

DAY CALENDAR
Wednesday, September 14, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

793.0
KA 15-01606

PEOPLE
V
MARC MCCABE

Appeal from an order of the Orleans County Court (James P. Punch, J.), entered June 4, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

BRIDGET L. FIELD for MARC MCCABE

Submitted

KATHERINE K. BOGAN for PEOPLE OF THE STATE OF NEW YORK

Submitted

794.0
KA 12-01813

PEOPLE
V
MALCOLM DAME

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered February 1, 2012. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and criminal possession of a weapon in the third degree

J. SCOTT PORTER for MALCOLM DAME

10 minutes

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

10 minutes

795.0
KA 11-01473

PEOPLE
V
CODY WENNER

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered May 19, 2011. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

JANET C. SOMES for CODY WENNER

10 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

10 minutes

796.0
KA 14-01731

PEOPLE
V
SHAQUILLE HUNTER

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered September 8, 2014. The judgment convicted defendant, upon a nonjury verdict, of robbery in the second degree (two counts).

TIMOTHY P. MURPHY for SHAQUILLE HUNTER

5 minutes

JAMES M. MARRA for PEOPLE OF THE STATE OF NEW YORK

5 minutes

797.0
KA 11-02369

PEOPLE
V
EDDIE R. PALMER

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered June 14, 2011. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of stolen property in the fourth degree and unauthorized use of a vehicle in the second degree.

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| | MARY P. DAVISON for EDDIE R. PALMER | 5 minutes |
| | SCOTT MYLES for PEOPLE OF THE STATE OF NEW YORK | 5 minutes |
| 798.0 KA 14-00208 | PEOPLE V TIMOTHY A. JONES | |
| | Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered January 2, 2013. The judgment convicted defendant, upon a jury verdict, of attempted assault in the second degree. | |
| | MARTIN P. MCCARTHY, II, for TIMOTHY A. JONES | 10 minutes |
| | JEFFREY L. TAYLOR for PEOPLE OF THE STATE OF NEW YORK | 10 minutes |
| 799.0 KA 14-01127 | PEOPLE V DERRICK MANIGAULT | |
| | Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered June 24, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the third degree. | |
| | BARBARA J. DAVIES for DERRICK MANIGAULT | 10 minutes |
| | DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK | 10 minutes |
| 800.0 KA 10-01823 | PEOPLE V VENICE J. NESMITH | |
| | Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered July 30, 2010. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree. | |
| | SHIRLEY A. GORMAN for VENICE J. NESMITH | 10 minutes |
| | DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK | 10 minutes |
| 801.0 KA 14-00532 | PEOPLE V GERALD MOSS | |
| | Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered March 17, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of stolen property in the fourth degree (two counts). | |
| | TIMOTHY P. MURPHY for GERALD MOSS | 10 minutes |
| | MATTHEW B. POWERS for PEOPLE OF THE STATE OF NEW YORK | 5 minutes |
| 802.0 KA 13-01729 | PEOPLE V CRAIG OWENS | |
| | Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered April 17, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree. | |
| | PIOTR BANASIAK for CRAIG OWENS | 10 minutes |
| | JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK | 10 minutes |

803.0
CAF 14-00329

**In the Matter of
LUNDYN S.**

Appeal from an order of the Family Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 7, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, denied the petition of Velvia S. seeking custody of the subject child.

JOHN A. CIRANDO for VELVIA S. 10 minutes

DENNIS PAUL SEDOR for CARRIE L. Submitted

ALLISON A. BOSWORTH for CAYUGA COUNTY D.H.S. 10 minutes

MICHELE RITA DRISCOLL, ATTORNEY FOR CHILD 10 minutes

804.0
CAF 14-02290

**ETA ROTTENBERG
V
WAYNE CLARKE**

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered March 13, 2014 in proceedings pursuant to Family Court Act article 6. The order modified the visitation of respondent to supervised visitation.

WILLIAM D. BRODERICK, JR., for WAYNE CLARKE 10 minutes

WILLIAM R. HITES for ETA ROTTENBERG Submitted

SHEILA SULLIVAN DICKINSON, ATTORNEY FOR CHILD 5 minutes

805.0
CAF 15-00036

**ETA ROTTENBERG
V
WAYNE CLARKE**

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered March 13, 2014 in a proceeding pursuant to Family Court Act article 6. The order restrained respondent from injurious actions with respect to the subject child

WILLIAM D. BRODERICK, JR., for WAYNE CLARKE Submitted

WILLIAM R. HITES for ETA ROTTENBERG Submitted

SHEILA SULLIVAN DICKINSON, ATTORNEY FOR CHILD Submitted

806.0
CA 15-02109

**MELISSA LAZAR
V
BARRY D. LAZAR**

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered March 25, 2015. The order, among other things, modified the maintenance to be paid by defendant.

JAMES P. RENDA for BARRY D. LAZAR 15 minutes

JOHN A. COLLINS for MELISSA LAZAR 15 minutes

807.0
CA 15-01241

**DAWN M. PLACE
V
CHAFFEE-SARDINIA VOLUNTEER FIRE COMPANY**

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered June 1, 2015. The order, insofar as appealed from, denied the cross motion of defendants to strike the complaint, to dismiss the action and for sanctions.

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| | DONNA L. BURDEN for CHAFFEE-SARDINIA VOLUNTEER FIRE COMPANY | 15 minutes |
| | WILLARD M. POTTLE, JR., for DAWN M. PLACE | 15 minutes |
| 808.0 CA 15-01242 | DAWN M. PLACE V CHAFFEE-SARDINIA VOLUNTEER FIRE COMPANY | |
| | Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered June 17, 2015. The order held in abeyance the motion of defendants to strike the note of issue and certificate of readiness and denied the motion of defendants for costs or sanctions. | |
| | DONNA L. BURDEN for CHAFFEE-SARDINIA VOLUNTEER FIRE COMPANY | Submitted |
| | WILLARD M. POTTLE, JR., for DAWN M. PLACE | Submitted |
| 809.0 CA 15-02157 | CRANE-HOGAN STRUCTURAL SYSTEMS, INC. V MARY ELLEN BELDING | |
| | Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered September 2, 2015. The order, among other things, denied defendant's pre-answer motion to dismiss and for sanctions. | |
| | SHARON P. STILLER for MARY ELLEN BELDING | 15 minutes |
| | RICHARD T. BELL, JR., for CRANE-HOGAN STRUCTURAL SYSTEMS, INC. | 10 minutes |
| 810.0 CA 16-00023 | In the Matter of ALISSA JOY MCDONALD | SETTLED |
| | Appeal from an order of the Surrogate's Court, Monroe County (John M. Owens, S.), entered October 13, 2015. The order, among other things, denied the petition of David B. Lanzone for property guardianship of Alissa Joy McDonald. | |
| | NICOLE MARIE MARRO for DAVID B. LANZONE | |
| | ROBERT GEORGE GREENE for CHRISTOPHER MCDONALD | |
| | LOREN H. KROLL ATTORNEY FOR THE CHILD | |
| 811.0 CA 15-02033 | DANIELLE DOTZLER V THOMAS S. BUONO | |
| | Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Christopher J. Burns, J.), entered February 4, 2015. The order and judgment, inter alia, dismissed the answer of defendant, granted money damages to plaintiff and held in contempt and fined defendant. | |
| | MATT A. ALBERT for THOMAS S. BUONO | 10 minutes |
| | MICHAEL C. WILD for DANIELLE DOTZLER | 10 minutes |
| 812.0 CA 15-01901 | CATHERINE MAHAR V HELEN PROPER | |
| | Appeal from an order of the Niagara County Court (Matthew J. Murphy, III, J.), entered May 8, 2015. The order, insofar as appealed from, affirmed a determination of the Wilson Town Justice Court on liability. | |

JON LOUIS WILSON for HELEN PROPER

Submitted

CATHERINE MAHAR for HERSELF

Submitted

813.0
CA 15-01909

LORRAINE MURRAY

SETTLED

V

SHANITA P. PARSON

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered March 31, 2015. The order denied the motion of plaintiff for summary judgment.

ELLEN B. STURM for LORRAINE MURRAY

EMILY M. COBB for SHANITA P. PARSON

814.0
CA 15-01361

CHRISTOPHER SEIFERT

V

ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered February 27, 2015 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for CHRISTOPHER SEIFERT

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

814.1
CA 16-00358

MYRON WRIGHT

V

STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered March 1, 2016 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, directed the discharge of petitioner from the custody of the Office of Mental Health.

KATHLEEN M. TREASURE for STATE OF NEW YORK

10 minutes

MICHAEL H. MCCORMICK for MYRON WRIGHT

10 minutes