

DAY CALENDAR
Thursday, April 16, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

607.0
KA 13-01885

PEOPLE
V
PETER DAVIS

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered September 10, 2013. The judgment convicted defendant, upon his plea of guilty, of driving while ability impaired by drugs.

CARA A. WALDMAN for PETER DAVIS 5 minutes

MEGAN P. DADD for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

608.0
KA 13-00521

PEOPLE
V
DERRELL A.E.

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered October 3, 2012. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree.

JOHN A. CIRANDO for DERRELL A.E. 10 minutes

BRIAN D. DENNIS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

609.0
KA 13-00667

PEOPLE
V
DERRELL A.E.

Appeal from a judgment of the Supreme Court, Ontario County (William F. Kocher, J.), rendered October 3, 2012. The judgment revoked a term of probation and imposed a term of incarceration.

JOHN A. CIRANDO for DERRELL A.E. Submitted

BRIAN D. DENNIS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

610.0
KA 13-01849

PEOPLE
V
ALAN TIDD, SR.

Appeal from a decision and order of the Genesee Court (Robert C. Noonan, J.), entered September 13, 2013. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

ALAN WILLIAMS for ALAN TIDD, SR. Submitted

WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK Submitted

611.0
KA 13-01486

PEOPLE
V
WILLIE WALLACE

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered July 10, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal sexual act in the first degree and attempted rape in the first degree.

	KRISTIN M. PREVE for WILLIE WALLACE	Submitted
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
612.0 KA 14-01090	PEOPLE V ANTHONY L. CORSARO	
	Appeal from a judgment of the Niagara County Court (Angelo J. Morinello, A.J.), rendered August 29, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree and robbery in the third degree (two counts).	
	ANN M. NICHOLS for ANTHONY L. CORSARO	10 minutes
	LAURA T. BITTNER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
613.0 KA 14-01742	PEOPLE V TOBIAS BOYLAND	
	Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered April 13, 2012. The judgment convicted defendant, upon his plea of guilty, of bail jumping in the second degree	
	ANTHONY JOSEPH LANA for TOBIAS BOYLAND	10 minutes
	DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
614.0 KA 12-01040	PEOPLE V JEREMY M. JOHNSON	
	Appeal from a judgment of the Monroe County Court (Joseph G. Nesser, A.J.), rendered March 13, 2012. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree.	
	JANET C. SOMES for JEREMY M. JOHNSON	5 minutes
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
615.0 KA 12-00766	PEOPLE V JEFFREY LINDSEY, JR.	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered February 7, 2012. The judgment convicted defendant, upon a jury verdict, of aggravated driving while intoxicated with a child passenger; aggravated unlicensed operation of a motor vehicle in the first degree; driving while intoxicated and endangering the welfare of a child.	
	JANET C. SOMES for JEFFREY LINDSEY, JR.	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
616.0 KA 12-00728	PEOPLE V CURTIS KITCHEN	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered March 2, 2012. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree.	
	CHRISTINE M. COOK for CURTIS KITCHEN	5 minutes

	VICTORIA WHITE for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
617.0 KA 11-02461	PEOPLE V THEODORE PRICE	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 1, 2011. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.	
	CHRISTINE M. COOK for THEODORE PRICE	10 minutes
	VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
618.0 CAF 13-02017	BARBARA MAJUK V ANTHONY CARBONE	
	Appeal from an order of the Family Court, Erie County (Paul G. Buchanan, J.), entered October 22, 2013 in a proceeding pursuant to Family Court Act article 6. The order granted the petition.	
	JENNIFER M. LORENZ for ANTHONY CARBONE	5 minutes
	ELIZABETH J. CIAMBRONE for BARBARA MAJUK	Submitted
	JOSEPH CHARLES BANIA, ATTORNEY FOR CHILD	Submitted
619.0 CAF 14-00455	In the Matter of QUA'MEL W.	
	Appeal from an order of the Family Court, Onondaga County (Michele Pirro Bailey, J.), entered February 14, 2014, in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.	
	KELLY M. CORBETT for NIAYA W.	10 minutes
	MAGGIE SEIKALY for ONONDAGA CO. DEPT. OF SOCIAL SERVICES	10 minutes
	THEODORE W. STENUF, ATTORNEY FOR CHILD	10 minutes
620.0 CAF 13-02169	In the Matter of MAKIA R.J.	
	Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered November 12, 2013. The order determined that respondent was a "notice father" with respect to the termination of his parental rights.	
	JENNIFER M. LORENZ for MICHAEL A.J.	5 minutes
	JOSEPH T. JARZEMBEK for ERIE CO. DEPT. OF SOCIAL SERVS.	5 minutes
	CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	10 minutes
621.0 CA 14-00777	DOMENIC MAGGIO V RONALD JOHN DOUGHTERY	
	Appeal from an order of the Supreme Court, Onondaga County (John C. Cherundolo, A.J.), entered April 10, 2013. The order, among other things, granted defendants' motions to preclude plaintiff from offering any expert evidence at trial and dismissing plaintiff's complaint.	
	JOHN A. CIRANDO for DOMENIC MAGGIO	15 minutes

	C. TAYLOR PAYNE for COMMUNITY GENERAL HOSPITAL	10 minutes
	EDWARD J. SMITH, III, for RONALD JOHN DOUGHTERY	10 minutes
	BRENDAN T. FITZPATRICK for THE TULLY HILL CORPORATION	15 minutes
622.0 CA 14-02039	MARY WITHERSPOON V TOPS MARKETS, LLC	
	Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), entered June 10, 2014. The order granted the motion of defendant for summary judgment dismissing the complaint.	
	DAVID P. FELDMAN for MARY WITHERSPOON	15 minutes
	HARRY T. DIXON for TOPS MARKETS, LLC	10 minutes
623.0 CA 14-01997	KEITH A. BORDERS V BRIAN T. BORDERS	
	Appeal from a judgment of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 14, 2014. The judgment settled title to certain property in plaintiff.	
	DANIEL P. TIEDE for BRIAN T. BORDERS	10 minutes
	MICHAEL FRANCIS BARRETT for KEITH A. BORDERS	10 minutes
624.0 CA 14-02040	LISA M. FRANKENBURGER V LYNNE M. OTWELL	
	Appeal from a memorandum decision and order of the Supreme Court, Erie County (Henry Nowak, J.), entered August 4, 2014. The memorandum decision and order, insofar as appealed from, denied in part the motion of defendant for summary judgment.	
	ELISE L. CASSAR for LYNNE M. OTWELL	10 minutes
	DAVID P. FELDMAN for LISA M. FRANKENBURGER	10 minutes
625.0 CA 14-01788	JESSICA MANFORD V FRED M. WILBER	
	Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered December 19, 2013. The order, among other things, denied defendant's cross motion for summary judgment.	
	MATTHEW E. WRITENOUR for FRED M. WILBER	10 minutes
	MO J. ATHARI for JESSICA MANFORD	10 minutes
626.0 CA 14-02028	CAROL M. STONE V JESSE D. NEUSTRADTER	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 14, 2014. The order granted the motion of defendants for summary judgment and dismissed the complaint.	
	PHILIP J. O'SHEA, JR., for CAROL M. STONE	10 minutes

	BARNEY BILELLO for JESSE D. NEUSTRADTER	10 minutes
627.0 CA 14-01404	GLEND A L. WILKINS V RICHARD C. WILKINS	
	Appeal from a judgment of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered October 18, 2013. The judgment, insofar as appealed from, awarded plaintiff lifetime maintenance.	
	ANDREW J. ROBY for RICHARD C. WILKINS	15 minutes
	GLEND A L. WILKINS for GLEND A L. WILKINS	Submitted
628.0 CA 14-01828	JAMES P. RENDER V FRANK J. GIZZO, JR.	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (John J. Michalek, J.), entered June 26, 2014. The order denied the motion of plaintiff for additur, for judgment notwithstanding the verdict and to set aside the verdict as against the weight of the evidence, granted the motion of plaintiff to set aside the verdict as inconsistent and ordered a new trial on proximate cause, serious injury and damages.	
	DANIEL J. GUARASCI for FRANK J. GIZZO, JR.	10 minutes
	KRISTOPHER SCHWARZMUELLER for JAMES P. RENDER	15 minutes
629.0 CA 14-01108	DWAYNE SINGLETON V ANTHONY ANNUCCI	
	Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, J.), entered May 14, 2014. The memorandum and judgment denied the CPLR article 78 petitioner challenging a denial of parole.	
	LEAH R. NOWOTARSKI for DWAYNE SINGLETON	Submitted
	ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI	Submitted
630.0 CA 14-01784	ROBERT M. DEUTSCH V FRANK W. STERLING	
	Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered July 29, 2014. The order, insofar as appealed from, granted the motion of plaintiffs for partial summary judgment on the issue of liability on their battery cause of action.	
	PATRICK J. BROWN for FRANK W. STERLING	10 minutes
	JASON ABBOTT for ROBERT M. DEUTSCH	10 minutes