

Hon. Amy C. Martoche
25 Delaware Avenue, Part 21
(Judicial Chambers on Fifth Floor)
Buffalo, New York 14202
716.845.9486
amartoch@nycourts.gov

Secretary: Mary Kohlbacher mkohlbac@nycourts.gov (716) 845-9486

Law clerk: Michael Pastrick, Esq. mpastric@nycourts.gov (716) 845-9487

Court clerk: Colleen Freiheit cfreihei@nycourts.gov (716) 845-9416

CIVIL MATTERS

CONFERENCES: Unless otherwise scheduled, report-back conferences will be conducted by telephone. The court and its law clerk will establish contact using the primary telephone number furnished by counsel. If you wish to be contacted at a different number than what is listed in the RJL, please advise Mary Kohlbacher at least one day prior to the conference and provide us the number.

MOTIONS: Motions must be scheduled in consultation with court clerk, Colleen Freiheit. Motions are usually returnable at our special term held every other week. Sometimes, for efficiency, motions may be scheduled to coincide with an already-scheduled conference. All submissions will be reviewed using the NYSCEF platform; however, as a courtesy to the court, please also email PDF copies of all submissions to Justice Martoche, Michael Pastrick, and Mary Kohlbacher. The court will not accept papers via fax. All papers regarding any motions (with the exception of orders to show cause and temporary restraining orders) should be e-mailed to chambers at least three business days prior to the return date.

Oral argument may be requested. It remains within the court's discretion whether oral argument will be permitted. If oral argument is requested, but the court decides to hear the matter on submission, then the attorneys will be notified not later than the business day before the motion is to be heard.

Motions with respect to discovery disputes will not be scheduled until the issues giving rise to the discovery disputes have been conferenced with Justice Martoche or Mr. Pastrick.

Cross motions will be heard in accordance with the CPLR. However, if a cross motion is filed fewer than three business days before the motion is returnable, the cross motion will not be heard on the return date for the initial motion.

ADJOURNMENTS: Adjournments are granted with the approval of the court, but absent extraordinary circumstances, consent of opposing counsel must be sought prior to requesting an adjournment from the court. It is the responsibility of the attorney seeking the adjournment to furnish to the court (preferably by email) three dates and times at which all attorneys are available so that the matter may be rescheduled.

CRIMINAL MATTERS

Criminal matters are generally scheduled for in-person appearances on Wednesdays, Thursdays, and Fridays. Consistent with the policies of the other superior court criminal judges, absent extraordinary circumstances, adjournments will not be granted unless the request is made in writing, on notice to opposing counsel, and the court no later than 72 hours prior to the scheduled appearance. If the court grants the adjournment, it is incumbent on the attorney seeking the adjournment to obtain a new date that is mutually agreeable to the parties and the court. No adjournment will be granted until a new date is secured with the court that is within 10 days of the original scheduled appearance. Do not assume an adjournment request has been granted until you receive confirmation from the court.

For specific questions regarding DV and IDV matters, Resource Coordinator, Tara Andres, tandres@nycourts.gov, (716) 796-6145, can be contacted.