

**DAY CALENDAR**  
**Thursday, December 8, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1291.0  
KA 15-00846

**PEOPLE**  
**V**  
**JAMES M. CARLBERG**

Appeal from an order of the Steuben County Court (Marianne Furfure, J.), entered May 4, 2015. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

**BRENDA S. ASTON for JAMES M. CARLBERG** Submitted

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

1292.0  
KA 11-02329

**PEOPLE**  
**V**  
**DARYL GUNN**

Appeal from a resentence of the Onondaga County Court (Joseph E. Fahey, J.), rendered October 18, 2011. Defendant was resentenced upon his conviction of attempted murder in the first degree.

**JOHN A. CIRANDO for DARYL GUNN** 10 minutes

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

1293.0  
KA 13-01485

**PEOPLE**  
**V**  
**ANGEL GUZMAN**

Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered January 26, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree and petit larceny (three counts).

**DAVID M. ABBATOY, JR., for ANGEL GUZMAN** 10 minutes

**BRUCE A. ROSEKRANS for PEOPLE OF THE STATE OF NEW YORK** 10 minutes

1294.0  
KA 13-01593

**PEOPLE**  
**V**  
**ANGEL GUZMAN**

Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered January 26, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree (four counts).

**DAVID M. ABBATOY, JR., for ANGEL GUZMAN** Submitted

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

1295.0  
KA 14-01430

**PEOPLE**  
**V**  
**LAIGTH A. OLLMAN**

Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered August 19, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

	CARA A. WALDMAN for LAIGTH A. OLLMAN	5 minutes
	JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK	5 minutes
1296.0 KA 14-01431	PEOPLE V LAIGTH A. OLLMAN	
	Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered August 19, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.	
	CARA A. WALDMAN for LAIGTH A. OLLMAN	Submitted
	JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK	Submitted
1297.0 KA 14-01432	PEOPLE V LAIGTH A. OLLMAN	
	Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered August 19, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.	
	CARA A. WALDMAN for LAIGTH A. OLLMAN	Submitted
	JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK	Submitted
1298.0 KA 14-01065	PEOPLE V SAMUEL DIPALMA	
	Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered October 15, 2013. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, as a class E felony.	
	TIMOTHY P. MURPHY for SAMUEL DIPALMA	Submitted
	NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK	Submitted
1299.0 KA 14-01072	PEOPLE V SAMUEL DIPALMA	
	Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered October 15, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.	
	TIMOTHY P. MURPHY for SAMUEL DIPALMA	Submitted
	NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK	Submitted
1300.0 KA 16-00383	PEOPLE V JOSHUA B. KLOSSNER	
	Appeal from a judgment of the Oneida County Court (John S. Balzano, A.J.), rendered July 1, 2014. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a felony, failure to stay in lane and consumption of an alcoholic beverage in a motor vehicle.	

	JOHN LEONARD for JOSHUA B. KLOSSNER	10 minutes
	MATTHEW P. WORTH for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1301.0 CAF 14-01739	<b>CINIA E. BILES</b> V <b>MICHAEL S. BILES</b>	
	Appeal from an order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered August 26, 2014, in a proceeding pursuant to Family Court Act article 6. The order granted sole custody to petitioner and supervised visitation to respondent.	
	CARA A. WALDMAN for MICHAEL S. BILES	5 minutes
	KRISTINE KIPERS for CINIA E. BILES	5 minutes
	JULIE GIRUZZI-MOSCA, ATTORNEY FOR CHILD	5 minutes
1302.0 CA 16-00737	<b>NEW YORK STATE CORRECTIONAL OFFICER AND POLICE BENEVOLENT</b> V <b>NEW YORK STATE OFFICE OF MENTAL HEALTH</b>	
	Appeal from a decision, order and judgment of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered July 8, 2015. The decision, order and judgment dismissed the CPLR article 78 petition.	
	EMILY G. HANNIGAN for N.Y.S. STATE CORRECTIONAL OFFICER	10 minutes
	JULIE M. SHERIDAN for N.Y.S. OFFICE OF MENTAL HEALTH	10 minutes
1303.0 CA 16-01142	<b>SONYA J. O'HARA</b> V <b>HOLIDAY FARM</b>	
	Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered March 4, 2016. The order, insofar as appealed from, denied the motion of plaintiff for summary judgment and granted the motion of defendant Christina Piemonte for summary judgment.	
	MATTHEW J. KAISER for SONYA J. O'HARA	15 minutes
	ROBERT E. LAHM for HOLIDAY FARM	Submitted
	MATTHEW J. LARKIN for CHRISTINA PIEMONTE	15 minutes
1304.0 CA 16-00695	<b>BRADFORD PETTIT</b> V <b>COUNTY OF LEWIS</b>	
	Appeal from a second decision and order of the Supreme County, Lewis County (Peter A. Schwerzmann, A.J.), entered July 1, 2015. The second decision and order, insofar as appealed from, denied the motion of plaintiffs for summary judgment.	
	SCOTT B. GOLDIE for BRADFORD PETTIT	10 minutes
	ANDREW J. LEJA for COUNTY OF LEWIS	10 minutes
	JOAN E. MCNICHOL for BOARD OF LEGISLATORS (CO. OF LEWIS)	Submitted
1305.0 CA 16-00751	<b>MICHAEL J. STACHOWSKI</b> V <b>UNITED FRONTIER MUTUAL INSURANCE CO.</b>	

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered February 1, 2016. The order, among other things, denied the motion of defendant for summary judgment and granted the cross motion of plaintiffs

ADAM R. DURST for UNITED FRONTIER MUTUAL INSURANCE CO. 15 minutes

ARTHUR ALAN HERDZIK for MICHAEL J. STACHOWSKI 15 minutes

ROGELIO CASTELLANOS, JR., for HIMSELF Submitted

1306.0  
CA 16-00038

In the Matter of Estate of  
SHIRLEY A. KEHOE

Appeal from a decision and decree of the Surrogate's Court, Jefferson County (Peter A. Schwerzmann, S.), entered October 15, 2015. The decision and decree granted the motion of petitioner for summary judgment, dismissed the objections to probate and admitted the last will and testament of Shirley A. Kehoe to probate.

ROBERT F. BALDWIN, JR., for ROBERT L. EDICK, JR. 15 minutes

STEPHEN W. GEBO for JEFFREY KEHOE 10 minutes

1307.0  
CA 16-00251

THE GERRY HOMES  
V  
TOWN OF ELLICOTT

Appeal and cross appeal from a decision and order of the Supreme Court, Chautauqua County (Paul B. Wojtaszek, J.), entered June 11, 2015. The decision and order granted in part and denied in part each of the respective motions of the parties for summary judgment.

KATHERINE E. GAVETT for TOWN OF ELLICOTT 10 minutes

CRAIG R. BUCKI for THE GERRY HOMES 10 minutes

1308.0  
CA 16-00508

JOSEPH P. GALLAGHER, JR.  
V  
DOMINIC RUZZINE, JR.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 6, 2016. The order, insofar as appealed from, granted the motions of defendants for summary judgment, dismissed the complaint and granted the motion of defendants Dominic Ruzzine, Jr., and Andrea Ruzzine for summary judgment on their counterclaim against plaintiffs for attorneys fees.

JAMES I. MYERS for JOSEPH P. GALLAGHER, JR. 15 minutes

SCOTT R. ORNDOFF for DOMINIC RUZZINE, JR. 15 minutes

JENNIFER A. BECKAGE for TIMOTHY R. MALCHOW 5 minutes

JAMES PATRICK MILBRAND for ROBITAILLE RELOCATION CENTER, INC. 10 minutes

RICHARD A. CLACK for REALTY USA.COM 10 minutes

1309.0  
CA 16-00475

JEFFREY J. MCKAY  
V  
JARED WEEDEN

Appeal and cross appeals from a decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered January 4, 2016. The decision and order denied the motion of plaintiffs for summary judgment, granted the cross motion of defendants Nolan Construction, LLC, for summary judgment and Nolan Drywall, LLC, and granted in part and denied in part the cross motions of defendants Jared Weeden and C.T. Construction, Inc. for summary judgment.

RYAN J. LUCINSKI for JEFFREY J. MCKAY 10 minutes

VALERIE L. BARBIC for JARED WEEDEN 10 minutes

JOHN R. CONDREN for C.T. GATES CONSTRUCTION, INC. 10 minutes

NICHOLAS J. PONTZER for NOLAN CONSTRUCTION, LLC 10 minutes

1310.0  
CA 16-00548

**WORKERS' COMPENSATION BOARD OF STATE OF N.Y.**  
**V**  
**OLD LAMSON STATION, INC.**

Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered June 16, 2015. The order denied the motion of defendant to vacate a money judgment.

JOHN A. CIRANDO for OLD LAMSON STATION, INC. 15 minutes

FREDERICK A. BRODIE for WORKERS' COMPENSATION BOARD OF NY 10 minutes

1311.0  
CA 15-01984

**THOMAS KRUPA**  
**V**  
**TINA M. STANFORD**

Appeal from a decision/order of the Supreme Court, Oneida County (David A. Murad, J.), entered October 20, 2015. The decision/order dismissed the CPLR article 78 petition.

THOMAS KRUPA for HIMSELF Submitted

LAURA ETLINGER for TINA M. STANFORD Submitted