

**DAY CALENDAR**  
**Friday, February 27, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

316.0  
TP 14-01667

**BARBARA J. ARSENEAU**  
V  
**HOWARD ZUCKER**

**SETTLED**

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, Onondaga County [Anthony J. Paris, J.], entered September 9, 2014) to review a determination of respondent New York State Office of Temporary and Disability Assistance. The determination, among other things, adjudged that petitioner was not eligible under Medical Assistance for coverage of her nursing home expenses because she transferred assets for less than the fair market value.

**ANTHONY FRANK COPANI** for **BARBARA J. ARSENEAU**

**VICTOR PALADINO** for **HOWARD ZUCKER**

317.0  
KA 14-00973

**PEOPLE**  
V  
**MICHAEL A. GREENFIELD**

Appeal from a decision and order of the Jefferson County Court (Kim H. Martusewicz, J.), entered May 5, 2014. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

**PATRICK T. CHAMBERLAIN** for **MICHAEL A. GREENFIELD**

Submitted

**CINDY F. INTSCHERT** for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

318.0  
KA 12-00720

**PEOPLE**  
V  
**THEODORE MC MILLAN**

Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered October 4, 2011. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree, criminal possession of a weapon in the second degree and menacing in the second degree.

**BRYCE THERRIEN** for **THEODORE MC MILLAN**

Submitted

**MARIA MALDONADO** for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

319.0  
KA 14-00516

**PEOPLE**  
V  
**CODY MILLER**

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered January 10, 2014. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated and vehicular assault in the first degree.

**MARY-JEAN BOWMAN** for **CODY MILLER**

Submitted

**LAURA T. BITTNER** for **PEOPLE OF THE STATE OF NEW YORK**

Submitted

320.0  
KA 13-01459

PEOPLE  
V  
DERRICK R. RODDY

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered July 30, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the second degree

ROBERT L. KEMP for DERRICK R. RODDY

Submitted

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

Submitted

321.0  
KA 13-02061

PEOPLE  
V  
CLARENCE W. LOOMIS

Appeal from a judgment of the Oswego County Court (Walter W. Hafner, Jr., J.), rendered October 1, 2013. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree (two counts) and sexual abuse in the second degree.

RICHARD C. MITCHELL, JR., for CLARENCE W. LOOMIS

10 minutes

AMY LEIGH HALLENBECK for PEOPLE OF THE STATE OF NEW YORK

10 minutes

322.0  
KA 13-01489

PEOPLE  
V  
DANIEL J. BURNETT

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered May 23, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ROBERT L. KEMP for DANIEL J. BURNETT

10 minutes

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

5 minutes

323.0  
KA 13-01948

PEOPLE  
V  
JOHN R. CHRISLEY

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered September 3, 2013. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree (two counts) and endangering the welfare of a child.

NICHOLAS P. DIFONZO for JOHN R. CHRISLEY

10 minutes

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

10 minutes

324.0  
KA 10-01374

PEOPLE  
V  
TIMOTHY D. STRASSNER

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered May 10, 2010. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class E felony.

KIMBERLY F. DUGUAY for TIMOTHY D. STRASSNER

10 minutes

DANIEL A. GROSS for PEOPLE OF THE STATE OF NEW YORK

10 minutes

325.0  
CAF 14-01382

**JULIE W. JACOBSON**  
V  
**KEITH H. WILKINSON**

Appeal and cross appeal from an order of the Family Court Erie County (Paul G. Buchanan, J.), entered December 6, 2013, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted the parties joint child custody.

ANNETTE G. HASAPIDIS for JULIE W. JACOBSON 15 minutes

KATHRYN B. FRIEDMAN for KEITH H. WILKINSON 15 minutes

ELISABETH M. COLUCCI, ATTORNEY FOR CHILD 5 minutes

326.0  
CAF 13-01641

**In the Matter of**  
**ANTHONY C.S.**

Appeal from a second amended decision and order of the Family Court, Monroe County (John B. Gallagher, Jr., J.), entered September 5, 2013, in a proceeding pursuant to Social Services Law § 384-b. The second amended decision and order terminated the parental rights of respondent.

COURTNEY S. RADICK for JOSHUA S. 10 minutes

CAROL LYNN EISENMAN for MONROE COUNTY D.H.S. 5 minutes

FARES A. RUMI, ATTORNEY FOR CHILD 10 minutes

327.0  
CAF 13-01091

**In the Matter of**  
**MARTHA S.**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered May 20, 2013 in a proceeding pursuant to Family Court Act article 10. The order, among other things, placed the respondent under the supervision of the Department of Social Services.

KELIANN ARGY-ELNISKI for LINDA M.S. Submitted

PAULA A. CAMPBELL for GENESEE COUNTY D.S.S. 10 minutes

PAUL B. WATKINS, ATTORNEY FOR CHILD 10 minutes

328.0  
CA 14-00908

**GARY CHAMBERLAIN**  
V  
**MAC TRAILER MANUFACTURING, INC.**

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered January 14, 2014. The order denied the motion of defendant Custom Canvas Mfg., Co., Inc., for summary judgment dismissing the complaint.

C. CHRISTOPHER BRIDGE for CUSTOM CANVAS MFG. CO., INC. 10 minutes

PHYLISS A. HAFNER for MODERN DISPOSAL SERVICE, INC. 5 minutes

BRADLEY D. MARBLE for GARY CHAMBERLAIN 10 minutes

329.0  
CA 14-01464

**ELEANOR HEISLER**  
V  
**SAMARITAN KEEP HOME, INC.**

Appeal from an order of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered January 11, 2014. The order denied defendant Samaritan Keep Homes, Inc.'s motion for summary judgment.

	<b>JAMES W. CUNNINGHAM for SAMARITAN KEEP HOME, INC.</b>	<b>15 minutes</b>
	<b>AARON J. RYDER for ELEANOR HEISLER</b>	<b>10 minutes</b>
<b>330.0</b> <b>CA 14-01449</b>	<b>LAURIE R. MILLER</b> <b>V</b> <b>DORIS LUDWIG</b>	
	<b>Appeal from a decision and order of the Supreme Court, Steuben County (Joseph W. Latham, A.J.), entered March 28, 2014. The decision and order, insofar as appealed from, denied the motion of defendant Mary Morrison to dismiss the complaint.</b>	
	<b>TONIE M. FRANZESE for MARY MORRISON</b>	<b>15 minutes</b>
	<b>CHRISTOPHER SHAMBO for LAURIE R. MILLER</b>	<b>10 minutes</b>
<b>331.0</b> <b>CA 14-01426</b>	<b>MELBA STEWART</b> <b>V</b> <b>KENNETH G. DUNKLEMAN, JR.</b>	
	<b>Appeal and cross appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered June 30, 2014. The order denied the motion of defendants for summary judgment, granted the motion of plaintiff for leave to serve an amended bill of particulars and denied in part and granted in part the motion of plaintiff for summary judgment.</b>	
	<b>HOWARD ERIC BERGER for TOM GREENAUER DEVELOPMENT, INC.</b>	<b>15 minutes</b>
	<b>JOHN B. LICATA for MELBA STEWART</b>	<b>5 minutes</b>
<b>335.0</b> <b>CA 14-01705</b>	<b>JILL SAVAGE</b> <b>V</b> <b>KAREN BROWN</b>	
	<b>Appeals from an order of the Supreme Court, Erie County (Penny M. Wolfgang, J.), entered April 15, 2014. The order, insofar as appealed from, denied the motions of defendants Karen Brown and Tracy Brown for summary judgment.</b>	
	<b>RYON D. FLEMING for KAREN BROWN</b>	<b>15 minutes</b>
	<b>KATIE L. RENDA for TRACY BROWN</b>	<b>15 minutes</b>
	<b>BRITTANY A. NASRADINAJ for JILL SAVAGE</b>	<b>15 minutes</b>
<b>336.0</b> <b>CA 13-02231</b>	<b>RALPH GUERRUCCI</b> <b>V</b> <b>SCHOOL DISTRICT OF CITY OF NIAGARA</b>	
	<b>Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), entered October 24, 2013. The order denied the motion of plaintiff for summary judgment and granted the motion of defendant for summary judgment.</b>	
	<b>JONATHAN G. JOHNSEN for RALPH GUERRUCCI</b>	<b>15 minutes</b>
	<b>JAMES C. ROSCETTI for SCHOOL DISTRICT OF CITY OF NIAGARA</b>	<b>10 minutes</b>
<b>337.0</b> <b>CA 14-00751</b>	<b>RALPH GUERRUCCI</b> <b>V</b> <b>SCHOOL DISTRICT OF CITY OF NIAGARA</b>	

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), entered March 25, 2014. The order denied the motion to vacate an order entered October 24, 2013.

JONATHAN G. JOHNSEN for RALPH GUERRUCCI

Submitted

JAMES C. ROSCETTI for SCHOOL DISTRICT OF CITY OF NIAGARA

Submitted

338.0  
CA 14-01305

THOMAS J. TUDISCO

V

DAWNMARIE MINCER

Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered September 30, 2013. The order, insofar as appealed from, granted the motion of defendant to dismiss plaintiff's third and fourth causes of action.

STEVEN MARK BECKERMAN for THOMAS J. TUDISCO

10 minutes

MARK M. GREISBERGER for DAWNMARIE MINCER

10 minutes