

DAY CALENDAR
Tuesday, January 20, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

118.0
KAH 13-01870

PEOPLE EX REL.
TOMMY JACKSON
V
NYS DEPARTMENT OF CORRECTIONS

Appeal from an order of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered September 9, 2013 in a habeas corpus proceeding. The order denied the petition.

NORMAN P. EFFMAN for TOMMY JACKSON Submitted

ERIC T. SCHNEIDERMAN for NYS DEPARTMENT OF CORRECTIONS Submitted

119.0
KAH 13-00495

PEOPLE EX REL.
WILLIAM ANDERSON
V
RANDY JAMES

Appeal from an order of the Supreme Court, Livingston County (Robert B. Wiggins, A.J.), entered December 13, 2012 in a habeas corpus proceeding. The order denied the petition.

JEANNIE MICHALSKI for WILLIAM ANDERSON Submitted

MARTIN A. HOTVET for RANDY JAMES Submitted

120.0
KA 12-00375

PEOPLE
V
SANDRA F. ELLIS

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered January 18, 2011. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree

JANET C. SOMES for SANDRA F. ELLIS Submitted

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

121.0
KA 13-00531

PEOPLE
V
JOSH HICKS

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered January 9, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal mischief in the second degree and criminal possession of stolen property in the fourth degree.

BARBARA J. DAVIES for JOSH HICKS Submitted

DAVID R. PANEPINTO for THE PEOPLE OF THE STATE OF NEW YORK Submitted

122.0
KA 12-01731

PEOPLE
V
TRAMELL BURTON

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered September 12, 2011. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree (two counts), robbery in the second degree (two counts) and criminal possession of a weapon in the second degree.

PHILIP ROTHSCHILD for TRAMELL BURTON

10 minutes

MISHA A. COULSON for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

123.0
KA 13-00675

PEOPLE

V

MICHAEL H. JOHNSON

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered March 19, 2013. The judgment convicted defendant, after a nonjury trial, of grand larceny in the fourth degree.

DEBORAH K. JESSEY for MICHAEL H. JOHNSON

5 minutes

DIANE S. MELDRIM for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

124.0
KA 13-00885

PEOPLE

V

GARY KELLY

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered April 24, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

EDWARD P. PERLMAN for GARY KELLY

10 minutes

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

Submitted

125.0
KA 13-02107

PEOPLE

V

MICHAEL D. AGEE

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered March 14, 2013. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree, attempted robbery in the first degree and robbery in the second degree

ROBERT M. GRAFF for MICHAEL D. AGEE

10 minutes

LAURA T. BITTNER for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

126.0
CA 14-01142

CHRISTOPHER HAMILTON

V

JOHN MILLER

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered December 5, 2013. The order granted the motion of defendants John Miller and David Miller for summary judgment and dismissed the complaint against the Millers, and denied the cross motion of plaintiff for judicial notice and summary judgment.

MO J. ATHARI for CHRISTOPHER HAMILTON

Submitted

STANLEY J. SLIWA for JOHN MILLER

15 minutes

JOSHUA M. AGINS for JULES MUSINGER

10 minutes

127.0
CA 14-00358

LAURA SHELTERS
V
CITY OF DUNKIRK HOUSING AUTHORITY

Appeal from an interlocutory judgment of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered October 23, 2013 in a personal injury action. The interlocutory judgment, among other things, adjudged that defendant was negligent.

LAURENCE D. BEHR for CITY OF DUNKIRK HOUSING AUTHORITY 10 minutes

ERIC M. SHELTON for LAURA SHELTERS 10 minutes

128.0
CA 14-01268

LAURIE JACOBI
V
JENNIE DENI

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered September 26, 2013. The order denied the motion of plaintiff for a mistrial and a new trial.

C. DANIEL MCGILLICUDDY for LAURIE JACOBI 10 minutes

PATRICIA A. MOONEY for JENNIE DENI 10 minutes

129.0
CA 13-01694

PETER SYLVESTER
V
BRIAN FISCHER

Appeal from a judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered August 15, 2013 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

LEAH R. NOWOTARSKI for PETER SYLVESTER Submitted

WILLIAM E. STORRS for BRIAN FISCHER Submitted

130.0
CA 14-01234

NEW YORK STATE NURSES ASSOCIATION
V
ERIE COUNTY MEDICAL CENTER CORP.

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, A.J.), entered April 21, 2014. The order and judgment granted the motion of respondents to dismiss the petition and dismissed the petition.

JOSHUA J. ELLISON for NEW YORK STATE NURSES ASSOCIATION 15 minutes

MATTHEW C. VAN VESSEM for ERIE COUNTY MEDICAL CENTER CORP. 15 minutes

131.0
CA 14-01007

STEVE BROOM
V
RUBIN & YATES, LLC

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered August 9, 2013. The order denied plaintiff's motion to reargue and renew his prior motion for summary judgment.

PAUL T. BUERGER, JR., for STEVE BROOM 15 minutes

RAYMOND CRAIG STILWELL for RUBIN & YATES, LLC 15 minutes

132.0
CA 14-00017

DOG DAY'S, INC.
V
HARTFORD FIRE INSURANCE COMPANY

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered September 10, 2013. The order, among other things, granted defendant's motion for summary judgment dismissing the complaint.

JEANNE M. VINAL for DOG DAY'S, INC. 15 minutes

SHARON ANGELINO for HARTFORD FIRE INSURANCE COMPANY 10 minutes

133.0
CA 14-01201

MARTHA IRAKOZE
V
GENNARO SAMBUCO

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered March 10, 2014. The order denied the motion of defendant to eject plaintiff from certain real property and granted the motion of plaintiff for summary judgment compelling specific performance.

MICHAEL J. HUGHES for GENNARO SAMBUCO 15 minutes

M. KREAG FERULLO for MARTHA IRAKOZE 15 minutes

134.0
CA 14-00832

PEOPLE, INC.
V
CITY OF TONAWANDA ZONING BOARD

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered January 21, 2014 in a proceeding pursuant to CPLR article 78. The order, among other things, annulled the decision of respondent, which denied two requested area variances.

FRANCIS C. AMENDOLA for CITY OF TONAWANDA ZONING BOARD 10 minutes

SEAN W. HOPKINS for PEOPLE, INC. 15 minutes

135.0
CA 14-01253

ALICE ELAINE SWEETMAN
V
SONJA G. SUHR

Appeal and cross appeal from a judgment of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered December 6, 2013. The judgment awarded plaintiff the amount of \$60,777.74.

DERRICK A. SPATORICO for SONJA G. SUHR 15 minutes

WILLIAM D. EGGERS for ALICE ELAINE SWEETMAN 15 minutes