

**DAY CALENDAR**  
**Wednesday, November 30, 2016 - 10:00 AM**  
**COURTROOM 2**

1157.0  
KA 15-01659

**PEOPLE**  
**V**  
**RICKY D. PEGLOW, II**

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered January 13, 2015. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

CHARLES A. MARANGOLA for RICKY D. PEGLOW, II Submitted

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

1158.0  
KA 14-00258

**PEOPLE**  
**V**  
**TAKEIME JACKSON**

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered January 6, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree (four counts).

EVAN B. HANNAY for TAKEIME JACKSON Submitted

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

1159.0  
KA 14-01045

**PEOPLE**  
**V**  
**MARK HAWKINS**

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered May 27, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the third degree.

SHERRY A. CHASE for MARK HAWKINS Submitted

DANIEL J. PUNCH for PEOPLE OF THE STATE OF NEW YORK Submitted

1160.0  
KA 14-02212

**PEOPLE**  
**V**  
**CHARLES HOOD**

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered December 5, 2014. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree.

TIMOTHY P. MURPHY for CHARLES HOOD 5 minutes

MATTHEW S. SZALKOWSKI for PEOPLE OF THE STATE OF NEW YORK 5 minutes

1161.0  
KA 14-01968

**PEOPLE**  
**V**  
**MARSHALL DANIELS**

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered July 21, 2014. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of a weapon in the second degree.

ROBERT L. KEMP for MARSHALL DANIELS 10 minutes

	<b>JULIE BENDER FISKE for PEOPLE OF THE STATE OF NEW YORK</b>	<b>10 minutes</b>
<b>1162.0</b> <b>KA 15-01660</b>	<b>PEOPLE</b> <b>V</b> <b>RICKY D. PEGLOW, II</b>	
	<b>Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered January 13, 2015. The judgment convicted defendant, upon his plea of guilty, of falsifying business records in the first degree.</b>	
	<b>CHARLES A. MARANGOLA for RICKY D. PEGLOW, II</b>	<b>Submitted</b>
	<b>CHRISTOPHER T. VALDINA for PEOPLE OF THE STATE OF NEW YORK</b>	<b>Submitted</b>
<b>1163.0</b> <b>KA 14-01677</b>	<b>PEOPLE</b> <b>V</b> <b>CRYSTAL BEASLEY</b>	
	<b>Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered June 10, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the fourth degree.</b>	
	<b>STEVEN D. SESSLER for CRYSTAL BEASLEY</b>	<b>10 minutes</b>
	<b>JOSHUA J. TONRA for PEOPLE OF THE STATE OF NEW YORK</b>	<b>5 minutes</b>
<b>1164.0</b> <b>KA 14-00821</b>	<b>PEOPLE</b> <b>V</b> <b>JOSHUA A. GANG</b>	
	<b>Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered July 8, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.</b>	
	<b>TIMOTHY P. MURPHY for JOSHUA A. GANG</b>	<b>5 minutes</b>
	<b>KATHERINE K. BOGAN for PEOPLE OF THE STATE OF NEW YORK</b>	<b>Submitted</b>
<b>1165.0</b> <b>KA 14-00059</b>	<b>PEOPLE</b> <b>V</b> <b>ANTHONY A. CARTER</b>	
	<b>Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered November 20, 2013. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.</b>	
	<b>DAVID J. PAJAK for ANTHONY A. CARTER</b>	<b>Submitted</b>
	<b>ASHLEY R. LOWRY for PEOPLE OF THE STATE OF NEW YORK</b>	<b>Submitted</b>
<b>1166.0</b> <b>CAF 14-00965</b>	<b>In the Matter of</b> <b>DANARYEE B.</b>	
	<b>Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered May 29, 2014 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent had neglected the subject child.</b>	
	<b>EVELYNE A. O'SULLIVAN for ERICA T.</b>	<b>Submitted</b>
	<b>NICHOLAS G. LOCICERO for ERIE COUNTY D.S.S.</b>	<b>Submitted</b>
	<b>CHARLES D. HALVORSEN, ATTORNEY FOR CHILD</b>	<b>Submitted</b>

1167.0  
CAF 15-01575

**MICHELLE K. RUSIECKI**  
V  
**AARON J. MARSHALL**

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 18, 2015 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition.

**DEBORAH J. SCINTA** for **MICHELLE K. RUSIECKI** 5 minutes  
**MARTEN ROSE VIOLANTE** for **AARON J. MARSHALL** 10 minutes  
**MICHELE A. BROWN, ATTORNEY FOR CHILD** 10 minutes

1168.0  
CAF 15-01576

**MICHELLE K. RUSIECKI**  
V  
**AARON J. MARSHALL**

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered August 18, 2015 in a proceeding pursuant to Family Court Act article 6. The order granted the motion of respondent and dismissed the petition for lack of jurisdiction.

**DEBORAH J. SCINTA** for **MICHELLE K. RUSIECKI** Submitted  
**MARTEN ROSE VIOLANTE** for **AARON J. MARSHALL** Submitted  
**MICHELE A. BROWN, ATTORNEY FOR CHILD** Submitted

1169.0  
CAF 14-01333

**ZAKIYYAH WOLFFORD**  
V  
**ANTHONY STEPHENS**

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered June 18, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the subject child shall continue to reside with Gayle Brynette.

**EVELYNE A. O'SULLIVAN** for **ZAKIYYAH WOLFFORD** Submitted  
**ANTHONY STEPHENS** for **HIMSELF** Submitted  
**BERNADETTE HOPPE, ATTORNEY FOR CHILD** Submitted

1170.0  
CA 16-00554

**JACKUELINE WATERS**  
V  
**CIMINELLI DEVELOPMENT COMPANY, INC.**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered December 8, 2015. The order denied the motion of defendants for summary judgment dismissing the complaint.

**KEVIN LOFTUS** for **CIMINELLI DEVELOPMENT COMPANY, INC.** 10 minutes  
**JOHN A. COLLINS** for **JACKUELINE WATERS** 10 minutes

1171.0  
CA 16-00522

**ANITA L. CASTRO**  
V  
**PROFESSIONAL GOLF SERVICES, INC.**

Appeal from an order of the Supreme Court, Erie County (Paula L. Feroletto, J.), entered January 14, 2016. The order ordered a new trial on damages unless defendant stipulated to specified increases in damages.

**MICHAEL M. CHELUS** for **PROFESSIONAL GOLF SERVICES, INC.** 15 minutes

	PHILIP J. O'SHEA, JR., for ANITA L. CASTRO	10 minutes
1172.0 CA 16-00597	<b>GORDON J. KING</b> V <b>NIAGARA FALLS WATER AUTHORITY</b>	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered July 7, 2015. The order granted the application of claimants for leave to serve a late notice of claim.	
	CORY J. WEBER for NIAGARA FALLS WATER AUTHORITY	10 minutes
	JOHN A. COLLINS for GORDON J. KING	10 minutes
1173.0 CA 16-00768	<b>ANGELA BERARDI</b> V <b>NIAGARA COUNTY SHERIFF</b>	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered July 21, 2015. The order, among other things, reinstated plaintiff's complaint against defendant Niagara County Sheriff James R. Voutour.	
	ELIZABETH M. BERGEN for NIAGARA COUNTY SHERIFF	10 minutes
	ROBERT J. MARANTO, JR., for ANGELA BERARDI	10 minutes
1174.0 CA 16-00478	<b>TAMMY GRIER</b> V <b>TARA L. HALLAM</b>	
	Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, Jr., J.), entered November 4, 2015. The order, insofar as appealed from, denied in part the motion of defendants for summary judgment.	
	KEVIN J. KRUPPA for TARA L. HALLAM	15 minutes
	PETER M. JASEN for TAMMY GRIER	15 minutes
1175.0 CA 16-00212	<b>WAYNE CLARKE</b> V <b>WEGMANS FOOD MARKETS, INC.</b>	
	Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered May 5, 2015. The order denied the motion of defendants for summary judgment dismissing the complaint.	
	ROBERT P. GOODWIN for WEGMANS FOOD MARKETS, INC.	10 minutes
	DOMINIC J. POMPO for WAYNE CLARKE	10 minutes
1176.0 CA 16-01094	<b>BRANDI HARDY</b> V <b>THOMAS KULWICKI</b>	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered November 10, 2015. The order, among other things, granted in part the motion of third-party plaintiffs for summary judgment and denied the cross motion of third-party defendant for summary judgment.	
	AGNIESZKA A. WILEWICZ for HARLEYSVILLE WORCESTER INS. CO.	10 minutes
	ANDREW O. MILLER for CARLO V. MADONIA, JR.	10 minutes

1177.0  
CA 16-00010

**BARBARA TULLY**  
**V**  
**TRANSITOWN SOUTH ASSOCIATES, LLC**

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered October 8, 2015. The order, insofar as appealed from, granted the motion of third-party plaintiffs to require third-party defendant to defend and indemnify them.

**RICHARD T. SARAF for TIGER STRIPE, LLC**

**10 minutes**

**CARLTON K. BROWNELL, III, for TRANSITOWN SOUTH ASSOCIATES, LLC**

**10 minutes**