

DAY CALENDAR
Wednesday, April 13, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

410.0
KA 12-00898

PEOPLE
V
MARLAND D. BROOKS

Appeal from a judgment of the Steuben County Court (Marianne Furfure, A.J.), rendered March 19, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, robbery in the first degree, robbery in the third degree and criminal possession of a weapon in the third degree.

JOHN A. CIRANDO for MARLAND D. BROOKS 10 minutes

JOHN C. TUNNEY for PEOPLE OF THE STATE OF NEW YORK 10 minutes

411.0
KA 13-02225

PEOPLE
V
JEFFREY D. FINEOUT

Appeal from a decision-order of the Jefferson County Court (Kim H. Martusewicz, J.), dated December 5, 2013. The order denied the motion of defendant pursuant to CPL 440.10.

PETER J. GLENNON for JEFFREY D. FINEOUT Submitted

HARMONY HEALY for PEOPLE OF THE STATE OF NEW YORK Submitted

412.0
KA 14-00659

PEOPLE
V
TRACY L. BROOKS

Appeal from a judgment of the Ontario County Court (Craig J. Doran, J.), rendered November 13, 2013. The judgment convicted defendant, upon her plea of guilty, of grand larceny in the third degree.

MARK C. DAVISON for TRACY L. BROOKS 10 minutes

BRIAN D. DENNIS for PEOPLE OF THE STATE OF NEW YORK 10 minutes

413.0
KA 09-01473

PEOPLE
V
DAVID ALLIGOOD

Appeal from a judgment of the Monroe County Court (John J. Connell, J.), rendered May 8, 2009. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in or near school grounds, criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

ERIC M. DOLAN for DAVID ALLIGOOD Submitted

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK 5 minutes

414.0
KA 14-02017

PEOPLE
V
FRANK M. THOMAS

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered July 16, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

	MARY-JEAN BOWMAN for FRANK M. THOMAS	Submitted
	THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK	Submitted
415.0 KA 14-02018	PEOPLE V FRANK THOMAS	
	Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered July 16, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.	
	MARY-JEAN BOWMAN for FRANK THOMAS	Submitted
	THOMAS H. BRANDT for PEOPLE OF THE STATE OF NEW YORK	Submitted
416.0 KA 13-01516	PEOPLE V MARIE SPRAGUE	
	Appeal from a judgment of the Onondaga County Court (Jeffrey R. Merrill, J.), rendered May 14, 2013. The judgment convicted defendant, upon her plea of guilty, of criminal possession of a forged instrument in the second degree (two counts).	
	EVAN B. HANNAY for MARIE SPRAGUE	Submitted
	JAMES P. MAXWELL for PEOPLE OF THE STATE OF NEW YORK	Submitted
417.0 KA 12-02303	PEOPLE V JOSEPH TUCKER, III	
	Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered December 12, 2012. The judgment convicted defendant, after a nonjury trial, of robbery in the second degree (six counts).	
	MICHAEL J. STACHOWSKI for JOSEPH TUCKER, III	15 minutes
	MICHAEL J. HILLERY for PEOPLE OF THE STATE OF NEW YORK	15 minutes
418.0 KA 14-01890	PEOPLE V JOSEPH TUCKER, III	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), dated October 1, 2014. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of robbery in the second degree (six counts).	
	MICHAEL J. STACHOWSKI for JOSEPH TUCKER, III	Submitted
	MICHAEL J. HILLERY for PEOPLE OF THE STATE OF NEW YORK	Submitted
419.0 KA 13-01871	PEOPLE V RASHEEN P. TOWNSEND	

Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered January 15, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

ROSEMARIE RICHARDS for RASHEEN P. TOWNSEND

10 minutes

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

5 minutes

420.0
KA 13-02099

PEOPLE
V
THEODORE TYLER

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered August 27, 2013. The judgment convicted defendant, upon a jury verdict, of grand larceny in the fourth degree (two counts).

JOHN A. CIRANDO for THEODORE TYLER

15 minutes

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

10 minutes

421.0
CAF 14-01822

In the Matter of
TYLER M.

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered August 27, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Scott M. neglected the subject child and placed him under the supervision of petitioner.

DAVID J. PAJAK for SCOTT M.

Submitted

JOSEPH T. JARZEMBEK for ERIE COUNTY D.S.S.

Submitted

JEFFREY C. MANNILLO, ATTORNEY FOR CHILD

Submitted

422.0
CAF 14-00906

In the Matter of
THOMAS B.

Appeal from an order of the Family Court, Ontario County (Craig J. Doran, J.), entered April 17, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, placed the subject children under the care and custody of petitioner pending the next permanency hearing.

MARK C. DAVISON for CALLA B.

10 minutes

HOLLY AMY ADAMS for ONTARIO COUNTY D.S.S.

10 minutes

TIFFANY M. SORGEN, ATTORNEY FOR CHILD

5 minutes

423.0
CA 15-01526

BRENDA C. BROWN
V
DEBORAH A. HALL

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered June 10, 2015. The order denied the motion of defendants to dismiss the amended complaint.

ANDREW D. DRILLING for DEBORAH A. HALL

10 minutes

DEAN P. SMITH for BRENDA C. BROWN

5 minutes

424.0
CA 15-01553

DIANE M. GLADSTONE
V
THOMAS FALLON

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered December 4, 2014. The order granted the motion of defendant for summary judgment and dismissed the complaint.

ERNEST D. SANTORO for DIANE M. GLADSTONE 10 minutes

KAREN J. KROGMAN DAUM for THOMAS FALLON 10 minutes

426.0
CA 15-00871

ANN MEYER
V
ZONING BOARD OF APPEALS OF CITY OF UTICA

Appeal a judgment of the Supreme Court, Oneida County (David A. Murad, J.), entered May 12, 2015 in a proceeding pursuant to CPLR article 78. The judgment, among other things, denied the petition in its entirety.

REUBEN ORTENBERG for ANN MEYER 15 minutes

LEAH EVERHART for STEWART'S SHOPS CORP. 10 minutes

KATHRYN HARTNETT for ZONING BOARD OF APPEALS OF UTICA 10 minutes

VINCENT J. ROSSI, JR., for CARLTON J. BURTH Submitted

427.0
CA 15-01083

ROBERT W. BOYLE, JR.
V
CALEDONIA-MUMFORD CENTRAL SCHOOL

Appeal from an order of the Supreme Court, Livingston County (Robert B. Wiggins, A.J.), entered March 5, 2015. The order granted defendant's motion for summary judgment dismissing plaintiffs' complaint.

E. ROBERT FUSSELL for ROBERT W. BOYLE, JR. 15 minutes

AIMEE LAFEVER KOCH for CALEDONIA-MUMFORD CENTRAL SCHOOL 15 minutes

428.0
CA 15-01458

MICHAEL JABCZYNSKI
V
ADVANCED DRYING AND RESTORATION

Appeal from an order of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered November 19, 2014. The order, among other things, granted plaintiffs' motion to set aside the jury verdict and directed a judgment that a contract existed between plaintiff Michael Jabczynski and defendant Advanced Drying and Restoration.

ROBERT E. GALLAGHER, JR., for ADVANCED DRYNG AND RESTORATION 10 minutes

PETER D. CLARK for MICHAEL JABCZYNSKI 10 minutes

429.0
CA 15-01508

In the Matter of
ROBERT GLANOWSKI

Appeal from a decision and order of the Supreme Court, Erie County (John L. Michalski, J.), entered December 2, 2014. The decision and order denied the application of petitioner for a name change.

SUSAN HAZELDEAN for ROBERT GLANOWSKI 15 minutes

JEREMY C. TOTH for FRANK A. SEDITA, III 10 minutes

430.0
CA 15-01263

JP MORGAN CHASE BANK, NATIONAL ASSOCIATION
V
SANDRA A. KOBEE

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered December 10, 2014. The order denied the motion of plaintiff for summary judgment and dismissed the complaint without prejudice.

SIMON CHANG for JP MORGAN CHASE BANK, NATIONAL ASSOCIATION 10 minutes

PETER DAVID GRUBEA for SANDRA A. KOBEE Submitted

431.0
CA 15-01264

JP MORGAN CHASE BANK, NATIONAL ASSOCIATION
V
SANDRA A. KOBEE

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered March 12, 2015. The order denied the motion of plaintiff for reargument and renewal.

SIMON CHANG for JP MORGAN CHASE BANK, NATIONAL ASSOCIATION Submitted

PETER DAVID GRUBEA for SANDRA A. KOBEE Submitted

432.0
CA 15-00412

CELLINO & BARNES, P.C.
V
LAW OFFICE OF CHRISTOPHER J. CASSAR

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered December 9, 2014. The order denied the motion of defendants to dismiss the complaint.

CHRISTOPHER J. CASSAR for HIMSELF 10 minutes

GREGORY V. PAJAK for CELLINO & BARNES, P.C. 10 minutes

433.0
CA 15-00413

CELLINO & BARNES, P.C.
V
LAW OFFICE OF CHRISTOPHER J. CASSAR

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered December 9, 2014. The order denied the motion of defendants for a change of venue.

CHRISTOPHER J. CASSAR for HIMSELF Submitted

K. JOHN WRIGHT for CELLINO & BARNES, P.C. Submitted