

**DAY CALENDAR**  
**Monday, November 30, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1269.0  
TP 15-01020

**RALPH ALICIA**  
**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 June 11, 2015) 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 RALPH ALICIA Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI Submitted

1270.0  
KA 13-00167

**PEOPLE**  
**V**  
**TYRONE BRIGGS**

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered July 17, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree, robbery in the first degree and criminal possession of stolen property in the fourth degree.

PHILIP ROTHSCCHILD for TYRONE BRIGGS Submitted

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

1271.0  
KA 14-01061

**PEOPLE**  
**V**  
**DWAYNE HANDLEY**

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered April 8, 2014. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

JOSEPH G. FRAZIER for DWAYNE HANDLEY Submitted

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1272.0  
KA 14-01167

**PEOPLE**  
**V**  
**KENNETH GRAHAM, II**

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered April 3, 2014. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree.

EDWARD P. PERLMAN for KENNETH GRAHAM, II Submitted

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1273.0  
KA 14-00297

**PEOPLE**  
**V**  
**ELIZABETH A. WHITE**

Appeal from a judgment of the Chautauqua County Court (John T. Ward, J.), rendered January 27, 2014. The judgment convicted defendant, upon a nonjury verdict, of driving while intoxicated, a class D felony, and aggravated unlicensed operation of a motor vehicle in the first degree.

DONALD M. THOMPSON for ELIZABETH A. WHITE 10 minutes

ANDREW M. MOLITOR for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1274.0  
KA 14-00720

PEOPLE  
V  
KAWAUN VAUGHN

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered November 10, 2009. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

EVAN B. HANNAY for KAWAUN VAUGHN 10 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1276.0  
KA 14-01686

PEOPLE  
V  
MICHAEL LAYOU

Appeal from an amended judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered July 14, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

ROSS E. WEINGARTEN for MICHAEL LAYOU 10 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1277.0  
KA 15-00993

PEOPLE  
V  
STEPHEN KACZMAREK

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered December 17, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the second degree.

BRIAN J. HUTCHISON for STEPHEN KACZMAREK 5 minutes

DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1278.0  
KA 15-00997

PEOPLE  
V  
STEPHEN KACZMAREK

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered December 17, 2014. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

BRIAN J. HUTCHISON for STEPHEN KACZMAREK Submitted

DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1279.0  
KA 11-00451

PEOPLE  
V  
EDWARD J. GIBSON, JR.

Appeal from a judgment of the Monroe County Court (David D. Egan, J.), rendered October 29, 2009. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree (two counts), assault in the third degree and criminal contempt in the first degree.

KIMBERLY J. CZAPRANSKI for EDWARD J. GIBSON, JR.

10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1280.0  
CA 14-02236

**DIPIZIO CONSTRUCTION COMPANY, INC.**

**V**

**ERIE CANAL HARBOR DEVELOPMENT CORP.**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 3, 2014. The order denied plaintiff's motion for summary judgment and granted defendant's motion for summary judgment dismissing the complaint.

MICHAEL E. FERDMAN for DIPIZIO CONSTRUCTION COMPANY, INC.

15 minutes

PRATHIMA C. REDDY for ERIE CANAL HARBOR DEVELOPMENT CORP.

10 minutes

1281.0  
CA 14-02237

**DIPIZIO CONSTRUCTION COMPANY, INC.**

**V**

**ERIE CANAL HARBOR DEVELOPMENT CORP.**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered May 30, 2014. The order granted plaintiff's motion for leave to reargue its prior motion for summary judgment and upon reargument the court affirmed its prior decision and order.

MICHAEL E. FERDMAN for DIPIZIO CONSTRUCTION COMPANY, INC.

Submitted

PRATHIMA C. REDDY for ERIE CANAL HARBOR DEVELOPMENT CORP.

Submitted

1282.0  
CA 15-00742

**DIPIZIO CONSTRUCTION COMPANY, INC.**

**V**

**ERIE CANAL HARBOR DEVELOPMENT CORP.**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 21, 2015. The order, among other things, denied plaintiff's motion to renew its prior motion for summary judgment.

MICHAEL E. FERDMAN for DIPIZIO CONSTRUCTION COMPANY, INC.

Submitted

PRATHIMA C. REDDY for ERIE CANAL HARBOR DEVELOPMENT CORP.

Submitted

1283.0  
CA 15-00863

**CARLA M. MANCUSO**

**V**

**MICHAEL D. MANCUSO**

Appeal from an order of the Supreme Court, Monroe County (Elma A. Bellini, J.), entered December 22, 2014 in a divorce action. The order, insofar as appealed from, determined the child support obligation of defendant.

DONALD A. WHITE for MICHAEL D. MANCUSO

10 minutes

JENNIFER LEE FAZIO for CARLA M. MANCUSO

10 minutes

1284.0  
CA 14-01035

**JANET M. IZZO**

**V**

**NEW YORK STATE DEPARTMENT OF HEALTH**

Appeal and cross appeal from a judgment (denominated order and judgment) of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered May 29, 2014 in a proceeding pursuant to CPLR article 78. The judgment, among other things, directed petitioner to accept respondents' verified answer

VICTOR PALADINO for NEW YORK STATE DEPARTMENT OF HEALTH

10 minutes

JANET M. IZZO for HERSELF

10 minutes

1285.0  
CA 15-00782

TONYA TIEDE

**SETTLED**

V

DAYSTAR TRADING & VENTURES, LLC

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered August 20, 2014. The order, insofar as appealed from, denied the motion of defendant Daystar Trading & Ventures, LLC, for summary judgment dismissing the complaint.

BRADLEY A. HOPPE for DAYSTAR TRADING & VENTURES, LLC

PAUL B. BECKER for TONYA TIEDE

1286.0  
CA 15-00899

TOWN OF PARIS

V

MARK PIRGER

Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered September 24, 2014. The order and judgment, insofar as appealed from, denied plaintiff a preliminary injunction.

STUART E. FINER for TOWN OF PARIS

15 minutes

ANN W. MANION for MARK PIRGER

10 minutes

1287.0  
TP 15-00834

ELAINE D. FISHER

V

ADMINISTRATIVE APPEALS BD OF NYS DMV

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Erie County [Diane Y. Devlin, J.], entered April 10, 2015) to review a determination of respondent Administrative Appeals Board of New York State Department of Motor Vehicles. The determination dismissed petitioner's administrative appeal and denied petitioner's request to stay an order of the New York State Department of Motor Vehicles, which suspended her driver's license.

ROBERT D. STRASSEL for ELAINE D. FISHER

Submitted

OWEN DEMUTH for ADMINISTRATIVE APPEALS BD OF NYS DMV

Submitted

1288.0  
CA 14-01930

GARY PALUMBO

V

LAUREN PALUMBO

Appeal from a judgment of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered December 31, 2013. The judgment, among other things, granted plaintiff a divorce.

MICHAEL A. ROSENHOUSE for GARY PALUMBO

15 minutes

KIMBERLY CAMPBELL for LAUREN PALUMBO

15 minutes

1289.0  
CA 14-01931

**GARY PALUMBO**  
**V**  
**LAUREN PALUMBO**

Appeal from an order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered May 29, 2014. The order, among other things, adjudged that if the marital residence is not refinanced within 90 days of the date of the Judgment of Divorce, the marital residence is to be sold in conformance with the parties' stipulation and that plaintiff is entitled to an automatic stay upon the filing of an undertaking.

**MICHAEL A. ROSENHOUSE** for **GARY PALUMBO**

Submitted

**KIMBERLY CAMPBELL** for **LAUREN PALUMBO**

Submitted

1290.0  
CA 15-00908

**J.N.K. MACHINE CORPORATION**  
**V**  
**TBW, LTD.**

Appeal from an order of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered September 16, 2014. The order granted the motion of third-party defendant Bart Schuver for summary judgment dismissing the third-party complaint as against him.

**PAUL V. WEBB, JR.,** for **TBW, LTD.**

15 minutes

**CHARLES S. DEANGELO** for **BART SCHUVER**

15 minutes

1291.0  
CA 15-00444

**THE HOUSE OF THE GOOD SHEPHERD**  
**V**  
**HENRY S. LEHR, INC.**

Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered December 9, 2014. The order and judgment, insofar as appealed from, granted the motion of defendants for summary judgment and dismissed the sixth amended complaint.

**VINCENT J. ROSSI, JR.,** for **THE HOUSE OF THE GOOD SHEPHERD**

15 minutes

**DANIEL W. COFFEY** for **HENRY S. LEHR, INC.**

15 minutes

1292.0  
CA 15-00184

**ENGASSER CONSTRUCTION CORPORATION**  
**V**  
**DRYDEN MUTUAL INSURANCE COMPANY**

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered September 22, 2014. The order granted the motion of plaintiff for summary judgment, denied the cross motion of defendant for summary judgment and declared that defendant owes plaintiff defense and indemnification in the matter of Craft v Engasser Construction Corporation.

**ANTHONY J. PIAZZA** for **DRYDEN MUTUAL INSURANCE COMPANY**

10 minutes

**ANDREW D. MERRICK** for **ENGASSER CONSTRUCTION CORPORATION**

10 minutes

**DAY CALENDAR**  
**Monday, November 30, 2015 - 10:00 AM**  
**COURTROOM 2**

1293.0  
KA 09-01271

**PEOPLE**  
**V**  
**GERALD GIBSON**

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.) rendered March 17, 2009. The appeal was held by this Court by order entered November 14, 2014, decision was reserved and the matter was remitted to Supreme Court, Erie County, for further proceedings (122 AD3d 1331). The case was held and completed.

**BARBARA J. DAVIES for GERALD GIBSON**

**Submitted**

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

**Submitted**

1294.0  
KA 09-01300

**PEOPLE**  
**V**  
**GERALD GIBSON**

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.) rendered March 17, 2009. The appeal was held by this Court by order entered November 14, 2014, decision was reserved and the matter was remitted to Supreme Court, Erie County, for further proceedings (122 AD3d 1332). The case was held and completed.

**BARBARA J. DAVIES for GERALD GIBSON**

**Submitted**

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

**Submitted**

**DAY CALENDAR**  
**Tuesday, December 1, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1295.0  
TP 15-01019

**DEMETRIUS LOVING**  
**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 June 11, 2015) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

**ADAM W. KOCH for DEMETRIUS LOVING**

**Submitted**

**ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI**

**Submitted**

1296.0  
KA 14-00611

**PEOPLE**  
**V**  
**JON H. BUSH, JR.**

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered November 13, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree (two counts).

**SUSAN C. MINISTERO for JON H. BUSH, JR.**

**Submitted**

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

**Submitted**

1297.0  
KA 14-00125

**PEOPLE**  
**V**  
**TYSHAWN S. PARKER**

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered January 3, 2014. The judgment convicted defendant, upon his plea of guilty, of kidnapping in the second degree, attempted assault in the first degree, assault in the second degree (two counts), criminal possession of a weapon in the third degree (two counts) and strangulation in the second degree (two counts).

**MARY P. DAVISON for TYSHAWN S. PARKER**

**Submitted**

**R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

1298.0  
KA 15-00273

**PEOPLE**  
**V**  
**JENNIFER K. KENNARD**

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered February 5, 2015. The judgment convicted defendant, after a nonjury trial, of rape in the second degree (six counts), rape in the third degree (two counts) and endangering the welfare of a child.

**JOSEPH D. WALDORF for JENNIFER K. KENNARD**

**10 minutes**

**SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK**

**10 minutes**

1299.0  
KA 14-01663

**PEOPLE**  
**V**  
**DEANNA M. MRZYGUT**

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered June 6, 2014. The judgment convicted defendant, upon her plea of guilty, of driving while intoxicated, a class E felony.

JOSEPH G. FRAZIER for DEANNA M. MRZYGUT

Submitted

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1300.0  
KA 14-00889

PEOPLE  
V  
SHAQUAR PRATCHER

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered May 14, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, burglary in the first degree (two counts) and criminal possession of a weapon in the second degree.

BARBARA J. DAVIES for SHAQUAR PRATCHER

10 minutes

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

10 minutes

1301.0  
KA 12-00569

PEOPLE  
V  
GUILLERMO TORRES, III

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered November 21, 2011. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree and assault in the first degree.

BRIDGET L. FIELD for GUILLERMO TORRES, III

10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1302.0  
KA 14-00841

PEOPLE  
V  
MYLES D. TAYLOR

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered April 28, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and criminal possession of a weapon in the second degree.

SHERRY A. CHASE for MYLES D. TAYLOR

10 minutes

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1303.0  
KA 11-00637

PEOPLE  
V  
LUIS P. ACOSTA

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered March 15, 2011. The judgment convicted defendant, upon a jury verdict, of attempted criminal sexual act in the first degree.

BRIDGET L. FIELD for LUIS P. ACOSTA

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1304.0  
KA 11-01536

PEOPLE  
V  
KEITH JACKSON

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered June 1, 2011. The judgment convicted defendant, after a nonjury trial, of criminal possession of a weapon in the second degree, criminal possession of a weapon in the third degree, criminal possession of a weapon in the fourth degree and unlawful possession of marihuana.

WILLIAM G. PIXLEY for KEITH JACKSON

Submitted

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

Submitted

1305.0  
CA 15-00978

MARK A. LEO

V

NEW YORK CENTRAL MUTUAL FIRE INS.

Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered November 4, 2014. The order and judgment granted the motion of defendant for summary judgment, dismissed the complaint and denied the cross motion of plaintiff for summary judgment.

ANTHONY ALEXANDER MURAD for MARK A. LEO

10 minutes

PAUL A. HURLEY for NEW YORK CENTRAL MUTUAL FIRE INS.

15 minutes

1306.0  
CA 15-00965

WELLS FARGO BANK, N.A.

V

MAKOTO WATANABE

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered August 27, 2013. The order denied the motion of plaintiff to substitute an affidavit of merit and dismissed the complaint.

KATERINA M. KRAMARCHYK for WELLS FARGO BANK, N.A.

10 minutes

MAKOTO WATANABE for MAKOTO WATANABE

Submitted

ERIC T. SCHNEIDERMAN for PEOPLE OF THE STATE OF NY

Submitted

1307.0  
CA 15-00875

AMY MECH

V

UNITED CEREBRAL PALSY & HANDICAPPED

Appeal and cross appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered August 12, 2014. The order, among other things, granted defendants' motion for summary judgment.

JEAN MARIE WESTLAKE for AMY MECH

15 minutes

BRENDAN FITZPATRICK for UNITED CEREBRAL PALSY & HANDICAPPED

10 minutes

JAMES P. MCELHENY for MASON CORPORATION

15 minutes

1308.0  
CA 14-02056

GARY CHAMBERLAIN

V

MODERN DISPOSAL SERVICE, INC.

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered September 4, 2014. The order, among other things, denied the motion of defendant Modern Disposal Service Inc. for summary judgment dismissing plaintiff's complaint as well as all cross claims with prejudice.

PHYLISS A. HAFNER for MODERN DISPOSAL SERVICE, INC.

15 minutes

	BRADLEY D. MARBLE for GARY CHAMBERLAIN	15 minutes
	MANUEL S. BORJA for CUSTOM CANVAS MFG. CO., INC.	15 minutes
1309.0 CA 14-02058	<b>GARY CHAMBERLAIN</b> V <b>MODERN DISPOSAL SERVICE, INC.</b>	
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered October 8, 2014. The order, among other things, denied in part the motion of defendant Modern Disposal Service, Inc. to reargue.	
	PHYLISS A. HAFNER for MODERN DISPOSAL SERVICE, INC.	Submitted
	BRADLEY D. MARBLE for GARY CHAMBERLAIN	Submitted
	MANUEL S. BORJA for CUSTOM CANVAS MFG. CO., INC.	Submitted
1310.0 CA 15-01031	<b>SANTOKH S. BADESHA</b> V <b>PARMINDER S. SOCH</b>	
	Appeal and cross appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered November 14, 2014. The order, inter alia, declared that the Board of Trustees of Gurudwara of Rochester is lawfully constituted and that its ability to manage and control Gurudwara of Rochester properties may not be interfered with by others.	
	MICHAEL JOSEPH MASINO for PARMINDER S. SOCH	15 minutes
	WARREN B. ROSENBAUM for SANTOKH S. BADESHA	15 minutes
1312.0 CA 14-02054	<b>JAMES L. WAGNER</b> V <b>ELIZABETH A. WAGNER</b>	
	Appeal from a judgment of the Supreme Court, Livingston County (Robert B. Wiggins, A.J.), entered January 17, 2014 in a divorce action. The judgment, inter alia, equitably distributed the marital assets and liabilities of the parties.	
	DAVID M. ABBATOY, JR., for ELIZABETH A. WAGNER	10 minutes
	EMILIO COLAIACOVO for JAMES L. WAGNER	10 minutes
1313.0 CA 15-00967	<b>TINA BOUNDS</b> V <b>VILLAGE OF CLIFTON SPRINGS ZONING BOARD</b>	
	Appeal from a judgment (denominated order and judgment of the Supreme Court, Ontario County (Craig J. Doran, A.J.), entered January 29, 2015 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.	
	RONALD G. HULL for TINA BOUNDS	15 minutes
	MARY JO KORONA for VILLAGE OF CLIFTON SPRINGS ZONING BOARD	15 minutes
1314.0 CA 15-00177	<b>COMPTROLLER OF STATE OF NEW YORK</b> V <b>LEVEL ACRES LLC</b>	

Appeal from an order of the Supreme Court, Allegany County (Thomas P. Brown, A.J.), entered August 6, 2014. The order denied the motion of plaintiff for summary judgment.

FRANCIS J. SMITH for COMPTROLLER OF STATE OF NEW YORK

10 minutes

EDWARD PEKAREK for LEVEL ACRES LLC

10 minutes

1315.0  
CA 15-00178

COMPTROLLER OF STATE OF NEW YORK  
V  
LEVEL ACRES LLC

Appeal from an order of the Supreme Court, Allegany County (Thomas P. Brown, A.J.), entered November 6, 2014. The order denied the motion of plaintiff for summary judgment.

FRANCIS J. SMITH for COMPTROLLER OF STATE OF NEW YORK

Submitted

EDWARD PEKAREK for LEVEL ACRES LLC

Submitted

1316.0  
CA 15-00962

JANE DOE  
V  
ROCHESTER CITY SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered August 19, 2014. The order, among other things, denied plaintiffs' motion for leave to amend their verified notice of claim.

JENNIFER A. LUNSFORD for JANE DOE

15 minutes

MICHAEL E. DAVIS for ROCHESTER CITY SCHOOL DISTRICT

10 minutes

1317.0  
CA 15-00781

TIMOTHY C. LONG  
V  
GENE C. TINGUE

Appeals from a judgment of the Supreme Court, Cattaraugus County (Michael L. Nenno, A.J.), entered February 13, 2015. The judgment awarded plaintiff money damages in the amount of \$5,581.91.

ROBERT D. STRASSEL for TIMOTHY C. LONG

Submitted

GENE C. TINGUE for HIMSELF

Submitted

1318.0  
CA 14-01447

DEXTER BOSTIC  
V  
ANTHONY ANNUCCI

Appeal from an order of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered on June 11, 2014 in a proceeding pursuant to CPLR article 78. The order dismissed the petition.

ADAM W. KOCH for DEXTER BOSTIC

Submitted

PETER H. SCHIFF for ANTHONY ANNUCCI

Submitted

**DAY CALENDAR**  
**Tuesday, December 1, 2015 - 10:00 AM**  
**COURTROOM 2**

1319.0  
KA 10-01432

**PEOPLE**  
**V**

**CHARLES M. THOMAS, SR.**

Appeal from a judgment of the Supreme Court, Monroe County (Frank P. Geraci, Jr., A.J.), rendered April 21, 2010. The judgment convicted defendant, upon a jury verdict, of robbery in the third degree.

**DAVID R. JUERGENS** for **CHARLES M. THOMAS, SR.**

**Submitted**

**NANCY GILLIGAN** for **THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

**DAY CALENDAR**  
**Wednesday, December 2, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1320.0  
TP 15-01028

**JAMES ADAMS**  
**V**  
**DALE ARTUS**

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 [Penny M. Wolfgang, J.], entered September 4, 2014) to review a determination of respondents. The determination found after a tier III hearing that petitioner had violated various inmate rules.

**JAMES ADAMS for HIMSELF**

Submitted

**ERIC T. SCHNEIDERMAN for DALE ARTUS**

Submitted

1321.0  
KA 11-00709

**PEOPLE**  
**V**  
**DWIGHT FOWLER**

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered March 9, 2010. The judgment convicted defendant, upon his plea of guilty, of kidnapping in the second degree, criminal sexual act in the first degree and robbery in the second degree.

**MARK C. DAVISON for DWIGHT FOWLER**

Submitted

**STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK**

Submitted

1322.0  
KA 14-00476

**PEOPLE**  
**V**  
**JEFFREY WILLIAMS**

Appeal from a judgment of the Wayne County Court (John B. Nesbitt, J.), rendered February 13, 2014. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a misdemeanor.

**JASON J. BOWMAN for JEFFREY WILLIAMS**

Submitted

**BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK**

Submitted

1324.0  
KA 13-01807

**PEOPLE**  
**V**  
**ANTHONY KING**

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered July 12, 2010. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree.

**EVAN B. HANNAY for ANTHONY KING**

Submitted

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

Submitted

1325.0  
KA 11-01594

**PEOPLE**  
**V**  
**ANEUDI VASQUEZ**

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered June 27, 2011. The judgment convicted defendant, upon a jury verdict, of attempted burglary in the second degree and attempted criminal trespass in the second degree.

JAMES ECKERT for ANEUDI VASQUEZ 10 minutes

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

1326.0  
KA 14-02038

PEOPLE  
V  
SUSAN M. CALLAHAN

Appeal from a judgment of the Steuben County Court (Marianne Furfure, A.J.), rendered March 28, 2014. The judgment revoked a sentence of probation and imposed a sentence of imprisonment.

NELSON S. TORRE for SUSAN M. CALLAHAN 10 minutes

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1327.0  
KA 14-01139

PEOPLE  
V  
CHRISTOPHER ANNIS

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from a decision and of the Allegany County Court (Thomas P. Brown, J.), entered May 21, 2014. The order denied the motion of defendant pursuant to CPL article 440.

JANINE C. FODOR for CHRISTOPHER ANNIS 10 minutes

ERIC SCHIENER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1328.0  
KA 12-00608

PEOPLE  
V  
EMANUEL B. INMAN

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered January 18, 2012. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree (two counts), criminal possession of a weapon in the second degree (two counts) and reckless endangerment.

DAVID R. JUERGENS for EMANUEL B. INMAN 10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1329.0  
KA 12-00099

PEOPLE  
V  
DARIUS R. BURKE-WELLS

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered November 9, 2011. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

MARK C. DAVISON for DARIUS R. BURKE-WELLS 10 minutes

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

1330.0  
KA 11-01595

PEOPLE  
V  
ANEUDI VASQUEZ



Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered November 14, 2014. The order, among other things, denied the motion of defendant Tank Industry Consultants Inc. to reargue and/or renew its motion for summary judgment.

STEPHEN A. DAVOLI for TANK INDUSTRY CONSULTANTS, INC.

ROBERT A. QUATTROCCI for JUSTIN COFFEE

1336.0  
CA 15-00881

LLOYD PICHE  
V  
SYNERGY TOOLING SYSTEMS, INC.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered August 13, 2014. The order, among other things, denied the motion of defendant N. Choops Painting and Decorating, Inc. for summary judgment dismissing plaintiff's complaint and any cross claims against it.

AARON M. ADOFF for N. CHOOPS PAINTING AND DECORATING

15 minutes

ROBERT E. SCOTT for SYNERGY TOOLING SYSTEMS, INC.

15 minutes

RUSSELL T. QUINLAN for LLOYD PICHE

10 minutes

1337.0  
CA 14-01184

JEROME S. DENNIS  
V  
CLARKE E. MASSEY

Appeal from a judgment of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered March 25, 2014. The judgment entered a no cause of action in favor of defendants as against plaintiff and awarded defendants costs and disbursements.

TIMOTHY G. O'CONNELL for JEROME S. DENNIS

15 minutes

VICKY-MARIE BRUNETTE for CLARKE E. MASSEY

15 minutes

1338.0  
CA 14-01185

JEROME S. DENNIS  
V  
CLARKE E. MASSEY

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered May 8, 2014. The order denied plaintiff's renewed request for a directed verdict and denied plaintiff's motion to set aside the verdict as against the weight of the evidence.

TIMOTHY G. O'CONNELL for JEROME S. DENNIS

Submitted

VICKY-MARIE BRUNETTE for CLARKE E. MASSEY

Submitted

1339.0  
CA 15-00518

LUZ ALVARADO  
V  
WEGMANS FOOD MARKETS, INC.

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered January 5, 2015. The order granted the motion of defendant for summary judgment and dismissed the complaint.

MATTHEW J. KAISER for LUZ ALVARADO

15 minutes

AMANDA B. BURNS for WEGMANS FOOD MARKETS, INC.

15 minutes

1340.0  
CA 15-00297

**MARY DELUCA**  
**V**  
**TONAWANDA COKE CORPORATION**

Appeal from an order of the Supreme Court, Erie County (Paula L. Feroletto, J.), entered January 7, 2015. The order, inter alia, denied the motion of defendants to dismiss plaintiffs' class allegations.

HUGH M. RUSS for TONAWANDA COKE CORPORATION 15 minutes

ALFRED M. ANTHONY for MARY DELUCA 15 minutes

1341.0  
CA 15-00298

**MARY DELUCA**  
**V**  
**TONAWANDA COKE CORPORATION**

Appeal from an order of the Supreme Court, Erie County (Paula L. Feroletto, J.), entered January 7, 2015. The order, inter alia, granted the motion of plaintiffs for class certification.

HUGH M. RUSS for TONAWANDA COKE CORPORATION Submitted

ALFRED M. ANTHONY for MARY DELUCA Submitted

1342.0  
CA 15-00460

**ALEX C. MILLER**  
**V**  
**KIRK HOWARD**

Appeals from an order and judgment (one paper) of the Supreme Court, Cattaraugus County (Paula L. Feroletto, J.), entered May 20, 2014. The order and judgment granted the motion of defendant County of Cattaraugus for summary judgment and dismissed the complaint and all cross claims against it.

CAREY C. BEYER for ALEX C. MILLER 15 minutes

WILLIAM KEVIN KENNEDY for AMORE'S USED CARS & REPAIRS, INC. 10 minutes

VINCENT G. SACCOMANDO for COUNTY OF CATTARAUGUS 10 minutes

1343.0  
TP 14-02071

**PAMELA G. FERRIS**  
**V**  
**NEW YORK STATE DMV APPEALS BOARD**

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, Oneida County [David A. Murad, J.], entered November 10, 2014) to vacate and annul the determination of respondent. The determination revoked the motor vehicle license of petitioner.

MARK C. CURLEY for PAMELA G. FERRIS Submitted

VICTOR PALADINO for NEW YORK STATE DMV APPEALS BOARD Submitted

**DAY CALENDAR**  
**Wednesday, December 2, 2015 - 10:00 AM**  
**COURTROOM 2**

1344.0  
KA 11-01476

**PEOPLE**  
**V**  
**LARON ROBINSON**

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered May 23, 2011. The appeal was held by this Court by order entered November 14, 2014, decision was reserved and the matter was remitted to Onondaga County Court for further proceedings (122 AD3d 1282). The proceedings were held and completed.

**PIOTR BANASIAK for LARON ROBINSON**

**Submitted**

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

**Submitted**

**DAY CALENDAR**  
**Thursday, December 3, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1345.0  
TP 15-00842

**KWESI NOBLE**  
**V**  
**ANTHONY ANNUCCI**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered May 13, 2014) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for KWESI NOBLE

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

1346.0  
TP 15-01021

**MICHAEL SENNON**  
**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.], dated June 10, 2015) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated an inmate rule.

NORMAN P. EFFMAN for MICHAEL SENNON

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

1347.0  
KA 12-00686

**PEOPLE**  
**V**  
**TERRANCE HOBBS**

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered February 9, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ERIC M. DOLAN for TERRANCE HOBBS

Submitted

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1348.0  
KA 10-02346

**PEOPLE**  
**V**  
**ERIC W. JOHNSON**

Appeal from a judgment of the Supreme Court, Monroe County (Joseph D. Valentino, J.), rendered November 4, 2010. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, assault in the first degree (two counts) and endangering the welfare of a child (two counts).

KATHLEEN P. REARDON for ERIC W. JOHNSON

10 minutes

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

10 minutes

1349.0  
KA 13-01615

**PEOPLE**  
**V**  
**REGINALD BOYKINS**

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered June 10, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree and criminal sale of a controlled substance in the third degree.

JOHN A. CIRANDO for REGINALD BOYKINS 10 minutes

MEGAN P. DADD for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1350.0  
KA 12-00909

**PEOPLE**  
**V**  
**TIMOTHY D. BROOMFIELD**

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered March 14, 2012. The judgment convicted defendant, upon a nonjury verdict, of assault in the second degree and robbery in the first degree.

JAMES A. HOBBS for TIMOTHY D. BROOMFIELD 10 minutes

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1351.0  
KA 11-02443

**PEOPLE**  
**V**  
**CALVIN K. JOHNSON**

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered October 6, 2011. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, criminal possession of a weapon in the second degree (two counts) and criminal possession of a weapon in the third degree.

WILLIAM G. PIXLEY for CALVIN K. JOHNSON 10 minutes

GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1352.0  
KA 15-00249

**PEOPLE**  
**V**  
**TAYLOR D. CARBONARO**

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered January 27, 2015. The judgment convicted defendant, upon a jury verdict, of manslaughter in the second degree, vehicular manslaughter in the second degree, driving while intoxicated, a misdemeanor (two counts) and reckless driving

DAVID M. ABBATOY, JR., for TAYLOR D. CARBONARO 15 minutes

LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

1353.0  
KA 15-00783

**PEOPLE**  
**V**  
**SALVATORE STRAUSS**

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered February 26, 2014. The judgment convicted defendant, upon a nonjury verdict, of aggravated unlicensed operation of a motor vehicle in the first degree and driving while ability impaired.

MICHAEL STEINBERG for SALVATORE STRAUSS 10 minutes

1354.0 KA 14-00788	<p><b>DANIEL A. GROSS</b> for THE PEOPLE OF THE STATE OF NEW YORK</p> <p><b>PEOPLE</b> V <b>MICHAEL HECKERMAN</b></p> <p>Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered January 28, 2014. The judgment convicted defendant, upon his plea of guilty, of promoting prison contraband in the first degree.</p>	10 minutes
	<p><b>STEVEN D. SESSLER</b> for MICHAEL HECKERMAN</p> <p><b>JOSHUA TONRA</b> for THE PEOPLE OF THE STATE OF NEW YORK</p>	10 minutes 5 minutes
1355.0 KAH 14-01542	<p><b>PEOPEL EX REL.</b> <b>ALEX NANCE</b> V <b>NYS DEPARTMENT OF CORRECTIONS</b></p> <p>Appeal from an order of the Supreme Court, Wyoming County (Michael M. Mohun, J.), entered July 14, 2015. The order denied the petition for a writ of habeas corpus.</p>	
	<p><b>NORMAN P. EFFMAN</b> for ALEX NANCE</p> <p><b>ERIC T. SCHNEIDERMAN</b> for NYS DEPARTMENT OF CORRECTIONS</p>	Submitted Submitted
1356.0 CAF 14-01002	<p><b>MARIA M. GUILLERMO</b> V <b>DOMINGO A. AGRAMONTE</b></p> <p>Appeals from an order of the Supreme Court, Oneida County (Julia M. Brouillette, R.), entered May 8, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded Domingo A. Agramonte full custody of the subject children.</p>	
	<p><b>CARA A. WALDMAN</b> for MARIA M. GUILLERMO</p> <p><b>PAUL M. DEEP</b> for DOMINGO A. AGRAMONTE</p> <p><b>STEPHANIE N. DAVIS, ATTORNEY FOR CHILD</b></p>	10 minutes 5 minutes 5 minutes
1357.0 CAF 14-01768	<p><b>In the Matter of</b> <b>JERIKKOH W.</b></p> <p>Appeal from an order of the Family Court, Ontario County (Craig J. Doran, J.), entered March 20, 2014, in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, terminated the parental rights of respondent.</p>	
	<p><b>CARA A. WALDMAN</b> for REBECCA W.</p> <p><b>HOLLY AMY ADAMS</b> for ONTARIO CO. DSS</p> <p><b>SONALI R. SUVVARU, ATTORNEY FOR CHILD</b></p>	10 minutes 10 minutes 10 minutes
1358.0 CAF 14-01236	<p><b>In the Matter of</b> <b>MAKIA S.</b></p> <p>Appeal from an order of the Family Court, Wyoming County (Michael M. Mohun, J.), entered June 18, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, transferred guardianship and custody of the subject child to petitioner.</p>	

	ALAN BIRNHOLZ for CATHERINE S.	Submitted
	WENDY S. SISSON for WYOMING CO. DSS	Submitted
	PAMELA THIBODEAU, ATTORNEY FOR CHILD	Submitted
1359.0 CA 15-01016	<b>BROCKPORT STUDENT GOVERNMENT</b> V <b>STATE UNIVERSITY OF NY AT BROCKPORT</b>	
	Appeal an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered August 15, 2014 in a proceeding pursuant to CPLR article 78. The order granted the petition in part.	
	JONATHAN D. HITSOUS for STATE UNIVERSITY OF NY AT BROCKPORT	10 minutes
	CHRISTIAN VALENTINO for BROCKPORT STUDENT GOVERNMENT	15 minutes
1360.0 CA 15-00790	<b>MARY PINTER</b> V <b>TOWN OF JAVA</b>	
	Appeal from an order of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered April 16, 2015. The order, insofar appealed from, denied the motion of defendants Town of Java and Java Highway Department for summary judgment dismissing the complaint.	
	RYAN G. SMITH for TOWN OF JAVA	15 minutes
	JOHN A. COLLINS for MARY PINTER	15 minutes
1361.0 CA 15-00458	<b>JPMORGAN CHASE BANK, NATIONAL ASSOC.</b> V <b>CHRISTINA BUSSONE</b>	
	Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered July 16, 2014. The order, among other things, granted plaintiff's motion for summary judgment.	
	SUSAN J. CIVIC for CHRISTINA BUSSONE	Submitted
	JOHN A. CIRANDO for JPMORGAN CHASE BANK, NATIONAL ASSOC.	10 minutes
1362.0 CA 15-00891	<b>PRESBYTERIAN HOME FOR CENTRAL N.Y.</b> V <b>MICHELLE GOREA THOMPSON</b>	
	Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered February 13, 2015. The order granted in part the motion of plaintiff to compel disclosure and for summary judgment and denied the motion of defendant Michelle Gorea Thompson for summary judgment.	
	RALPH W. FUSCO for MICHELLE GOREA THOMPSON	15 minutes
	JAY G. WILLIAMS, III, for PRESBYTERIAN HOME FOR CENTRAL N.Y.	15 minutes
1363.0 CA 14-01860	<b>KAREN COLLINS</b> V <b>MILLENNIUM DEVELOPMENT, LLC</b>	

Appeals and cross appeals from an order of the Supreme Court, Oneida County Patrick F. MacRae, J.), entered December 26, 2013. The order, among other things, denied plaintiff's motion for summary judgment, denied in part defendants' motion for summary judgment, denied in part third-party defendant's motion for summary judgment, and denied fourth-party defendant's motion for summary judgment.

JOHN CHERUNDOLO for KAREN COLLINS 15 minutes

DANIEL P. FLETCHER for MILLENNIUM DEVELOPMENT, LLC 10 minutes

ANTHONY R. BRIGHTON for JOSEPH BARONE CONSTRUCTION CORP. 15 minutes

MEGHAN BROWN for SUPERIOR STEEL, INC. 15 minutes

1364.0  
CA 15-00057

**MAURICE MCMILLIAN**  
V  
**MIMEAUX BURDEN**

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered March 17, 2014. The order, among other things, granted the plaintiffs' motions to set aside the jury verdicts.

SEAN M. SPENCER for JAMES E. GRANT 15 minutes

PAUL J. VACCA, JR., for MAURICE MCMILLIAN 15 minutes

DAVID SCOTT STERN for MIMEAUX BURDEN 10 minutes

1365.0  
CA 15-00819

**MARJORIE E. BERNARD**  
V  
**DIANE B. SPEAR**

Appeal from an order of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered March 3, 2015. The order granted defendant's motion for summary judgment dismissing plaintiff's complaint.

ROBERT A. QUATROCCI for MARJORIE E. BERNARD 15 minutes

NICOLE MARLOW-JONES for DIANE B. SPEAR 15 minutes

1365.1  
CAF 14-02042

**PATRICIA MILLER**  
V  
**SHYNEKA MCCOWN-HALL**

Appeal from an order of the Family Court, Erie County (Paul G. Buchanan, J.H.O.), entered October 30, 2014, in a proceeding pursuant to Family Court Act article 6. The order granted the petition for visitation.

DEBORAH J. SCINTA for SHYNEKA MCCOWN-HALL 5 minutes

PATRICIA MILLER for HERSELF Submitted

RONALD M. CINELLI, ATTORNEY FOR CHILD 5 minutes

**DAY CALENDAR**  
**Thursday, December 3, 2015 - 10:00 AM**  
**COURTROOM 2**

1366.0  
KA 12-00210

**PEOPLE**  
**V**  
**KEVIN M. MINEMIER**

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered January 20, 2012. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree, assault in the first degree (two counts) and assault in the second degree.

**DONALD M. THOMPSON** for **KEVIN M. MINEMIER**

**Submitted**

**LEAH R. MERVINE** for **THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

**DAY CALENDAR**  
**Monday, December 7, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1368.0  
KA 14-01975

**PEOPLE**  
**V**  
**DAVID M. DAVEY**

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered March 25, 2014. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree.

CHARLES A. MARANGOLA for DAVID M. DAVEY Submitted

BRIAN THOMAS LEEDS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1369.0  
KA 14-02089

**PEOPLE**  
**V**  
**DAVID M. DAVEY**

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered March 25, 2014. The judgment convicted defendant, upon a jury verdict, of promoting prison contraband in the first degree.

CHARLES A. MARANGOLA for DAVID M. DAVEY Submitted

BRIAN THOMAS LEEDS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1370.0  
KA 13-01198

**PEOPLE**  
**V**  
**JAMES LINDSAY, III**

Appeal from a judgment of the Chautauqua County Court (John L. LaMancuso, J.), rendered June 13, 2013. The judgment convicted defendant, upon his plea of guilty, of reckless endangerment in the first degree, reckless endangerment in the second degree, unlawful fleeing a police officer in the third degree, resisting arrest and driving while intoxicated, a misdemeanor.

LYLE T. HAJDU for JAMES LINDSAY, III 5 minutes

JOSEPH M. CALIMERI for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1371.0  
KA 14-00380

**PEOPLE**  
**V**  
**HENRY S. SPENCER, IV**

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered January 13, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree (two counts).

SUSAN C. MINISTERO for HENRY S. SPENCER, IV Submitted

AMBER KERLING for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1372.0  
KA 14-00322

**PEOPLE**  
**V**  
**MARK W. UTLEY**

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered October 24, 2013. The judgment convicted defendant, upon a jury verdict, of endangering the welfare of a child.

	NICHOLAS P. DIFONZO for MARK W. UTLEY	5 minutes
	LORI PETTIT RIEMAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1373.0 KA 12-01600	<b>PEOPLE</b> V <b>MARK A. SMITH</b>	
	Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered May 30, 2012. The judgment convicted defendant, upon a plea of guilty, of criminal possession of a controlled substance in the third degree and criminal possession of a controlled substance in the fourth degree.	
	JEREMEY PETERMAN for MARK A. SMITH	10 minutes
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1374.0 KA 08-02459	<b>PEOPLE</b> V <b>ANGEL CRUZ</b>	
	Appeal from a judgment of the Monroe County Court (Richard A. Keenan, J.), rendered September 25, 2008. The judgment convicted defendant, upon a jury verdict, of conspiracy in the second degree, attempted criminal possession of a controlled substance in the first degree, attempted criminal possession of a controlled substance in the third degree, criminal sale of a controlled substance in the second degree and criminal possession of a controlled substance in the third degree.	
	SHIRLEY A. GORMAN for ANGEL CRUZ	20 minutes
	DENNIS RAMBAUD for THE PEOPLE OF THE STATE OF NEW YORK	20 minutes
1375.0 KA 08-02460	<b>PEOPLE</b> V <b>ANGEL CRUZ</b>	
	Appeal from a judgment of the Monroe County Court (Richard A. Keenan, J.), rendered September 25, 2008. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.	
	SHIRLEY A. GORMAN for ANGEL CRUZ	Submitted
	DENNIS RMABAUD for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
1376.0 KA 12-02071	<b>PEOPLE</b> V <b>ADRIAN HUDDLESTON</b>	
	Appeal from a judgment of the Onondaga County Court (Donald E. Todd, J.), rendered September 14, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree (two counts).	
	EVAN B. HANNAY for ADRIAN HUDDLESTON	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1377.0 KA 11-02137	<b>PEOPLE</b> V <b>RONALD COLEMAN, JR.</b>	

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered August 31, 2011. The judgment convicted defendant, upon a jury verdict, of kidnapping in the first degree, robbery in the first degree (two counts), criminal possession of a weapon in the second degree (two counts), robbery in the second degree and assault in the second degree.

BRIDGET L. FIELD for RONALD COLEMAN, JR.

10 minutes

GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1378.0  
KA 14-01512

PEOPLE

V

JONATHAN DAVIS

Appeal from a judgment of the Chautauqua County Court (John T. Ward, Jr., J.), rendered July 7, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

LYLE T. HAJDU for JONATHAN DAVIS

10 minutes

JOSEPH M. CALIMERI for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1379.0  
CA 15-01014

A.R.K. PATENT INTERNATIONAL, L.L.C.

V

MARK LEVY

Appeal and cross appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered December 10, 2014. The order, among other things, denied in part defendants' motion for summary judgment and denied in part plaintiffs' spoliation motion.

LORIN A. DONNELLY for MARK LEVY

15 minutes

MICHAEL G. BERSANI for A.R.K. PATENT INTERNATIONAL, L.L.C.

15 minutes

1380.0  
CA 15-00503

CHRISTOPHER WRIGHT

V

JOSEPH MARRA

Appeal from an order of the Supreme Court, Cattaraugus County (Paula L. Feroletto, J.), entered December 8, 2014. The order, among other things, granted defendants' cross motion for summary judgment dismissing the plaintiff's complaint in its entirety.

EMILY F. JANICZ for CHRISTOPHER WRIGHT

15 minutes

KEITH N. BOND for JOSEPH MARRA

15 minutes

1381.0  
CA 15-00145

ZRAJ OLEAN, LLC

V

ERIE INSURANCE COMPANY OF NEW YORK

Appeal from an order of the Supreme Court, Cattaraugus County (Michael L. Nenno, J.), entered August 27, 2014. The order, among other things, granted defendants' cross motions for summary judgment

JAMES JOHNSTON NAVAGH for ZRAJ OLEAN, LLC

10 minutes

THOMAS P. KAWALEC for ERIE INSURANCE COMPANY OF NEW YORK

15 minutes

JOSEPH A. MATTELIANO for RAYMOND WANGELIN

10 minutes



1388.0  
CA 15-00498

**SHELLEY CHMIEL  
V  
ROCKWELL CONSTRUCTION, INC.**

Appeals from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered June 17, 2014. The order, among other things, denied in part the motions of defendants JRZ Architecture, PLLC, Jon Zywiczynski and Zelasco Construction Inc., for summary judgment, and denied the motion of third-party defendant Earth Dimensions, Inc., for summary judgment.

<b>KENNETH A. KRAJEWSKI for ZELASKO CONSTRUCTION, INC.</b>	<b>15 minutes</b>
<b>JENNA W. KLUCSIK for JRZ ARCHITECTURE, PLLC</b>	<b>15 minutes</b>
<b>JEFFREY D. SCHULMAN for EARTH DIMENSIONS, INC.</b>	<b>10 minutes</b>
<b>JUSTIN S. WHITE for SHELLEY CHMIEL</b>	<b>10 minutes</b>
<b>ALAN J. DEPETERS for ROCKWELL CONSTRUCTION, INC.</b>	<b>10 minutes</b>

**DAY CALENDAR**  
**Tuesday, December 8, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1389.0  
KA 14-01524

**PEOPLE**  
**V**  
**HEATH M. CUMMINGS**

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.) rendered June 12, 2013. The judgment revoked defendant's probation and imposed a term of imprisonment.

WILLIAM J. GABLER for HEATH M. CUMMINGS Submitted

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1390.0  
KA 14-01515

**PEOPLE**  
**V**  
**STEPHEN SCOTT**

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered July 3, 2014. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree and sexual abuse in the third degree.

DAVID P. ELKOVITCH for STEPHEN SCOTT Submitted

BRIAN THOMAS LEEDS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1391.0  
KA 14-01962

**PEOPLE**  
**V**  
**JERMAINE RICHARDSON**

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered August 12, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree

ROBERT TUCKER for JERMAINE RICHARDSON Submitted

BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1392.0  
KA 14-02188

**PEOPLE**  
**V**  
**JERMAINE RICHARDSON**

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.), rendered August 12, 2014. The judgment revoked a term of probation and imposed a term of incarceration.

ROBERT TUCKER for JERMAINE RICHARDSON Submitted

BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1393.0  
KA 12-02261

**PEOPLE**  
**V**  
**TIMOTHY SMITH**

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered November 15, 2012. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree, criminal possession of a controlled substance in the fifth degree and criminal possession of a controlled substance in the seventh degree.

	EVAN B. HANNAY for TIMOTHY SMITH	15 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1394.0 KA 11-00289	<b>PEOPLE</b> V <b>ERIC PORTER</b>	
	Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered January 31, 2011. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.	
	JAMES A. HOBBS for ERIC PORTER	10 minutes
	ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1395.0 KA 11-01664	<b>PEOPLE</b> V <b>JOHN L. LOVE</b>	
	Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered June 8, 2011. The judgment convicted defendant, upon a jury verdict, of rape in the first degree and rape in the second degree.	
	DAVID M. ABBATOY, JR., for JOHN L. LOVE	10 minutes
	SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1396.0 KA 12-01265	<b>PEOPLE</b> V <b>RAYMOND GRAVES</b>	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered June 26, 2012. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child (two counts), criminal sexual act in second degree (19 counts), rape in the second degree (16 counts) and endangering the welfare of a child (two counts).	
	KRISTEN MCDERMOTT for RAYMOND GRAVES	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1397.0 KA 12-00249	<b>PEOPLE</b> V <b>LOUIS KELLY, JR.</b>	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered December 1, 2011. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.	
	BRIDGET L. FIELD for LOUIS KELLY, JR.	10 minutes
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1398.0 KA 12-02100	<b>PEOPLE</b> V <b>SHAQUEL WILLIAMS</b>	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, J.), rendered November 5, 2012. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and criminal possession of a weapon in the fourth degree.	

	PIOTR BANASIAK for SHAQUEL WILLIAMS	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1399.0 KA 11-00448	<b>PEOPLE</b> V <b>JANELLE Y. HOGUE</b>	
	Appeal from a judgment of the Supreme Court, Monroe County (Joseph D. Valentino, J.), rendered January 14, 2011. The judgment convicted defendant, upon a jury verdict, of vehicular assault in the second degree, driving while ability impaired by drugs (two counts) and driving while ability impaired by the combined influence of drugs and alcohol.	
	MARTIN P. MCCARTHY, II, for JANELLE Y. HOGUE	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1400.0 CAF 14-00970	<b>In the Matter of</b> <b>AALIYAH H.</b>	
	Appeals from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered May 28, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, terminated respondents' parental rights.	
	STEVEN L. CIMINO for MARY H.	10 minutes
	JOHN A. CIRANDO for ISAIAH H.	10 minutes
	CATHERINE Z. GILMORE for ONONDAGA CO. DSS	Submitted
	KELLY M. CORBETT, ATTORNEY FOR CHILD	10 minutes
	CHRISTOPHER E. BURKE, ATTORNEY FOR CHILD	Submitted
1401.0 CAF 14-00971	<b>In the Matter of</b> <b>ROMARAH F.-O.</b>	
	Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered May 28, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, terminated respondent's parental rights.	
	KELLY M. CORBETT for MARY H.	Submitted
	CATHERINE Z. GILMORE for ONONDAGA COUNTY DSS	Submitted
	CHRISTOPHER E. BURKE, ATTORNEY FOR CHILD	Submitted
1402.0 CAF 14-02090	<b>In the Matter of</b> <b>AMELIA S.</b>	
	Appeal from an order of the Family Court, Jefferson County (John J. Brennan, J.), entered October 14, 2014 in proceedings pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected and abused the subject children.	
	MICHAEL PULVER for ELIZABETH S.	20 minutes
	MICHAEL WERNER for JEFFERSON COUNTY DSS	15 minutes
	SCOTT A. OTIS, ATTORNEY FOR CHILD	10 minutes
	SUSAN A. SOVIE, ATTORNEY FOR CHILD	10 minutes

1403.0  
CAF 15-00831

HEATHER WILLIAMS  
V  
JASON LUCZYNSKI

Appeal from an decision and order of the Family Court, Oneida County (Joan E. Shkane, J.), entered June 10, 2014, in a proceeding pursuant to Family Court Act article 6. The decision and order, inter alia, directed that the residence of the child shall not be removed from Oneida County.

MICHAEL N. KALIL for HEATHER WILLIAMS 15 minutes

LUCILLE M. RIGNANESE for JASON LUCZYNSKI 15 minutes

MARK P. MALAK, ATTORNEY FOR CHILD 5 minutes

1404.0  
CAF 13-02244

CATTARAUGUS COUNTY DSS  
V  
EMILY N. GILROY

Appeal from an order of the Family Court, Cattaraugus County (Michael L. Nenko, J.), entered September 23, 2013 in a proceeding pursuant to Family Court Act article 4. The order denied petitioner's written objections to the order of the Support Magistrate.

STEPHEN DANA MILLER for CATTARAUGUS COUNTY DSS Submitted

HEATHER A. TOMES for EMILY N. GILROY 10 minutes

1405.0  
CA 15-00976

SQUARE MAX, LLC  
V  
JOHN T. TRICKEY, JR.

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered January 30, 2015. The order denied defendants' motion to dismiss.

MATTHEW M. PISTON for JOHN T. TRICKEY, JR. 15 minutes

BRIAN R. HENZEL for SQUARE MAX, LLC 15 minutes

1406.0  
CA 15-00558

CANANDAIGUA NATIONAL BANK & TRUST  
V  
MARK R. BROWN

Appeal from an order and judgment (one paper) of the Supreme Court, Ontario County (John J. Ark, J.), entered January 6, 2015 in proceedings pursuant to RPTL article 7. The order and judgment, among other things, determined that the assessment of properties owned by petitioner is erroneous by reason of overvaluation.

JOHN T. REFERMAT for MARK R. BROWN 15 minutes

DUNCAN W O'DWYER for CANANDAIGUA NATIONAL BANK & TRUST 15 minutes

1407.0  
CA 14-00654

STATE OF NEW YORK  
V  
FRANK CONNOR

Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered March 11, 2014, in a proceeding pursuant to Mental Hygiene Law article 10. The order, inter alia, committed respondent to a secure treatment facility.

CHARLES J. GREENBERG for FRANK CONNOR 10 minutes

KATHLEEN M. ARNOLD for STATE OF NEW YORK 10 minutes

1408.0  
CA 15-00895

**RICHARD REGAN**  
V  
**CITY OF GENEVA**

Appeal from a decision, order and judgment of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered October 3, 2014. The decision, order and judgment granted the motions of defendants City of Geneva, et al., and Council 82 Law Enforcement Union, et al., to dismiss the complaint and dismissed the amended complaint against those defendants.

DANIEL WILLIAM FLYNN for RICHARD REGAN 10 minutes

THOMAS P. CUNNINGHAM for CITY OF GENEVA 10 minutes

CHRISTINE GRANICH for COUNCIL 82 LAW ENFORCEMENT UNION Submitted

1409.0  
CA 15-01024

**WELLS FARGO BANK, N.A.**  
V  
**LUKE BUFFENMYER**

Appeal from an order of the Supreme Court, Erie County (Deborah A. Karalunas, J.), entered October 20, 2014. The order denied plaintiff's motion to restore this action to the court's calender.

JOSEPH B. TEIG for WELLS FARGO BANK, N.A. 10 minutes

LUKE BUFFENMYER for LUKE BUFFENMYER Submitted

1410.0  
CA 15-00305

**RALPH MISSELL** **SETTLED**  
V  
**ASIA FOOD MARKET, INC.**

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered November 26, 2014. The order granted the motions of defendants for summary judgment dismissing the complaint and dismissed the complaint and the third-party complaint.

ANDREW M. BURNS for RALPH MISSELL

JEFFREY P. DIPALMA for ASIA FOOD MARKET, INC.

PAUL A. SANDERS for HANSON AGGREGATES, INC.

ROBERT DANIEL HOOKS for EXCELL HVAC & APPLIANCE SERVICES

**DAY CALENDAR**  
**Wednesday, December 9, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1411.0  
KA 13-02152

**PEOPLE**  
**V**  
**SHERRELL L. MOORE**

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered November 18, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

**SHERRY A. CHASE for SHERRELL L. MOORE** Submitted

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

1412.0  
KA 14-01914

**PEOPLE**  
**V**  
**DERECK M. CATHY**

Appeal from a decision of the Wayne County Court (Daniel G. Barrett, J.), dated October 1, 2014. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

**DAVID M. PARKS for DERECK M. CATHY** Submitted

**BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

1413.0  
KA 14-01681

**PEOPLE**  
**V**  
**DAVID JACKSON**

Appeal from a decision and order of the Supreme Court, Erie County (John L. Michalski, J.), entered September 5, 2014. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

**MICHAEL STACHOWSKI for DAVID JACKSON** Submitted

**DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

1414.0  
KA 13-00674

**PEOPLE**  
**V**  
**LASHAWN RHODAFOX**

Appeal from a judgment of the Onondaga County Court (John Crandall, J.), rendered January 24, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

**PHILIP ROTHSCHILD for LASHAWN RHODAFOX** 10 minutes

**JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK** 10 minutes

1415.0  
KA 11-02499

**PEOPLE**  
**V**  
**JERROD A. PUGH**

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered October 22, 2010. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

	DAVID M. ABBATOY, JR., for JERROD A. PUGH	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1416.0 KA 12-02176	<b>PEOPLE</b> V <b>TERRY COOPER</b>	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered November 2, 2012. The judgment convicted defendant, upon a jury verdict, of attempted robbery in the first degree and assault in the second degree.	
	CHRISTINE M. COOK for TERRY COOPER	15 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1417.0 KA 14-00475	<b>PEOPLE</b> V <b>JOSEPH A. HARRIS</b>	
	Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered February 27, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the third degree and attempted promoting prison contraband in the first degree.	
	CHARLES J. GREENBERG for JOSEPH A. HARRIS	10 minutes
	JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
1418.0 KA 10-00798	<b>PEOPLE</b> V <b>LASHAY TUBBS</b>	
	Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered February 17, 2010. The judgment convicted defendant, upon a jury verdict, of manslaughter in the second degree.	
	SVETLANA K. IVY for LASHAY TUBBS	15 minutes
	GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
1419.0 KA 09-02477	<b>PEOPLE</b> V <b>MICHAEL DENNIS JONES</b>	
	Appeal from a judgment of the Supreme Court, Monroe County (Robert B. Wiggins, A.J.), rendered September 30, 2009. The judgment convicted defendant, upon a jury verdict, of attempted rape in the first degree, attempted criminal sexual act in the first degree and assault in the second degree.	
	CATHERINE H. JOSH for MICHAEL DENNIS JONES	15 minutes
	ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
1420.0 KA 11-02608	<b>PEOPLE</b> V <b>SHAWN D. WEEZORAK</b>	

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered October 21, 2011. The judgment convicted defendant, after a nonjury trial, of overdriving, torturing and injuring animals in violation of Agriculture Markets Law Section § 353.

DAVID M. ABBATOY, JR., for SHAWN D. WEEZORAK 10 minutes

GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1421.0  
CAF 14-00811

MEGAN M. STRUMPF  
V  
STEVEN A. AVERY, JR.

Appeal from an order of the Supreme Court, Erie County (Deborah A. Haendiges, J.), entered March 19, 2014, in a proceeding pursuant to Family Court Act article 6. The order denied the motion to vacate a default order.

ELIZABETH J. CIAMBRONE for STEVEN A. AVERY, JR. Submitted

DENIS A. KITCHEN, JR., for MEGAN M. STRUMPF 10 minutes

DAVID H. FRECH, ATTORNEY FOR CHILD 10 minutes

1422.0  
CAF 14-00454

In the Matter of  
RAMEL H.

Appeal from a decision and order of the Family Court, Oneida County (Randall B. Caldwell, J.), entered March 5, 2014, in a proceeding pursuant to Social Services Law § 384-b. The decision and order revoked a suspended judgment and terminated the parental rights of respondent.

PAUL A. NORTON for TENESE T. 10 minutes

RICHARD P. FERRIS for ONEIDA COUNTY DSS 10 minutes

WILLIAM L. KOSLOSKY, ATTORNEY FOR CHILD 10 minutes

1423.0  
CAF 15-00146

ISIDRO FIGUEROA  
V  
ANNETTE FIGUEROA

Appeal from an order of the Family Court, Wayne County (John B. Nesbitt, J.), entered March 24, 2014, in a proceeding pursuant to Family Court Act article 4. The order affirmed the order of the Support Magistrate and denied the objections of petitioner to that order.

MOLLIE A. DAPOLITO for ISIDRO FIGUEROA 5 minutes

CECILY MOLAK for ANNETTE FIGUEROA 10 minutes

1424.0  
CA 15-00517

BAC HOME LOANS SERVICING, LP  
V  
KENNETH MAESTRI

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered January 3, 2014. The order denied the motion of plaintiff to vacate the dismissal of the action.

JOSEPH F. BATTISTA for BAC HOME LOANS SERVICING, LP 15 minutes

KENNETH MAESTRI for KENNETH MAESTRI Submitted

1425.0  
CA 15-00887

WILLIAM SEAVER  
V  
MARI JAMES

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered September 11, 2014. The order, insofar as appealed from, granted the motion of defendant Michael Bohall, Jr., for summary judgment and dismissed the complaint against him.

ROBERT J. MARANTO, JR., for WILLIAM SEAVER 15 minutes

RACHEL A. EMMINGER for MICHAEL BOHALL, JR. 15 minutes

1426.0  
CA 14-01934

JOSEPH F. BORRELLI  
V  
CHRISTINA BORRELLI

Appeal from an order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered June 3, 2014. The order denied plaintiff's motion seeking to reopen the proof in the trial of this divorce action.

CHARLES W. ROGERS for JOSEPH F. BORRELLI 10 minutes

NIGOS KARATAS for CHRISTINA BORRELLI 5 minutes

1427.0  
CA 15-01023

STEVEN MUELLER MOTORS, INC.  
V  
TONYA HICKEY

Appeal from an order of the Supreme Court, Cayuga County (Thomas G. Leone, J.), entered September 10, 2014. The order denied the motion of plaintiff for summary judgment.

JUSTIN T. HUFFMAN for STEVEN MUELLER MOTORS, INC. Submitted

FRANCIS E. MALONEY, JR., for TONYA HICKEY Submitted

1428.0  
CA 14-01923

WELLS FARGO BANK, N.A.  
V  
CHERYL A. DEERING

Appeal from an order of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered January 3, 2014. The order, inter alia, granted the motion of plaintiff for summary judgment of foreclosure.

JASON L. SCHMIDT for CHERYL A. DEERING 15 minutes

SCHUYLER KRAUS for WELLS FARGO BANK, N.A. 10 minutes

1429.0  
CA 14-01948

MICHAEL C. WEIDNER  
V  
LISA FIX WEIDNER

Appeal from a judgment of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered December 30, 2013. The judgment, insofar as appealed from, directed plaintiff to pay defendant maintenance for three years from April 2, 2013, directed defendant to pay weekly child support to plaintiff and awarded defendant counsel fees.

FRANK BERETTA for LISA FIX WEIDNER 15 minutes

JAMES A. VALENTI for MICHAEL C. WEIDNER 10 minutes

MARY E. FEINDT, ATTORNEY FOR CHILD Submitted

1430.0  
CA 15-01030

JEFFREY S. TOBEY  
V  
WINDSONG RADIOLOGY GROUP, P.C.

Appeal from an order the Supreme Court, Erie County (John M. Curran, J.), entered March 2, 2015. The order, insofar as appealed from, denied in part the motion of defendants for summary judgment.

J. MARK GRUBER for WINDSONG RADIOLOGY GROUP, P.C.

10 minutes

CRAIG RANDALL WATSON for JEFFREY S. TOBEY

15 minutes

1431.0  
KA 13-00574

PEOPLE

V

KEVIN M. CAMP

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered February 6, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree and disseminating indecent material to a minor in the second degree (two counts).

JOHN A. CIRANDO for KEVIN M. CAMP

10 minutes

JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes