

DAY CALENDAR
Monday, April 4, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

290.0
KA 14-01138

PEOPLE
V
CHARLES D. JOHNSON

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered January 17, 2014. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree.

CAITLIN M. CONNELLY for CHARLES D. JOHNSON Submitted

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

291.0
KA 13-00828

PEOPLE
V
JOSE GARCIA-CRUZ

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered May 23, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree.

JOHN A. CIRANDO for JOSE GARCIA-CRUZ 10 minutes

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

292.0
KA 13-01227

PEOPLE
V
RYAN S. SMITH

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered June 4, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree (five counts), robbery in the first degree (seven counts), kidnapping in the second degree (three counts), criminal use of a firearm in the first degree (two counts), assault in the first degree, assault in the second degree (two counts), criminal possession of a weapon in the second degree, menacing a police officer, grand larceny in the third degree and resisting arrest.

PATRICIA M. MCGRATH for RYAN S. SMITH 5 minutes

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

293.0
KA 12-02016

PEOPLE
V
GARTH O. BENNETT

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Francis A. Affronti, J.), dated March 7, 2012. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.

MARK D. FUNK for GARTH O. BENNETT 5 minutes

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK 5 minutes

294.0
KA 15-00670

PEOPLE
V
RAOUL BALDWIN

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), entered March 9, 2015. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

PIOTR BANASIAK for RAOUL BALDWIN

Submitted

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

Submitted

295.0
KA 13-00527

PEOPLE
V
MAXIE R. SHIPP

Appeal from a judgment of the Monroe County Court (John R. Schwartz, A.J.), rendered January 28, 2013. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

KIMBERLY F. DUGUAY for MAXIE R. SHIPP

5 minutes

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

5 minutes

296.0
KA 13-01915

PEOPLE
V
JESSE JOHNSTON

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered May 8, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree, burglary in the second degree (three counts), burglary in the third degree and criminal possession of stolen property in the third degree.

JOHN A. CIRANDO for JESSE JOHNSTON

10 minutes

V. CHRISTOPHER EAGGLESTON for PEOPLE OF THE STATE OF N.Y.

10 minutes

297.0
KA 12-02135

PEOPLE
V
BRIAN SMITH

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Monroe County Court (Frank P. Geraci, Jr., J.), entered October 12, 2012. The order denied the motion of defendant pursuant to CPL article 440.

JON P. GETZ for BRIAN SMITH

10 minutes

GEOFFREY KAEUPER for PEOPLE OF THE STATE OF NEW YORK

10 minutes

298.0
KA 13-02151

PEOPLE
V
CODY LITTLE

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered September 11, 2013. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, reckless endangerment in the second degree and resisting arrest.

KRISTIN M. PREVE for CODY LITTLE

10 minutes

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

10 minutes

299.0
KA 13-00466

PEOPLE
V
SEAN DELANEY

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered October 9, 2012. The judgment convicted defendant, upon a jury verdict, of aggravated criminal contempt.

KIMBERLY F. DUGUAY for SEAN DELANEY 5 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK 5 minutes

300.0
CAF 15-01426

BRENDA L. BRUMFIELD
V
GEORGE C.E. BRUMFIELD

Appeal from an order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered November 10, 2014 in a proceeding pursuant to Family Court Act article 4. The order dismissed the violation petition.

GEORGE A. SCHELL for BRENDA L. BRUMFIELD 10 minutes

GEORGE C.E. BRUMFIELD for HIMSELF Submitted

301.0
CAF 14-00882

BARRY A. PUGH
V
TAMMY R. RICHARDSON

Appeal from an order of the Family Court, Monroe County (Thomas W. Polito, R.), entered September 9, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded sole custody of the subject child to respondent.

PETER J. GLENNON for BARRY A. PUGH Submitted

KATHLEEN P. REARDON for TAMMY R. RICHARDSON 5 minutes

SUSAN LARAGY, ATTORNEY FOR CHILD Submitted

302.0
CA 15-01563

JEREMIAH CULLEN
V
AT&T INC.

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered November 17, 2014. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment pursuant to Labor Law § 240 (1) and denied the motion of defendants to dismiss plaintiff's claim pursuant to Labor Law § 240 (1).

JARETT L. WARNER for AT&T INC. 15 minutes

JOHN CHERUNDOLO for JEREMIAH CULLEN 10 minutes

303.0
CA 15-01277

JOHN G. ULLMAN & ASSOCIATES, INC.
V
BCK PARTNERS, INC.

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered July 21, 2015. The order granted the motion of plaintiff for a preliminary injunction.

STEVEN EDWARD COLE for BCK PARTNERS, INC. 15 minutes

JEANETTE N. WARREN for JOHN G. ULLMAN & ASSOCIATES, INC. 15 minutes

304.0
CA 15-00824

LAURA DORFMAN
V
SALAMANCA BOARD OF PUBLIC UTILITIES

Appeal from a judgment (denominated order) of the Supreme Court, Cattaraugus County (Michael L. Nenno, A.J.), entered July 15, 2014 in a proceeding pursuant to CPLR article 78. The judgment granted the petition and directed respondents to refund certain monthly water charges.

DANIEL A. SPITZER for SALAMANCA BOARD OF PUBLIC UTILITIES 10 minutes

LAURA DORFMAN for HERSELF Submitted

MAURA C. SEIBOLD for ROSS JOHN 10 minutes

MAXINE JIMERSON for HERSELF Submitted

305.0
CA 15-01554

ANGELA ROSS
V
ALEXANDER MITCHELL AND SON, INC.

Appeals from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered November 26, 2014 in a personal injury action. The order, among other things, denied defendants' motions for summary judgment dismissing plaintiff's complaint.

KELLY J. PHILIPS for ALEXANDER MITCHELL AND SON, INC. 15 minutes

KEITH M. FRARY for BASIC INSTALLATIONS, INC. 10 minutes

KATHLEEN C. SASSANI for THE MILLS COMPANY 15 minutes

ROBERT A. QUATTROCCI for ANGELA ROSS 10 minutes

306.0
CA 15-00963

KIMBERLY LAWTON
V
TOWN OF ORCHARD PARK

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered November 14, 2014. The order denied the motion of plaintiff for leave to file a late notice of claim.

SCOTT MICHAEL DUQUIN for KIMBERLY LAWTON 15 minutes

JAMES P. DOMAGALSKI for TOWN OF ORCHARD PARK 15 minutes

307.0
CA 15-01583

ALBERT R. BOWMAN
V
ERIE COUNTY MEDICAL CENTER CORP.

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered March 16, 2015. The order granted the motion of plaintiff for leave to file a late notice of claim.

JOHN PATRICK DANIEU for ERIE COUNTY MEDICAL CENTER CORP. 10 minutes

KAREN R. SANDERS for ALBERT R. BOWMAN 10 minutes

308.0
CA 15-01450

THOMAS D. AYERS
V
SNYDER CORP.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 7, 2015. The order denied the motion of defendant Thomas D. Ayers for partial summary judgment.

ANDREW P. FLEMING for THOMAS D. AYERS 10 minutes

JOANNA J. CHEN for INNOVATIVE HEALTH SERVICES OF AMERICA 10 minutes

309.0
CA 15-01598

MARC J. NYHLEN
V
TIMOTHY J. GILES

Appeal and cross appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered March 2, 2015. The order denied the motion of defendant for summary judgment.

KEVIN LOFTUS for TIMOTHY J. GILES

10 minutes

EDWARD J. SCHWENDLER, III, for MARC J. NYHLEN

10 minutes

DAY CALENDAR
Tuesday, April 5, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

323.0
CA 15-00858

MARY ELLEN MESI
V
MOHAMED Y. ZEID, M.D.

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered February 20, 2015. The order denied the motion of defendants Vivian L. Lindfield, M.D., individually and as an agent, officer and/or employee of Western New York Breast Health, and Western New York Breast Health, by and through its agents, officers and/or employees for summary judgment.

MICHAEL J. ROACH for **VIVIAN L. LINDFIELD** 15 minutes

TIMOTHY J. DEMORE for **MARY ELLEN MESI** 15 minutes

310.0
KA 13-01427

PEOPLE
V
FRANKLIN FURTICK

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered April 19, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

JANE I. YOON for **FRANKLIN FURTICK** Submitted

STEPHEN X. O'BRIEN for **PEOPLE OF THE STATE OF NEW YORK** Submitted

311.0
KA 15-01071

PEOPLE **SETTLED**
V
ALDEN FULLER

Appeal from an order of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), dated February 6, 2015. The order granted the motion of defendant to dismiss an indictment.

VICTORIA M. WHITE for **PEOPLE OF THE STATE OF NEW YORK**

PHILIP ROTHSCHILD for **ALDEN FULLER**

312.0
KA 13-01685

PEOPLE
V
ROBERT C. LEWIS

Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered June 3, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree.

JOHN A. CIRANDO for **ROBERT C. LEWIS** 10 minutes

JOHN C. TUNNEY for **PEOPLE OF THE STATE OF NEW YORK** 10 minutes

313.0
KA 15-00111

PEOPLE
V
RUDOLPH YOUNG

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Francis A. Affronti, J.), entered December 15, 2014. The order denied the motion of defendant to set aside his sentence pursuant to CPL 440.20.

DAVID R. JUERGENS for RUDOLPH YOUNG 15 minutes

GEOFFREY KAEUPER for PEOPLE OF THE STATE OF NEW YORK 10 minutes

314.0
KA 14-01513

PEOPLE
V
ERIC SMITH

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered July 21, 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.

KATHRYN B. FRIEDMAN for ERIC SMITH 10 minutes

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

315.0
KA 13-01086

PEOPLE
V
ROBERT JACKSON

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Joseph E. Fahey, J.), entered March 12, 2013. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of criminal possession of a controlled substance in the first degree and criminal possession of a controlled substance in the third degree.

EVAN B. HANNAY for ROBERT JACKSON 10 minutes

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

316.0
KA 12-01923

PEOPLE
V
TINA M. SWITKOWSKI

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered June 20, 2012. The judgment convicted defendant, upon a jury verdict, of reckless assault of a child (two counts).

JAMES ECKERT for TINA M. SWITKOWSKI 10 minutes

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

317.0
KA 14-01319

PEOPLE
V
LAMAR T. ANDERSON

Appeal from an order of the Genesee County Court (Robert C. Noonan, J.), entered June 24, 2014. The order determined that defendant is a sexually violent offender and a level two risk pursuant to the Sex Offender Registration Act.

CAITLIN M. CONNELLY for LAMAR T. ANDERSON Submitted

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

318.0
KA 15-01507

PEOPLE
V
RONALD S. MEADOW

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered December 12, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

ANDREW J. FRISCH for **RONALD S. MEADOW** 15 minutes

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

319.0
KA 14-01511

PEOPLE
V
BRYANT P. SANFORD

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered June 30, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

CHARLES J. GREENBERG for **BRYANT P. SANFORD** 10 minutes

KRISTYNA S. MILLS for **PEOPLE OF THE STATE OF NEW YORK** 5 minutes

320.0
KA 14-01534

PEOPLE
V
DANIEL BRADFORD, JR.

Appeal from a resentence of the Steuben County Court (Marianne Furfure, A.J.), rendered July 8, 2015. Defendant was resented upon his conviction of murder in the second degree, criminal contempt in the first degree (two counts), aggravated criminal contempt, offering a false instrument for filing in the first degree and tampering with physical evidence.

JOHN A. CIRANDO for **DANIEL BRADFORD, JR.** 10 minutes

JOHN C. TUNNEY for **PEOPLE OF THE STATE OF NEW YORK** 10 minutes

321.0
CA 15-01295

JOHN T. SMOKE
V
PLANNING BOARD OF TOWN OF GREIG

Appeal from a judgment (denominated order) of the Supreme Court, Lewis County (Hugh A. Gilbert, J.), entered December 1, 2014 in a CPLR article 78 proceeding and a declaratory judgment action. The judgment, among other things, denied the petition.

RAYMOND A. MEIER for **JOHN T. SMOKE** 15 minutes

MARK G. GEBO for **PLANNING BOARD OF TOWN OF GREIG** 15 minutes

322.0
CA 15-01481

BEVERLY A. ZOELLER
V
LAKE SHORE SAVINGS BANK

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered April 30 2015. The order, insofar as appealed from, denied defendant's motion for summary judgment dismissing plaintiff's complaint.

DANIEL B. MOAR for **LAKE SHORE SAVINGS BANK** 10 minutes

JEFFREY FRANCIS VOELKL for **BEVERLY A. ZOELLER** 10 minutes

324.0
CA 15-01568

ROSE RINALLO
V
ST. CASIMIR PARISH

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered July 1, 2015. The order denied defendants' motion for summary judgment dismissing plaintiff's complaint.

KEVIN LOFTUS for ST. CASIMIR PARISH 10 minutes

ROBERT J. MARNATO, JR., for ROSE RINALLO 10 minutes

325.0
CA 15-01011

In the Matter of
ROBERT L. WILSON

Appeal from an order of the Surrogate's Court, Niagara County (Sara S. Farkas, S.), entered January 14, 2015. The order determined the claim of Mary K. Wilson against the Estate of Robert L. Wilson, deceased, to be valid.

LEONARD G. TILNEY, JR., for CHRISTINE M. WEAVER 15 minutes

DAVID JOHN MANSOUR for MARY K. WILSON 15 minutes

327.0
CA 15-00105

GENERATIONS CHILD CARE, INC.
V
LIVING WORD TEMPLE OF RESTORATION

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered October 8, 2014. The order and judgment determined the rights and obligations of the parties pursuant to a certain lease agreement.

RICHARD GLEN CURTIS for LIVING WORD TEMPLE OF RESTORATION 10 minutes

JEREMY M. SHER for GENERATIONS CHILD CARE, INC. 10 minutes

328.0
CA 15-01478

SANDRA J. CROISDALE
V
ROBERT R. WEED

Appeal from an order of the Supreme Court, Niagara County (Matthew J. Murphy, III, A.J.), entered April 27, 2015. The order, insofar as appealed from, denied in part the motion of defendants for summary judgment.

BRENT C. SEYMOUR for ROBERT R. WEED 15 minutes

DUANE D. SCHOONMAKER for SANDRA J. CROISDALE 15 minutes

329.0
CA 15-01480

SANDRA J. CROISDALE
V
ROBERT R. WEED

Appeal from an order of the Supreme Court, Niagara County (Matthew J. Murphy, III, A.J.), entered June 18, 2015. The order, insofar as appealed from, denied the motion of defendants to renew their motion for summary judgment.

BRENT C. SEYMOUR for ROBERT R. WEED Submitted

DUANE D. SCHOONMAKER for SANDRA J. CROISDALE Submitted

330.0
CA 15-00829

MICHELLE M. WALDO
V
MINSOO KANG

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 23, 2015. The order denied the motion of plaintiff to set aside a jury verdict.

ROBERT L. VOLTZ for MICHELLE M. WALDO

15 minutes

H. WARD HAMLIN, JR., for MINSOO KANG

15 minutes

331.0
CA 15-00830

MICHELLE M. WALDO
V
MINSOO KANG

Appeal from a judgment of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 27, 2015. The judgment awarded costs to defendants.

ROBERT L. VOLTZ for MICHELLE M. WALDO

Submitted

H. WARD HAMLIN, JR., for MINSOO KANG

Submitted

DAY CALENDAR
Wednesday, April 6, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

332.0
TP 15-01582

CIVIL SERVICE EMPLOYEES ASSOCIATION
V
NEW YORK STATE UNIFIED COURT SYSTEM

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, Onondaga County [Hugh A. Gilbert, J.], dated September 10, 2015) to review a determination of respondent. The determination found petitioner Robert Stanek guilty of disciplinary charges of misconduct and imposed the penalties of a letter of reprimand, six months probation and the loss of five days' pay.

MARGARET J. FOWLER for **CIVIL SERVICE EMPLOYEES ASSOCIATION** Submitted
PEDRO MORALES for **NEW YORK STATE UNIFIED COURT SYSTEM** Submitted

333.0
KA 13-02198

PEOPLE
V
TYREL RIVERS

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered April 30, 2013. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and criminal possession of a weapon in the third degree.

EVAN B. HANNAY for **TYREL RIVERS** 10 minutes
VICTORIA M. WHITE for **PEOPLE OF THE STATE OF NEW YORK** 10 minutes

334.0
KA 13-01611

PEOPLE
V
CHARLESTON PAIGE

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered May 16, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

PHILIP ROTHSCHILD for **CHARLESTON PAIGE** Submitted
JAMES P. MAXWELL for **PEOPLE OF THE STATE OF NEW YORK** Submitted

335.0
KA 12-01367

PEOPLE
V
KEITH E. CARMEL

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered July 11, 2012. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, criminal possession of a forged instrument in the second degree and criminal possession of stolen property in the fourth degree.

DREW R. DUBRIN for **KEITH E. CARMEL** 10 minutes
ROBERT J. SHOEMAKER for **PEOPLE OF THE STATE OF NEW YORK** 5 minutes

336.0
KA 14-00307

PEOPLE
V
DONALD CLARK

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered January 6, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the third degree (two counts) and criminal possession of stolen property in the fourth degree.

KRISTIN M. PREVE for DONALD CLARK 10 minutes

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

337.0
KA 12-02268

PEOPLE
V
MARK DUDDEN

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered November 1, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the second degree.

KRISTEN MCDERMOTT for MARK DUDDEN 10 minutes

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

338.0
KA 13-00645

PEOPLE
V
JIMMIE L. JOHNSON, JR.

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered January 22, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree (two counts) and menacing a police officer or peace officer (two counts).

DREW R. DUBRIN for JIMMIE L. JOHNSON, JR. 5 minutes

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

339.0
KA 14-00638

PEOPLE
V
ALEXANDER BARBER-MONTEMAYOR

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered February 5, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, criminal possession of a weapon in the fourth degree and petit larceny.

LINDA M. CAMPBELL for ALEXANDER BARBER-MONTEMAYOR 15 minutes

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

340.0
CAF 15-00513

In the Matter of
LONDON J.

Appeal from an order of the Family Court, Onondaga County (Michele Pirro Bailey, J.), entered March 24, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

EVAN HANNAY for NIAYA W. 10 minutes

POLLY E. JOHNSON for ONONDAGA COUNTY D.S.S. 10 minutes

COURTNEY S. RADICK, ATTORNEY FOR CHILD 10 minutes

341.0
CAF 15-01514

GWENDOLYN G. MUOK
V
JOSEPH N. MUOK

Appeal from an order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered March 23, 2015 in a proceeding pursuant to Family Court Act article 4. The order denied and dismissed respondent's objections to an order of the Support Magistrate.

PETER J. DIGIORGIO, JR., for JOSEPH N. MUOK 15 minutes

MARY R. HUMPHREY for GWENDOLYN G. MUOK 10 minutes

342.0
CAF 14-02052

In the Matter of
TIMOTHY B.

Appeal from an order of the Family Court, Livingston County (Robert B. Wiggins, J.), entered October 30, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that the subject children had been neglected and placed respondents under the supervision of petitioner for a period of 12 months.

BRIDGET L. FIELD for PAUL K. 10 minutes

JOHN T. SYLVESTER for LIVINGSTON COUNTY D.S.S. Submitted

KIMBERLY WEISBECK, ATTORNEY FOR CHILD 5 minutes

343.0
CA 15-01126

DWIGHT LAND, III
V
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered June 4, 2014. The order denied the motion of defendant County of Erie for summary judgment dismissing the complaint.

SHAWN P. HENNESSY for COUNTY OF ERIE Submitted

PHILIP A. MILCH for DWIGHT LAND, III Submitted

MATTHEW T. MURRAY for JAMES PAYCHECK Submitted

344.0
CA 15-01412

ROMA M. MANDZYK
V
MANOR LANES

Appeal from an order of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered December 3, 2014. The order granted the motion of defendants for summary judgment, denied the cross motion of plaintiff for summary judgment and dismissed the complaint.

ROBERT E. SCOTT for ROMA M. MANDZYK 15 minutes

MEGHAN BROWN for MANOR LANES 15 minutes

345.0
CA 15-00520

WILLIAM WEBER
V
ERIE COUNTY MEDICAL CENTER CORPORATION

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered December 8, 2014. The order divided attorney's fees 15% to Paul William Beltz, P.C., and 85% to Robert B. Nichols.

STEPHEN R. FOLEY for PAUL WILLIAM BELTZ, P.C. 10 minutes

	ALAN J. PIERCE for ROBERT B. NICHOLS	10 minutes
346.0 CA 15-01462	DAVID R. MILES V TOWN/VILLAGE OF EAST ROCHESTER	
	Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered November 5, 2014. The order, among other things, granted the motion of defendant Town/Village of East Rochester for summary judgment dismissing the amended complaint of plaintiff David A. Miles.	
	DERRICK A. SPATORICO for DAVID R. MILES	10 minutes
	RAUL E. MARTINEZ for TOWN/VILLAGE OF EAST ROCHESTER	10 minutes
347.0 CA 15-01068	STANLEY PARKER V TOWN OF ALEXANDRIA	
	Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered March 3, 2015. The order declared invalid Town of Alexandria Local Law No. 2 of 2009, Town of Alexandria Local Law No. 2 of 2014 and the August 10, 2011 resolution of the Town Board of Town of Alexandria.	
	KEVIN M. MCARDLE for STANLEY PARKER	10 minutes
	ROBERT JAMES SLYE for TOWN OF ALEXANDRIA	10 minutes
348.0 CA 15-01113	LAFRAMBOISE GROUP LTD. V COMMERCIAL UNDERWRITERS INSURANCE COMPANY	
	Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered February 12, 2014. The order and judgment, among other things, granted the motions of defendants Commercial Underwriters Insurance Company, Walt Wilmshurst and Bourdon's Insurance Agency, Inc., for summary judgment.	
	MATTHEW H. MCARDLE for LAFRAMBOISE GROUP LTD.	10 minutes
	MAUREEN FATCHERIC for COMMERCIAL UNDERWRITERS INS., CO.	10 minutes
	WILLIAM P. SCHMITT for WALT WILMSHURST	10 minutes
	SHARYN GAIL ROGERS for LYONS FALLS PULP & PAPER, INC.	Submitted
349.0 CA 15-01561	CHRISTOPHER DANN V AUBURN POLICE DEPARTMENT	
	Appeal and cross appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 26, 2015. The order, insofar as appealed from, granted the motion of defendant Cayuga County District Attorney's Office and dismissed the complaint against it and denied the motion of defendants Auburn Police Department and City of Auburn for summary judgment dismissing plaintiff's malicious prosecution cause of action.	
	FRANK W. MILLER for AUBURN POLICE DEPARTMENT	10 minutes
	JARROD W. SMITH for CHRISTOPHER DANN	10 minutes

350.0
CA 15-01147

ROSEMARY WHITE
V
THE DIOCESE OF BUFFALO N.Y.

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered March 31, 2015. The order granted the motion of defendant to dismiss the complaint and denied the cross motion of plaintiff for summary judgment.

ANGELO S. GAMBINO for ROSEMARY WHITE 15 minutes

THOMAS JOSEPH SPEYER for THE DIOCESE OF BUFFALO N.Y. 15 minutes

351.0
CA 15-01004

NICHOLAS L. VASSENELLI
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered March 4, 2015. The order granted the motion of defendants Pomco Group, also known as Pomco, Inc., and Sharon Miller to dismiss the amended complaint.

A.J. BOSMAN for NICHOLAS L. VASSENELLI 15 minutes

MARY LOUISE CONROW for CITY OF SYRACUSE 10 minutes

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP. 5 minutes

ROBERT A. BARRER for POMCO GROUP 10 minutes

THOMAS P. CARAFA for SHARON ERIKSSON 5 minutes

352.0
CA 15-01150

NICHOLAS L. VASSENELLI
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered March 4, 2015. The order granted the motion of defendants City of Syracuse, et al., to dismiss the amended complaint of plaintiff.

A.J. BOSMAN for NICHOLAS L. VASSENELLI Submitted

MARY LOUISE CONROW for CITY OF SYRACUSE Submitted

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP. Submitted

ROBERT A. BARRER for POMCO GROUP Submitted

THOMAS P. CARAFA for SHARON ERIKSSON Submitted

353.0
CA 15-01151

NICHOLAS L. VASSENELLI
V
CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered March 4, 2015. The order granted the motion of defendants PMA Management Corp. and Carol Wahl for summary judgment dismissing the amended complaint.

A.J. BOSMAN for NICHOLAS L. VASSENELLI Submitted

MARY LOUISE CONROW for CITY OF SYRACUSE Submitted

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP. Submitted

ROBERT A. BARRER for POMCO GROUP

Submitted

THOMAS P. CARAFA for SHARON ERIKSSON

Submitted

**354.0
CA 15-01153**

NICHOLAS L. VASSENELLI

V

CITY OF SYRACUSE

Appeal from an order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered March 4, 2015. The order granted the motion of defendant Sharon Eriksson for summary judgment dismissing plaintiff's amended complaint.

A.J. BOSMAN for NICHOLAS L. VASSENELLI

Submitted

MARY LOUISE CONROW for CITY OF SYRACUSE

Submitted

DANIEL Y. SOHNEN for PMA MANAGEMENT CORP.

Submitted

ROBERT A. BARRER for POMCO GROUP

Submitted

THOMAS P. CARAFA for SHARON ERIKSSON

Submitted

DAY CALENDAR
Wednesday, April 6, 2016 - 10:00 AM
COURTROOM 2

355.0
KA 14-00797

PEOPLE
V
CURTIS L. GAINEY

Appeal from an order of the Monroe County Court (John L. DeMarco, J.), entered March 14, 2014. The appeal was held by this Court by order entered July 2, 2015, decision was reserved and the matter was remitted to Monroe County Court for further proceedings (130 AD3d 1504). The proceedings were held and completed.

KATHLEEN P. REARDON for CURTIS L. GAINEY

Submitted

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Monday, April 11, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

356.0
TP 15-01013

KATHLEEN M. GORDON
V
NEW YORK STATE D.O.C.C.S.

Proceeding pursuant to Executive Law § 298 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Orleans County [James P. Punch, A.J.], entered June 10, 2015) to review a determination of respondent New York State Division of Human Rights. The determination dismissed the complaint of petitioner of discrimination on the basis of disability and perceived sexual orientation.

KATHLEEN M. GORDON for HERSELF 10 minutes

ALLYSON B. LEVINE for NEW YORK STATE D.O.C.C.S. 10 minutes

CAROLINE J. DOWNEY for NEW YORK STATE D.H.R. Submitted

357.0
KA 15-00649

PEOPLE
V
WILLIAM I. WALTER

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered February 5, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the third degree

ADAM H. VAN BUSKIRK for WILLIAM I. WALTER Submitted

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

358.0
KA 13-01938

PEOPLE
V
ERIC L. RICHARDSON

Appeal from a judgment of the Supreme Court, Erie County (Ronald H. Tills, A.J.), rendered December 23, 2005. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

TIMOTHY P. MURPHY for ERIC L. RICHARDSON Submitted

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

359.0
KA 13-01760

PEOPLE
V
ERIC L. RICHARDSON

Appeal from a judgment of the Supreme Court, Erie County (Ronald H. Tills, A.J.), rendered December 23, 2005. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

TIMOTHY P. MURPHY for ERIC L. RICHARDSON Submitted

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

360.0
KA 15-00061

PEOPLE
V
CHRIS J. SHERLOCK

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered November 24, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the second degree and criminal contempt in the first degree

SUSAN C. MINISTERO for CHRIS J. SHERLOCK

Submitted

ELIZABETH ENSELL for PEOPLE OF THE STATE OF NEW YORK

Submitted

361.0
KA 15-00209

PEOPLE
V
EVAN WELCHER

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered May 22, 2014. The judgment convicted defendant, upon his plea of guilty, of rape in the third degree.

ROBERT TUCKER for EVAN WELCHER

Submitted

BRUCE A. ROSEKRANS for PEOPLE OF THE STATE OF NEW YORK

Submitted

362.0
KA 13-01846

PEOPLE
V
WILLIAM TERRY

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered April 18, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted sexual abuse in the first degree.

PIOTR BANASIAK for WILLIAM TERRY

Submitted

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

Submitted

363.0
KA 14-00938

PEOPLE
V
SAMUEL TILLMAN

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered May 7, 2013. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree.

TIMOTHY P. MURPHY for SAMUEL TILLMAN

Submitted

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

Submitted

364.0
KA 14-00704

PEOPLE
V
BRADY J. DEMICK

Appeal from a judgment of the Allegany County Court (Thomas P. Brown, J.), rendered September 30, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

ARZA FELDMAN for BRADY J. DEMICK

Submitted

KEITH A. SLEP for PEOPLE OF THE STATE OF NEW YORK

Submitted

365.0
KA 14-00499

PEOPLE
V
JEREMY C. MAIER

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered May 13, 2013. The judgment convicted defendant, upon a jury verdict, of assault in the third degree, burglary in the first degree and criminal trespass in the second degree.

SHERRY A. CHASE for JEREMY C. MAIER

10 minutes

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

10 minutes

**366.0
KA 11-01944**

**PEOPLE
V
JAQUAN CLARK**

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered December 1, 2009. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (eight counts) and criminal possession of a weapon in the second degree (two counts).

MARK D. FUNK for JAQUAN CLARK

10 minutes

GEOFFREY KAEUPER for PEOPLE OF THE STATE OF NEW YORK

10 minutes

**367.0
KA 05-02660**

**PEOPLE
V
JOSE A. GOMEZ**

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered November 16, 2005. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, attempted assault in the second degree, assault in the second degree, criminal possession of a weapon in the third degree, criminal mischief in the fourth degree, petit larceny and tampering with physical evidence.

MARY P. DAVISON for JOSE A. GOMEZ

10 minutes

JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK

10 minutes

**368.0
KA 12-01596**

**PEOPLE
V
DARRELL HOFFMAN**

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 16, 2012. The judgment convicted defendant, upon his plea of guilty, of gang assault in the first degree.

BRIDGET L. FIELD for DARRELL HOFFMAN

10 minutes

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK

10 minutes

**369.0
KA 14-00473**

**PEOPLE
V
JESSE J. BARNES**

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered February 14, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree (two counts), grand larceny in the third degree (two counts), grand larceny in the fourth degree (two counts) and criminal mischief in the third degree (two counts).

MARY P. DAVISON for JESSE J. BARNES

10 minutes

R. MICHAEL TANTILLO for PEOPLE OF THE STATE OF NEW YORK

10 minutes

370.0
KA 14-01807

PEOPLE
V
JESSE J. BARNES

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered July 9, 2014. The judgment resentence defendant.

MARY P. DAVISON for JESSE J. BARNES

Submitted

R. MICHAEL TANTILLO for PEOPLE OF THE STATE OF NEW YORK

Submitted

371.0
KA 13-01191

PEOPLE
V
ALPHEAUS DAILEY

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered April 18, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

PIOTR BANASIAK for ALPHEAUS DAILEY

5 minutes

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

10 minutes

372.0
CA 14-00556

STATE OF NEW YORK
V
NUSHAWN WILLIAMS

Appeal from an order of the Supreme Court, Chautauqua County (John L. Michalski, A.J.), entered March 3, 2014 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, directed that respondent be committed to a secure treatment facility designated by the Office of Mental Health.

MARK C. DAVISON for NUSHAWN WILLIAMS

15 minutes

ALLYSON B. LEVINE for STATE OF NEW YORK

10 minutes

373.0
CA 15-01415

DONALD J. GARVIN
V
EDWARD C. WOJCIK, JR.

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered April 21, 2015 in a personal injury action. The order granted defendant's motion for summary judgment dismissing plaintiff's complaint.

DANIEL J. CHIACCHIA for DONALD J. GARVIN

10 minutes

NORMAN E.S. GREENE for EDWARD C. WOJCIK, JR.

15 minutes

374.0
CA 15-01179

MICHAEL C. TERRANOVA
V
PATRICIA TERRANOVA

Appeal and cross appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered October 14, 2014. The order determined that each party is responsible for his or her own attorney's fees.

CATHARINE M. VENZON for PATRICIA TERRANOVA

10 minutes

ANDRES D. ORTIZ for MICHAEL C. TERRANOVA

10 minutes

375.0
CA 15-00795

MICHAEL G. MITCHELL
V
CALIN OLAR

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered August 21, 2014. The order granted the motions of defendants Calin Olar and Cold Spring Construction Company to dismiss the cross claim asserted by defendant Anthony Crisafulli.

KEITH D. MILLER for ANTHONY M. CRISAFULLI 10 minutes

DONNA L. BURDEN for CALIN OLAR 10 minutes

PHYLISS A. HAFNER for COLD SPRING CONSTRUCTION COMPANY 10 minutes

ANTHONY F. ENDIEVERI for MICHAEL G. MITCHELL Submitted

376.0
CA 15-01528

DANIEL KENEFICK
V
THOMAS STICHT

Appeal from a judgment (denominated order) of the Supreme Court, Erie County (John L. Michalski, A.J.), entered June 4, 2015 in a proceeding pursuant to CPLR article 78. The judgment set aside respondents' determination denying petitioner's release to parole and granted petitioner a de novo parole hearing before a different panel.

LAURA ETLINGER for THOMAS STICHT 10 minutes

DANIEL KENEFICK for HIMSELF Submitted

377.0
CA 15-01378

STATE OF NEW YORK
V
NUSHAWN WILLIAMS

Appeal from an order of the Supreme Court, Chautauqua County (John L. Michalski, J.), entered July 30, 2015. The order denied the motion of respondent to vacate an order entered March 3, 2014.

MARK C. DAVISON for NUSHAWN WILLIAMS 15 minutes

ALLYSON B. LEVINE for STATE OF NEW YORK 10 minutes

378.0
CA 14-01928

AFTERMATH RESTORATION, INC.
V
NEW YORK CENTRAL MUTUAL FIRE INSURANCE

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered July 3, 2014. The order denied the motion of defendant David Dale for summary judgment, granted the cross motion of defendant New York Central Mutual Fire Insurance Company for summary judgment and declared that New York Central Mutual Fire Insurance Company is not obligated to defend and indemnify David Dale.

DAVID DALE for HIMSELF 15 minutes

STEVEN P. CURVIN for NEW YORK CENTRAL MUTUAL FIRE INSURANCE 15 minutes

379.0
CA 15-01018

WEYDMAN ELECTRIC, INC.
V
JOINT SCHOOLS CONSTRUCTION BOARD

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered February 19, 2015. The order granted defendants' motion dismissing the complaint.

EDWARD JAY SHEATS for WEYDMAN ELECTRIC, INC.

15 minutes

JOHN G. POWERS for JOINT SCHOOLS CONSTRUCTION BOARD

10 minutes

380.0
CA 15-01490

STEPHEN SARACH

V

M&T BANK CORPORATION

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered May 28, 2015. The order granted plaintiff's motion to strike defendant's answer and affirmative defenses.

DIANE MARIE ROBERTS for M&T BANK CORPORATION

15 minutes

TIMOTHY M. HUDSON for STEPHEN SARACH

10 minutes

381.0
CA 14-01808

DANIEL VEGA

V

STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Joseph E. Fahey, A.J.), entered September 5, 2014 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, adjudged that petitioner shall continue to be committed to a secure treatment facility.

PATRICK T. CHAMBERLAIN for DANIEL VEGA

15 minutes

JONATHAN D. HITSOUS for STATE OF NEW YORK

10 minutes

382.0
CA 15-00866

DANIEL VEGA

V

STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Joseph E. Fahey, A.J.), entered April 29, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, denied petitioner's motion to vacate the order continuing his commitment to a secure treatment facility.

PATRICK T. CHAMBERLAIN for DANIEL VEGA

Submitted

JONATHAN D. HITSOUS for STATE OF NEW YORK

Submitted

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

383.0
TP 15-01552

DAWN MATUSZAK
V
N.Y.S. CENTRAL REGISTER OF CHILD ABUSE AND MALTREATMENT

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, Erie County [John A. Michalek, J.], entered July 31, 2015) to review a determination of respondent. The determination denied petitioner's request that a report maintained in the New York State Central Register of Child Abuse and Maltreatment indicating petitioner for maltreatment be amended to unfounded.

WILLIAM D. BRODERICK, JR., for DAWN MATUSZAK 10 minutes

WILIAM E. STORRS for N.Y.S. CENTRAL REGISTER OF CHILD ABUSE 5 minutes

384.0
KA 13-01138

PEOPLE
V
BERNARD J. BUTLER

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 22, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts) and assault in the second degree.

BRIDGET L. FIELD for BERNARD J. BUTLER 10 minutes

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

385.0
KA 14-01745

PEOPLE
V
MICHAEL A. LORRAINE

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered August 13, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the fourth degree.

EDWARD P. PERLMAN for MICHAEL A. LORRAINE Submitted

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

386.0
KA 14-00931

PEOPLE
V
CHAD M. JOHNSTON

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered April 24, 2014. The judgment convicted defendant, upon his plea of guilty, of assault upon a police officer or a peace officer.

NORMAN P. EFFMAN for CHAD M. JOHNSTON 10 minutes

VINCENT A. HEMMING for PEOPLE OF THE STATE OF NEW YORK Submitted

387.0
KA 13-02206

PEOPLE
V
GILBERTO LOPEZ

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered January 30, 2013. The judgment convicted defendant, after a nonjury trial, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

PIOTR BANASIAK for GILBERTO LOPEZ

10 minutes

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

10 minutes

388.0
KA 13-01451

PEOPLE
V
MICHAEL S. LEWIS

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered June 26, 2013. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child (eight counts), rape in the first degree (52 counts), rape in the second degree (11 counts), rape in the third degree (53 counts), sexual abuse in the first degree and endangering the welfare of a child (four counts).

JON P. GETZ for MICHAEL S. LEWIS

10 minutes

JAMES B. RITTS for PEOPLE OF THE STATE OF NEW YORK

10 minutes

389.0
KA 14-01866

PEOPLE
V
ASAD R. HIXON

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered September 17, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.

EDWARD P. PERLMAN for ASAD R. HIXON

Submitted

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

Submitted

390.0
KA 14-00817

PEOPLE
V
JEFFREY D. PAUL

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered January 27, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of stolen property in the fourth degree.

ALAN WILLIAMS for JEFFREY D. PAUL

Submitted

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

Submitted

391.0
KA 14-00760

PEOPLE
V
ANDRE SMITH

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered March 26, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

BARBARA J. DAVIES for ANDRE SMITH

Submitted

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

Submitted

392.0
KA 13-00306

PEOPLE
V
DAVID S. SMITH

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered December 11, 2012. The judgment convicted defendant, upon his plea of guilty, of arson in the third degree.

JANET C. SOMES for DAVID S. SMITH Submitted

STEPHEN X. O'BRIEN for PEOPLE OF THE STATE OF NEW YORK Submitted

393.0
KA 14-01242

PEOPLE
V
JOSUE ENCARNACION

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered June 10, 2014. The order determined that defendant is a level one risk pursuant to the Sex Offender Registration Act.

TIMOTHY P. MURPHY for JOSUE ENCARNACION Submitted

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

394.0
KA 15-00393

PEOPLE
V
JOSUE ENCARNACION

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered February 9, 2015. The order determined that defendant is a level one risk pursuant to the Sex Offender Registration Act.

TIMOTHY P. MURPHY for JOSUE ENCARNACION Submitted

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

395.0
KA 15-00074

PEOPLE
V
RICHARD D. CASTERLINE, III

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered November 5, 2014. The judgment convicted defendant, upon his plea of guilty, of unlawful manufacture of methamphetamine in the first degree and criminal possession of a controlled substance in the third degree.

DAVID P. ELKOVITCH for RICHARD D. CASTERLINE, III Submitted

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

396.0
KA 15-01572

PEOPLE
V
JAMIE ALTMAN

Appeal from an order of the Monroe County Court (Douglas A. Randall, J.), entered March 2, 2015. The order, insofar as appealed from, issued superceding orders of protection.

JAMIE ALTMAN for HIMSELF Submitted

SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK Submitted

397.0
CAF 15-00371

ROBERT BLASZAK
V
MELISSA BLASZAK

SETTLED

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered November 10, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, set forth a schedule with respect to the parties access to the subject children.

DAVID H. FRECH, ATTORNEY FOR CHILD

ELIZABETH J. CIAMBRONE for ROBERT BLASZAK

REBECCA J. TALMUD for MELISSA BLASZAK

398.0
CAF 15-00012

TERRY R. GREEN
V
JONATHAN M. GREEN

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenno, J.), entered December 2, 2014. The order, among other things, awarded custody of the subject child to petitioner.

JANINE C. FODOR for JONATHAN M. GREEN

10 minutes

STEVEN A. LANZA for TERRY R. GREEN

5 minutes

LYLE T. HAJDU, ATTORNEY FOR CHILD

10 minutes

399.0
CAF 14-02220

In the Matter of
COREY D.B.

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered November 14, 2014 in proceedings pursuant to Family Court Act article 6. The order, among other things, transferred the guardianship and custody of the subject child to petitioner.

BRIDGET L. FIELD for CODY B.

10 minutes

COLLEEN S. HEAD for GENESEE COUNTY D.S.S.

10 minutes

JACQUELINE M. GRASSO, ATTORNEY FOR CHILD

5 minutes

400.0
CAF 14-02221

In the Matter of
CODY A.B.

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered November 14, 2014 in proceedings pursuant to Family Court Act article 6. The order, among other things, transferred the guardianship and custody of the subject child to petitioner.

BRIDGET L. FIELD for CODY B.

Submitted

COLLEEN S. HEAD for GENESEE COUNTY D.S.S.

Submitted

JACQUELINE M. GRASSO, ATTORNEY FOR CHILD

Submitted

401.0
CAF 14-02222

In the Matter of
AUBREY R.B.

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered November 14, 2014 in proceedings pursuant to Family Court Act article 6. The order, among other things, transferred the guardianship and custody of the subject child to petitioner.

	BRIDGET L. FIELD for CODY B.	Submitted
	COLLEEN S. HEAD for GENESEE COUNTY D.S.S.	Submitted
	JACQUELINE M. GRASSO, ATTORNEY FOR CHILD	Submitted
402.0 CAF 15-00028	In the Matter of WALTER M.	
	Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered November 17, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, granted petitioner's motion that reasonable efforts are not required to be made to reunify respondent with the subject child.	
	JANET C. SOMES for MARIE W.	10 minutes
	CAROL LYNN EISENMAN for MONROE COUNTY D.H.S.	5 minutes
	TANYA CONLEY, ATTORNEY FOR CHILD	Submitted
403.0 CA 15-01564	NEW YORK STATE DIVISION OF HUMAN RIGHTS V ANTHONY FOLINO	
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered November 14, 2014. The order denied the motion of defendants to dismiss the complaint.	
	ANTHONY FOLINO for HIMSELF	15 minutes
	CARMELINE FOLINO for HERSELF	Submitted
	ROBERT A. GOLDSTEIN for NEW YORK STATE DIV. OF HUMAN RIGHTS	15 minutes
404.0 CA 15-00506	JASON PEARSON V JEREMY WALLACE	
	Appeal from an order of the Supreme Court, Onondaga County (Donald F. Cerio, Jr., A.J.), entered December 24, 2014. The order, insofar as appealed from, denied the motion of plaintiff for partial summary judgment on liability.	
	EUGENE W. LANE for JASON PEARSON	15 minutes
	JANICE MARIE IATI for LECESSE CONSTRUCTION SERVICES, LLC	10 minutes
	PETER P. BALOUSKAS for CATENARY CONSTRUCTION CORPORATION	5 minutes
	ALISON K. L. MOYER for ROYAL ENVIRONMENTAL, INC.	10 minutes
405.0 CA 15-01567	KATHLEEN ST. JOHN V WESTWOOD-SQUIBB PHARMACEUTICALS, INC.	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered December 16, 2014. The order, among other things, denied defendant's motion for summary judgment dismissing plaintiff's complaint.	
	JOSHUA P. RUBIN for WESTWOOD-SQUIBB PHARMACEUTICALS, INC.	10 minutes
	ANNE M. WHEELER for KATHLEEN ST. JOHN	10 minutes

406.0
CA 15-01482

CARL HASSELBACK
V
2055 WALDEN AVENUE, INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 1, 2015. The order, among other things, granted plaintiff's motion for summary judgment and denied intervenor-defendants' cross motion for summary judgment.

JOHN J. HENRY for 2055 WALDEN AVENUE, INC. 15 minutes

MICHAEL P.J. MCGORRY for CARL HASSELBACK 15 minutes

407.0
CA 15-01387

RANDY SMITHERS
V
COUNTY OF ONEIDA

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered May 17, 2015. The order, insofar as appealed from, converted the motion of defendant to dismiss to a motion for summary judgment, granted defendant summary judgment and dismissed the complaint.

MARK A. WOLBER for RANDY SMITHERS Submitted

JAMES S. RIZZO for COUNTY OF ONEIDA 10 minutes

408.0
CA 15-01088

VLADIMIR A. SUPRUNCHIK
V
SALVATORE VITI

Appeal from a judgment of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 8, 2015. The judgment, among other things, awarded defendant S. Viti Realty Corp. the sum of \$12,000 on its counterclaim against plaintiff for lost rent.

DAVID G. GOLDBAS for VLADIMIR A. SUPRUNCHIK 10 minutes

GUSTAVE J. DETRAGLIA, JR., for SALVATORE VITI Submitted

409.0
CA 15-01435

PATRICK S. GOLDER
V
JANETTE C. BENNETT

Appeal from an order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered September 8, 2014. The order denied the application of defendant for a recalculation of child support and the termination of the right of plaintiff to claim a dependency exemption.

GEORGE A. SCHELL for JANETTE C. BENNETT 10 minutes

JAMES S. HINMAN for PATRICK S. GOLDER 10 minutes

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

410.0
KA 12-00898

PEOPLE
V
MARLAND D. BROOKS

Appeal from a judgment of the Steuben County Court (Marianne Furfure, A.J.), rendered March 19, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, robbery in the first degree, robbery in the third degree and criminal possession of a weapon in the third degree.

JOHN A. CIRANDO for MARLAND D. BROOKS 10 minutes

JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK 10 minutes

411.0
KA 13-02225

PEOPLE
V
JEFFREY D. FINEOUT

Appeal from a decision-order of the Jefferson County Court (Kim H. Martusewicz, J.), dated December 5, 2013. The order denied the motion of defendant pursuant to CPL 440.10.

PETER J. GLENNON for JEFFREY D. FINEOUT Submitted

HARMONY HEALY for PEOPLE OF THE STATE OF NEW YORK Submitted

412.0
KA 14-00659

PEOPLE
V
TRACY L. BROOKS

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered November 13, 2013. The judgment convicted defendant, upon her plea of guilty, of grand larceny in the third degree.

MARK C. DAVISON for TRACY L. BROOKS 10 minutes

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

413.0
KA 09-01473

PEOPLE
V
DAVID ALLIGOOD

Appeal from a judgment of the Monroe County Court (John J. Connell, J.), rendered May 8, 2009. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in or near school grounds, criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

ERIC M. DOLAN for DAVID ALLIGOOD Submitted

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK 5 minutes

414.0
KA 14-02017

PEOPLE
V
FRANK M. THOMAS

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered July 16, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

	MARY-JEAN BOWMAN for FRANK M. THOMAS	Submitted
	THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK	Submitted
415.0 KA 14-02018	PEOPLE V FRANK THOMAS	
	Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered July 16, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.	
	MARY-JEAN BOWMAN for FRANK THOMAS	Submitted
	THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK	Submitted
416.0 KA 13-01516	PEOPLE V MARIE SPRAGUE	
	Appeal from a judgment of the Onondaga County Court (Jeffrey R. Merrill, J.), rendered May 14, 2013. The judgment convicted defendant, upon her plea of guilty, of criminal possession of a forged instrument in the second degree (two counts).	
	EVAN B. HANNAY for MARIE SPRAGUE	Submitted
	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	Submitted
417.0 KA 12-02303	PEOPLE V JOSEPH TUCKER, III	
	Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered December 12, 2012. The judgment convicted defendant, after a nonjury trial, of robbery in the second degree (six counts).	
	MICHAEL J. STACHOWSKI for JOSEPH TUCKER, III	15 minutes
	MICHAEL J. HILLERY for PEOPLE OF THE STATE OF NEW YORK	15 minutes
418.0 KA 14-01890	PEOPLE V JOSEPH TUCKER, III	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), dated October 1, 2014. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of robbery in the second degree (six counts).	
	MICHAEL J. STACHOWSKI for JOSEPH TUCKER, III	Submitted
	MICHAEL J. HILLERY for PEOPLE OF THE STATE OF NEW YORK	Submitted
419.0 KA 13-01871	PEOPLE V RASHEEN P. TOWNSEND	

Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered January 15, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

ROSEMARIE RICHARDS for RASHEEN P. TOWNSEND

10 minutes

JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK

5 minutes

420.0
KA 13-02099

PEOPLE
V
THEODORE TYLER

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered August 27, 2013. The judgment convicted defendant, upon a jury verdict, of grand larceny in the fourth degree (two counts).

JOHN A. CIRANDO for THEODORE TYLER

15 minutes

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

10 minutes

421.0
CAF 14-01822

In the Matter of
TYLER M.

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered August 27, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Scott M. neglected the subject child and placed him under the supervision of petitioner.

DAVID J. PAJAK for SCOTT M.

Submitted

JOSEPH T. JARZEMBEK for ERIE COUNTY D.S.S.

Submitted

JEFFREY C. MANNILLO, ATTORNEY FOR CHILD

Submitted

422.0
CAF 14-00906

In the Matter of
THOMAS B.

Appeal from an order of the Family Court, Ontario County (Craig J. Doran, J.), entered April 17, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, placed the subject children under the care and custody of petitioner pending the next permanency hearing.

MARK C. DAVISON for CALLA B.

10 minutes

HOLLY AMY ADAMS for ONTARIO COUNTY D.S.S.

10 minutes

TIFFANY M. SORGEN, ATTORNEY FOR CHILD

5 minutes

423.0
CA 15-01526

BRENDA C. BROWN
V
DEBORAH A. HALL

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered June 10, 2015. The order denied the motion of defendants to dismiss the amended complaint.

ANDREW D. DRILLING for DEBORAH A. HALL

10 minutes

DEAN P. SMITH for BRENDA C. BROWN

5 minutes

424.0
CA 15-01553

DIANE M. GLADSTONE
V
THOMAS FALLON

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered December 4, 2014. The order granted the motion of defendant for summary judgment and dismissed the complaint.

ERNEST D. SANTORO for DIANE M. GLADSTONE 10 minutes

KAREN J. KROGMAN DAUM for THOMAS FALLON 10 minutes

426.0
CA 15-00871

ANN MEYER
V
ZONING BOARD OF APPEALS OF CITY OF UTICA

Appeal a judgment of the Supreme Court, Oneida County (David A. Murad, J.), entered May 12, 2015 in a proceeding pursuant to CPLR article 78. The judgment, among other things, denied the petition in its entirety.

REUBEN ORTENBERG for ANN MEYER 15 minutes

LEAH EVERHART for STEWART'S SHOPS CORP. 10 minutes

KATHRYN HARTNETT for ZONING BOARD OF APPEALS OF UTICA 10 minutes

VINCENT J. ROSSI, JR., for CARLTON J. BURTH Submitted

427.0
CA 15-01083

ROBERT W. BOYLE, JR.
V
CALEDONIA-MUMFORD CENTRAL SCHOOL

Appeal from an order of the Supreme Court, Livingston County (Robert B. Wiggins, A.J.), entered March 5, 2015. The order granted defendant's motion for summary judgment dismissing plaintiffs' complaint.

E. ROBERT FUSSELL for ROBERT W. BOYLE, JR. 15 minutes

AIMEE LAFEVER KOCH for CALEDONIA-MUMFORD CENTRAL SCHOOL 15 minutes

428.0
CA 15-01458

MICHAEL JABCZYNSKI
V
ADVANCED DRYING AND RESTORATION

Appeal from an order of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered November 19, 2014. The order, among other things, granted plaintiffs' motion to set aside the jury verdict and directed a judgment that a contract existed between plaintiff Michael Jabczynski and defendant Advanced Drying and Restoration.

ROBERT E. GALLAGHER, JR., for ADVANCED DRYNG AND RESTORATION 10 minutes

PETER D. CLARK for MICHAEL JABCZYNSKI 10 minutes

429.0
CA 15-01508

In the Matter of
ROBERT GLANOWSKI

Appeal from a decision and order of the Supreme Court, Erie County (John L. Michalski, J.), entered December 2, 2014. The decision and order denied the application of petitioner for a name change.

SUSAN HAZELDEAN for ROBERT GLANOWSKI 15 minutes

JEREMY C. TOTH for FRANK A. SEDITA, III 10 minutes

430.0
CA 15-01263

JP MORGAN CHASE BANK, NATIONAL ASSOCIATION
V
SANDRA A. KOBEE

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered December 10, 2014. The order denied the motion of plaintiff for summary judgment and dismissed the complaint without prejudice.

SIMON CHANG for JP MORGAN CHASE BANK, NATIONAL ASSOCIATION 10 minutes

PETER DAVID GRUBEA for SANDRA A. KOBEE Submitted

431.0
CA 15-01264

JP MORGAN CHASE BANK, NATIONAL ASSOCIATION
V
SANDRA A. KOBEE

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered March 12, 2015. The order denied the motion of plaintiff for reargument and renewal.

SIMON CHANG for JP MORGAN CHASE BANK, NATIONAL ASSOCIATION Submitted

PETER DAVID GRUBEA for SANDRA A. KOBEE Submitted

432.0
CA 15-00412

CELLINO & BARNES, P.C.
V
LAW OFFICE OF CHRISTOPHER J. CASSAR

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered December 9, 2014. The order denied the motion of defendants to dismiss the complaint.

CHRISTOPHER J. CASSAR for HIMSELF 10 minutes

GREGORY V. PAJAK for CELLINO & BARNES, P.C. 10 minutes

433.0
CA 15-00413

CELLINO & BARNES, P.C.
V
LAW OFFICE OF CHRISTOPHER J. CASSAR

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered December 9, 2014. The order denied the motion of defendants for a change of venue.

CHRISTOPHER J. CASSAR for HIMSELF Submitted

K. JOHN WRIGHT for CELLINO & BARNES, P.C. Submitted