

DAY CALENDAR
Wednesday, October 26, 2016 - 10:00 AM
COURTROOM 2

1060.0
CA 16-00502

ONE FLINT ST. LLC
V
EXXON MOBIL CORPORATION

Appeal and cross appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered March 4, 2016. The order, among other things, denied the cross motion of plaintiff DHD Ventures New York, LLC for summary judgment and denied the cross motion of defendants Exxon Mobile Corporation and Exxon Mobile Oil Corporation for summary judgment.

PATRICIA PREZIOSO for EXXON MOBIL CORPORATION

20 minutes

ALAN J. KNAUF for ONE FLINT ST. LLC

20 minutes

1040.0
TP 16-00314

ALLAH JUSTICE
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 March 1, 2016) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for ALLAH JUSTICE

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

1041.0
TP 16-00140

LEROY JOHNSON
V
JOHN B. LEMPKE

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, Erie County [Christopher J. Burns, J.], entered January 20, 2016) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

LEROY JOHNSON for HIMSELF

Submitted

MARCUS J. MASTRACCO for JOHN B. LEMPKE

Submitted

1042.0
TP 16-00257

DEVIN GRAY
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 February 18, 2016) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for DEVIN GRAY

Submitted

	MARCUS J. MASTRACCO for ANTHONY ANNUCCI	Submitted
1043.0 KA 15-00156	PEOPLE V JON ANDERSON	
	Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered November 17, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fifth degree.	
	BARBARA J. DAVIES for JON ANDERSON	Submitted
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1044.0 KA 15-00727	PEOPLE V DONALD E. GIFFORD	
	Appeal from an order of the Supreme Court, Monroe County (Francis A. Affronti, J.), entered March 23, 2015. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.	
	JAMES ECKERT for DONALD E. GIFFORD	Submitted
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1045.0 KA 14-01169	PEOPLE V TOMMY BRUNSON	
	Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered July 2, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.	
	PHILIP ROTHSCHILD for TOMMY BRUNSON	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1046.0 KA 16-00297	PEOPLE V SHANE CARLSON	
	Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered October 21, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree, criminally using drug paraphernalia in the second degree, assault in the second degree, tampering with physical evidence, resisting arrest and driving while ability impaired by combined influence of drugs or of alcohol and any drugs or drugs.	
	MICHAEL A. GARZO, JR., for SHANE CARLSON	15 minutes
	JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
1047.0 KA 14-02296	PEOPLE V TODD M. COLLINS	
	Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered December 15, 2014. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree.	
	BRIAN SHIFFRIN for TODD M. COLLINS	15 minutes

	JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1048.0 KA 13-00526	PEOPLE V KENNETH L. BOYD	
	Appeal from a judgment of the Monroe County Court (Alex R. Renzi, J.), rendered January 16, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree, criminal possession of a weapon in the third degree (two counts), criminal possession of a controlled substance in the third degree and criminal use of drug paraphernalia in the second degree (two counts).	
	JOHN G. MCCARTHY for KENNETH L. BOYD	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1049.0 KA 13-02163	PEOPLE V WILLIE L. BROWN, JR.	
	Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered September 4, 2013. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and criminal possession of a weapon in the fourth degree.	
	PHILIP ROTHSCHILD for WILLIE L. BROWN, JR.	15 minutes
	VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1050.0 CAF 15-01559	In the Matter of MATIGAN G.	
	Appeal from an order of the Family Court, Onondaga County (Julie A. Cecile, J.), entered August 11, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent neglected the subject children.	
	NANCY FARRELL for SARA E. W.-G.	10 minutes
	MAGGIE SEIKALY for ONONDAGA CO. DSS	Submitted
	LAURA ESTELA CARDONA, ATTORNEY FOR CHILD	5 minutes
1051.0 CAF 15-00987	NICOLE M. HONSBERGER V JOSEPH R. HONSBERGER	
	Appeal from an order of the Family Court, Ontario County (Stephen D. Aronson, A.J.), entered March 9, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded the parties joint custody of the subject child with primary physical placement to respondent.	
	SUSAN JONES, ATTORNEY FOR CHILD	5 minutes
	MARGARET MCMULLEN RESTON for NICOLE M. HONSBERGER	10 minutes
	DAVID J. WHITCOMB for JOSEPH R. HONSBERGER	5 minutes
1052.0 CAF 15-00900	AMY R. CANOUGH V TODD R. TRAINHAM	

Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered May 8, 2015 in a proceeding pursuant to Family Court Act article 4. The order denied the objections of respondent to an order of a Support Magistrate.

JOHN A. CIRANDO for TODD R. TRAINHAM

10 minutes

LOU ANNE RUCYNSKI COLEMAN for AMY R. CANOUGH

Submitted

1053.0
CAF 15-00376

**In the Matter of
TRINITY E.**

Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered February 4, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

KIMBERLY F. DUGUAY for ROBERT E.

10 minutes

CAROL LYNN EISENMAN for MONROE CO. DSS

5 minutes

PAUL B. WATKINS, ATTORNEY FOR CHILD

5 minutes

1055.0
CA 16-01077

**In the Matter of
TOWN OF GREECE
(THE UNIFORMED PATROLMEN'S ASSOC.)**

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered October 28, 2015. The order denied the petition for a stay of grievance arbitration.

KYLE W. STURGESS for TOWN OF GREECE

10 minutes

MICHAEL F. GERACI for THE UNIFORMED PATROLMEN'S ASSOC.

10 minutes

1057.0
CA 16-00344

**MARK D. WELLS
V
THE HURLBURT ROAD COMPANY, LLC**

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered May 19, 2015. The order, among other things, granted defendants' motion to dismiss plaintiff's second cause of action.

JANA K. MCDONALD for MARK D. WELLS

10 minutes

JULIAN B. MODESTI for THE HURLBURT ROAD COMPANY, LLC

10 minutes

1058.0
CA 15-01483

**ONEWEST BANK, FSB
V
STEVEN D. SPENCER**

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered February 2, 2015. The order, insofar as appealed from, denied the motion of plaintiff for summary judgment against defendant Donna S. Spencer and granted the cross motion of Donna S. Spencer for summary judgment dismissing all claims against her.

JOHN A. MANCUSO for ONEWEST BANK, FSB

15 minutes

REID A. HOLTER for DONNA S. SPENCER

10 minutes

1059.0
CA 15-01484

**ONEWEST BANK, FSB
V
STEVEN D. SPENCER**

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered July 13, 2015. The order settled the record for an appeal from an order entered February 2, 2015.

JOHN A. MANCUSO for ONEWEST BANK, FSB

Submitted

REID A. HOLTER for DONNA S. SPENCER

Submitted