

DAY CALENDAR
Monday, November 28, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1091.0
KA 14-01743

PEOPLE
V
JAMES A. COOK

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered January 15, 2014. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class D felony, aggravated unlicensed operation of a motor vehicle in the first degree and endangering the welfare of a child (two counts).

ROBERT TUCKER for JAMES A. COOK Submitted

HEATHER PARKER HINES for PEOPLE OF THE STATE OF NEW YORK Submitted

1092.0
KA 15-00490

PEOPLE
V
BERNARD GRUCZA

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered July 24, 2014. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

TIMOTHY P. MURPHY for BERNARD GRUCZA Submitted

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

1093.0
KA 14-02215

PEOPLE
V
GARY L. CARR

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered November 26, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.

KRISTIN M. PREVE for GARY L. CARR Submitted

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

1094.0
KA 15-01172

PEOPLE
V
RAMON SALAS, JR.

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered May 29, 2015. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

TIMOTHY P. MURPHY for RAMON SALAS, JR. Submitted

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

1095.0
KA 15-01804

PEOPLE
V
JULIE R. WISNIEWSKI

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered August 17, 2015. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class D felony, and driving while ability impaired.

	ERIN E. MC CAMPBELL for JULIE R. WISNIEWSKI	15 minutes
	KATHERINE K. BOGAN for PEOPLE OF THE STATE OF NEW YORK	Submitted
1096.0 KA 10-00652	PEOPLE V DAVID G. COX	
	Appeal from a judgment of the Supreme Court, Monroe County (Joseph D. Valentino, J.), rendered January 19, 2010. The judgment convicted defendant, after a nonjury trial, of criminal sexual act in the first degree (two counts).	
	JEFFREY WICKS for DAVID G. COX	15 minutes
	ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1097.0 KA 16-00767	PEOPLE V KURY S. SPENCER	
	Appeal from an order of the Livingston County Court (Dennis S. Cohen, J.), entered July 28, 2011. The order directed defendant to pay restitution	
	PETER R. CHANDLER for KURY S. SPENCER	15 minutes
	ERIC R. SCHIENER for PEOPLE OF THE STATE OF NEW YORK	Submitted
1098.0 KA 16-00823	PEOPLE V KURY S. SPENCER	
	Appeal from an order of the Livingston County Court (Dennis S. Cohen, J.), entered August 17, 2015. The order converted an order of restitution to a civil judgment.	
	PETER R. CHANDLER for KURY S. SPENCER	Submitted
	ERIC R. SCHIENER for PEOPLE OF THE STATE OF NEW YORK	Submitted
1099.0 KA 14-00192	PEOPLE V BRANDON W. BOX	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered December 11, 2013. The judgment convicted defendant, upon a jury verdict, of identity theft in the first degree and falsifying business records in the first degree.	
	DAVID M. ABBATOY, JR., for BRANDON W. BOX	15 minutes
	NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK	15 minutes
1100.0 KA 15-00432	PEOPLE V FELTON M. OSTEEN	
	Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, A.J.), rendered January 7, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.	
	ROBERT L. KEMP for FELTON M. OSTEEN	10 minutes
	DANIELLE E. PHILLIPS for PEOPLE OF THE STATE OF NEW YORK	10 minutes

1101.0
KAH 15-00927

PEO. EX REL.
DEANDRE WILLIAMS
V
MICHAEL SHEAHAN

Appeal from a judgment of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered April 21, 2015 in a habeas corpus proceeding. The judgment denied the petition.

CHARLES J. GREENBERG for DEANDRE WILLIAMS

5 minutes

ERIC T. SCHNEIDERMAN for MICHAEL SHEAHAN

Submitted

1102.0
KAH 15-01200

PEO. EX REL.
QUINCY NOLLEY
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered June 23, 2015 in a habeas corpus proceeding. The judgment denied and dismissed the petition.

NORMAN P. EFFMAN for QUINCY NOLLEY

10 minutes

ZAINAB A. CHAUDHRY for ANTHONY ANNUCCI

5 minutes

1103.0
KAH 16-00167

PEO. EX REL.
RAYMOND CIMINO
V
ANTHONY ANNUCCI

Appeal from a judgment (denominated order) of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered January 7, 2016 in a habeas corpus proceeding. The judgment denied the petition

RAYMOND CIMINO for HIMSELF

Submitted

ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI

Submitted

1104.0
CA 16-00663

INTERNATIONAL UNION
V
NEW YORK STATE DEPT. OF LABOR

Appeals from an order and judgment (one paper) of the Supreme Court, Erie County (James H. Dillon, J.), entered October 22, 2015. The order and judgment declared that the determination of defendant New York State Department of Labor, that the subject work is work of ironworkers not glazers, is not unreasonable, arbitrary and capricious and otherwise granted defendants' motion to dismiss the complaint.

JOSEPH L. GUZA for RACHEL TERHART

10 minutes

OWEN DEMUTH for NEW YORK STATE DEPT. OF LABOR

10 minutes

1105.0
CA 16-00547

M&T BANK
V
RONALD R. BENJAMIN

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered December 23, 2015. The order, inter alia, granted the motion of plaintiff for summary judgment.

MARY JANE MURPHY for RONALD R. BENJAMIN

Submitted

	JOSEPH S. MONTAGNOLA for M&T BANK	10 minutes
1106.0 CA 16-00552	M&T BANK V RONALD R. BENJAMIN	
	Appeal from a judgment of the Supreme Court, Erie County (John M. Curran, J.), entered December 28, 2015. The judgment awarded plaintiff money damages of \$322,701.02.	
	MARY JANE MURPHY for RONALD R. BENJAMIN	Submitted
	JOSEPH S. MONTAGNOLA for M&T BANK	Submitted
1107.0 CA 16-00380	STAMM LAW FIRM V ROSEMARY LIGOTTI	
	Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered May 15, 2015. The order, insofar as appealed from, denied the motion of defendant to dismiss the complaint, denied in part the motion of defendant to extinguish plaintiffs' charging lien and denied the motion of defendant to quash a subpoena served on her former attorney.	
	JOSEPH G. MAKOWSKI for ROSEMARY LIGOTTI	15 minutes
	EDWARD J. MARKARIAN for STAMM LAW FIRM	5 minutes
1108.0 CA 16-01125	COLLEEN M. ZBOCK V DANIEL B. GIETZ	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered February 1, 2016. The order, insofar as appealed from, denied in part the motions of defendants for summary judgment.	
	RENATA KOWALCZUK for DANIEL B. GIETZ	15 minutes
	DONNA L. BURDEN for PHILLIP C. FOURNIER	15 minutes
	MICHAEL J. CHMIEL for RONNIE BROWN	15 minutes
	JOHN A. COLLINS for COLLEEN M. ZBOCK	15 minutes
1109.0 CA 16-00017	In the Matter of COUNTY OF MONROE (MONROE COUNTY FEDERATION OF SOCIAL WORKERS)	
	Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered June 2, 2015. The order denied the motion of respondent for reargument.	
	DANIEL P. DEBOLT for MONROE CO. FEDERATION OF SOCIAL WORKERS	10 minutes
	KYLE W. STURGESS for COUNTY OF MONROE	10 minutes
1110.0 CA 16-00665	MAUDE DEVELOPMENT, LLC V BOARD OF ASSESSMENT REVIEW FOR CITY OF CORNING	SETTLED

Appeal from a judgment of the Supreme Court, Steuben County (Marianne Furfure, A.J.), entered June 1, 2015 in proceedings pursuant to RPTL article 7. The judgment, among other things, denied the petitions challenging the real property tax assessment for the 2009 and 2010 tax years.

BRUCE J. STAVITSKY for MAUDE DEVELOPMENT, LLC

BRYAN MAGGS for BD.OF ASSESSMENT REVIEW FOR CITY OF CORNING

TED HENRY WILLIAMS for CORNING-PAINTED POST SCHOOL DIST.

1111.0
CA 16-00588

JENNA CLEARY
V
WALDEN GALLERIA LLC

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered September 25, 2015. The order, insofar as appealed from, granted the motion of defendants AT&T Mobility LLC, formerly known as Cingular Wireless LLC, and New Cingular Wireless PCS, LCC, for summary judgment and dismissed the complaint against them.

JOHN A. COLLINS for JENNA CLEARY

15 minutes

JARETT L. WARNER for AT&T MOBILITY LLC

15 minutes

1112.0
CA 16-00694

JAMES M. COSTANZO
V
CITY OF LOCKPORT HOUSING AUTHORITY

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered July 30, 2015. The order denied defendant's motion for summary judgment dismissing plaintiff's complaint.

MICHAEL T. COUTU for CITY OF LOCKPORT HOUSING AUTHORITY

10 minutes

JOHN A. COLLINS for JAMES M. COSTANZO

10 minutes