

**MOTION NO. (935/87) KA 14-01601. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RICHARD LYON, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: SMITH, J.P., CENTRA, PERADOTTO, AND LINDLEY, JJ. (Filed Feb. 6, 2015.)**

**MOTION NO. (219/96) KA 14-02140. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V WALTER DOUGLAS WILKINS, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: SCUDDER, P.J., SMITH, CENTRA, AND LINDLEY, JJ. (Filed Feb. 6, 2015.)**

**MOTION NO. (1300/00) KA 98-05521. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V KEVIN J. JOHNSON, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: CENTRA, J.P., FAHEY, CARNI, WHALEN, AND DEJOSEPH, JJ. (Filed Feb. 6, 2015.)**

**MOTION NO. (1200/02) KA 01-01201. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V DENNIS TIMMONS, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: SCUDDER, P.J., CENTRA, SCONIERS, AND WHALEN, JJ. (Filed Feb. 6, 2015.)**

**MOTION NO. (1607/09) KA 07-00939. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ROBBIE D. OWENS, DEFENDANT-APPELLANT. (APPEAL NO. 1.) -- Motion for writ of error coram nobis denied. PRESENT: SCUDDER, P.J., CENTRA, FAHEY, CARNI, AND LINDLEY, JJ. (Filed Feb. 6, 2015.)**

MOTION NO. (1608/09) KA 08-00914. -- THE PEOPLE OF THE STATE OF NEW YORK,  
RESPONDENT, V ROBBIE D. OWENS, DEFENDANT-APPELLANT. (APPEAL NO. 2.) --  
Motion for writ of error coram nobis denied. PRESENT: SCUDDER, P.J.,  
CENTRA, FAHEY, CARNI, AND LINDLEY, JJ. (Filed Feb. 6, 2015.)

MOTION NO. (852/14) CA 13-00659. -- IN THE MATTER OF THE STATE OF NEW YORK,  
PETITIONER-RESPONDENT, V ROY CASTLEBERRY, RESPONDENT-APPELLANT. -- Motions  
for reargument and leave to appeal to the Court of Appeals denied.  
PRESENT: SCUDDER, P.J., SMITH, CENTRA, FAHEY, AND PERADOTTO, JJ. (Filed  
Feb. 6, 2015.)

MOTION NO. (952/14) CA 14-00366. -- ONEBEACON INSURANCE COMPANY,  
PLAINTIFF-APPELLANT-RESPONDENT, V UNILAND PARTNERSHIP OF DELAWARE, L.P.,  
DEFENDANT-RESPONDENT-APPELLANT. -- Motion for reargument or leave to appeal  
to the Court of Appeals denied. PRESENT: SCUDDER, P.J., CENTRA, CARNI,  
LINDLEY, AND WHALEN, JJ. (Filed Feb. 6, 2015.)

MOTION NO. (970/14) CA 13-01004. -- JOHN A. MCINTOSH, PLAINTIFF-APPELLANT,  
V GENESEE VALLEY LASER CENTRE AND HOLLY B. HAHN, M.D.,  
DEFENDANTS-RESPONDENTS. -- Motion for reargument or leave to appeal to the  
Court of Appeals denied. PRESENT: SMITH, J.P., FAHEY, LINDLEY, VALENTINO,  
AND DEJOSEPH, JJ. (Filed Feb. 6, 2015.)

MOTION NO. (996/14) CA 13-01391. -- DEVON FAISON AND TIERRA FAISON, AN  
INFANT, BY HER PARENT AND NATURAL GUARDIAN, KIMBERLY BARNETT,

PLAINTIFFS-APPELLANTS-RESPONDENTS, V LEE LUONG, JAMES L. CUYLER AND GEORGIA CUYLER, DEFENDANTS-RESPONDENTS-APPELLANTS. (APPEAL NO. 1.) -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, SCONIERS, AND VALENTINO, JJ. (Filed Feb. 6, 2015.)

MOTION NO. (997/14) CA 13-01392. -- DEVON FAISON AND TIERRA FAISON, AN INFANT, BY HER PARENT AND NATURAL GUARDIAN, KIMBERLY BARNETT, PLAINTIFFS-RESPONDENTS, V LEE LUONG, DEFENDANT, JAMES L. CUYLER AND GEORGIA CUYLER, DEFENDANTS-APPELLANTS. (APPEAL NO. 2.) -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, SCONIERS, AND VALENTINO, JJ. (Filed Feb. 6, 2015.)

MOTION NO. (998/14) CA 13-01394. -- DEVON FAISON AND TIERRA FAISON, AN INFANT, BY HER PARENT AND NATURAL GUARDIAN, KIMBERLY BARNETT, PLAINTIFFS-APPELLANTS-RESPONDENTS, V LEE LUONG, DEFENDANT-RESPONDENT-APPELLANT, JAMES L. CUYLER, ET AL., DEFENDANTS. (APPEAL NO. 3.) -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SCUDDER, P.J., PERADOTTO, CARNI, SCONIERS, AND VALENTINO, JJ. (Filed Feb. 6, 2015.)

MOTION NO. (1011/14) CA 14-00269. -- HAMILTON EQUITY GROUP, LLC, AS ASSIGNEE OF HSBC BANK USA, NATIONAL ASSOCIATION, PLAINTIFF-RESPONDENT, V BRIAN KUMAHOR, INDIVIDUALLY AND DOING BUSINESS AS BKUMAHOR CONSULTING,

**DEFENDANT-APPELLANT, ET AL., DEFENDANTS.** -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: CENTRA, J.P., FAHEY, WHALEN, AND DEJOSEPH, JJ. (Filed Feb. 6, 2015.)

**MOTION NO. (1015/14) CA 14-00062. -- IN THE MATTER OF THE JUDICIAL SETTLEMENT OF THE FINAL ACCOUNT OF JPMORGAN CHASE BANK N.A., PETITIONER-RESPONDENT, AS TRUSTEE OF THE TRUST CREATED UNDER THE LAST WILL AND TESTAMENT OF LUCY GAIR GILL, DECEASED, DATED OCTOBER 26, 1975, FOR THE BENEFIT OF MARY GILL ROBY, ET AL., ELIZABETH LEE ROBY, KATHRYN STARR ROBY JOHNSON, AND WILLIAM S. ROBY, III, OBJECTANTS-APPELLANTS.** -- Motion for reargument and renewal denied. PRESENT: CENTRA, J.P., FAHEY, WHALEN, AND DEJOSEPH, JJ. (Filed Feb. 6, 2015.)

**MOTION NO. (1042/14) CA 13-01495. -- JENNIFER L. RECH, PLAINTIFF-RESPONDENT, V MICHAEL B. RECH, DEFENDANT-APPELLANT. (APPEAL NO. 2.)** -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SMITH, J.P., PERADOTTO, VALENTINO, WHALEN, AND DEJOSEPH, JJ. (Filed Feb. 6, 2015.)

**MOTION NO. (1103/14) KA 13-00307. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ANGEL MALDONADO, DEFENDANT-APPELLANT.** -- Motion for reargument denied. PRESENT: SCUDDER, P.J., CARNI, LINDLEY, AND VALENTINO, JJ. (Filed Feb. 6, 2015.)

MOTION NO. (1228/14) KA 13-00522. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V CURLIE GREEN, DEFENDANT-APPELLANT. -- Motion for reargument denied. PRESENT: SCUDDER, P.J., PERADOTTO, LINDLEY, SCONIERS, AND VALENTINO, JJ. (Filed Feb. 6, 2015.)

MOTION NO. (1240/14) CA 14-00275. -- JERRY SWENEY, PLAINTIFF-RESPONDENT, V COUNTY OF NIAGARA AND NIAGARA COUNTY JAIL, DEFENDANTS-APPELLANTS. COUNTY OF NIAGARA, THIRD-PARTY PLAINTIFF-RESPONDENT, V INTER-COMMUNITY MEMORIAL HOSPITAL OF NEWFANE, INC., AND EASTERN NIAGARA HOSPITAL, INC., THIRD-PARTY DEFENDANTS-APPELLANTS. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SCUDDER, P.J., PERADOTTO, LINDLEY, SCONIERS, AND VALENTINO, JJ. (Filed Feb. 6, 2015.)

KAH 14-00109. -- THE PEOPLE OF THE STATE OF NEW YORK EX REL. FRANK GARCIA, PETITIONER-APPELLANT, V NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, RESPONDENT-RESPONDENT. -- Judgment unanimously affirmed. Counsel's motion to be relieved of assignment granted (see *People v Crawford*, 71 AD2d 38 [1979]). (Appeal from Judgment [denominated order] of Supreme Court, Wyoming County, Mark H. Dadd, A.J. - Habeas Corpus). PRESENT: SCUDDER, P.J., SMITH, VALENTINO, WHALEN, AND DEJOSEPH, JJ. (Filed Feb. 6, 2015.)