIATES, INC.

Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered May 26, 2016. The order, insofar as appealed from, denied the motion of plaintiffs to dismiss defendants' fourth counterclaim.

JOHN F. HARWICK for JOSEPH SALLUSTIO

10 minutes

MERRITT S. LOCKE for R. KESSLER AND ASSOCIATES, INC.

10 minutes

961.0
CA 16-01911

In the Matter of
SHIRLEY MAE TEACHOUT

Appeal from an order of the Surrogate's Court, Onondaga County (Ava S. Raphael, S.), entered January 11, 2016. The order, among other things, denied the petition in part.

FREDERICK RALPH GUY for ALMA P. HUSSAIN

Submitted

RAYMOND J. DAGUE for GARY H. TEACHOUT

Submitted

962.0
CA 16-02351

DIAMOND ROOFING CO., INC.
V
PCL PROPERTIES, LLC

Appeal from a judgment of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered September 8, 2016. The judgment awarded plaintiff money damages.

NICOLE MARLOW-JONES for PCL PROPERTIES, LLC

10 minutes

MICHAEL JON LONGSTREET for DIAMOND ROOFING CO., INC.

Submitted

963.0
CA 17-00391

DIAMOND ROOFING CO., INC.
V
PCL PROPERTIES, LLC

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered November 15, 2016. The order denied the motion of defendant to reargue.

NICOLE MARLOW-JONES for PCL PROPERTIES, LLC

Submitted

MICHAEL JON LONGSTREET for DIAMOND ROOFING CO., INC.

Submitted

964.0
CA 17-00392

DIAMOND ROOFING CO., INC.

V

PCL PROPERTIES, LLC

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered January 20, 2017. The order denied the motion of defendant to renew.

NICOLE MARLOW-JONES for PCL PROPERTIES, LLC

Submitted

MICHAEL JON LONGSTREET for DIAMOND ROOFING CO., INC.

Submitted

DAY CALENDAR
Wednesday, September 6, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

965.0
TP 17-00285

NAKWON FOXWORTH
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, Wyoming County [Michael M. Mohun, A.J.], entered February 8, 2017) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for NAKWON FOXWORTH

Submitted

ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI

Submitted

966.0
KA 13-02024

PEOPLE
V
JAMES BRADLEY

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered October 4, 2013. The judgment convicted defendant, upon a jury verdict, of criminally negligent homicide and assault in the third degree.

WILLIAM G. PIXLEY for JAMES BRADLEY

15 minutes

KELLY CHRISTINE WOLFORD for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

967.0
KA 13-01761

PEOPLE
V
VAN K. COTTON

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered June 27, 2013. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and criminal possession of a weapon in the second degree.

JANE I. YOON for VAN K. COTTON

10 minutes

KELLY CHRISTINE WOLFORD for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

968.0
KA 16-01998

PEOPLE
V
MEGAN SHIMBURSKI

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered June 20, 2016. The judgment convicted defendant, upon her plea of guilty, of criminal possession of a controlled substance in the seventh degree and tampering with physical evidence.

PHIL MODRZYNSKI for MEGAN SHIMBURSKI

10 minutes

LORI PETTIT RIEMAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

969.0
KA 15-01684

PEOPLE
V
KEITH A. TONEY

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered August 17, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted criminal sale of a controlled substance in the third degree.

JOHN A. CIRANDO for KEITH A. TONEY

10 minutes

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

Submitted

970.0
KA 15-00917

PEOPLE
V
RONALD J. LARKINS

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered April 21, 2015. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree (three counts), criminal use of a firearm in the first degree (two counts), criminal possession of a weapon in the second degree (two counts) and criminal possession of a weapon in the third degree (two counts).

ADAM H. VAN BUSKIRK for RONALD J. LARKINS

15 minutes

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

10 minutes

971.0
KA 15-00619

PEOPLE
V
JOHN H. BUTLER

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered February 23, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fifth degree.

NICHOLAS P. DIFONZO for JOHN H. BUTLER

10 minutes

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

Submitted

972.0
KA 13-01697

PEOPLE
V
DARIUS L. BURSEY

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered June 27, 2013. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and criminal possession of a weapon in the second degree.

BRIDGET L. FIELD for DARIUS L. BURSEY

15 minutes

KELLY CHRISTINE WOLFORD for THE PEOPLE OF THE STATE OF NEW YORK

15 minutes

973.0
CA 16-02228

TIMOTHY KOPASZ
V
COUNTY OF ERIE

SETTLED

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered March 18, 2016. The order granted the motion of plaintiff for summary judgment on liability pursuant to Labor Law § 240 (1) and 12 NYCRR 23-5.1 (j) (2) and 23-1.7 (a).

MAUREEN G. FATCHERIC for COUNTY OF ERIE

10 minutes

ANNE M. WHEELER for TIMOTHY KOPASZ

10 minutes

974.0
CA 17-00349

CAITLIN FERRARI
V
THE NATIONAL FOOTBALL LEAGUE

Appeal from an amended order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered June 14, 2016. The amended order, inter alia, granted the motion of plaintiffs for class certification.

JOHN A. COLLINS for BUFFALO BILLS, INC. 15 minutes

STEVEN HURD for THE NATIONAL FOOTBALL LEAGUE 5 minutes

LOUIS ORBACH for CUMULUS RADIO COMPANY 15 minutes

CHRISTOPHER MARLBOROUGH for CAITLIN FERRARI 15 minutes

DENNIS C. VACCO for STEPHANIE MATECZUN Submitted

975.0
CA 17-00260

CAMERON HILL CONSTRUCTION, LLC
V
SYRACUSE UNIVERSITY

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered January 11, 2017. The order, insofar as appealed from, denied the motions of defendant Syracuse University for summary judgment and to vacate a preliminary injunction.

JENNIFER S. RECINE for SYRACUSE UNIVERSITY 30 minutes

JOHN CHERUNDOLO for CAMERON HILL CONSTRUCTION, LLC 30 minutes

976.0
CA 17-00289

COUNTY OF MONROE
V
CLOUGH HARBOUR & ASSOCIATES, LLP

Appeal from a decision and order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered June 17, 2016. The decision and order denied the motions of the parties for summary judgment

EDWARD JAY SHEATS for CLOUGH HARBOUR & ASSOCIATES, LLP 15 minutes

JOHN HERBERT CALLAHAN for COUNTY OF MONROE 15 minutes

977.0
CA 17-00238

BRIGHAM SMITH **SETTLED**
V
COUNTY OF ONONDAGA

Appeal from a memorandum decision and order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered June 21, 2016. The memorandum decision and order, insofar as appealed from, granted the motion of plaintiff for partial summary judgment on the issue of liability and denied in part the cross motion of defendants for summary judgment.

MATTHEW A. LENHARD for COUNTY OF ONONDAGA

JAMES E. REID for BRIGHAM SMITH

978.0
CA 16-02229

TIMOTHY KOPASZ **SETTLED**
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered April 4, 2016. The order granted the motion of plaintiff for a protective order.

MAUREEN G. FATCHERIC for COUNTY OF ERIE 10 minutes

ANNE M. WHEELER for TIMOTHY KOPASZ 10 minutes

979.0
CA 17-00406

THOUSAND ISLANDS CENTRAL SCHOOL DISTRICT

V

THOUSAND ISLANDS EDUCATION ASSOCIATION

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered October 4, 2016. The order granted the petition.

ROBERT T. REILLY for THOUSAND ISLANDS EDUCATION ASSOC. 15 minutes

DOMINIC S. D'IMPERIO for THOUSAND ISLANDS CSD 10 minutes

980.0
CA 16-01349

**In the Matter of Arbitration Between
GERBER HOMES & ADDITIONS, LLC
(MARK LANG)**

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered May 4, 2016. The order granted the motion of petitioner to confirm the award of an arbitrator and directed the petitioner have judgment in the amount of \$99,926.71, plus interests, costs and disbursements.

MARK LANG for HIMSELF Submitted

MICHAEL J. WEGMAN for GERBER HOMES & ADDITIONS, LLC 10 minutes

981.0
TP 17-00189

SAMUEL LICARI

V

NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Herkimer County [Erin P. Gall, J.], entered January 19, 2017) to review a determination of respondent. The determination suspended the automobile dealership license of petitioner.

KURT D. SCHULTZ for SAMUEL LICARI Submitted

OWEN DEMUTH for NYS DEPT. OF MOTOR VEHICLES Submitted

982.0
CA 17-00372

PROSTHETIC HOME SERVICES, INC.

V

FIDELIS CARE OF NEW YORK

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered May 3, 2016. The order granted the motion of defendant to dismiss the complaint and dismissed plaintiff's claims.

JAMES M. WUJCIK for PROSTHETIC HOME SERVICES, INC. 10 minutes

ERIK A. GOERGEN for FIDELIS CARE OF NEW YORK 10 minutes

983.0
CA 17-00250

MICHAEL TORRANCE

V

DAVID CAPUTI

SETTLED

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered December 12, 2016. The order denied the motion of defendants for summary judgment.

JOEL B. SCHECHTER for DAVID CAPUTI

TODD M. SCHIFFMACHER for MICHAEL TORRANCE

984.0
CA 17-00487

ROBERT CIESIELSKI

V

CAPOZZI INDUSTRIAL PARK, INC.

Appeals from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered August 19, 2016. The order granted plaintiff's motion for partial summary judgment on the issue of liability and denied defendants' cross motions for summary judgment dismissing the complaint.

LAURENCE D. BEHR for CAPOZZI INDUSTRIAL PARK, INC.

15 minutes

RICHARD S. POVEROMO for CAPOZZI PAVING, INC.

15 minutes

ALAN D. VOOS for ROBERT CIESIELSKI

15 minutes

984.1
CA 17-00545

DAVID SCHNEITER

V

NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Appeal from an order and judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered March 3, 2017. The order and judgment, inter alia, granted the CPLR article 78 petition and directed respondent Erie County Department of Social Services to return the subject child to petitioners' foster home.

JOSEPH T. JARZEMBEK for ERIE CO. DSS

10 minutes

DAVID E. GUTOWSKI for DAVID SCHNEITER

5 minutes

LAURA ETLINGER for NYS OFFICE OF CHILDREN AND FAMILY SERVICES

Submitted

DAY CALENDAR
Thursday, September 7, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

999.0
CA 16-02122

BOARD OF MANAGERS, UNIQUEST
V
ASSESSOR, CITY OF BUFFALO

Appeal from a decision and order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered January 29, 2016. The decision and order denied the motion of petitioner for summary judgment.

PETER A. WEINMANN for BD. OF MANAGERS, UNIQUEST 15 minutes

MAURA C. SEIBOLD for ASSESSOR, CITY OF BUFFALO 10 minutes

986.0
KA 16-00640

PEOPLE
V
ZACHARY J. BARRETT

Appeal from a judgment of the Allegany County Court (Thomas P. Brown, J.), rendered March 2, 2016. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

JOHN A. CIRANDO for ZACHARY J. BARRETT 10 minutes

J. THOMAS FUOCO for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

987.0
KA 15-00022

PEOPLE
V
AKEEM M. SIMMONS

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered September 15, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree, criminal use of a firearm in the first degree and conspiracy in the fourth degree.

NICHOLAS P. DIFONZO for AKEEM M. SIMMONS 10 minutes

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

988.0
TP 17-00519

QUAYSHAUN HUBBARD
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, Wyoming County [Michael M. Mohun, A.J.], entered March 16, 2017) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for QUAYSHAUN HUBBARD Submitted

VICTOR PALADINO for ANTHONY ANNUCCI Submitted

989.0
KA 15-01394

PEOPLE
V
DONALD J. AIKEY

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered June 19, 2015. The judgment convicted defendant, upon a nonjury verdict, of criminal contempt in the first degree, criminal trespass in the third degree, endangering the welfare of a child (two counts), harassment in the second degree and criminal contempt in the second degree.

MARK C. DAVISON for DONALD J. AIKEY

10 minutes

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

10 minutes

990.0
KA 12-00895

PEOPLE
V
MARSHALL D. JACKSON

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered March 15, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, criminal possession of a weapon in the second degree and criminal possession of stolen property in the fourth degree.

PATRICK J. MARTHAGE for MARSHALL D. JACKSON

10 minutes

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

10 minutes

991.0
KA 13-00816

PEOPLE
V
BRANDON JOHNSON

Appeal from a judgment of the Supreme Court, Monroe County (Robert B. Wiggins, A.J.), rendered December 18, 2012. The judgment convicted defendant, upon a jury verdict, of rape in the first degree and rape in the third degree.

EFTIHIA BOURTIS for BRANDON JOHNSON

10 minutes

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

10 minutes

992.0
KA 12-00373

PEOPLE
V
TYREIK A. BOYD

Appeal from a judgment of the Monroe County Court (Melchar E. Castro, A.J.), rendered November 18, 2011. The judgment convicted defendant, upon a jury verdict, of attempted criminal possession of a weapon in the second degree and attempted criminal possession of a weapon in the third degree.

BRIDGET L. FIELD for TYREIK A. BOYD

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

993.0
CA 17-00280

AMALFI, INC.
V
428 CO., INC.

Appeal from an order and judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered December 9, 2016. The order and judgment granted the motions of defendants for summary judgment, denied the cross motion of plaintiff for summary judgment and dismissed the complaint.

KENNETH A. MANNING for AMALFI, INC.

15 minutes

	CHARLES C. RITTER, JR., for FIRST AMHERST DEVELOPMENT GROUP	10 minutes
	JAMES PATRICK MILBRAND for 428 CO., INC.	10 minutes
995.0 CA 17-00335	BD. OF MANAGERS OF WEST AMHERST PARK V RMFSG, LLC	
	Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered November 10, 2016. The order, among other things, denied plaintiff's motion for summary judgment.	
	ANTHONY IACCHETTA for BD. OF MANAGERS OF WEST AMHERST PARK	Submitted
	RODNEY A. GIOVE for RMFSG, LLC	Submitted
996.0 CA 17-00336	BD. OF MANAGERS OF WEST AMHERST PARK V RMFSG, LLC	
	Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered November 10, 2016. The order, among other things, denied plaintiff's motion for summary judgment.	
	ANTHONY IACCHETTA for BD. OF MANAGERS OF WEST AMHERST PARK	Submitted
	RODNEY A. GIOVE for RMFSG, LLC	Submitted
997.0 CA 16-02205	DANIELLE KELLER V ROBERT KELLER	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered July 27, 2016. The order granted the motion of defendants for summary judgment dismissing the complaint.	
	MICHAEL B. DIXON for DANIELLE KELLER	15 minutes
	DEREK J. ROLLER for ROBERT KELLER	10 minutes
998.0 CA 16-02142	J.N.K. MACHINE CORPORATION V TBW, LTD.	
	Appeal from a judgment of the Supreme Court, Chautauqua County (Frank A. Sedita, Jr., J.), entered August 23, 2016. The judgment, among other things, awarded plaintiff the sum of \$939,702.98 as against defendants.	
	PAUL V. WEBB, JR., for TBW, LTD.	15 minutes
	BRIAN D. GWITT for J.N.K. MACHINE CORPORATION	15 minutes
1000.0 CA 17-00382	JO-LOUISE BAKER V JOHN A. LISCONISH	
	Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered December 28, 2016. The order, insofar as appealed from, granted the motion of defendant Santo Heating and Air Conditioning, Inc., for summary judgment, dismissed the complaint against said defendant and denied the cross motion of plaintiff for summary judgment on the issue of permissive use.	
	MATTHEW J. KAISER for JO-LOUISE BAKER	15 minutes

	ADAM C. HOVER for JOHN A. LISCONISH	5 minutes
	CHRISTOPHER J. MARTIN for SANTO HEATING AND AIR CONDITIONING	15 minutes
1001.0 CA 17-00305	UTICA MUTUAL INSURANCE COMPANY V ALFA MUTUAL INSURANCE COMPANY	
	Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered August 22, 2016. The order, among other things, granted moving defendants-respondents' motion for partial summary judgment.	
	SYED S. AHMAD for UTICA MUTUAL INSURANCE COMPANY	15 minutes
	SEAN THOMAS KEELY for ALFA MUTUAL INSURANCE COMPANY	15 minutes
1002.0 CA 16-02128	RES EXHIBIT SERVICES, LLC V GENESIS VISION, INC.	
	Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered September 22, 2016. The order, among other things, granted plaintiff's motion for summary judgment and denied defendant's cross motion for summary judgment.	
	DAVID HENRY TENNANT for GENESIS VISION, INC.	10 minutes
	CHAD W. FLANSBURG for RES EXHIBIT SERVICES, LLC	15 minutes
1003.0 CA 16-02207	RES EXHIBIT SERVICES, LLC V GENESIS VISION, INC.	
	Appeal from a judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered October 14, 2016. The judgment awarded plaintiff the sum of \$426,683.36 as against defendant.	
	DAVID HENRY TENNANT for GENESIS VISION, INC.	Submitted
	CHAD W. FLANSBURG for RES EXHIBIT SERVICES, LLC	Submitted
1004.0 CA 16-02208	RES EXHIBIT SERVICES, LLC V GENESIS VISION, INC.	
	Appeal from an amended judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered November 4, 2016. The amended judgment awarded plaintiff the sum of \$452,376.22 as against defendant.	
	DAVID HENRY TENNANT for GENESIS VISION, INC.	Submitted
	CHAD W. FLANSBURG for RES EXHIBIT SERVICES, LLC	Submitted
1005.0 CA 17-00385	FRANK E. FOWLER, JR. V FRANK SYLVESTER	SETTLED
	Appeals and cross appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered September 6, 2016. The order, among other things, granted defendants' motions for leave to reargue and/or renew their motions for summary judgment and upon reargument denied defendants' motions for summary judgment in part.	

MATTHEW J. LARKIN for FRANK SYLVESTER

EDWARD PETER YANKELUNAS for CHUCK PATTISON

KEVIN A. LUIBRAND for FRANK E. FOWLER, JR.

1006.0
CA 17-00232

TRIFI FOODS, INC.

SETTLED

V

M.W.S. ENTERPRISES, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered May 9, 2016. The order denied the motion of defendant to dismiss the second cause of action of the amended complaint.

D. CHARLES ROBERTS for M.W.S. ENTERPRISES, INC.

JOSEPH S. MONTAGNOLA for TRIFI FOODS, INC.

1007.0
CA 17-00369

AJMRT, LLC

V

LINDA L. KERN

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered May 16, 2016. The order, insofar as appealed from, granted plaintiff a preliminary injunction and denied the cross motion of defendants to dismiss the complaint.

PAUL L. LECLAIR for LINDA L. KERN

10 minutes

ALINA NADIR for AJMRT, LLC

10 minutes

DAY CALENDAR
Friday, September 8, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1008.0
KA 15-00205

PEOPLE
V
TYLER V. LEWIS

Appeal from a judgment of the Jefferson County Court (Dennis Kehoe, A.J.), rendered January 28, 2011. The judgment convicted defendant, upon a jury verdict, of murder in the second degree; attempted robbery in the first degree (three counts); attempted robbery in the second degree; conspiracy in the fourth degree; and perjury in the first degree.

JOHN A. CIRANDO for TYLER V. LEWIS 15 minutes

NICOLE L. KYLE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1009.0
KA 14-01897

PEOPLE
V
MICHAEL WILLIAMS

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered March 4, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts), assault in the second degree, and criminal possession of a weapon in the second degree (two counts).

JANE I. YOON for MICHAEL WILLIAMS 10 minutes

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

1010.0
TP 17-00424

NJERA WILSON
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, Wyoming County [Michael M. Mohun, A.J.], entered February 28, 2017) to review two determinations of respondent. The determinations found after Tier III hearings that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for NJERA WILSON Submitted

ZAINAB A. CHAUDHRY for ANTHONY ANNUCCI Submitted

1011.0
KA 15-00992

PEOPLE
V
SCOTT W. DAVIS

Appeal from a judgment of the Herkimer County Court (John H. Crandall, J.), rendered December 3, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree.

PETER J. DIGIORGIO, JR., for SCOTT W. DAVIS Submitted

JACQUELYN M. ASNOE for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1012.0
KA 14-00582

PEOPLE
V
ANTONIO ORTIZ, JR.

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered January 22, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

JAMES A. HOBBS for ANTONIO ORTIZ, JR.

Submitted

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

5 minutes

1013.0
KA 14-01029

PEOPLE
V
TALARICO YOUNG

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered April 29, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and perjury in the first degree.

MARY P. DAVISON for TALARICO YOUNG

10 minutes

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

10 minutes

1014.0
KA 17-00218

PEOPLE
V
THOMAS A. RAFFERTY

Appeal from a decision and order of the Ontario County Court (Frederick G. Reed, J.), dated June 23, 2016. The decision and order dismissed counts first through third of the indictment.

JEFFREY R. FRIESEN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

GUY A. TALIA for THOMAS A. RAFFERTY

10 minutes

1015.0
KA 15-02036

PEOPLE
V
SAMUEL AYALA

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered November 20, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree and criminally using drug paraphernalia in the second degree (three counts).

TIMOTHY S. DAVIS for SAMUEL AYALA

10 minutes

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

10 minutes

1016.0
CAF 16-01227

MATTHEW E. MAGILL
V
LINDSAY A. ESPOSITO

Appeals from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered June 16, 2016 in proceedings pursuant to Family Court Act article 6. The order, among other things, adjudged that the subject child shall primarily reside with petitioner.

BRIDGET L. FIELD for LINDSAY A. ESPOSITO

10 minutes

MATTHEW E. WARD for MATTHEW E. MAGILL

10 minutes

PAUL B. WATKINS, ATTORNEY FOR CHILD

10 minutes

1017.0
CAF 16-00361

HALBERT L. BROOKS, JR.
V
PAULA GREENE

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered February 11, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded Paula Green sole custody of the subject child.

TIMOTHY R. LOVALLO for HALBERT L. BROOKS, JR. 5 minutes

PHILLIP DABNEY, JR., for PAULA GREENE Submitted

MICHELE A. BROWN, ATTORNEY FOR CHILD 5 minutes

1018.0
CAF 16-00105

**In the Matter of
KAMERON V.**

Appeal from a decision and order of the Family Court, Erie County (Margaret O. Szczur, J.), entered December 15, 2015, in a proceeding pursuant to Family Court Act article 10. The decision and order found that Jamel L. had neglected the subject child.

CHARLES J. GREENBERG for JAMEL L. Submitted

KATE NOWADLY for ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD Submitted

1019.0
CAF 16-00880

**STEVEN MORALES
V
SARAH MORALES**

Appeal from a decision and order of the Family Court, Erie County (Brenda M. Freedman, J.), entered April 28, 2016, in a proceeding pursuant to Family Court Act article 6. The decision and order granted sole child custody to petitioner and supervised visitation to respondent.

PETER P. VASILION for SARAH MORALES 5 minutes

JENNIFER M. LORENZ for STEVEN MORALES 10 minutes

JOSEPH CHARLES BANIA, ATTORNEY FOR CHILD 5 minutes

1020.0
CAF 15-01464

**MICHAEL G. WHITNEY
V
DENISE T. WHITNEY**

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, J.), entered August 6, 2015, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of custody and directed that petitioner must have permission of the Court to file any future petitions.

TIMOTHY R. LOVALLO for MICHAEL G. WHITNEY 5 minutes

DENISE T. WHITNEY for HERSELF Submitted

DAVID S. SARKOVICS, ATTORNEY FOR CHILD 5 minutes

1021.0
CAF 15-01465

**MICHAEL G. WHITNEY
V
DENISE T. WHITNEY**

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, J.), entered August 6, 2015, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of custody and directed that petitioner must have permission of the Court to file any future petitions.

TIMOTHY R. LOVALLO for MICHAEL G. WHITNEY

Submitted

DENISE T. WHITNEY for HERSELF

Submitted

DAVID S. SARKOVICS, ATTORNEY FOR CHILD

Submitted

1022.0
CAF 15-01466

MICHAEL G. WHITNEY
V
DENISE T. WHITNEY

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, J.), entered August 6, 2015, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of custody and directed that petitioner must have permission of the Court to file any future petitions.

TIMOTHY R. LOVALLO for MICHAEL G. WHITNEY

Submitted

DENISE T. WHITNEY for HERSELF

Submitted

DAVID S. SARKOVICS, ATTORNEY FOR CHILD

Submitted

1023.0
CAF 15-01467

MICHAEL G. WHITNEY
V
DENISE T. WHITNEY

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, J.), entered August 6, 2015, in a proceeding pursuant to Family Court Act article 6. The order granted the motion of the Attorney for the Child to dismiss the petition for modification of custody.

TIMOTHY R. LOVALLO for MICHAEL G. WHITNEY

Submitted

DENISE T. WHITNEY for HERSELF

Submitted

DAVID S. SARKOVICS, ATTORNEY FOR CHILD

Submitted

1024.0
CAF 15-01468

MICHAEL G. WHITNEY
V
DENISE T. WHITNEY

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, J.), entered August 6, 2015, in a proceeding pursuant to Family Court Act article 6. The order granted the motion of respondent to dismiss the petitions for modification of custody and to direct that petitioner not be allowed to file any further petitions.

TIMOTHY R. LOVALLO for MICHAEL G. WHITNEY

Submitted

DENISE T. WHITNEY for HERSELF

Submitted

DAVID S. SARKOVICS, ATTORNEY FOR CHILD

Submitted

1025.0
CAF 15-01469

MICHAEL G. WHITNEY
V
DENISE T. WHITNEY

Appeal from an order of the Family Court, Erie County (Michael F. Griffith, J.), entered August 6, 2015, in a proceeding pursuant to Family Court Act article 6. The order granted the motion of the Attorney for the Child to dismiss the amended petition for modification of custody.

TIMOTHY R. LOVALLO for MICHAEL G. WHITNEY

Submitted

DENISE T. WHITNEY for HERSELF

Submitted

DAVID S. SARKOVICS, ATTORNEY FOR CHILD

Submitted

1026.0
CA 17-00114

HENRY J. WATERMAN, JR.
V
CITY OF ROCHESTER

Appeal from a decision and order of the Supreme Court, Monroe County (Elma A. Bellini, J.), entered July 27, 2016. The decision and order denied the motion of defendants for summary judgment dismissing the complaint and granted the cross motion of plaintiff for summary judgment on the issue of proximate cause.

SPENCER L. ASH for CITY OF ROCHESTER

10 minutes

K. JOHN WRIGHT for HENRY J. WATERMAN, JR.

10 minutes

1027.0
CA 16-02232

CHRISTINA M. BOEHM
V
GUISSEPPE G. ROSARIO

Appeal from an order of the Supreme Court, Ontario County (Deborah A. Chimes, J.), entered September 15, 2016. The order denied plaintiff's motion to set aside the jury verdict.

GREGG S. MAXWELL for CHRISTINA M. BOEHM

15 minutes

MEGAN F. ORGANEK for GUISSEPPE G. ROSARIO

15 minutes

1028.0
CA 16-01736

ANTONIO JACKSON
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered April 27, 2016. The order, insofar as appealed from, denied the motion of defendants for summary judgment dismissing the complaint.

CHRISTOPHER P. POOLE for CITY OF BUFFALO

10 minutes

EDWARD C. COSGROVE for ANTONIO JACKSON

15 minutes

1029.0
CA 17-00317

JANE DOE
V
NICHOLAS D'ANGELO

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered May 2, 2016. The order denied the motion of defendant Nicholas D'Angelo to dismiss the complaint, granted the cross motion of plaintiff to extend the time to serve the summons and complaint nunc pro tunc and granted the motion of plaintiff to compel Nicolas D'Angelo to provide certain authorizations for access to records.

RICHARD T. SARAF for NICHOLAS D'ANGELO

10 minutes

MICHAEL O. MORSE for JANE DOE

10 minutes

1030.0
CA 17-00373

LISA M. MILLIGAN
V
KEVIN BIFULCO

Appeal from an order of the Supreme Court, Erie County (Tracy A. Bannister, J.), entered May 24, 2016. The order, inter alia, denied the cross motion of defendants to dismiss the complaint.

DONNA L. BURDEN for **KEVIN BIFULCO** 15 minutes

JOSHUA ISRAEL RAMOS for **LISA M. MILLIGAN** 10 minutes

1031.0
CA 17-00351

In the Matter of Arbitration Between
TOWN OF GREECE
(THE CIVIL SERVICE EMPLOYEE ASSOCIATION, INC.)

Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered September 8, 2016, in a proceeding pursuant to CPLR article 75. The order, among other things, denied petitioner's application for a permanent stay of arbitration.

EDWARD A. TREVVETT for **TOWN OF GREECE** 15 minutes

IAN HAYES for **THE CIVIL SERVICE EMPLOYEE ASSOCIATION, INC.** 15 minutes

1032.0
CA 17-00266

ALPHONSO ANDERSON
V
GLORIA ANDERSON

Appeal from an order of the Supreme Court, Monroe County (Elma A. Bellini, J.), entered June 20, 2016. The order denied the motion of plaintiff for his marital share of the degree defendant earned during the course of the marriage and granted the cross motion of defendant for Qualified Domestic Relations Orders and an award of arrears.

SANFORD R. SHAPIRO for **ALPHONSO ANDERSON** 10 minutes

MARGARET MCMULLEN RESTON for **GLORIA ANDERSON** 10 minutes

1032.1
CA 17-00407

MARY ANN CELANI
V
ALLSTATE INDEMNITY COMPANY

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered December 7, 2016. The order granted the motion of plaintiff to compel disclosure, directed Allstate Insurance Company to produce to plaintiff an unredacted copy of its claim notes, the legal opinion of Dan Bartoldus and the manual that it maintains for investigating homeowner claims, and denied the cross motion of Allstate Insurance Company for a protective order.

JESSICA L. FOSCOLO for **ALLSTATE INDEMNITY COMPANY** 10 minutes

JOHN A. COLLINS for **MARY ANN CELANI** 10 minutes

DAY CALENDAR
Monday, September 11, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1033.0
KA 12-02285

PEOPLE
V
SHARAD JILES

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered December 6, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts), robbery in the first degree (two counts), robbery in the third degree (two counts) and criminal possession of a weapon in the second degree (two counts).

JONATHAN EDELSTEIN for SHARAD JILES 15 minutes

KELLY CHRISTINE WOLFORD for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

1034.0
KA 15-01223

PEOPLE
V
ERICA DAVIS

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered August 11, 2014. The judgment convicted defendant, upon a jury verdict, of welfare fraud in the fourth degree and filing a false instrument in the first degree.

ERIN A. KULESUS for ERICA DAVIS 10 minutes

AMBER KERLING for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1035.0
KA 14-01481

PEOPLE
V
VINCENT A. WALTERS

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered May 15, 2014. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

DREW R. DUBRIN for VINCENT A. WALTERS 10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1036.0
KA 14-01482

PEOPLE
V
VINCENT A. WALTERS

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered May 15, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

DREW R. DUBRIN for VINCENT A. WALTERS Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1037.0
KA 15-00394

PEOPLE
V
LOUIS V. VULLO

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered January 21, 2015. The judgment convicted defendant, upon a jury verdict, of robbery in the third degree.

	TYSON BLUE for LOUIS V. VULLO	10 minutes
	R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1038.0 KA 14-02227	PEOPLE V CRAIG DAVIS	
	Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered September 11, 2014. The judgment convicted defendant, upon a jury verdict, of rape in the second degree (two counts), criminal sexual act in th second degree (two counts), endangering the welfare of a child and sexual abuse in the third degree (two counts).	
	JOHN GILSENAN for CRAIG DAVIS	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1039.0 KA 15-01922	PEOPLE V KEMAR WALLACE	
	Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered September 14, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of marihuana in the first degree.	
	SHERRY A. CHASE for KEMAR WALLACE	Submitted
	ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1040.0 KA 13-00648	PEOPLE V GARY GRAHAM	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered January 9, 2013 and January 11, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree and rape in the third degree.	
	KATHLEEN P. REARDON for GARY GRAHAM	Submitted
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1041.0 KA 14-01960	PEOPLE V BRAOLIO J. VARGAS	
	Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered June 13, 2013. The judgment convicted defendant, upon a jury verdict, of attempted assault in the first degree.	
	MARY P. DAVISON for BRAOLIO J. VARGAS	5 minutes
	JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1042.0 CA 17-00259	In the Matter of Arbitration Between MONROE COUNTY DEPUTY SHERIFFS' ASSOC. (MONROE COUNTY AND MONROE COUNTY SHERIFF)	
	Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered November 14, 2016, in a proceeding pursuant to CPLR article 75. The order, among other things, granted the petition.	
	KARLEE S. BOLANOS for MONROE COUNTY AND MONROE CO. SHERIFF	10 minutes

	DANIEL DEBOLT for MONROE COUNTY DEPUTY SHERIFFS' ASSOC.	10 minutes
1043.0 CA 17-00323	SUZANNE PEARCE V JOINT BD. OF DIRECTORS OF ERIE-WYOMING CO.	
	Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered September 7, 2016. The order denied the motion of defendant County of Erie to dismiss a portion of the complaint.	
	JEREMY C. TOTH for COUNTY OF ERIE	10 minutes
	STEPHEN R. FOLEY for SUZANNE PEARCE	10 minutes
1044.0 CA 17-00352	ROBERT HUDSON V SUNNYSIDE CORPORATION	
	Appeal from an order of the Supreme Court, Steuben County (Marianne Furfure, J.), entered June 1, 2016. The order, among other things, granted defendant Sunnyside Corporation's cross motion to dismiss plaintiff's complaint as against them, for failure to state a cause of action.	
	FRANK S. GATTUSO for ROBERT HUDSON	10 minutes
	SVETLANA K. IVY for SUNNYSIDE CORPORATION	10 minutes
1045.0 TP 17-00220	TOWN OF BOSTON V NYS OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES	
	Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Erie County [Diane Y. Devlin, J.], entered January 26, 2017) to review a determination of respondent. The determination permitted the establishment of a group home for developmentally disabled adults.	
	EDWARD J. MARKARIAN for TOWN OF BOSTON	Submitted
	ALLYSON B. LEVINE for NYS OFFICE FOR PEOPLE WITH DEV. DISABILITIES	Submitted
1046.0 CA 17-00304	In the Matter of Arbitration Between SETTLED MONROE COUNTY SHERIFF POLICE (COUNTY OF MONROE AND MONROE COUNTY SHERIFF)	
	Appeal from an order and judgment of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered September 22, 2016. The order and judgment denied the petition to vacate an arbitration award and confirmed such award.	
	JULES L. SMITH for MONROE COUNTY SHERIFF POLICE	
	PETER J. SPINELLI for COUNTY OF MONROE AND MONROE CO. SHERIFF	
1047.0 CA 17-00020	U.S. BANK NATIONAL ASSOCIATION V JAMES D. LIEBEL	
	Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered March 10, 2016. The order, among other things, granted plaintiff's motion for summary judgment.	

	EDWARD J. DEGNAN for JAMES D. LIEBEL	10 minutes
	DANA B. BRIGANTI for U.S. BANK NATIONAL ASSOCIATION	10 minutes
1048.0 CA 17-00221	PITTSFORD CANALSIDE PROPERTIES, LLC V PITTSFORD VILLAGE GREEN	
	Appeal and cross appeal from a decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered November 17, 2016. The decision and order granted the motion of plaintiff to sever the third-party action, denied the motion of plaintiff for a nonjury trial and denied the motion of defendants for partial summary judgment and bifurcation.	
	PATRICK BRENNAN NAYLON for PITTSFORD VILLAGE GREEN	10 minutes
	JOHN A. MANCUSO for PITTSFORD CANALSIDE PROPERTIES, LLC	10 minutes
1049.0 CA 16-01516	LAURA D. STIGGINS V TOWN OF NORTH DANSVILLE	
	Appeal from an order of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered April 14, 2016. The order denied the motion of plaintiff for summary judgment, granted the motion of defendant for summary judgment and dismissed the complaint.	
	DAVID M. ABBATOY, JR., for LAURA D. STIGGINS	10 minutes
	JOSEPH B. RIZZO for TOWN OF NORTH DANSVILLE	10 minutes
1050.0 CA 16-01517	JESSIE T. GALTON V TOWN OF NORTH DANSVILLE	
	Appeal from an order of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered April 14, 2016. The order denied the motion of plaintiff for summary judgment, granted the motion of defendant for summary judgment and dismissed the complaint.	
	DAVID M. ABBATOY, JR., for JESSIE T. GALTON	Submitted
	JOSEPH B. RIZZO for TOWN OF NORTH DANSVILLE	Submitted
1051.0 CA 16-02178	ROBERT F. ROSSI V PATRICIA A. MORSE	
	Appeal from a decision and order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered May 2, 2016. The decision and order, inter alia, declared the rights of the parties to various financial accounts.	
	DAVID G. GOLDBAS for PATRICIA A. MORSE	10 minutes
	LUCILLE M. RIGNANESE for ROBERT F. ROSSI	15 minutes
1052.0 CA 16-01521	MONICA HARRIS V EVAN CAMPBELL	
	Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered November 4, 2015. The order denied the motion of plaintiffs to set aside a jury verdict.	

	JOSHUA ISRAEL RAMOS for MONICA HARRIS	15 minutes
	AARON M. ADOFF for EVAN CAMPBELL	10 minutes
1053.0 CA 16-01523	MONICA HARRIS V EVAN CAMPBELL	
	Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered November 20, 2015. The order denied the motion of plaintiffs to preclude certain evidence at trial.	
	JOSHUA ISRAEL RAMOS for MONICA HARRIS	Submitted
	AARON M. ADOFF for EVAN CAMPBELL	Submitted
1054.0 CA 16-01524	MONICA HARRIS V EVAN CAMPBELL	
	Appeal from a judgment of the Supreme Court, Erie County (John A. Michalek, J.), entered November 20, 2015. The judgment dismissed the complaint upon a jury verdict.	
	JOSHUA ISRAEL RAMOS for MONICA HARRIS	Submitted
	AARON M. ADOFF for EVAN CAMPBELL	Submitted
1055.0 CA 16-02206	SHANNON POOLER V DENNY L. POOLER	
	Appeal from a decision and order of the Supreme Court, Ontario County (Daniel P. Majchrzak, Jr., R.), entered May 19, 2016. The decision and order, inter alia, directed defendant to pay retroactive maintenance and support.	
	RONALD G. HULL for DENNY L. POOLER	15 minutes
	BRIDGET L. FIELD for SHANNON POOLER	10 minutes
1056.0 CA 16-01856	In the Matter of CITY OF SYRACUSE INDUSTRIAL DEVELOPMENT AGENCY	
	Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered July 25, 2016. The order deemed null and void mortgages from GML Syracuse, LLC, to Financitech, Ltd., and dismissed the claim of Financitech, Ltd.	
	JUSTIN W. GRAY for FINANCITECH, LTD.	Submitted
	ROGER A. RAIMOND for AMADEUS DEVELOPMENT, INC.	15 minutes
	MARK RYAN MCNAMARA for CITY OF SYRACUSE IND. DEV. AGENCY	10 minutes

DAY CALENDAR
Tuesday, September 12, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1057.0
KA 14-00826

PEOPLE
V
ROBERT J. MASTOWSKI

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered January 6, 2014. The judgment convicted defendant, upon a jury verdict, of vehicular manslaughter in the first degree and driving while intoxicated, a class E felony (two counts).

DAVID R. JUERGENS for ROBERT J. MASTOWSKI 10 minutes

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

1058.0
KA 15-00214

PEOPLE
V
DANTE TAYLOR

Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered November 20, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the first degree (four counts), burglary in the first degree (two counts) and arson in the second degree.

DAVID M. ABBATOY, JR., for DANTE TAYLOR 10 minutes

WENDY EVANS LEHMANN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1059.0
KA 14-01861

PEOPLE
V
SHARIFF JONES

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered October 10, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a forged instrument in the second degree.

PIOTR BANASIAK for SHARIFF JONES 10 minutes

VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1060.0
KA 14-00409

PEOPLE
V
RAFAEL VADELL

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered December 17, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree (two counts).

CATHERINE H. JOSH for RAFAEL VADELL 10 minutes

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

1061.0
KA 17-00531

PEOPLE
V
ADAM PURDY

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered January 24, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree and grand larceny in the second degree.

JONATHAN I. EDELSTEIN for ADAM PURDY

15 minutes

WENDY EVANS LEHMANN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1062.0
KA 15-01494

PEOPLE
V
ARTHUR HAILEY

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered August 26, 2015. The judgment convicted defendant, upon a nonjury verdict, of attempted robbery in the second degree.

ROBERT L. KEMP for ARTHUR HAILEY

10 minutes

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

10 minutes

1063.0
KA 13-00303

PEOPLE
V
PRESTON CARTER

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, J.), rendered November 28, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

KATHLEEN P. REARDON for PRESTON CARTER

10 minutes

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

10 minutes

1064.0
CAF 16-00498

JAMAR MCDUFFIE
V
SHONTEA REDDICK

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered February 26, 2016, in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the parties shall have joint custody of the subject child and designated respondent the primary residential custodian.

WILLIAM D. BRODERICK, JR., for JAMAR MCDUFFIE

10 minutes

SHONTEA REDDICK for HERSELF

Submitted

RONALD M. CINELLI, ATTORNEY FOR CHILD

10 minutes

1065.0
CAF 16-01184

In the Matter of
VALENTINA M. S.

Appeal from a decision and order of the Family Court, Livingston County (Robert B. Wiggins, J.), entered May 20, 2016, in a proceeding pursuant to Family Court Act, article 10. The decision and order, inter alia, terminated the parental rights of respondent.

NATHAN A. VAN LOON for DARRELL W.

10 minutes

JENNIFER M. NOTO for LIVINGSTON CO. DEPT. OF SOCIAL SERVICES

10 minutes

SARA E. ROOK, ATTORNEY FOR CHILD

5 minutes

1066.0
CAF 16-01199

In the Matter of
VALENTINA M. S.

Appeal from an addendum of the Family Court, Livingston County (Robert B. Wiggins, J.), entered June 13, 2016, in a proceeding pursuant to Family Court Act, article 10. The addendum clarified an order entered May 20, 2016.

NATHAN A. VAN LOON for DARRELL W. Submitted

JOHN T. SYLVESTER for LIVINGSTON CO. DEPT. OF SOCIAL SERVICES Submitted

SARA E. ROOK, ATTORNEY FOR CHILD Submitted

1067.0
CAF 16-00805

KEVIN DRAKE
V
TERRI CARPENTER

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered April 26, 2016 in a proceeding pursuant to Family Court Act article 6. The order denied the petition in its entirety

BERNADETTE HOPPE for KEVIN DRAKE Submitted

WILLIAM D. BRODERICK, JR., for TERRI CARPENTER 10 minutes

LEIGH E. ANDERSON, ATTORNEY FOR CHILD 5 minutes

1068.0
CAF 16-00148

In the Matter of
BRYAN O.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered December 29, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent neglected subject child Bryan O.

DEBORAH J. SCINTA for ZABIULLAH O. 5 minutes

JAMES HARMON for ERIE COUNTY DSS 5 minutes

MINDY LYNN MARRANCA, ATTORNEY FOR CHILD 5 minutes

1069.0
CAF 16-00428

ERIC BURK
V
SABRINA TRENTO

Appeal from an order of the Family Court, Oneida County (Julia M. Brouillette, J.), entered September 30, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded Eric Burk sole custody of the subject child.

PAUL M. DEEP for SABRINA TRENTO 5 minutes

PAUL SKAVINA for ERIC BURK 5 minutes

1070.0
CA 17-00224

LAPC LOFTS, LLC
V
CITY OF BUFFALO DEPARTMENT OF ASSESSMENT

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered October 12, 2016. The order denied the CPLR article 78 petition.

JOHN KENNEDY ROTTARIS for LAPC LOFTS, LLC 15 minutes

MELISSA SANCHEZ-FERNANDEZ for CITY OF BUFFALO DEPT. OF ASSESSMENT 15 minutes

	JAMES P. BLENK for COUNTY OF ERIE	10 minutes
1071.0 CA 17-00316	CURTIS L. MILLER V SNORAC, LLC	
	Appeal from a decision, judgment and order of the Supreme Court, Monroe County (John J. Ark, J.), entered April 19, 2016. The decision, judgment and order dismissed the complaint against defendant Snorac, LLC, d/b/a Enterprise Rent-A-Car.	
	RICHARD P. AMICO for CURTIS L. MILLER	15 minutes
	SUSAN PHILLIPS READ for SNORAC, LLC	15 minutes
1072.0 TP 17-00329	BUFFALO TEACHERS FEDERATION, INC. V NYS PUBLIC EMPLOYMENT RELATIONS BD.	
	Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Erie County [Tracy A. Bannister, J.], entered February 14, 2017) to review a determination of respondent New York State Public Employment Relations Board. The determination, among other things, partially reversed the determination of the Administrative Law Judge.	
	TIMOTHY CONNICK for BUFFALO TEACHERS FEDERATION, INC.	15 minutes
	BETHANY CENTRONE for BUFFALO CITY SCHOOL DISTRICT	15 minutes
	ELLEN M. MITCHELL for NYS PUBLIC EMPLOYMENT RELATIONS BD.	10 minutes
1073.0 CA 16-02309	TIMOTHY C. HEWITT V COUNTY OF CHAUTAUQUA	
	Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered September 8, 2016. The order granted defendants' motions for summary judgment dismissing plaintiff's complaint.	
	TIMOTHY C. HEWITT for HIMSELF	Submitted
	MICHAEL P. MCCLAREN for COUNTY OF CHAUTAUQUA	10 minutes
	NORMAN E.S. GREENE for RAYMOND R. WHITACRE	15 minutes
1074.0 CA 16-02202	JOHN J. DECARR V ZONING BOARD OF APPEALS TOWN OF VERONA	
	Appeal from an order and judgment of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered September 2, 2016. The order and judgment denied the request for petitioners to file an amended CPLR article 78 petition and dismissed the CPLR article 78 petition.	
	ANDREW J. CAMPANELLI for JOHN J. DECARR	Submitted
	J. MICHAEL NAUGHTON for UPSTATE CELLULAR PARTNERSHIP	Submitted
	VINCENT J. ROSSI, JR., for ZONING BD. OF APPEALS TOWN OF VERONA	Submitted
	JOHN STOCKLI for EVOLUTION SITE SERVICES, LLC	Submitted

1075.0
CA 17-00526

**In the Matter of Arbitration Between
WILLIAM SCHIFERLE
(CAPITAL FENCE CO., INC.)**

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered August 29, 2016. The order, among other things, denied plaintiff's motion to vacate and/or modify an arbitration award.

MICHAEL E. FERDMAN for WILLIAM SCHIFERLE 10 minutes

JON F. MINEAR for CAPITAL FENCE CO., INC. 15 minutes

1076.0
CA 16-02308

**BASIL SZLAPAK
V
NEW YORK STATE DIVISION OF HUMAN RIGHTS**

Appeal from a decision and order of the Supreme Court, Erie County (John L. Michalski, J.), entered March 7, 2016. The decision and order denied the petition.

LINDY KORN for BASIL SZLAPAK 10 minutes

ERIC J. PELTON for FORD MOTOR COMPANY 10 minutes

MARILYN BALCACER for NEW YORK STATE DIVISION OF HUMAN RIGHTS Submitted

1077.0
CA 17-00383

**LINDA SNYDER
V
BERNARD W. ASHER, M.D.**

Appeal from an order of the Supreme Court, Genesee County (Emilio L. Colaiaacovo, J.), entered October 28, 2016. The order, insofar as appealed from, granted the motion to compel plaintiff to provide unlimited authorizations for primary care, Social Security Disability and pharmaceutical records.

DEANNA D. RUSSELL for LINDA SNYDER 10 minutes

WILLIAM KALISH for BERNARD W. ASHER, M.D. 10 minutes

DAY CALENDAR
Wednesday, September 13, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1079.0
KA 15-01198

PEOPLE
V
KEVIN DOGAN

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered June 15, 2015. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree and robbery in the first degree (three counts).

ALAN WILLIAMS for KEVIN DOGAN 15 minutes

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

1080.0
KA 15-00840

PEOPLE
V
JOHN FLEMING

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered April 21, 2015. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child and sexual abuse in the second degree.

STEVEN D. SESSLER for JOHN FLEMING 10 minutes

JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1081.0
TP 17-00422

LUIS NUNEZ
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered February 28, 2017) to review a determination of respondent. The determination found after Tier III hearing that petitioner violated an inmate rule.

LEAH R. NOWOTARSKI for LUIS NUNEZ Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI Submitted

1082.0
TP 17-00549

JENNIFER WADE
V
D. VENETTOZZI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Orleans County [James P. Punch, A.J.], entered March 20, 2017) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated an inmate rule.

JENNIFER WADE FOR HERSELF Submitted

MARCUS J. MASTRACCO for D. VENETTOZZI Submitted

1083.0
KA 15-01059

PEOPLE
V
JESSICA N. COURTEAU

Appeal from a judgment of the Cattaraugus County Court (Richard D. Ploetz, J.), rendered April 20, 2015. The judgment convicted defendant, upon a jury verdict, of endangering the welfare of a child.

CAITLIN M. CONNELLY for JESSICA N. COURTEAU 5 minutes

LORI PETTIT RIEMAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1084.0
KA 15-01434

PEOPLE
V
JESSE J. ROBERITES

Appeal from a decision and order of the Livingston County Court (Robert B. Wiggins, J.), dated January 27, 2015. The decision and order imposed restitution of \$6649.30.

CHARLES J. GREENBERG for JESSE J. ROBERITES 5 minutes

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

1085.0
KA 15-00193

PEOPLE
V
FREDERICK C. MILLER

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered November 3, 2014. The judgment convicted defendant, upon a jury verdict of murder in the second degree.

MARTIN J. MCGUINNESS for FREDERICK C. MILLER 10 minutes

WENDY EVAND LEHMAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1086.0
CAF 16-00997

MARTIN ROACHE
V
LAKICIA M. HUGHES-ROACHE

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered October 29, 2015, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted petitioner sole child custody upon the default of respondent.

TIMOTHY R. LOVALLO for LAKICIA M. HUGHES-ROACHE 5 minutes

MARTIN ROACHE for HIMSELF Submitted

MELISSA ANN REESE, ATTORNEY FOR CHILD 5 minutes

1087.0
CAF 16-01309

DONALD BROCKEL
V
MICHELLE MARTIN

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenzo, J.), entered May 4, 2016 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner full custody of the subject child.

LYLE T. HAJDU for MICHELLE MARTIN 10 minutes

DARRYL R. BLOOM for DONALD BROCKEL Submitted

LINDA M. SCHNELL, ATTORNEY FOR CHILD Submitted

1088.0
CAF 16-00499

PAMELA JACKSON
V
DESIRE M. EUSON

Appeal from an order of the Family Court, Niagara County (John F. Batt, J.), entered October 2, 2015, in a proceeding pursuant to Family Court article 6. The order awarded sole custody to petitioner.

ELIZABETH J. CIAMBRONE for DESIRE M. EUSON 10 minutes
PAMELA JACKSON for HERSELF Submitted
ANTWAN ADSIDE for HIMSELF Submitted
MELISSA A. CAVAGNARO, ATTORNEY FOR CHILD 10 minutes

1089.0
CAF 16-00679

CHEYENNE E. SMITH
V
CHERYL E. VISKER

Appeal from an amended order of the Family Court, Cattaraugus County (Michael L. Nenno, J.), entered April 18, 2016, in a proceeding pursuant to Family Court Act article 6. The amended order, inter alia, granted custody to petitioner.

LYLE T. HAJDU for CHERYL E. VISKER 10 minutes
JESSICA L. ANDERSON for CHEYENNE E. SMITH Submitted
DEBORAH J. SCINTA, ATTORNEY FOR CHILD 5 minutes

1090.0
TP 17-00389

ERIE COUNTY SHERIFF'S POLICE BENEVOLENT ASSOC.
V
COUNTY OF ERIE

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Erie County [Diane Y. Devlin, J.], entered February 24, 2017) to review a determination of respondents. The determination adjudged that petitioner Todd R. Jones was not entitled to benefits pursuant to General Municipal Law § 207-c.

ADAM WOLKOFF for ERIE CO. SHERIFF'S POLICE BENEVOLENT ASSOC. 10 minutes
KRISTEN M. MACHELOR for COUNTY OF ERIE 10 minutes

1091.0
CAF 16-00998

MARTIN ROACHE
V
LAKICIA M. HUGHES-ROACHE

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered February 24, 2016, in a proceeding pursuant to Family Court Act article 6. The order denied the motion to vacate a default

TIMOTHY R. LOVALLO for LAKICIA M. HUGHES-ROACHE 5 minutes
MARTIN ROACHE for HIMSELF Submitted
MELISSA ANN REESE, ATTORNEY FOR CHILD 5 minutes

1092.0
CA 16-01848

ALOSTAR BANK OF COMMERCE
V
BRETT SANOIAN

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered October 26, 2015. The order denied the motion of defendant to vacate a default judgment, determined that plaintiff has established jurisdiction over defendant and directed that plaintiff is allowed to enforce its judgment.

BRETT SANOIAN for HIMSELF

Submitted

GARY A. LEFKOWITZ for ALOSTAR BANK OF COMMERCE

Submitted

1093.0
CA 17-00402

PATRICIA J. CURTO
V
ERIE COUNTY

Appeal from a decision of The Erie County Court (David W. Foley, J.), dated March 28, 2016. The decision affirmed a decision and order of Buffalo City Court.

PATRICIA J. CURTO for HERSELF

5 minutes

THOMAS JOHN NAVARRO, JR., for ERIE COUNTY

Submitted

1094.0
CA 17-00405

PATRICIA J. CURTO
V
ERIE COUNTY

Appeal from an amended memorandum and order of the Erie County Court (David W. Foley, J.), dated May 19, 2016. The amended memorandum and order denied the motion of plaintiff to reargue.

PATRICIA J. CURTO for HERSELF

Submitted

THOMAS JOHN NAVARRO, JR., for ERIE COUNTY

Submitted

1095.0
CA 17-00527

VIOLET REALTY, INC.
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered December 20, 2016 in a proceeding pursuant to CPLR article 78. The order dismissed the petition.

ROBERT EDWARD KNOER for VIOLET REALTY, INC.

15 minutes

JENNIFER PERSICO for COUNTY OF ERIE

15 minutes

MARK C. POLONCARZ for JOHN LOFFREDO

Submitted

1096.0
CA 17-00552

SHELTRICE N. RHODES
V
JENNY SCOTT

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered June 2, 2016. The order denied the motion of defendant Darryl Epps for summary judgment dismissing the complaint.

EMILY M. COBB for DARRYL EPPS

10 minutes

JOHN A. COLLINS for SHELTRICE N. RHODES

10 minutes

1097.0
CA 17-00544

SHANIQUE TAYLOR
V
DARLENE DEUBELL

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered June 3, 2016. The answer granted the motion of defendants First Student Group, Inc., and Firstgroup America to amend their answer and add a cross claim.

KRIS E. LAWRENCE for MASTERS EDGE, INC. 15 minutes

WILLIAM A. LONG, JR., for FIRST STUDENT, INC. 15 minutes

1098.0
CA 15-02155

PATRICIA RICKICKI
V
BORDEN CHEMICAL DIVISION OF BORDEN

Appeal from an order of the Supreme Court, Cattaraugus County (Patrick H. NeMoyer, J.), entered March 26, 2015. The order, insofar as appealed from, granted the motions of defendants-respondents for summary judgment dismissing the complaint.

WILLIAM A. QUINLAN for PATRICIA RICKICKI 15 minutes

RAUL E. MARTINEZ for CHARLES B. CRYSTAL COMPANY 10 minutes

NATHAN A. SCHACHTMAN for U.S. SILICA COMPANY 20 minutes

ANN M. CAMPBELL for DEXTER-HYSOL, INC. 5 minutes

SCOTT M. PHILBIN for UNIMIN CORPORATION Submitted

DAVID MICHAEL STILLWELL for MALVERN MINERALS COMPANY Submitted

VINCENT G. SACCOMANDO for FERRO CORPORATION Submitted

1099.0
CA 15-02156

PATRICIA RICKICKI
V
BORDEN CHEMICAL DIVISION OF BORDEN

Appeal from a corrected decision and order of the Supreme Court, Cattaraugus County (Patrick H. NeMoyer, J.), entered October 14, 2015. The corrected decision and order, insofar as appealed from, granted the motions of defendants-respondents for summary judgment dismissing the complaints.

WILLIAM A. QUINLAN for PATRICIA RICKICKI Submitted

RAUL E. MARTINEZ for CHARLES B. CRYSTAL COMPANY Submitted

NATHAN A. SCHACHTMAN for U.S. SILICA COMPANY Submitted

ANN M. CAMPBELL for DEXTER-HYSOL, INC. Submitted

SCOTT M. PHILBIN for UNIMIN CORPORATION Submitted

DAVID MICHAEL STILLWELL for MALVERN MINERALS COMPANY Submitted

VINCENT G. SACCOMANDO for FERRO CORPORATION Submitted

DAY CALENDAR
Wednesday, September 13, 2017 - 10:00 AM
COURTROOM 2

1100.0
KA 16-00070

PEOPLE
V
DAVID V. SNYDER

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered December 10, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted criminal sexual act in the first degree.

DAVID J. PAJAK for DAVID V. SNYDER

Submitted

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

Submitted

1102.0
KA 16-00941

PEOPLE
V
JORGE DEJESUS

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered May 16, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

BRIAN SHIFFRIN for JORGE DEJESUS

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1103.0
KA 15-01889

PEOPLE
V
PABLO CONTRERAS

Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered May 18, 2015. The judgment convicted defendant, upon a non jury verdict, of manslaughter in the first degree and criminal possession of a weapon in the second degree.

MARY R. HUMPHREY for PABLO CONTRERAS

10 minutes

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

10 minutes

1105.0
KA 12-01518

PEOPLE
V
MATTHEW J. NORSTRAND

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered May 17, 2012. The judgment convicted defendant, upon a jury verdict, of leaving the scene of an accident resulting in death.

KATHY E. MANLEY for MATTHEW J. NORSTRAND

10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1106.0
KA 13-01183

PEOPLE
V
EDDIE WASHINGTON

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered April 25, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

	LINDA M. CAMPBELL for EDDIE WASHINGTON	10 minutes
	NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1107.0 KA 14-01982	PEOPLE V DEWAYNE BROWN	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered August 25, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a firearm.	
	CRAIG P. SCHLANGER for DEWAYNE BROWN	10 minutes
	NICOLE K.INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1108.0 CAF 16-00841	In the Matter of CARTER B.	
	Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered April 14, 2016, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, found that respondent-appellant had neglected the subject children.	
	DANIELLE BLACKABY for LOGAN D.	10 minutes
	MAGGIE SEIKALY for ONONDAGA CO. DEPT. OF CHILD SERVICES	Submitted
	KAREN JUNE DOCTER, ATTORNEY FOR CHILD	10 minutes
1109.0 CAF 16-01096	In the Matter of KOLSON	
	Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered April 25, 2016, in a proceeding pursuant to Family Court Act, article 6. The order, inter alia, determined that consent of respondent to the adoption of Kolson is not required.	
	DANIELLE BLACKABY for MICHAEL T.	10 minutes
	JANNA A. for HERSELF	Submitted
	STEVEN A. for HIMSELF	Submitted
	LUCILLE M. RIGNANESE, ATTORNEY FOR CHILD	15 minutes
1110.0 CAF 16-01322	MICHAEL T. V JANNA R.	
	Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered May 10, 2016, in a proceeding pursuant to Family Court Act, article 6. The order dismissed the petition for a modification of custody.	
	DANIELLE BLACKABY for MICHAEL T.	Submitted
	JANNA R. for HERSELF	Submitted
	LUCILLE M. RIGNANESE, ATTORNEY FOR CHILD	Submitted
1111.0 CAF 15-02048	In the Matter of BRADY J. C.	

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered November 4, 2015, in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, terminated the parental rights of respondent.

PAUL B. WATKINS for JUSTIN PETER C. 10 minutes

CAROL LYNN EISENMAN for MONROE CO. DEPT. OF HUMAN SERVICES 10 minutes

TANYA CONLEY, ATTORNEY FOR CHILD 5 minutes

1112.0
CAF 16-00101

In the Matter of
CYLE F.

Appeals from an order of the Family Court, Seneca County (Dennis F. Bender, J.), entered December 22, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, terminated respondent's parental rights.

MARY M. WHITESIDE for ALEXANDER F. 10 minutes

DAVID R. MORABITO, JR., for SENECA CO. DIVISION OF HUMAN SERVS. 10 minutes

JEFFREY R. HARPER, ATTORNEY FOR CHILD Submitted

MARYBETH D. BARNET, ATTORNEY FOR CHILD 10 minutes

1113.0
CAF 15-01928

In the Matter of
KEMARI W.

Appeal from an order of the Family Court, Cayuga County (Thomas G. Leone, J.), entered November 17, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, transferred respondent's guardianship and custody rights to the subject children to petitioner.

JOHN A. CIRANDO for JESSICA J. 10 minutes

ADAM H. VAN BUSKIRK for CAYUGA COUNTY DEPARTMENT OF HEALTH 10 minutes

LISA A. BLAIR, ATTORNEY FOR CHILD Submitted

1114.0
CA 16-00994

LUIS MARTINEZ
V
ANTHONY ANNUCCI

Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered May 4, 2016. The memorandum and judgment dismissed the CPLR article 78 petition.

ADAM W. KOCH for LUIS MARTINEZ Submitted

MARTIN A. HOTVET for ANTHONY ANNUCCI Submitted

1115.0
CA 17-00003

DARYL ORTLIEB
V
LEWIS COUNTY SHERIFF'S DEPARTMENT

Appeal from a decision and order of the Supreme Court, Lewis County (Charles C. Merrell, J.), entered March 30, 2016. The decision and order granted the CPLR article 78 petition, rescinded the resignation letter of petitioner and directed the restoration of petitioner to his position as a Lewis County Sheriff's Deputy.

FRANK W. MILLER for LEWIS COUNTY SHERIFF'S DEPARTMENT 10 minutes

	STEPHEN CIOTOLI for DARYL ORTLIEB	10 minutes
1116.0 CA 16-02000	HILARY LESNIAK V WELLS FARGO BANK MINNESOTA, NA	
	Appeal and cross appeal from an order of the Supreme Court, Herkimer County (Erin P. Gall, J.), entered November 17, 2015. The order, insofar as appealed from, granted the motion of plaintiff to amend the name of party defendant Peter T. Roach, Esq., to Peter T. Roach & Associates, P.C., and granted the cross motion of defendant Peter T. Roach, Esq., for summary judgment dismissing the complaint against him.	
	MICHAEL C. MANNIELLO for PETER T. ROACH & ASSOCIATES, P.C.	10 minutes
	LAURIE A. LESNIAK for HILARY LESNIAK	10 minutes
1117.0 CA 17-00370	JAMES P. HORTON V BOARD OF EDUCATION OF CAMPBELL-SAVONA CSD	
	Appeal and cross appeal from a decision and order of the Supreme Court, Steuben County (Joseph W. Latham, A.J.), entered May 24, 2016. The decision and order granted the motion of defendants for summary judgment dismissing plaintiffs' Labor Law §§ 200 and 241 claims; dismissed the derivative cause of action of plaintiff Judi L. Horton; and denied the motion of defendants and the cross motion of plaintiffs with respect to plaintiffs' Labor Law § 240 (1) claim.	
	MARK J. HALPIN for BD. OF EDUCATION OF CAMPBELL-SAVONA CSD	10 minutes
	MATTHEW C. GAGLIARDO for JAMES P. HORTON	10 minutes
1118.0 OP 16-02254	BOB BRUNO EXCAVATING, INC. V ROBERTA REARDON	
	Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Fourth Judicial Department pursuant to Labor Law § 220 [8]), to review a determination of respondent. The determination, inter alia, found that petitioners had underpaid their workers on certain public works projects.	
	BENJAMIN M. KOPP for BOB BRUNO EXCAVATING, INC.	15 minutes
	SETH KUPFERBERG for ROBERTA REARDON	15 minutes
1119.0 CA 16-02179	EUNICE M. CARACAUS V CONIFER CENTRAL SQUARE ASSOCIATES	
	Appeal from an order of the Oswego County Court (Walter Hafner, Jr., J.), entered February 4, 2016. The order denied the motion of defendant to dismiss the complaint.	
	WALTER DENNIS KOGUT for CONIFER CENTRAL SQUARE ASSOCIATES	10 minutes
	ERIC TOHTZ for EUNICE M. CARACAUS	10 minutes
1120.0 CA 17-00135	EUNICE M. CARACAUS V CONIFER CENTRAL SQUARE ASSOCIATES	

Appeal from a decision and order of the Oswego County Court (Donald E. Todd, J.), entered January 10, 2017. The decision and order denied the motion of defendant to transfer the action to Central Square Justice Court.

WALTER DENNIS KOGUT for CONIFER CENTRAL SQUARE ASSOCIATES Submitted

ERIC TOHTZ for EUNICE M. CARACAUS Submitted

1121.0
CA 16-02339

CARLA BRASHAW

V

ELLIOT C. COHEN, M.D.

Appeal from a memorandum decision and order of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered September 29, 2016. The memorandum decision and order granted the motion of defendants for summary judgment dismissing the complaint.

JEAN MARIE WESTLAKE for CARLA BRASHAW 10 minutes

ZACHARY M. MATTISON for ELLIOT C. COHEN, M.D. 10 minutes

1121.1
KA 15-00947

PEOPLE

V

JAMIRE Y. BARBER

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered February 17, 2015. The judgment convicted defendant, upon a jury verdict, of unlawful imprisonment in the first degree, assault in the second degree, criminal contempt in the second degree and attempted criminal contempt in the second degree.

KRISTIN M. PREVE for JAMIRE Y. BARBER 10 minutes

DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

DAY CALENDAR
Thursday, September 14, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1122.0
KA 13-00446

PEOPLE
V
JAHARI JONES

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, J.), rendered February 22, 2013. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the second degree (two counts).

KRISTEN MCDERMOTT for JAHARI JONES 15 minutes

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

1123.0
KA 13-00445

PEOPLE
V
EMMANUEL L. SHEPPARD

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered February 22, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the first degree (two counts), criminal possession of a controlled substance in the third degree, conspiracy in the second degree and criminally using drug paraphernalia in the second degree (five counts).

CHARLES J. GREENBERG for EMMANUEL L. SHEPPARD 10 minutes

HARMONY A. HEALY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1124.0
KA 14-01652

PEOPLE
V
ARTHUR LEWIS

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered September 3, 2014. The judgment convicted defendant, upon a jury verdict, of rape in the third degree, forcible touching and endangering the welfare of a child (two counts).

SARA A. GOLDFARB for ARTHUR LEWIS 10 minutes

NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1125.0
KA 15-00021

PEOPLE
V
DERRICK TROTMAN

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 19, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the second degree.

PIOTR BANASIAK for DERRICK TROTMAN 10 minutes

VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1126.0
KA 16-00009

PEOPLE
V
ANDREW JONES

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered December 10, 2015. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the third degree.

TIMOTHY P. MURPHY for ANDREW JONES 5 minutes

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1127.0
KA 15-01690

PEOPLE
V
ALFRED ROBINSON

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered February 4, 2013. The judgment dismissed count seven of the indictment against defendant and resented defendant upon his conviction for tampering with a witness in the third degree.

LINDA M. CAMPBELL for ALFRED ROBINSON 10 minutes

VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1128.0
KA 14-00585

PEOPLE
V
ALEXANDER N. CYGANIK

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered August 22, 2013. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class D felony, aggravated unlicensed operation of a motor vehicle in the first degree and driving a vehicle not equipped with an ignition interlock device.

DAVID R. JUERGENS for ALEXANDER N. CYGANIK 10 minutes

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

1129.0
CAF 16-00395

In the Matter of
JUSTIN T.

Appeal from an order of the Family Court, Onondaga County (Michele Pirro Bailey, J.), entered February 25, 2016 in a proceeding pursuant to Social Services Law section 384-b. The order, among other things, adjudged that respondent had abandoned the subject child.

JOHN A. CIRANDO for JOSEPH M. 10 minutes

CATHERINE Z. GILMORE for ONONDAGA CO. DEPT. OF CHILDREN & FAMILY SERVS. Submitted

JOHN WILLIAM SHARON, ATTORNEY FOR CHILD 10 minutes

1130.0
CAF 15-01651

In the Matter of
IREISHA P.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered September 3, 2015, in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, revoked the suspended judgment issued on behalf of Shonita Moore and adjudged that the subject children are to continue in the custody and guardianship of the Erie County Department of Social Services.

CHARLES J. GREENBERG for SHONITA M. 5 minutes

ELISABETH M. COLUCCI for ERIE CO. DEPT. OF SOCIAL SERVICES 10 minutes

BERNADETTE HOPPE, ATTORNEY FOR CHILD Submitted

1131.0
CAF 15-01652

**In the Matter of
IREISHA P.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered September 10, 2015, in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, revoked the suspended judgment issued on behalf of Shonita Moore and adjudged that the subject children are to continue in the custody and guardianship of the Erie County Department of Social Services.

CHARLES J. GREENBERG for SHONITA MOORE Submitted
ELISABETH M. COLUCCI for ERIE CO. DEPT. OF SOCIAL SERVICES Submitted
BERNADETTE HOPPE, ATTORNEY FOR CHILD Submitted

1132.0
CAF 15-01653

**In the Matter of
IREISHA P.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered September 14, 2015, in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, revoked the suspended judgment issued on behalf of Shonita Moore and terminated her parental rights on the grounds of permanent neglect.

CHARLES J. GREENBERG for SHONITA MOORE Submitted
ELISABETH M. COLUCCI for ERIE CO. DEPT. OF SOCIAL SERVICES Submitted
BERNADETTE HOPPE, ATTORNEY FOR CHILD Submitted

1134.0
CAF 16-00224

**In the Matter of
KAYLEE Z.**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered February 8, 2016, in a proceeding pursuant to Social Services Law section 384-b. The order, among other things, adjudged that respondent had abandoned the subject child.

DAVID J. PAJAK for RHIANNON Z. Submitted
KIMBERLY S. CONIDI for ERIE CO. DEPARTMENT OF SOCIAL SERVICES Submitted
CHARLES D. HALVORSEN, ATTORNEY FOR CHILD Submitted

1135.0
CAF 15-02086

**In the Matter of
KAYLEE D.**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered November 2, 2015, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent had neglected the subject child.

KELIANN M. ARGY for KIMBERLY D. Submitted
PAULA A. CAMPBELL for GENESEE CO. DEPT. OF SOCIAL SERVICES Submitted
PAMELA THIBODEAU, ATTORNEY FOR CHILD Submitted

1136.0
CAF 15-02087

**In the Matter of
DAMIEN M.**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered November 2, 2015, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent had neglected the subject child.

KELIANN M. ARGY for KIMBERLY D. Submitted

PAULA A. CAMPBELL for GENESEE COUNTY DEPT OF SOCIAL SERVICES Submitted

PAMELA THIBODEAU, ATTORNEY FOR CHILD Submitted

1137.0
CA 17-00547

JOHN KENNEDY

V

NYS OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (James P. Murphy, J.), entered May 27, 2016 in a proceeding pursuant to CPLR article 78. The order and judgment dismissed the petition.

D. JEFFREY GOSCH for JOHN KENNEDY Submitted

KATHLEEN M. TREASURE for NYS OFFICE FOR PEOPLE WITH DEV. DISBILITIES 5 minutes

1138.0
CA 16-02191

PNC BANK, NATIONAL ASSOCIATION

V

MARSEENA HARMONSON

Appeal from a decision and order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered February 1, 2016. The decision and order denied the motions of defendant for leave to file and serve a late answer.

EDWARD J. DEGNAN for MARSEENA HARMONSON 15 minutes

CHRISTINA L. SHIFTON for PNC BANK, NATIONAL ASSOCIATION 10 minutes

1139.0
CA 17-00432

LODGE II HOTEL LLC

V

JOSO REALTY LLC

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered December 2, 2016. The order granted the motion of plaintiffs for summary judgment, dismissed defendant's counterclaims and declared that plaintiffs have no liability to defendant for the nonsale of 3148 Silverback Lane, Painted Post.

DAVID A. ROTHENBERG for JOSO REALTY LLC 15 minutes

ROBERT DANIEL HOOKS for LODGE II HOTEL LLC 15 minutes

1140.0
CA 16-01858

JAMIE L. CAMPBELL

V

DENNIS GABRYSZAK

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered December 23, 2015. The order granted the motions of defendants to dismiss the complaint and dismissed the complaint, except for the first and fourth causes of action against defendant Dennis Gabryszak.

JOHN P. BARTOLOMEI for JAMIE L. CAMPBELL Submitted

ROBERT M. GOLDFARB for NEW YORK STATE ASSEMBLY Submitted
KENNETH M. KIRSCHNER for SHELDON SILVER Submitted
NICHOLAS A. ROMANO for DENNIS GABRYSZAK Submitted
ANDREW P. FLEMING for ADAM LOCHER Submitted

1141.0
CA 16-01864

KRISTY L. MAZUREK
V
DENNIS GABRYSZAK

Appeal from a decision and order of the Supreme Court, Erie County (Shirley Troutman, J.), entered December 23, 2015. The decision and order granted the motions of defendants to dismiss the complaint, dismissed the complaint and deemed the motion of plaintiff to amend her complaint.

JOHN P. BARTOLOMEI for JAMIE L. CAMPBELL Submitted
ROBERT M. GOLDFARB for NEW YORK STATE ASSEMBLY Submitted
KENNETH M. KIRSCHNER for SHELDON SILVER Submitted
NICHOLAS A. ROMANO for DENNIS GABRYSZAK Submitted
ANDREW P. FLEMING for ADAM LOCHER Submitted

1142.0
CA 16-01870

KIMBERLY SNICKLES
V
DENNIS GABRYSZAK

Appeal from a decision and order of the Supreme Court, Erie County (Shirley Troutman, J.), entered December 23, 2015. The decision and order granted the motions of defendants to dismiss the complaint and dismissed the complaint, except for the first and fourth causes of action against defendant Dennis Gabryszak.

JOHN P. BARTOLOMEI for JAMIE L. CAMPBELL Submitted
ROBERT M. GOLDFARB for NEW YORK STATE ASSEMBLY Submitted
KENNETH M. KIRSCHNER for SHELDON SILVER Submitted
NICHOLAS A. ROMANO for DENNIS GABRYSZAK Submitted
ANDREW P. FLEMING for ADAM LOCHER Submitted

1143.0
CA 16-01876

EMILY C. TRIMPER
V
DENNIS GABRYSZAK

Appeal from a decision and order of the Supreme Court, Erie County (Shirley Troutman, J.), entered December 23, 2015. The decision and order granted the motions of defendants to dismiss the complaint, dismissed the complaint and denied the motion of plaintiff to amend her complaint.

JOHN P. BARTOLOMEI for JAMIE L. CAMPBELL Submitted
ROBERT M. GOLDFARB for NEW YORK STATE ASSEMBLY Submitted
KENNETH M. KIRSCHNER for SHELDON SILVER Submitted
NICHOLAS A. ROMANO for DENNIS GABRYSZAK Submitted
ANDREW P. FLEMING for ADAM LOCHER Submitted

1144.0
CA 16-01882

ANNALISE C. FRELING
V
DENNIS GABRYSZAK

Appeal from a decision and order of the Supreme Court, Erie County (Shirley Troutman, J.), entered December 23, 2015. The decision and order granted the motions of defendants to dismiss the complaint and dismissed the complaint, except for the first and fourth causes of action against defendant Dennis Gabryszak.

JOHN P. BARTOLOMEI for JAMIE L. CAMPBELL	Submitted
ROBERT M. GOLDFARB for NEW YORK STATE ASSEMBLY	Submitted
KENNETH M. KIRSCHNER for SHELDON SILVER	Submitted
NICHOLAS A. ROMANO for DENNIS GABRYSZAK	Submitted
ANDREW P. FLEMING for ADAM LOCHER	Submitted

1145.0
CA 16-01889

TRINA TARDONE
V
DENNIS GABRYSZAK

Appeal from a decision and order of the Supreme Court, Erie County (Shirley Troutman, J.), entered December 23, 2015. The decision and order granted the motions of defendants to dismiss the complaint, dismissed the complaint and deemed the motion of plaintiff to amend her complaint.

JOHN P. BARTOLOMEI for JAMIE L. CAMPBELL	Submitted
ROBERT M. GOLDFARB for NEW YORK STATE ASSEMBLY	Submitted
KENNETH M. KIRSCHNER for SHELDON SILVER	Submitted
NICHOLAS A. ROMANO for DENNIS GABRYSZAK	Submitted
ANDREW P. FLEMING for ADAM LOCHER	Submitted

1146.0
CA 17-00356

JACQUELINE M. JONES
V
SENECA COUNTY

Appeal from an order of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered May 10, 2016. The order denied the motion of plaintiff to add Deputy Frank Eldredge as a necessary party and granted the cross motion of defendant to dismiss all causes of action in the complaint.

MATTHEW ROBERT LEMBKE for JACQUELINE M. JONES	Submitted
CURTIS ALAN JOHNSON for DEPUTY FRANK ELDREDGE	15 minutes
RICHARD T. BELL, JR., for SENECA COUNTY	10 minutes

1147.0
CA 16-01460

DEBORAH SOULE
V
TINA M. STANFORD

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered June 9, 2016 in a proceeding pursuant to CPLR article 78. The order denied the petition.

JOSHUA E. DUBS for DEBORAH SOULE	15 minutes
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KATE H. NEPVEU for TINA M. STANFORD

Submitted

1148.0
CA 17-00520

DAVID FLOWERS
V
HARBORCENTER DEVELOPMENT, LLC

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered January 12, 2017. The order, insofar as appealed from, granted the motion of plaintiff for partial summary judgment on liability pursuant to Labor Law § 240 (1) and denied in part the cross motion of defendants for summary judgment.

JOSH H. KARDISCH for HARBORCENTER DEVELOPMENT, LLC

15 minutes

ETHAN W. COLLINS for DAVID FLOWERS

15 minutes

1149.0
CA 17-00403

U.S. ENERGY DEVELOPMENT CORPORATION
V
SUPERIOR WELL SERVICES, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered March 2, 2016. The order, among other things, denied in part defendant's motion for summary judgment and granted in part plaintiff's motion for partial summary judgment.

TIMOTHY R. CAPOWSKI for SUPERIOR WELL SERVICES, INC.

15 minutes

ROBERT JOSEPH LANE, JR., for U.S. ENERGY DEV. CORP.

15 minutes