

DAY CALENDAR
Wednesday, September 5, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

871.0
TP 18-00479

JULIO SMITH
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 19, 2018) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated an inmate rule.

LEAH R. NOWOTARSKI for JULIO SMITH

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

872.0
TP 18-00567

RINALDO MCBRIDE
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, Livingston County [Robert B. Wiggins, A.J.], entered March 26, 2018) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

RINALDO MCBRIDE for HIMSELF

Submitted

VICTOR PALADINO for ANTHONY ANNUCCI

Submitted

873.0
KA 15-00953

PEOPLE
V
RICHARD WALCOTT

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered January 9, 2015. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

EDWARD P. PERLMAN for RICHARD WALCOTT

Submitted

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

Submitted

874.0
KA 15-00915

PEOPLE
V
TIMOTHY R. JOHNSON

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered February 17, 2015. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the second degree.

SHERRY A. CHASE for TIMOTHY R. JOHNSON

10 minutes

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

10 minutes

875.0
KA 16-00200

PEOPLE
V
KENNETH J. TIDD, II

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered November 17, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

JAMES M. SPECYAL for KENNETH J. TIDD, II 5 minutes

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

876.0
KA 16-01319

PEOPLE
V
JOHNNIE SMALL

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered July 19, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree, loitering and unlawful possession of marihuana.

BARBARA J. DAVIES for JOHNNIE SMALL 10 minutes

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

877.0
KA 16-00063

PEOPLE
V
STORM U. LANG

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered December 8, 2015. The judgment convicted defendant, upon his plea of guilty, of sexual abuse in the first degree (two counts) and sexual abuse in the second degree.

BENJAMIN L. NELSON for STORM U. LANG 10 minutes

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

878.0
KA 18-00610

PEOPLE
V
LIMMIA PAGE

Appeal from an order of the Supreme Court, Erie County (M. William Boller, A.J.), entered January 22, 2018. The order granted defendant's motion to suppress the evidence seized from his vehicle.

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

ROBERT L. KEMP for LIMMIA PAGE 10 minutes

879.0
KA 18-00429

PEOPLE
V
BRUNO LANGEVIN

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered June 28, 2017. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the first degree and sexual abuse in the first degree.

MATTHEW J. GALLUZZO for BRUNO LANGEVIN 15 minutes

BROOKS T. BAKER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

880.0
KA 16-02330

PEOPLE
V
BRANDON MEDLEY

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered December 20, 2016. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, criminal contempt in the first degree and criminal contempt in the second degree (three counts).

MICHAEL J. STACHOWSKI for BRANDON MEDLEY 15 minutes

DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

881.0
CAF 16-02317

In the Matter of
JANETTE G.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered November 29, 2016 in a proceeding pursuant to Family Court Act article 10. The order denied the motion of respondent Julie G. to preclude testimony.

CHARLES J. GREENBERG for JULIE G. 5 minutes

JAMES E. BROWN for ERIE COUNTY DSS 5 minutes

JESSICA L. VESPER, ATTORNEY FOR THE CHILD Submitted

882.0
CAF 16-02318

In the Matter of
JANETTE G.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered November 29, 2016 in a proceeding pursuant to Family Court Act article 10. The order denied the motion of respondent Julie G. to quash a subpoena.

CHARLES J. GREENBERG for JULIE G. Submitted

JAMES E. BROWN for ERIE COUNTY DSS Submitted

JESSICA L. VESPER, ATTORNEY FOR THE CHILD Submitted

883.0
CA 18-00578

PATRICIA A. WASHINGTON
V
MARIA MONAGAN

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered December 18, 2017. The order denied the motion of defendants for summary judgment dismissing the complaint.

NICHOLAS DICESARE for MARIA MONAGAN 10 minutes

TIMOTHY M. HUDSON for PATRICIA A. WASHINGTON 10 minutes

884.0
CA 17-01770

JOSEPH A. MASCIA
V
CITY OF BUFFALO

Appeal from a judgment (denominated order) of the Supreme Court, Erie County, (John L. Michalski, A.J.), entered December 16, 2016 in a proceeding pursuant to CPLR article 78. The judgment, among other things, dismissed petitioner's amended petition.

DIANE R. TIVERON for JOSEPH A. MASCIA 15 minutes

WILLIAM PATRICK MATHEWSON for CITY OF BUFFALO 10 minutes

MICHAEL B. RISMAN for MICHAEL A. SEAMAN 15 minutes

885.0
CA 18-00039

JOHN J. SOPKOVICH
V
DONALD J. SMITH

Appeal from an order of the Supreme Court, Chautauqua County (Eugene F. Pigott, Jr., J.), entered September 20, 2017. The order granted the motion of defendant Donald J. Smith for summary judgment and dismissed the complaint.

JOHN I. LAMANCUSO for JOHN J. SOPKOVICH 10 minutes

JEFFREY F. BAASE for DONALD J. SMITH 10 minutes

886.0
CA 18-00276

CHRISTIE WHITNEY
V
JACOB R. PERROTTI

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered May 16, 2017. The order granted the motion of plaintiff to vacate an arbitrator's award and denied the cross motion of defendant to confirm said award.

JEFFREY SENDZIAK for JACOB R. PERROTTI 10 minutes

CATHERINE B. DEMPSEY for CHRISTIE WHITNEY 10 minutes

887.0
CA 18-00340

DARLENE BIRJUKOW
V
NIAGARA COATING SERVICES, INC.

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered December 4, 2017. The order, insofar as appealed from, denied the motion of plaintiff for summary judgment in lieu of complaint.

KENNETH A. MANNING for DARLENE BIRJUKOW 15 minutes

A. NICHOLAS FALKIDES for NIAGARA COATING SERVICES, INC. 10 minutes

888.0
CA 18-00173

MARILYN MCDONOUGH
V
TRANSIT ROAD APARTMENTS, LLC

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered March 28, 2017. The order denied the motion of defendants for summary judgment dismissing the complaint.

LAURENCE D. BEHR for TRANSIT ROAD APARTMENTS, LLC 15 minutes

DAVID W. OLSON for MARILYN MCDONOUGH 15 minutes

889.0
CA 17-02160

PATRICIA PAGE
V
NIAGARA FALLS MEMORIAL MEDICAL CENTER

Appeal from an order of the Supreme Court, Niagara County (Sara Sheldon, A.J.), entered August 29, 2017. The order, insofar as appealed from, granted the motion of plaintiffs from an adverse inference charge against defendant Niagara Falls Memorial Medical Center.

KEVIN V. HUTCHESON for NIAGARA FALLS MEMORIAL MEDICAL CENT 10 minutes

DIANE R. TIVERON for PATRICIA PAGE 10 minutes

890.0
CA 18-00505

CHRISTOPHER D. NAUS
V
MARY MCINALLY

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered September 18, 2017. The order, insofar as appealed from, terminated the maintenance obligation of plaintiff as of February 28, 2017.

A. ANGELO DIMILLO for MARY MCINALLY

10 minutes

DIANE R. TIVERON for CHRISTOPHER D. NAUS

10 minutes

891.0
CA 18-00279

ANGELA BOYD
V
MAYOR BYRON BROWN

SETTLED

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered September 28, 2017. The order, insofar as appealed from, denied the motion of defendants for summary judgment.

DAVID M. LEE for MAYOR BYRON BROWN

HERSCHEL GELBER for ANGELA BOYD

891.1
CAE 18-01508

DANIEL J. TREVISANI
V
JORDAN S. KARP

Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered August 22, 2018, in a proceeding pursuant to Election Law article 16. The judgment denied and dismissed the petition.

ADAM FUSCO for DANIEL J. TREVISANI

10 minutes

ROBERT EDWARD PRONTEAU for ONEIDA CO. BD. OF ELECTIONS

Submitted

JORDAN S. KARP for HIMSELF

Submitted