

DAY CALENDAR
Monday, December 7, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1368.0
KA 14-01975

PEOPLE
V
DAVID M. DAVEY

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered March 25, 2014. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree.

CHARLES A. MARANGOLA for DAVID M. DAVEY Submitted

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

1369.0
KA 14-02089

PEOPLE
V
DAVID M. DAVEY

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered March 25, 2014. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree.

CHARLES A. MARANGOLA for DAVID M. DAVEY Submitted

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

1370.0
KA 13-01198

PEOPLE
V
JAMES LINDSAY, III

Appeal from a judgment of the Chautauqua County Court (John L. LaMancuso, J.), rendered June 13, 2013. The judgment convicted defendant, upon his plea of guilty, of reckless endangerment in the first degree, reckless endangerment in the second degree, unlawful fleeing a police officer in the third degree, resisting arrest and driving while intoxicated, a misdemeanor.

LYLE T. HAJDU for JAMES LINDSAY, III 5 minutes

JOSEPH M. CALIMERI for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1371.0
KA 14-00380

PEOPLE
V
HENRY S. SPENCER, IV

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered January 13, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree (two counts).

SUSAN C. MINISTERO for HENRY S. SPENCER, IV Submitted

AMBER KERLING for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1372.0
KA 14-00322

PEOPLE
V
MARK W. UTLEY

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered October 24, 2013. The judgment convicted defendant, upon a jury verdict, of endangering the welfare of a child.

	NICHOLAS P. DIFONZO for MARK W. UTLEY	5 minutes
	LORI PETTIT RIEMAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1373.0 KA 12-01600	PEOPLE V MARK A. SMITH	
	Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered May 30, 2012. The judgment convicted defendant, upon a plea of guilty, of criminal possession of a controlled substance in the third degree and criminal possession of a controlled substance in the fourth degree.	
	JEREMEY PETERMAN for MARK A. SMITH	10 minutes
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1374.0 KA 08-02459	PEOPLE V ANGEL CRUZ	
	Appeal from a judgment of the Monroe County Court (Richard A. Keenan, J.), rendered September 25, 2008. The judgment convicted defendant, upon a jury verdict, of conspiracy in the second degree, attempted criminal possession of a controlled substance in the first degree, attempted criminal possession of a controlled substance in the third degree, criminal sale of a controlled substance in the second degree and criminal possession of a controlled substance in the third degree.	
	SHIRLEY A. GORMAN for ANGEL CRUZ	20 minutes
	DENNIS RAMBAUD for THE PEOPLE OF THE STATE OF NEW YORK	20 minutes
1375.0 KA 08-02460	PEOPLE V ANGEL CRUZ	
	Appeal from a judgment of the Monroe County Court (Richard A. Keenan, J.), rendered September 25, 2008. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.	
	SHIRLEY A. GORMAN for ANGEL CRUZ	Submitted
	DENNIS RMABAUD for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1376.0 KA 12-02071	PEOPLE V ADRIAN HUDDLESTON	
	Appeal from a judgment of the Onondaga County Court (Donald E. Todd, J.), rendered September 14, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree (two counts).	
	EVAN B. HANNAY for ADRIAN HUDDLESTON	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1377.0 KA 11-02137	PEOPLE V RONALD COLEMAN, JR.	

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered August 31, 2011. The judgment convicted defendant, upon a jury verdict, of kidnapping in the first degree, robbery in the first degree (two counts), criminal possession of a weapon in the second degree (two counts), robbery in the second degree and assault in the second degree.

BRIDGET L. FIELD for RONALD COLEMAN, JR.

10 minutes

GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1378.0
KA 14-01512

PEOPLE

V

JONATHAN DAVIS

Appeal from a judgment of the Chautauqua County Court (John T. Ward, Jr., J.), rendered July 7, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

LYLE T. HAJDU for JONATHAN DAVIS

10 minutes

JOSEPH M. CALIMERI for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1379.0
CA 15-01014

A.R.K. PATENT INTERNATIONAL, L.L.C.

V

MARK LEVY

Appeal and cross appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered December 10, 2014. The order, among other things, denied in part defendants' motion for summary judgment and denied in part plaintiffs' spoliation motion.

LORIN A. DONNELLY for MARK LEVY

15 minutes

MICHAEL G. BERSANI for A.R.K. PATENT INTERNATIONAL, L.L.C.

15 minutes

1380.0
CA 15-00503

CHRISTOPHER WRIGHT

V

JOSEPH MARRA

Appeal from an order of the Supreme Court, Cattaraugus County (Paula L. Feroletto, J.), entered December 8, 2014. The order, among other things, granted defendants' cross motion for summary judgment dismissing the plaintiff's complaint in its entirety.

EMILY F. JANICZ for CHRISTOPHER WRIGHT

15 minutes

KEITH N. BOND for JOSEPH MARRA

15 minutes

1381.0
CA 15-00145

ZRAJ OLEAN, LLC

V

ERIE INSURANCE COMPANY OF NEW YORK

Appeal from an order of the Supreme Court, Cattaraugus County (Michael L. Nenno, J.), entered August 27, 2014. The order, among other things, granted defendants' cross motions for summary judgment

JAMES JOHNSTON NAVAGH for ZRAJ OLEAN, LLC

10 minutes

THOMAS P. KAWALEC for ERIE INSURANCE COMPANY OF NEW YORK

15 minutes

JOSEPH A. MATTELIANO for RAYMOND WANGELIN

10 minutes

1382.0
CA 14-01806

WILLIAM MCKETHAN
V
DAVID STALLONE

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, J.), entered August 29, 2014 in a proceeding pursuant to CPLR article 78. The order, among other things, dismissed the petition.

WILLIAM MCKETHAN for **HIMSELF**

Submitted

MARCUS J. MASTRACCO for **DAVID STALLONE**

Submitted

1383.0
CA 15-00880

ELDIN KOVACIC
V
RALPH DELMONT

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered November 12, 2014. The order denied the motion of defendant Ralph Delmont for summary judgment

MARK A. FORDEN for **RALPH DELMONT**

10 minutes

CHRISTINE VOGEL for **ELDIN KOVACIC**

10 minutes

BRITTANY A. NASRADINAJ for **CAITLIN BUTLER**

10 minutes

1385.0
CA 15-00287

BRANDON WILLIAM GARDNER
V
STATE OF NEW YORK

Appeal and cross appeal from a judgment of the Court of Claims (Diane L. Fitzpatrick, J.), entered October 6, 2014. The judgment awarded claimants money damages in a structured judgment.

FREDERICK A. BRODIE for **STATE OF NEW YORK**

15 minutes

ANTHONY F. ENDIEVERI for **BRANDON WILLIAM GARDNER**

15 minutes

1386.0
CA 15-00904

SONYA HARGRO
V
SCOTT ROSS

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered January 20, 2015, which denied defendant's motion for summary judgment.

NANCY A. LONG for **SCOTT ROSS**

Submitted

DANIEL J. CHIACCHIA for **SONYA HARGRO**

Submitted

1387.0
CA 15-01010

RALPH ANGELO DENARDO
V
LILLIAN AARON

SETTLED

Appeal and cross appeal from an order of the Supreme Court, Cayuga County (Thomas G. Leone, J.), entered February 4, 2015. The order denied the motion of defendants Lillian Aaron and Willow Park, Inc., for a change of venue and denied the cross motion of plaintiffs for leave to serve a second amended summons and complaint.

HEATHER K. ZIMMERMAN for **LILLIAN AARON**

ROBIN C. ZIMPEL-FONTAINE for **RALPH ANGELO DENARDO**

1388.0
CA 15-00498

**SHELLEY CHMIEL
V
ROCKWELL CONSTRUCTION, INC.**

Appeals from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered June 17, 2014. The order, among other things, denied in part the motions of defendants JRZ Architecture, PLLC, Jon Zywczyński and Zelasco Construction Inc., for summary judgment, and denied the motion of third-party defendant Earth Dimensions, Inc., for summary judgment.

KENNETH A. KRAJEWSKI for ZELASKO CONSTRUCTION, INC.	15 minutes
JENNA W. KLUCSIK for JRZ ARCHITECTURE, PLLC	15 minutes
JEFFREY D. SCHULMAN for EARTH DIMENSIONS, INC.	10 minutes
JUSTIN S. WHITE for SHELLEY CHMIEL	10 minutes
ALAN J. DEPETERS for ROCKWELL CONSTRUCTION, INC.	10 minutes