

DAY CALENDAR
Monday, June 20, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

610.0
TP 14-01351

SAIFUDDIN ABDUS-SAMAD
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, Cayuga County [Thomas G. Leone, A.J.], entered July 22, 2014) to review a determination of respondent. The determination directed that petitioner be placed in administrative segregation.

SAIFUDDIN ABDUS-SAMAD for HIMSELF

Submitted

KATHLEEN M. TREASURE for ANTHONY ANNUCCI

Submitted

611.0
TP 15-02095

KEVIN CLARK
V
JOHN LEMPKE

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 [John L. Michalski, A.J.], entered October 7, 2015) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

KEVIN CLARK for HIMSELF

Submitted

MARCUS J. MASTRACCO for JOHN LEMPKE

Submitted

612.0
KA 14-01276

PEOPLE
V
MEL T. WILKINS

Appeal from a resentence of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered May 10, 2013. Defendant was resented upon his conviction of criminal possession of a weapon in the second degree.

ROBERT L. KEMP for MEL T. WILKINS

Submitted

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

Submitted

613.0
KA 14-01520

PEOPLE
V
CHARLES L. MOSLEY

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered May 14, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the second degree

JANET C. SOMES for CHARLES L. MOSLEY

Submitted

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

Submitted

614.0
KA 14-01954

PEOPLE
V
DEVON FRANKLIN

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered September 26, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

DAVID R. JUERGENS for DEVON FRANKLIN

Submitted

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

Submitted

615.0
KA 14-01536

PEOPLE
V
EDWARD D. PRINCE

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered July 7, 2014. The judgment convicted defendant, upon his plea of guilty, of rape in the third degree and criminal contempt in the second degree.

SUSAN C. MINISTERO for EDWARD D. PRINCE

Submitted

AMBER KERLING for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

616.0
CAF 14-02262

ROSE M. GIBSON
V
THOMAS W. MURTAUGH

Appeal from an order of the Family Court, Herkimer County (John J. Brennan, J.), entered November 18, 2014 in a proceeding pursuant to Family Court Act article 4. The order determined that respondent had willfully failed to obey a court order.

JOHN J. RASPANTE for THOMAS W. MURTAUGH

Submitted

ROSE M. GIBSON for HERSELF

Submitted

617.0
CAF 15-00409

In the Matter of
AZALEAYANNA S. G. B.

Appeal from an order of the Family Court, Herkimer County (John J. Brennan, J.), entered March 4, 2015 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, adjudged that the subject children are abandoned and transferred respondent's guardianship and custody rights to petitioner.

JOHN J. RASPANTE for QUANEESHA S. G.

Submitted

JACQUELYN M. ASNOE for HERKIMER CO. DSS

Submitted

GEORGE G. FIESINGER, JR., ATTORNEY FOR CHILD

Submitted

618.0
CAF 15-00529

In the Matter of
AZALEAYANNA S. G. B.

Appeal from an amended order of the Family Court, Herkimer County (John J. Brennan, J.), entered March 18, 2015 in a proceeding pursuant to Social Services Law § 384-b. The amended order, among other things, adjudged that the subject children are abandoned and transferred respondent's guardianship and custody rights to petitioner.

JOHN J. RASPANTE for QUANEESHA S. G.

Submitted

JACQUELYN M. ASNOE for HERKIMER CO. DSS

Submitted

GEORGE G. FIESINGER, JR., ATTORNEY FOR CHILD

Submitted

619.0
CAF 15-00635

LANCE CARROLL
V
RICKELLE CHUGG

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered March 20, 2015 in a proceeding pursuant to Family Court Act article 6. The order modified visitation.

BRIDGET L. FIELD for RICKELLE CHUGG Submitted

KELIANN M. ARGY for LANCE CARROLL Submitted

WENDY S. SISSON, ATTORNEY FOR CHILD Submitted

620.0
CAF 15-00576

In the Matter of
HALY S. W.

Appeal from an order of the Family Court, Oneida County (Louis P. Gigliotti, A.J.), entered March 17, 2015. The order, among other things, adjudged that the best interest of the subject child is promoted by the adoption of the child by the petitioners.

JOHN J. RASPANTE for MATTHEW C. Submitted

WILLIAM L. KOSLOSKY for WAYNE J. W. Submitted

DENISE J. MORGAN for ONEIDA COUNTY DSS Submitted

JOHN P. AMUSO, ATTORNEY FOR CHILD Submitted

621.0
KAH 15-00451

PEOPLE EX REL.
PHILLIP JOHNSON
V
PATRICK O'FLYNN

Appeal from a judgment (denominated order) of the Supreme Court, Monroe County (Francis A. Affronti, J.), dated February 20, 2015 in a habeas corpus proceeding. The judgment granted the motion of respondents New York State Department of Corrections and Community Supervision and New York State Division of Parole to dismiss the petition and dismissed the petition.

MICHAEL JOS. WITMER for PHILLIP JOHNSON Submitted

ZAINAB A. CHAUDHRY for PATRICK O'FLYNN Submitted

DAY CALENDAR
Monday, June 20, 2016 - 10:00 AM
COURTROOM 2

622.0
TP 15-01810

LOVELLE G. JONES
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, Cayuga County [Mark H. Fandrich, A.J.], entered October 26, 2015) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LOVELLE G. JONES for HIMSELF

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

623.0
KA 14-00827

PEOPLE
V
REGINALD BAXTER

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered February 13, 2014. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree (two counts).

JANET C. SOMES for REGINALD BAXTER

Submitted

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

Submitted

624.0
KA 11-00916

PEOPLE
V
HARRY L. WILLIAMS, JR.

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered January 26, 2011. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

KIMBERLY F. DUGUAY for HARRY L. WILLIAMS, JR.

Submitted

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

Submitted

625.0
KA 15-00419

PEOPLE
V
ALEJANDRO J. MEZA

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered September 16, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the third degree.

RYAN J. MULDOON for ALEJANDRO J. MEZA

Submitted

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

Submitted

626.0
KA 13-00942

PEOPLE
V
STEVEN G. BOYD

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered March 6, 2013. The judgment revoked a sentence of probation and imposed a sentence of imprisonment.

	JANE I. YOON for STEVEN G. BOYD	Submitted
	STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
627.0 KA 14-00311	PEOPLE V CARLOS SANTIAGO, JR.	
	Appeal from a resentence of the Monroe County Court (Victoria M. Argento, J.), rendered November 14, 2013. Defendant was resentedenced upon his conviction of sexual abuse in the first degree.	
	JANET C. SOMES for CARLOS SANTIAGO, JR.	Submitted
	GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
628.0 KAH 15-01205	PEOPLE EX REL. STEPHAN HOUSTON V ANTHONY ANNUCCI	
	Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered May 13, 2015 in a habeas corpus proceeding. The judgment denied and dismissed the petition.	
	LEAH R. NOWOTARSKI for STEPHAN HOUSTON	Submitted
	JULIE M. SHERIDAN for ANTHONY ANNUCCI	Submitted
629.0 KA 15-00655	PEOPLE V FRANKLIN G. TERNOOIS, III	
	Appeal from an order of the Wayne County Court (Dennis M. Kehoe, J.), entered March 4, 2015. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.	
	DAVID M. PARKS for FRANKLIN G. TERNOOIS, III	Submitted
	BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
630.0 KA 14-01744	PEOPLE V MARTIN O. POPE	
	Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered May 22, 2014. The judgment convicted defendant, upon a jury verdict, of criminal contempt in the first degree (two counts) and criminal contempt in the second degree (three counts).	
	PATRICK J. MARTHAGE for MARTIN O. POPE	Submitted
	STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
631.0 KA 14-01892	PEOPLE V KENNETH F. FIGUEROA	
	Appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered August 29, 2014. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.	
	JAMES ECKERT for KENNETH F. FIGUEROA	Submitted
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted

632.0
CA 15-01802

In the Matter of
ESTATE OF ANNE RAYNETTE ROBINSON MURPHY

Appeal from a corrected order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered April 1, 2015. The corrected order denied the petition for probate.

DAVID C. LAUB for RANETTE T. ROBINSON-HUNT

Submitted

632.1
KA 14-00665

PEOPLE
V
DAVID C. BENSON

Appeal from a judgment of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered January 27, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

CAITLIN M. CONNELLY for DAVID C. BENSON

Submitted

KELLY M. BALCOM for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Tuesday, June 21, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

633.0
TP 15-02031

JOSE D. MARTINEZ
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 December 3, 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 JOSE D. MARTINEZ

Submitted

KATHLEEN M. TREASURE for ANTHONY ANNUCCI

Submitted

634.0
KA 14-00006

PEOPLE
V
ANTONIO L. JAMES

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered November 25, 2013. The judgment convicted defendant, upon his plea of guilty, of aggravated unlicensed operation of a motor vehicle in the first degree.

KIMBERLY F. DUGUAY for ANTONIO L. JAMES

Submitted

GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

635.0
KA 13-01180

PEOPLE
V
THOMAS M. CULKIN

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered February 14, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree (three counts), forgery in the second degree and grand larceny in the third degree.

SHERRY A. CHASE for THOMAS M. CULKIN

Submitted

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

Submitted

636.0
KA 14-00919

PEOPLE
V
ANTHONY L. CERRONI

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered March 11, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

DAVID R. JUERGENS for ANTHONY L. CERRONI

Submitted

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

Submitted

637.0
KA 14-01611

PEOPLE
V
SHELBY L. WALLACE

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered August 5, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the second degree.

TIMOTHY P. MURPHY for SHELBY L. WALLACE

Submitted

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

Submitted

638.0
KA 14-00782

PEOPLE
V
NICOLAS WEATHINGTON

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered January 10, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree and burglary in the second degree.

BARBARA J. DAVIES for NICOLAS WEATHINGTON

Submitted

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

Submitted

639.0
KA 15-01803

PEOPLE
V
NICOLAS WEATHINGTON

Appeal from a resentence of the Erie County Court (Sheila A. DiTullio, J.), rendered July 22, 2014. Defendant was resented to concurrent determinate terms of 10 years with 5 years of postrelease supervision.

BARBARA J. DAVIES for NICOLAS WEATHINGTON

Submitted

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

Submitted

640.0
KA 14-00724

PEOPLE
V
NANETTE R.L. PETER

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered January 22, 2014. The judgment convicted defendant, upon her plea of guilty, of reckless endangerment in the first degree.

BRENDA S. ASTON for NANETTE R.L. PETER

Submitted

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

Submitted

641.0
KA 14-01672

PEOPLE
V
DAMIEN D. JOST

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered June 30, 2014. The judgment convicted defendant, upon his plea of guilty, of disseminating indecent materials to minors in the first degree (five counts).

SUSAN C. MINISTERO for DAMIEN D. JOST

Submitted

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

Submitted

642.0
KA 14-01483

PEOPLE
V
ALLEN COBB

Appeal from an order of the Erie County Court (Michael F. Pietruszka, J.), entered July 21, 2014. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

KRISTIN M. PREVE for ALLEN COBB

Submitted

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

643.0
KA 15-00470

PEOPLE

V

RICKEY GAMBLE

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered February 17, 2015. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

JAMES ECKERT for RICKEY GAMBLE

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

643.1
CA 16-00174

NICOLE MILLER

V

DAVID MILLER

Appeal and cross appeal from an order of the Supreme Court, Monroe County (John M. Owens, A.J.), entered February 1, 2016. The order, inter alia, reinstated the custody provisions of the parties' judgment of divorce and written agreements.

GARY MULDOON, ATTORNEY FOR CHILD

Submitted

MICHAEL D. SCHMITT for DAVID MILLER

Submitted

MAUREEN A. PINEAU for NICOLE MILLER

Submitted

643.2
CA 16-00913

NICOLE MILLER

V

DAVID MILLER

Appeal from an order of the Supreme Court, Monroe County (Philip B. Dattilo, Jr., JHO), entered January 29, 2016. The order dismissed the case at the close of proof.

GARY MULDOON, ATTORNEY FOR CHILD

Submitted

MICHAEL D. SCHMITT for DAVID MILLER

Submitted

MAUREEN A. PINEAU for NICOLE MILLER

Submitted

DAY CALENDAR
Wednesday, June 22, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

644.0
KA 13-01067

PEOPLE
V
SOLOMON L. WEEMS

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered February 14, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree.

KIMBERLY F. DUGUAY for SOLOMON L. WEEMS Submitted

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

645.0
KA 15-00278

PEOPLE
V
CHRISTOPHER T. TOMENO

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered November 24, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the first degree.

JANET C. SOMES for CHRISTOPHER T. TOMENO Submitted

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

646.0
KA 13-01623

PEOPLE
V
LEROY C. HARRIS, III

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 8, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

JAMES A. HOBBS for LEROY C. HARRIS, III Submitted

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

647.0
KA 14-01248

PEOPLE
V
JOHN P. CORRA

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered September 21, 2011. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the first degree

EDWARD P. PERLMAN for JOHN P. CORRA Submitted

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

648.0
KA 13-01076

PEOPLE
V
BRANDON J. BOLLING

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered March 7, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

JAMES A. HOBBS for BRANDON J. BOLLING Submitted

	STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
649.0 KA 13-01068	PEOPLE V SOLOMON L. WEEMS	
	Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered February 14, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree (two counts).	
	KIMBERLY F. DUGUAY for SOLOMON L. WEEMS	Submitted
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
650.0 KA 15-00985	PEOPLE V CY T. GIBSON	
	Appeal from a judgment of the Oswego County Court (Walter W. Hafner, Jr., J.), rendered February 9, 2015. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree.	
	SALVATORE FREDERICK LANZA for CY T. GIBSON	Submitted
	AMY L. HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
651.0 KA 14-02104	PEOPLE V JASON M. MOSHMAN	
	Appeal from an order of the Erie County Court (Kenneth F. Case, J.), entered October 7, 2014. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.	
	TIMOTHY P. MURPHY for JASON M. MOSHMAN	Submitted
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
652.0 KA 14-01170	PEOPLE V ALVA C. RINKER, JR.	
	Appeal from a judgment of the Allegany County Court (Thomas P. Brown, J.), rendered May 7, 2014. The judgment convicted defendant, upon his plea of guilty, of reckless endangerment in the first degree.	
	ADAM H. VAN BUSKIRK for ALVA C. RINKER, JR.	Submitted
	J. THOMAS FUOCO for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
653.0 KA 14-01893	PEOPLE V LORENZO GEORGE	
	Appeal from an order of the Monroe County Court (Christopher S. Ciaccio, J.), entered September 15, 2014. The order determined that defendant is a level three offender pursuant to the Sex Offender Registration Act.	
	JAMES ECKERT for LORENZO GEORGE	Submitted
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted