

DAY CALENDAR
Thursday, October 22, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1178.0
TP 15-00724

RALPH ALICEA
V
ANTHONY ANNUCCI

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered April 22, 2015) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for RALPH ALICEA

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

1179.0
TP 15-00700

DIEDRE WYNN
V
MONROE COUNTY

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Monroe County [John J. Ark, J.], entered April 24, 2015) to review a determination of respondent New York State Division of Human Rights. The determination dismissed petitioner's complaint.

DIEDRE WYNN for HERSELF

10 minutes

ROBERT P. YAWMAN, III, for MONROE COUNTY

10 minutes

MARILYN BALCACER for NEW YORK STATE DIV. OF HUMAN RIGHTS

Submitted

1180.0
TP 15-00674

JAMES E. BUDD
V
STATE UNIVERSITY OF NEW YORK AT GENESEO

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Livingston County [Robert B. Wiggins, A.J.], entered April 17, 2015) to review a determination of respondent. The determination, among other things, dismissed petitioner as a student at the State University of New York at Geneseo.

DANIEL R. MAGILL for JAMES E. BUDD

15 minutes

BRIAN D. GINSBERG for STATE UNIVERSITY OF NEW YORK AT GENESEO

15 minutes

1181.0
TP 15-00707

FREDERICK W. SARKIS, II
V
MONROE COUNTY DEPARTMENT OF HUMAN SERVICES

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Monroe County [Renee Forgensi Minarik, J.], entered April 23, 2015) to review a determination of respondents. The determination sustained an indicated report of maltreatment.

KRISTINA KARLE for FREDERICK W. SARKIS, II

Submitted

	PETER ANDREW ESSLEY for MONROE COUNTY D.H.S.	Submitted
	ALLYSON B. LEVINE for N.Y.S. CENTRAL REGISTER OF CHILD ABUSE	5 minutes
1182.0 KA 12-02264	PEOPLE V ERIC L. WILCOX	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered October 3, 2012. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree (two counts), criminal possession of a controlled substance in the fifth degree, criminal possession of a controlled substance in the seventh degree and unlawful possession of marihuana.	
	RYAN A. LEMA for ERIC L. WILCOX	10 minutes
	SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK	10 minutes
1183.0 KA 15-00329	PEOPLE V ALAN HEMPHILL	
	Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), dated January 20, 2015. The order granted the motion of defendant to suppress a firearm.	
	DANIEL J. PUNCH for PEOPLE OF THE STATE OF NEW YORK	10 minutes
	BARBARA J. DAVIES for ALAN HEMPHILL	10 minutes
1184.0 KA 12-02158	PEOPLE V RICKY JACKSON	
	Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered July 18, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the second degree (two counts), criminal possession of a controlled substance in the second degree, criminal possession of a weapon in the second degree and conspiracy in the fourth degree.	
	PHILIP ROTHSCHILD for RICKY JACKSON	Submitted
	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	Submitted
1185.0 KA 12-00250	PEOPLE V CHRISTEN DOWDELL	
	Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered December 5, 2011. The judgment convicted defendant, upon a jury verdict, of assault in the second degree	
	SPENCER L. DURLAND for CHRISTEN DOWDELL	15 minutes
	ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK	15 minutes
1186.0 KA 14-01517	PEOPLE V JOSHUA I. SERRANO-SOTO	

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered June 27, 2014. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

MARY-JEAN BOWMAN for JOSHUA I. SERRANO-SOTO

Submitted

THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK

Submitted

1187.0
CAF 14-00050

**In the Matter of
DAYSHAUN W.**

Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered December 9, 2013 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject children.

PAUL B. WATKINS for JASMINE G.

10 minutes

PETER ANDREW ESSLEY for MONROE COUNTY D.H.S.

Submitted

KATHLEEN P. REARDON for RICKEY L.W.

Submitted

KIMBERLY F. DUGUAY for LINDA M.

10 minutes

TANYA CONLEY, ATTORNEY FOR CHILD

5 minutes

1188.0
CAF 14-00138

**RICKEY L.W.
V
LINDA M.**

Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered November 26, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody of the subject children.

PAUL B. WATKINS for JASMINE G.

Submitted

PETER ANDREW ESSLEY for MONROE COUNTY D.H.S.

Submitted

KATHLEEN P. REARDON for RICKEY L.W.

Submitted

KIMBERLY F. DUGUAY for LINDA M.

Submitted

TANYA CONLEY, ATTORNEY FOR CHILD

Submitted

1189.0
CAF 14-00520

**ROBERT E. TROMBLEY
V
KRISTIN S. PAYNE**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered March 5, 2014 in proceedings pursuant to Family Court Act article 6. The order, among other things, dismissed the petition filed by Kristin S. Payne and adjudged that Robert E. Trombley, Jr. shall have sole custody of the subject children.

KELIANN M. ARGY for KRISTIN S. PAYNE

5 minutes

MICHAEL STEINBERG for ROBERT E. TROMBLEY

5 minutes

FARES A. RUMI, ATTORNEY FOR CHILD

10 minutes

1190.0
CA 15-00389

**JESSICA KELLER
V
CARLA LIBERATORE, M.D.**

Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (James P. Murphy, J.), entered April 24, 2014. The order and judgment granted the motion of defendants Carla Liberatore, M.D. and CNY Obstetrics & Gynecology, P.C., for summary judgment and dismissed the complaint against those defendants.

JOSEPH S. COTE, III, for JESSICA KELLER

15 minutes

DANIEL P. LARABY for CARLA LIBERATORE, M.D.

10 minutes

1191.0
CA 15-00147

In the Matter of
CIVIL SERVICE EMPLOYEES ASSOCIATION
(BOARD OF EDUCATION OF SYRACUSE SCHOOL DISTRICT)

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered May 7, 2014. The order, inter alia, granted the petition and confirmed an arbitrator's award.

CRAIG M. ATLAS for BD. OF ED. OF SYRACUSE SCHOOL DISTRICT

10 minutes

D. JEFFREY GOSCH for C.S.E.A., INC., LOCAL 1000, AFSCME

10 minutes

1192.0
CA 15-00772

DENNIS BRENNAN

V

SETTLED

RONALD W. BRISBEE

Appeal from an order of the Supreme Court, Cattaraugus County (Paula L. Feroletto, J.), entered July 1, 2014. The order denied the motion of defendant to dismiss the complaint.

KARALYN M. ROSSI for RONALD W. BRISBEE

HARVEY PHILIP SANDERS for DENNIS BRENNAN

1193.0
CA 15-00660

BAC HOME LOANS SERVICING, LP

V

ALEXANDER J. MCCOMBIE, III

Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered June 16, 2014. The order, among other things, granted plaintiff's motion for summary judgment as against defendant Alexander J. McCombie, III.

G. WINSTON DELONG for ALEXANDER J. MCCOMBIE, III

10 minutes

ROBERT N. ROTHBERG for BAC HOME LOANS SERVICING, LP

10 minutes

1194.0
CA 15-00530

In the Matter of
COUNTY OF ERIE
(FACULTY FEDERATION OF ERIE COMMUNITY COLLEGE)

SETTLED

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered June 6, 2014. The order granted the petition and vacated the award of an arbitrator.

TIMOTHY CONNICK for FACULTY FEDERATION OF E.C.C.

KRISTIN K. WHEATON for COUNTY OF ERIE

1195.0
CA 15-00532

JANICE A. MCDONELL

V

WAL-MART STORES, INC.

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered May 20, 2014. The order, insofar as appealed from, denied the motion of defendants for summary judgment.

KIMBERLY CAMPBELL for WAL-MART STORES, INC.

15 minutes

CHERYL MEYERS BUTH for JANICE A. MCDONELL

15 minutes

1196.0
CA 15-00507

LOUIS YOURDON

V

PAROLE OFFICER MARTIN SEMRAU

Appeal from an order and judgment (one paper) of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.) entered December 18, 2014 in a proceeding pursuant to CPLR article 78. The order and judgment dismissed the petition.

LOUIS ROSADO for LOUIS YOURDON

10 minutes

BRIAN D. GINSBERG for PAROLE OFFICER MARTIN SEMRAU

5 minutes

1197.0
CA 15-00602

ANTHONY DESA

V

NEW YORK STATE

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered March 10, 2014. The order, among other things, held respondents in civil contempt of a prior order of the court.

ROBERT M. GOLDFARB for NEW YORK STATE

10 minutes

DAVID E. ZUKHER for ANTHONY DESA

10 minutes

1198.0
CA 15-00610

ANTHONY DESA

V

NEW YORK STATE

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 20, 2014. The order, among other things, awarded petitioner attorney's fees and costs for bringing the contempt proceeding.

ROBERT M. GOLDFARB for NEW YORK STATE

Submitted

DAVID E. ZUKHER for ANTHONY DESA

Submitted

1199.0
CA 14-02172

YONGMI ODDO

V

ALC OF WILLIAMSVILLE, LLC

Appeal from an order of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered May 29, 2014. The order, among other things, denied defendants' motion to set aside the finding of liability against defendant Suchitra Koneru, M.D.

MARYLOU K. ROSHIA for ALC OF WILLIAMSVILLE, LLC

15 minutes

EDWARD J. MARKARIAN for YONGMI ODDO

15 minutes

1200.0
CA 14-02173

YONGMI ODDO

V

ALC OF WILLIAMSVILLE, LLC

Appeal from a judgment of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered June 25, 2014. The judgment, among other things, awarded plaintiff Yongmi Oddo the sum of \$152,737.57 for past and future damages as against defendants.

MARYLOU K. ROSHIA for ALC OF WILLIAMSVILLE, LLC

Submitted

EDWARD J. MARKARIAN for YONGMI ODDO

Submitted