

DAY CALENDAR
Tuesday, September 15, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1013.0
KA 14-00257

PEOPLE
V
BRIAN C. WEAVER

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered January 30, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree (two counts) and criminal possession of a weapon in the third degree (five counts).

MARK C. DAVISON for BRIAN C. WEAVER 10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1014.0
KA 13-01865

PEOPLE
V
GERALD E. HOGUE

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered August 19, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

TIMOTHY P. MURPHY for GERALD E. HOGUE 10 minutes

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1015.0
KA 14-01814

PEOPLE
V
WILLIAM K. BALL

Appeal from a decision and order of the Supreme Court, Erie County (Russell P. Buscaglia, J.), entered July 17, 2014. The decision and order granted the motion of defendant to suppress statements and evidence.

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

LEONARD G. TILNEY, JR., for WILLIAM K. BALL 10 minutes

1016.0
KA 10-01037

PEOPLE
V
MARLO J. BLOCKER

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered January 13, 2010. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (four counts), criminal possession of a weapon in the third degree (two counts) and windshield tint violation.

SHIRLEY A. GORMAN for MARLO J. BLOCKER 10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1017.0
KA 13-02135

PEOPLE
V
SAMUEL MUSCARELLA

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered October 15, 2013. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault in the first degree (two counts) and burglary in the first degree and, upon a plea of guilty, of aggravated harassment in the second degree (six counts).

DEBORAH K. JESSEY for SAMUEL MUSCARELLA 10 minutes

NICHOLAS T. TEXIDO for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1018.0
KA 13-02153

PEOPLE
V
GREGORY KNAPP

Appeal from an order of the Herkimer County Court (John H. Crandall, J.), entered June 25, 2013. The order directed defendant to pay restitution of \$24,300.

JOHN HERBOWY for GREGORY KNAPP 5 minutes

JACQUELYN M. ASNOE for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1019.0
KA 13-01884

PEOPLE
V
EDIBERTO RODRIGUEZ

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered October 7, 2013. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree

MICHAEL STACHOWSKI for EDIBERTO RODRIGUEZ 15 minutes

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1020.0
KA 12-02052

PEOPLE
V
TAROY WILLIAMS

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered August 29, 2012. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

JANE I. YOON for TAROY WILLIAMS 10 minutes

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1021.0
CAF 14-00573

ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES
V
VERNON MORRIS

Appeal from an order of the Family Court, Erie County (Deanne M. Trippi, J.), entered March 7, 2014, in a proceeding pursuant to Family Court Act article 4. The order found that respondent had willfully failed to obey an order of the court and sentenced respondent to six months incarceration.

TIMOTHY R. LOVALLO for VERNON MORRIS 5 minutes

CHARLES J.P. GALLAGHER for ERIE COUNTY DSS Submitted

1022.0
CAF 14-01082

RICHARD STENT
V
MARY SCHWARTZ

Appeals from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered June 4, 2014, in a proceeding pursuant to Family Court Act article 6. The order granted custody to petitioner with visitation for respondents.

KELIANN M. ARGY for MARY SCHWARTZ 5 minutes

BRIDGET L. FIELD for DAN SCHWARTZ 5 minutes

RICHARD STENT for HIMSELF Submitted

JACQUELINE M. GRASSO, ATTORNEY FOR CHILD 5 minutes

1023.0
CAF 14-01469

KEVIN BLAIR
V
CRYSTAL DIGREGORIO

Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered July 24, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded respondent sole legal and primary physical custody of the subject child.

PIOTR BANASIAK for KEVIN BLAIR 10 minutes

KELLY M. CORBETT for CRYSTAL DIGREGORIO 10 minutes

FRANK B. SCIBILIA, ATTORNEY FOR CHILD Submitted

1024.0
CAF 14-01619

PAUL KADER, II
V
MEGAN L. KADER

Appeal from a corrected order of the Family Court, Niagara County (John F. Batt, J.), entered July 18, 2014, in a proceeding pursuant to Family Court Act article 6. The corrected order denied the motion of respondent to dismiss the petition for custody and to vacate a default order entered on July 15, 2013.

A. ANGELO DIMILLO for MEGAN L. KADER 5 minutes

PAUL KADER, II, for HIMSELF Submitted

MELISSA A. CAVAGNARO, ATTORNEY FOR CHILD 5 minutes

1025.0
CAF 13-01252

In the Matter of
SOPHIA M.G.K.

Appeal from an order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered May 20, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the subject child is a permanently neglected child and transferred guardianship and custody of said child to petitioner.

MARY P. DAVISON for TRACY G.K. Submitted

PETER ANDREW ESSLEY for MONROE CO. DEPT. OF HUMAN SERVICES 5 minutes

BETH A. RATCHFORD, ATTORNEY FOR CHILD 5 minutes

1026.0
CAF 13-01279

In the Matter of
RICHARD C.S., JR.

Appeal from an order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered May 20, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the subject child is a permanently neglected child and transferred guardianship and custody of said child to petitioner.

MARY P. DAVISON for TRACY G.K.

Submitted

PETER ANDREW ESSLEY for MONROE CO. DEPT. OF HUMAN SERVICES

Submitted

BETH A. RATCHFORD, ATTORNEY FOR CHILD

Submitted

1027.0
CAF 14-00691

ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES
V
VERNON MORRIS

Appeal from an order of the Family Court, Erie County (Deanne M. Trippi, J.), entered March 7, 2014, in a proceeding pursuant to Family Court Act article 4. The order found that respondent had willfully failed to obey an order of the court and sentenced respondent to six months incarceration.

TIMOTHY R. LOVALLO for VERNON MORRIS

5 minutes

CHARLES J.P. GALLAGHER for ERIE CO. DSS

Submitted

1028.0
CA 15-00397

JANE A. GILMORE
V
MARK B. JORDAN

Appeal from a decision and judgment of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered November 4, 2014. The decision and judgment determined plaintiff the owner in fee simple absolute of certain real property.

ADAM H. VAN BUSKIRK for MARK B. JORDAN

Submitted

PATRICK A. CARBONARO for JANE A. GILMORE

Submitted

1029.0
CA 15-00141

EILEEN MELGAR
V
LUIS MELGAR

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered June 2, 2014. The order, among other things, adjudged that the parties daughter is deemed emancipated effective November 25, 2013.

MICHAEL J. COLLETTA for EILEEN MELGAR

10 minutes

CHRISTOPHER S. MATTINGLY for LUIS MELGAR

10 minutes

1030.0
CA 14-01461

KATHLEEN A. BURGER
V
KENMORE/TOWN OF TONAWANDA UNION

Appeal from a decision and order of the Supreme Court, Erie County (Thomas P. Fraczyk, A.J.), entered November 6, 2013. The decision and order denied the motion of plaintiffs to set aside a verdict and for a new trial.

J. MICHAEL LENNON for KATHLEEN A. BURGER

15 minutes

THOMAS JOSEPH SPEYER for KENMORE/TOWN OF TONAWANDA UNION

10 minutes

1031.0
CA 14-01929

KATHLEEN A. BURGER
V
KENMORE/TOWN OF TONAWANDA UNION

Appeal from a judgment of the Supreme Court, Erie County (Thomas P. Fraczyk, A.J.), entered May 2, 2014. The judgment dismissed the complaint upon a verdict of no cause of action.

J. MICHAEL LENNON for KATHLEEN A. BURGER Submitted

THOMAS JOSEPH SPEYER for KENMORE/TOWN OF TONAWANDA UNION Submitted

1032.0
CA 14-02191

THOMAS ANGIELCZYK
V
RICHARD P. LIPKA

Appeal from an order of the Erie County Court (Sheila A. DiTullio, J.), dated March 19, 2014. The order affirmed a judgment of the Buffalo City Court.

MICHAEL J. STACHOWSKI for THOMAS ANGIELCZYK 10 minutes

ALEX M. NEUROHR for RICHARD P. LIPKA 10 minutes

1033.0
CA 15-00269

TYLER BULLUCK
V
MARYANNE E. FIELDS

Appeal from a decision and order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered November 21, 2014. The decision and order denied the motion of defendant for summary judgment.

KAREN J. KROGMAN DAUM for MARYANNE E. FIELDS 15 minutes

JANET D. CALLAHAN for TYLER BULLUCK 10 minutes

1034.0
CA 15-00213

GREECE TOWN MALL, L.P.
V
DENNIS M. MULLEN

Appeal from an order and judgment of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered April 7, 2014 in a declaratory judgment action. The order and judgment, insofar as appealed from, granted the motion of defendant to dismiss the eighth cause of action of the first amended complaint.

DENNIS E. LYNCH for GREECE TOWN MALL, L.P. 15 minutes

OWEN DEMUTH for DENNIS M. MULLEN 10 minutes