

DAY CALENDAR
Tuesday, October 25, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

997.0
KA 13-02158

PEOPLE
V
JAMES KNIGHTON

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered September 23, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of marihuana in the third degree.

PIOTR BANASIAK for JAMES KNIGHTON Submitted

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

998.0
KA 13-02159

PEOPLE
V
JAMES KNIGHTON

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered September 23, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

PIOTR BANASIAK for JAMES KNIGHTON Submitted

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

999.0
KA 15-00018

PEOPLE
V
NICHOLE M. MCKERROW

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered October 8, 2014.. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

NICHOLAS P. DIFONZO for NICHOLE M. MCKERROW Submitted

WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1000.0
KA 14-02131

PEOPLE
V
DARRYL ANDERSON

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered October 21, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the second degree

TIMOTHY P. MURPHY for DARRYL ANDERSON Submitted

DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1001.0
KA 15-00728

PEOPLE
V
DAVID O. RIVERA

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered March 19, 2015. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

JAMES ECKERT for DAVID O. RIVERA Submitted

	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1002.0 KA 13-01957	PEOPLE V ERIC HARRIS	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered October 11, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.	
	KRISTEN MCDERMOTT for ERIC HARRIS	Submitted
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1003.0 KA 14-00087	PEOPLE V RONALD THOMAS	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Joseph E. Fahey, J.), entered December 18, 2014. The order denied the motion of defendant pursuant to CPL article 440.	
	PHILIP ROTHSCHILD for RONALD THOMAS	15 minutes
	ROMANA A. LAVALAS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1004.0 KA 15-00646	PEOPLE V RICKY GRACE	
	Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered November 26, 2014. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree (three counts), assault in the first degree (three counts), criminal use of a firearm in the first degree (three counts) and criminal possession of a weapon in the second degree.	
	KATHRYN B. FRIEDMAN for RICKY GRACE	10 minutes
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1005.0 KA 14-01971	PEOPLE V DEVON SCOTT	
	Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered August 8, 2013. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.	
	ROBERT L. KEMP for DEVON SCOTT	10 minutes
	NICHOLAS T. TEXIDO for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
1006.0 KA 13-00493	PEOPLE V JON T. FONTAINE	
	Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered November 1, 2012. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.	
	JANET C. SOMES for JON T. FONTAINE	10 minutes

1007.0 KA 14-00670	<p>DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK</p> <p>PEOPLE V MILES S. MITCHELL</p> <p>Appeal from a judgment of the Monroe County Court (Thomas E. Moran, J.), rendered October 29, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts), attempted robbery in the first degree, attempted robbery in the second degree and criminal possession of a weapon in the second degree (two counts).</p>	10 minutes
	<p>SHIRLEY A. GORMAN for MILES S. MITCHELL</p> <p>NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK</p>	10 minutes 10 minutes
1008.0 CAF 15-01015	<p>JOHN F. LEWIS V STEFANY V. LEWIS</p> <p>Appeal and cross appeal from an order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered March 17, 2015 in a proceeding pursuant to Family Court Act article 4. The order denied the respective objections of the parties to the decision and order of a Support Magistrate.</p>	
	<p>RANDEL A. SCHARF for STEFANY V. LEWIS</p> <p>DONALD J. MURPHY for JOHN F. LEWIS</p>	10 minutes 10 minutes
1009.0 CA 15-02060	<p>RJW ENTERPRISES, INC. V P.J. SIMAO</p> <p>Appeals from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered February 12, 2015. The order, among other things, granted plaintiff's motion for summary judgment.</p>	SETTLED
	<p>DAVID TEMES for P.J. SIMAO</p> <p>RICHARD T. TUCKER for RJW ENTERPRISES, INC.</p>	
1011.0 CA 16-00356	<p>MEHMET CANAL V ABDULAZIZ MUNASSAR</p> <p>Appeal from an order of the Supreme Court, Monroe County (John M. Owens, A.J.), entered July 29, 2015. The order denied the motion of plaintiff for summary judgment and granted the motion of defendant Abdulaziz Munassar for summary judgment dismissing the amended complaint.</p>	
	<p>STEVEN EDWARD FEDER for MEHMET CANAL</p> <p>ANTHONY P. LAFAY for ABDULAZIZ MUNASSAR</p>	10 minutes 10 minutes
1012.0 CA 14-01777	<p>FRANK GARCIA V ANTHONY ANNUCCI</p> <p>Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered July 15, 2014. The judgment confirmed the determination of respondent and dismissed the petition.</p>	
	<p>FRANK GARCIA for HIMSEFL</p>	Submitted

	KATE H. NEPVEU for ANTHONY ANNUCCI	Submitted
1013.0 CA 15-01958	MALACHI FICEK V AKRON CENTRAL SCHOOL DISTRICT	
	Appeals from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered August 6, 2015. The order granted the application of plaintiff for leave to serve a late notice of claim.	
	CHRISTINE GASSER for AKRON CENTRAL SCHOOL DISTRICT	15 minutes
	BRENN A. C. GUBALA for SALAMANCA CITY CENTRAL SCHOOL DISTRICT	10 minutes
	JOHN I. LAMANCUSO for MALACHI FICEK	15 minutes
1014.0 CA 16-00226	JOHN M. LACEY V CITY OF SYRACUSE	
	Appeal and cross appeal from an amended order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered July 22, 2015. The amended order denied the motion of defendants and the cross motion of plaintiff for summary judgment and granted the motion of defendants for a bifurcated trial.	
	SIDNEY P. COMINSKY for JOHN M. LACEY	15 minutes
	JOSEPH R. H. DOYLE for CITY OF SYRACUSE	15 minutes
1015.0 CA 15-01197	JOAQUINA MOSES V GEICO INSURANCE COMPANY	
	Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered September 15, 2014. The order, among other things, granted defendant's motion for summary judgment dismissing the complaint.	
	STEPHEN C. HALPERN for JOAQUINA MOSES	15 minutes
	LAUREN GAUTHIER for GEICO INSURANCE COMPANY	15 minutes
1016.0 CA 16-00108	JULIANNE RIZZO V NATIONAL VACUUM CORP.	
	Appeal from an order of the Supreme Court, Niagara County (Mark A. Montour, J.), entered March 26, 2015. The order granted the motion of defendant National Vacuum Corp, for summary judgment.	
	DAVID HAKAN ELIBOL for JULIANNE RIZZO	15 minutes
	STEVEN W. KLUTKOWSKI for NATIONAL VACUUM CORP.	15 minutes
1017.0 CA 15-02096	ZOLTAN SZALAY V TOWN OF WEBSTER POLICE DEPARTMENT	
	Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered August 12, 2015. The order denied the motion of plaintiffs for summary judgment, granted the motion of defendants to dismiss the complaint and dismissed the complaint.	

ZOLTAN SZALAY for HIMSELF

Submitted

DEBRA SZALAY for HERSELF

Submitted

BRENNA C. GUBALA for TOWN OF WEBSTER POLICE DEPARTMENT

10 minutes

1010.0
CA 15-01022

DEBORAH DRAKE

V

RICHARD MUNDRICK

Appeal and cross appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (Elma A. Bellini, J.), entered April 27, 2015. The order and judgment, inter alia, distributed certain assets of defendant to respondent.

MAUREEN A. PINEAU for DEBORAH DRAKE

10 minutes

STUART L. LEVISON for RICHARD MUNDRICK

10 minutes