

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

43.0  
TP 15-00056

**ANTHONY MEDINA**  
**V**  
**MICHAEL SHEAHAN**

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, Seneca County [Dennis F. Bender, A.J.], entered January 6, 2015) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

**ANTHONY MEDINA for HIMSELF**

Submitted

**MARCUS J. MASTRACCO for MICHAEL SHEAHAN**

Submitted

44.0  
KA 14-00668

**PEOPLE**  
**V**  
**SYROYA N. CLARK**

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered January 21, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree and grand larceny in the fourth degree.

**JOHN A. CIRANDO for SYROYA N. CLARK**

10 minutes

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

10 minutes

45.0  
KA 13-01616

**PEOPLE**  
**V**  
**ERIC A. EASTON**

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered June 18, 2013. The judgment convicted defendant, upon his plea of guilty, of reckless endangerment in the first degree.

**SUSAN C. MINISTERO for ERIC A. EASTON**

Submitted

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

Submitted

46.0  
KA 14-00719

**PEOPLE**  
**V**  
**AARON W. CLARK**

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered February 25, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

**KARIM ABDULLA for AARON W. CLARK**

Submitted

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

Submitted

47.0  
KA 13-01667

**PEOPLE**  
**V**  
**ASHODD J. PARKS**

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered May 20, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree, criminal possession of a weapon in the second degree, criminal possession of a weapon in the third degree and criminal possession of a controlled substance in the fifth degree.

GARY MULDOON for ASHODD J. PARKS 10 minutes

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

48.0  
KA 14-00110

PEOPLE  
V  
DYLAN SCHUMACHER

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered January 10, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

TIMOTHY P. MURPHY for DYLAN SCHUMACHER 20 minutes

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK 10 minutes

49.0  
KA 12-00045

PEOPLE  
V  
BARBARA J. GARNER

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered July 1, 2011. The judgment convicted defendant, upon a jury verdict, of assault in the first degree.

LINDA M. CAMPBELL for BARBARA J. GARNER 10 minutes

LEAH R. MERVINE for PEOPLE OF THE STATE OF NEW YORK 10 minutes

50.0  
KA 14-00852

PEOPLE  
V  
JOSEPH A. STEFANOVICH

Appeal from a judgment of the Oswego County Court (James M. Metcalf, A.J.), rendered February 21, 2014. The judgment convicted defendant, upon jury verdict, of rape in the first degree.

BRUCE R. BRYAN for JOSEPH A. STEFANOVICH 30 minutes

AMY LEIGH HALLENBECK for PEOPLE OF THE STATE OF NEW YORK 30 minutes

51.0  
KA 14-00726

PEOPLE  
V  
JOHN J. SLACK

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered April 9, 2014. The judgment convicted defendant, upon a jury verdict, of grand larceny in the third degree.

SUSAN C. MINISTERO for JOHN J. SLACK 10 minutes

WILLIAM G. ZICKL for PEOPLE OF THE STATE OF NEW YORK 10 minutes

52.0  
KA 15-01077

PEOPLE  
V  
DAMISO WOOTEN

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered February 25, 2015. The judgment convicted defendant, upon his plea of guilty, of promoting sexual performance of a child.

CHARLES A. SCHIANO for DAMISO WOOTEN 5 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK Submitted

53.0  
CAF 14-00524

WILLIAM A. WARREN  
V  
GEORGE E. HIBBS

Appeal from an order of the Family Court, Yates County (W. Patrick Falvey, J.), entered December 20, 2013 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition without prejudice.

JOHN A. CIRANDO for WILLIAM A. WARREN 10 minutes

CARA A. WALDMAN for GEORGE E. HIBBS 5 minutes

ANNE S. GALBRAITH, ATTORNEY FOR CHILD 10 minutes

54.0  
CAF 14-00089

MARY I. WHITNEY  
V  
FRANK JUDGE

Appeal from an order of the Supreme Court, Monroe County (Gail A. Donofrio, J.), entered December 20, 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 FRANK JUDGE Submitted

DENISE BUSCEMI-SYED for MARY I. WHITNEY Submitted

55.0  
CAF 14-02118

MARK A. MANDILE  
V  
KATRINA V. DESHOTEL

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered October 29, 2014 in a proceeding pursuant to Family Court Act article 4. The order, among other things, confirmed the Support Magistrate's determination that respondent had willfully failed to obey a court order and awarded petitioner a judgment in the sum of \$4,129.

KIMBERLY F. DUGUAY for KATRINA V. DESHOTEL 10 minutes

MAUREEN A. PINEAU for MARK A. MANDILE 5 minutes

56.0  
CA 15-01079

ADAM DAILEY  
V  
LABRADOR DEVELOPMENT CORP.

Appeal from an amended order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered September 22, 2014. The amended order denied the motion of defendant for summary judgment dismissing the complaint.

STEVEN M. ZWEIG for LABRADOR DEVELOPMENT CORP. 15 minutes

ROBERT A. QUATTROCCI for ADAM DAILEY 15 minutes

57.0  
CA 15-01178

**WILLIAM EISLEBEN**  
V  
**JAMES DEAN**

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered December 12, 2014 in a personal injury action. The order, among other things, denied defendant's cross motion for summary judgment.

VINCENT J. ROSSI, JR., for JAMES DEAN 10 minutes

MARC JONAS for WILLIAM EISLEBEN 15 minutes

58.0  
CA 14-02022

**COUNTY OF ORLEANS**  
V  
**NIRAV R. SHAH, M.D.**

Appeal from a judgment (denominated order) of the Supreme Court, Orleans County (James P. Punch, A.J.), entered October 1, 2014 in a CPLR article 78 proceeding and declaratory judgment action. The judgment, among other things, annulled the determination of respondents-defendants and directed respondents-defendants to allow petitioner-plaintiff's claims for reimbursement.

VICTOR PALADINO for NIRAV R. SHAH, M.D. 10 minutes

CHRISTOPHER BUCKEY for COUNTY OF ORLEANS 10 minutes

59.0  
CA 15-01125

**JULIE L. GARDNER**  
V  
**STATE OF NEW YORK**

Appeal from an order of the Court of Claims (Nicholas V. Midey, Jr., J.), entered July 30, 2014. The order, insofar as appealed from, denied the motion of defendant for summary judgment.

JONATHAN D. HITSOUS for STATE OF NEW YORK 10 minutes

TIMOTHY R. HEDGES for JULIE L. GARDNER 10 minutes

60.0  
CA 15-01094

**HARRY E. LORENZO**  
V  
**HOGANWILLIG**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered November 17, 2014. The order, among other things, granted defendant's motion for partial summary judgment dismissing the fifth cause of action in plaintiff's amended complaint.

THOMAS F. KNAB for HARRY E. LORENZO 15 minutes

DIANE R. TIVERON for HOGANWILLIG 15 minutes

61.0  
CA 15-00668

**ROLAND E. STUART**  
V  
**PEGGY L. STUART**

Appeal from a judgment of the Supreme Court, Steuben County (Joseph W. Latham, A.J.), entered May 29, 2014 in a divorce action. The judgment, among other things, awarded defendant spousal maintenance.

ANDREW J. ROBY for ROLAND E. STUART 15 minutes

GUY A. TALIA for PEGGY L. STUART 10 minutes

62.0  
CA 15-00640

**PAUL E. GILLETTE**                      **SETTLED**  
V  
**ELIZABETH P. ENSTROM**

Appeal from an order of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered July 8, 2014. The order granted plaintiffs' motion for partial summary judgment on the issue of liability.

JANICE MARIE IATI for ELIZABETH P. ENSTROM

MARK J. VALERIO for PAUL E. GILLETTE

SCOTT DAVID CANNON for KIM A. GILLETTE

63.0  
CA 15-00746

**PAUL E. GILLETTE**                      **SETTLED**  
V  
**ELIZABETH P. ENSTROM**

Appeal from an amended order of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered September 11, 2014. The amended order granted plaintiffs' motion for partial summary judgment on the issue of liability.

JANICE MARIE IATI for ELIZABETH P. ENSTROM

SCOTT DAVID CANNON for PAUL E. GILLETTE