

DAY CALENDAR
Wednesday, April 15, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

579.0
KA 14-00118

PEOPLE
V
CHRISTOPHER M. AMRHEIN

Appeal from a judgment of the Allegany County Court (Terrence M. Parker, J.), rendered November 12, 2013. The judgment convicted defendant, upon a jury verdict in the second degree.

MARCEL LAJOY for CHRISTOPHER M. AMRHEIN Submitted

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

580.0
KA 13-02109

PEOPLE
V
DOMINGO E. CANDELARIA

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered October 21, 2013. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree.

CAITLIN M. CONNELLY for DOMINGO E. CANDELARIA Submitted

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

581.0
KA 12-01594

PEOPLE
V
DELROY GILLESPIE

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered June 25, 2012. The judgment convicted defendant, upon his plea of guilty, of reckless endangerment in the second degree.

CARA A. WALDMAN for DELROY GILLESPIE Submitted

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

582.0
KA 13-01872

PEOPLE
V
STEVEN T. SHORT

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered August 20, 2013. The judgment convicted defendant, upon his plea of guilty, of assault in the third degree.

CHARLES A. MARANGOLA for STEVEN T. SHORT Submitted

CHRISTOPHER VALDINA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

583.0
KA 13-01650

PEOPLE
V
TIGE BILLINGSLEY

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered August 19, 2013. The judgment convicted defendant, upon a nonjury verdict, of robbery in the first degree, burglary in the first degree and assault in the second degree.

DEBORAH K. JESSEY for TIGE BILLINGSLEY 10 minutes

	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
584.0 KA 13-01493	PEOPLE V ANTOINE HAILEY	
	Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered June 4, 2013. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of a weapon in the second degree.	
	SUSAN C. MINISTERO for ANTOINE HAILEY	5 minutes
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
585.0 KA 13-00803	PEOPLE V KYLE M. JULIANO	
	Appeal from a judgment of the Supreme Court, Herkimer County (John J. Brennan, A.J.), rendered November 13, 2012. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the first degree.	
	PETER J. DIGIORGIO, JR., for KYLE M. JULIANO	15 minutes
	JACQUELYN M. ASNOE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
586.0 KA 13-01550	PEOPLE V ANTHONY J. MANGIARELLA	
	Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered January 9, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree (three counts).	
	TYSON BLUE for ANTHONY J. MANGIARELLA	10 minutes
	ROBERT C. JEFFRIES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
587.0 KA 12-01232	PEOPLE V MARCUS A. NORMAN	
	Appeal from a judgment of the Chautauqua County Court (Joseph T. Ward, J.), rendered March 19, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal trespass in the first degree.	
	JOHN A. CIRANDO for MARCUS A. NORMAN	10 minutes
	ANDREW M. MOLITOR for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
588.0 KA 11-00802	PEOPLE V CAMERON L. WILLIAMS	
	Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered February 2, 2011. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	WILLIAM G. PIXLEY for CAMERON L. WILLIAMS	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes

592.0
CAF 14-00421

AMBER MEHTA
V
FREDERICK FRANKLIN, JR.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered July 31, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, designated Amber Mehta as the primary residential parent of the subject child.

EMILIO COLAIACOVO for FREDERICK FRANKLIN, JR. 15 minutes

CATHARINE M. VENZON for AMBER MEHTA 15 minutes

JAMES A. CIMINELLI, ATTORNEY FOR CHILD 10 minutes

593.0
CAF 14-00422

AMBER MEHTA
V
FREDERICK FRANKLIN, JR.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 30, 2013 in a proceeding pursuant to Family Court Act article 6. The order denied Frederick Franklin, Jr.'s motion to reargue and renew.

EMILIO COLAIACOVO for FREDERICK FRANKLIN, JR. Submitted

CATHARINE M. VENZON for AMBER MEHTA Submitted

JAMES A. CIMINELLI, ATTORNEY FOR CHILD Submitted

594.0
CAF 14-01955

LUCILLE A. SOLDATO
V
RAYMOND BENSON

Appeal from a decision and order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered February 26, 2014, in a proceeding pursuant to Family Court Act article 4. The decision and order denied and dismissed the objections of petitioner to an order of a support magistrate.

RICHARD P. FERRIS for LUCILLE A. SOLDATO Submitted

RAYMOND BENSON for HIMSELF Submitted

595.0
CAF 14-00012

APRIL A. BURLEY
V
BERNARD D. BURLEY

Appeal from an order of the Family Court, Monroe County (John J. Rivoli, J.H.O.), entered November 19, 2013 in a proceeding pursuant to Family Court Act article 8. The order, among other things, directed respondent to stay away from petitioner.

KATHLEEN P. REARDON for BERNARD D. BURLEY 5 minutes

JAMES A. HOBBS for APRIL A. BURLEY 5 minutes

MARGARET MCMULLEN, ATTORNEY FOR CHILD 5 minutes

596.0
CA 14-01450

ROBERT GERRISH
V
SUNY BUFFALO

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered May 5, 2014. The judgment, among other things, granted defendants' motions to dismiss plaintiff's complaint without leave to replead.

FRANK T. HOUSH for ROBERT GERRISH 15 minutes

BENJAMIN ZUFFRANIERI, JR., for UB FOUNDATION SERVICES 15 minutes

FRANK BRADY for SUNY BUFFALO 10 minutes

597.0
CA 14-01306

**In the Matter of
ESTATE OF ROBERT BODKIN**

Appeal from a memorandum and order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered October 2, 2012. The memorandum and order denied the motion of objectants to disqualify counsel for petitioner.

LESLIE MARK GREENBAUM for DAWN GUETTI 15 minutes

ALAN J. BOZER for ROBIN GRAHAM 15 minutes

WILLIAM D. MALDOVAN for NYS ATTORNEY GENERAL'S OFFICE Submitted

598.0
CA 14-01307

**In the Matter of
ESTATE OF ROBERT BODKIN**

Appeal from an order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered September 9, 2013. The order denied the motion and supplemental motion of objectants to compel disclosure.

LESLIE MARK GREENBAUM for DAWN GUETTI Submitted

ALAN J. BOZER for ROBIN GRAHAM Submitted

WILLIAM D. MALDOVAN for NYS ATTORNEY GENERAL'S OFFICE Submitted

599.0
CA 14-01308

**In the Matter of
ESTATE OF ROBERT BODKIN**

Appeal from a memorandum and order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered March 28, 2014. The memorandum and order granted the motion of petitioner for summary judgment, dismissed the objections to probate and admitted to probate the November 3, 2011 last will and testament of decedent.

LESLIE MARK GREENBAUM for DAWN GUETTI Submitted

ALAN J. BOZER for ROBIN GRAHAM Submitted

WILLIAM D. MALDOVAN for NYS ATTORNEY GENERAL'S OFFICE Submitted

600.0
CA 14-01957

**KEMPER INDEPENDENCE INSURANCE CO.
V
LENORE ELLIS**

Appeals from a decision and order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered May 30, 2014. The decision and order granted the motion of defendant William L. LeVea for summary judgment on the duty to defend, denied the motion of LeVea for summary judgment on the duty to indemnify and denied the cross motions of plaintiff and defendant Lenore Ellis, as Administratrix of the Estate of Christopher Spack, for summary judgment.

	ADAM P. MASTROLEO for LENORE ELLIS	10 minutes
	STEVEN E. PEIPER for KEMPER INDEPENDENCE INSURANCE CO.	10 minutes
	MICHAEL J. KAWA for WILLIAM L. LEVEA	Submitted
601.0 CA 14-02023	PAULA ANN REEVES V GARY J. GIANNOTTA	
	Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 19, 2014. The order denied the motion of defendants for summary judgment dismissing the complaint.	
	BRADLEY J. STEVENS for CITY OF AUBURN	10 minutes
	STEWART L. WEISMAN for PAULA ANN REEVES	10 minutes
602.0 CA 14-01889	CHARLES M. ALBERT V KATHLEEN A. MACHOLS	
	Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered June 24, 2014. The order denied the motion of defendant for summary judgment dismissing the complaint.	
	MICHAEL ANTHONY REDDY for KATHLEEN A. MACHOLS	20 minutes
	FRANK GAETANO MONTEMALO for CHARLES M. ALBERT	20 minutes
603.0 CA 14-01999	RICH PRODUCTS CORPORATION V KENYON & KENYON, LLP	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered June 19, 2014. The order, among other things, granted in part defendant's motion for summary judgment and granted in part plaintiff's cross-motion for summary judgment.	
	ROBERT JOSEPH LANE, JR., for RICH PRODUCTS CORPORATION	15 minutes
	DENNIS R. MCCOY for KENYON & KENYON, LLP	15 minutes
604.0 CA 14-01396	CHRISTOPHER CANESTARO V RAYMOUR AND FLANIGAN FURNITURE	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 4, 2014. The order granted the motion of defendants to dismiss the complaint.	
	BENJAMIN ZUFFRANIERI, JR., for CHRISTOPHER CANESTARO	10 minutes
	JOHN P. AMATO for RAYMOUR AND FLANIGAN FURNITURE	10 minutes
605.0 CA 14-02073	CATRINA SARAF V ROGER SMITH, JR.	
	Appeal from a decision and order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered January 29, 2014. The decision and order denied the motion of plaintiff to set aside a verdict.	
	RICHARD E. UPDEGROVE for CATRINA SARAF	10 minutes

MICHAEL F. PERLEY for ROGER SMITH, JR.

10 minutes

**606.0
CA 14-01927**

P&B CAPITAL GROUP, LLC

V

RAB PERFORMANCE RECOVERIES, LLC

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered June 24, 2014. The order denied the motion of plaintiffs for summary judgment, granted the motion of defendant RAB Performance Recoveries, LLC, for summary judgment and declared that said defendant is the sole owner of the accounts at issue.

CHRISTOPHER W. MCMASTER for P&B CAPITAL GROUP, LLC

15 minutes

DENNIS R. MCCOY for RAB PERFORMANCE RECOVERIES, LLC

15 minutes