

DAY CALENDAR
Monday, October 24, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

975.0
KA 12-02180

PEOPLE
V
ARTHUR E. MASON

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered July 18, 2012. The judgment convicted defendant, upon his plea of guilty, of forgery in the second degree.

GUY A. TALIA for ARTHUR E. MASON Submitted

PATRICIA L. DZIUBA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

976.0
KA 13-00481

PEOPLE
V
ARTHUR E. MASON

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered July 18, 2012. The judgment convicted defendant, upon his plea of guilty, of bail jumping in the second degree

GUY A. TALIA for ARTHUR E. MASON Submitted

PATRICIA L. DZIUBA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

977.0
KA 15-00099

PEOPLE
V
NEDRA JONES

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered September 15, 2014. The judgment convicted defendant, upon her plea of guilty, of manslaughter in the first degree.

KRISTIN M. PREVE for NEDRA JONES Submitted

NICHOLAS T. TEXIDO for THE PEOPLE OF THE STATE OF NEW YORK Submitted

978.0
KA 16-00854

PEOPLE
V
RICHARD A. RODAS, JR.

Appeal from an order of the Yates County Court (W. Patrick Falvey, J.), dated April 7, 2016. The order, insofar as appealed from, granted the motion of defendant to suppress certain statements.

DAVID G. MASHEWSKE for THE PEOPLE OF THE STATE OF NEW YORK Submitted

TIFFANY M. SORGEN for RICHARD A. RODAS, JR. 5 minutes

979.0
KA 15-00601

PEOPLE
V
PATRICK J. DAILEY

Appeal from a judgment of the Niagara County Court (Sara Sheldon Farkas, J.), rendered February 27, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted sexual abuse in the first degree.

JOSEPH G. FRAZIER for PATRICK J. DAILEY Submitted

	THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
982.0 KA 13-01619	PEOPLE V ANTHONY FORD	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 6, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree (two counts).	
	PHILIP ROTHSCHILD, for ANTHONY FORD	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
983.0 KA 11-01389	PEOPLE V JEFFREY B. HOUGHTALING	
	Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered July 6, 2010. The judgment convicted defendant, upon a jury verdict, of bail jumping in the second degree	
	CHARLES J. GREENBERG for JEFFREY B. HOUGHTALING	10 minutes
	R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
984.0 KA 13-00893	PEOPLE V KAAZIM F. FREEMAN	
	Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered March 12, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.	
	THOMAS B. BENNETT for KAAZIM F. FREEMAN	15 minutes
	ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
985.0 KA 14-01622	PEOPLE V TYWAN HOWINGTON	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered June 23, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.	
	LUCILLE M. RIGNANESE for TYWAN HOWINGTON	15 minutes
	ROMANA A. LAVALAS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
986.0 KA 12-01527	PEOPLE V MATTHEW V. NOCE	
	Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered July 25, 2012. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree.	
	JANET C. SOMES for MATTHEW V. NOCE	10 minutes
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes

987.0
CA 15-02127

EDWARD J. CAZA
V
L.P. CIMINELLI CONSTRUCTION COMPANY

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered September 15, 2015. The order, among other things, granted defendants' motion for summary judgment dismissing plaintiffs' complaint.

MICHAEL J. SKONEY for **EDWARD J. CAZA** 15 minutes

PATRICK J. HINES for **L.P. CIMINELLI CONSTRUCTION COMPANY** 10 minutes

988.0
CA 16-00362

STEPHEN P. FRANCIS **SETTLED**
V
NBT BANK

Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered June 3, 2015. The order, among other things, denied in part the motion of defendant NBT Bank for summary judgment.

DANIEL R. NORTON for **NBT BANK**

STEPHEN P. FRANCIS for **HIMSELF**

989.0
CA 16-00139

JEAN GREFRATH
V
MICHAEL A. DEFELICE

Appeal from an order of the Supreme Court, Genesee County (Robert C. Noonan, A.J.), entered May 27, 2015. The order granted the motions of defendant Michael A. DeFelice, individually and doing business as Michael Anthony's Salon, and Evelyn Mager, individually and as executrix of the Estate of Leo S. Mager, deceased, for summary judgment.

BLAKE ZACCAGNINO for **JEAN GREFRATH** 15 minutes

MARK C. RODGERS for **MICHAEL A. DEFELICE** 15 minutes

JAMES J. NASH for **EVELYN MAGER** 10 minutes

990.0
CA 16-00252

WILLIAM J. KUHN
V
WILLIAM GIOVANNIELLO

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered May 7, 2015. The order granted the motion of defendants for summary judgment, dismissed the complaint and denied the cross motion of plaintiff for partial summary judgment.

WILLIAM WHITAKER PULOS for **WILLIAM J. KUHN** 10 minutes

THOMAS PAUL DURKIN for **WILLIAM GIOVANNIELLO** 10 minutes

991.0
CA 16-00338

SARAH MCKEON
V
MCLANE COMPANY, INC.

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered January 12, 2016. The order denied the motion of defendants McLane Company, Inc., Transco, Inc. and Steven M. Peppenelli for summary judgment dismissing the complaint.

KAREN J. KROGMAN DAUM for **MCLANE COMPANY, INC.** Submitted

	JEREMY M. SHER for SARAH MCKEON	10 minutes
992.0 CA 15-01801	TIMOTHY SHERMAN V ST. ELIZABETH MEDICAL CENTER	
	Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered July 8, 2015. The order, insofar as appealed from, granted the motion of defendant St. Elizabeth Medical Center to deem the original complaint to be the active pleading and denied the cross motion of plaintiff for leave to file and serve an amended complaint.	
	STEPHANIE A. PALMER for TIMOTHY SHERMAN	10 minutes
	MATTHEW J. VANBEVEREN for ST. ELIZABETH MEDICAL CENTER	Submitted
	ANNE-JO MCTAGUE for KEVIN LAMPHERE, R.N.	Submitted
993.0 CA 15-01714	STATE OF NEW YORK V SCOTT PETERS	
	Appeal from an order of the Supreme Court, Cattaraugus County (John L. Michalski, J.), entered April 3, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order, inter alia, committed respondent to a secure treatment facility.	
	NICHOLAS P. DIFONZO for SCOTT PETERS	10 minutes
	LAURA ETLINGER for STATE OF NEW YORK	10 minutes
994.0 CA 16-00178	MICHELE MOORE-HAARR V Z-AXIS, INC.	
	Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered August 17, 2015. The order, insofar as appealed from, denied the motion of defendant Z-Axis, Inc., for summary judgment and granted the cross motion of plaintiff to compel responses to her notice to admit.	
	SCOTT ROGOFF for Z-AXIS, INC.	10 minutes
	JOSEPH B. RIZZO for MICHELE MOORE-HAARR	15 minutes
995.0 CA 16-00292	EMMA B. SCHUVER V PAMELA LODESTRO	
	Appeal from an order of the Supreme Court, Chautauqua County (Stephen W. Cass, A.J.), entered May 29, 2015. The order, insofar as appealed from, denied the motion of defendant Pamela Lodestro to dismiss plaintiff's second, third and, in part, fourth, fifth and sixth causes of action.	
	JOSEPH M. CALIMERI for PAMELA LODESTRO	10 minutes
	DARYL BRAUTIGAM for EMMA B. SCHUVER	10 minutes
996.0 CA 15-01410	PETER J. RUSSELL V JASON T.	

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered July 20, 2015. The order, inter alia, granted the application of petitioner for authorization to administer medication to respondent over his objection.

BRYCE THERRIEN for JASON T.

15 minutes

PARICK A. WOODS for PETER J. RUSSELL

10 minutes