

**DAY CALENDAR**  
**Monday, May 16, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

434.0  
TP 15-01734

**ROY TARBELL**  
V  
**NEW YORK STATE DEPARTMENT OF CORRECTIONS**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Jefferson County [Hugh A. Gilbert, J.], entered July 31, 2015 to review a determination of respondents. The determination found after a Tier II hearing that petitioner had violated various inmate rules.

**ROY TARBELL for HIMSELF** Submitted

**PETER H. SCHIFF for CAPE VINCENT CORRECTIONAL FACILITY** Submitted

435.0  
TP 15-01811

**DEATRICK MARSHALL**  
V  
**ANTHONY ANNUCCI**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered October 27, 2015) to review a determination of respondent. The determination found after a Tier III hearing that petitioner violated various inmate rules.

**ADAM W. KOCH for DEATRICK MARSHALL** Submitted

**MARCUS J. MASTRACCO for ANTHONY ANNUCCI** Submitted

437.0  
KA 15-00046

**PEOPLE**  
V  
**ROBERT L. GLANOWSKI**

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered December 9, 2014. The order determined that defendant is a level two risk, pursuant to the Sex Offender Registration Act.

**DEBORAH K. JESSEY for ROBERT L. GLANOWSKI** Submitted

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

438.0  
KA 12-01950

**PEOPLE**  
V  
**MONZELL DANGERFIELD**

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered January 7, 2011. The judgments convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

**KATHLEEN P. REARDON for MONZELL DANGERFIELD** 5 minutes

**DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK** 5 minutes

439.0  
KA 14-01613

**PEOPLE**  
V  
**ELLIOTT I. JAMES**

Appeal from a resentence of the Cattaraugus County Court (Ronald D. Ploetz, J.), rendered August 11, 2014. Defendant was sentenced upon his conviction of criminal possession of a controlled substance in the third degree.

ALAN WILLIAMS for ELLIOTT I. JAMES

Submitted

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

Submitted

440.0  
KA 12-00167

PEOPLE  
V  
VERNON V. SPEARS

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered October 11, 2011. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

KARA E. STODDART for VERNON V. SPEARS

10 minutes

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

10 minutes

441.0  
KA 13-00646

PEOPLE  
V  
HOWARD E. JOHNSON, JR.

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered January 31, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

JAMES A. HOBBS for HOWARD E. JOHNSON, JR.

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

442.0  
KA 09-01802

PEOPLE  
V  
ALFRED L. LIGAMMARI, JR.

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered May 26, 2009. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the first degree (six counts), criminal sexual act in the third degree (six counts), attempted criminal sexual act in the first degree, sexual abuse in the first degree, attempted rape in the first degree, attempted rape in the third degree and endangering the welfare of a child.

THOMAS J. EOANNOU for ALFRED L. LIGAMMARI, JR.

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

443.0  
KA 13-02199

PEOPLE  
V  
ALEXANDER S. VANVLEET

Appeal from a judgment of the Steuben County Court (Peter C. Bradstreet, J.), rendered June 4, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree, robbery in the first degree, robbery in the second degree (two counts), grand larceny in the third degree and grand larceny in the fourth degree.

MARY P. DAVISON for ALEXANDER S. VANVLEET

10 minutes

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

10 minutes

444.0  
CAF 14-02150

In the Matter of  
AZARIA A.

Appeal from an order of the Family Court, Niagara County (John F. Batt, J.), entered October 27, 2014, in a proceeding pursuant to Family Court Act article 10. The order directed petitioner to provide certain services for respondent.

ELIZABETH J. CIAMBRONE for DESIRE E.

10 minutes

ABRAHAM J. PLATT for NIAGARA COUNTY DSS

Submitted

PATRICIA M. MCGRATH, ATTORNEY FOR CHILD

5 minutes

445.0  
CAF 15-00901

STEVEN M. GERHARDT  
V  
MELISSA S. BAKER

Appeal from an order of the Family Court, Livingston County (Robert B. Wiggins, J.), entered December 19, 2014 in proceedings pursuant to Family Court Act article 4. The order, among other things, denied petitioner's objections to orders of the support magistrate, entered September 17, 2014.

STEVEN M. GERHARDT for HIMSELF

Submitted

MELISSA S. BAKER for HERSELF

Submitted

446.0  
CAF 14-01539

MAXIMILIANO ZAPATA  
V  
BRITTANY ZAPATA

Appeal from an order of th Family Court, Erie County (Kevin M. Carter, J.), entered June 22 2014, in a proceeding pursuant to Family Court Act article 6. The order denied the motion of respondent to reopen.

WILLIAM D. BRODERICK, JR., for BRITTANY ZAPATA

10 minutes

MINDY LYNN MARRANCA for MAXIMILIANO ZAPATA

10 minutes

MELISSA HARDY THORE, ATTORNEY FOR CHILD

10 minutes

447.0  
CAF 15-01246

SOUAD AMRANE  
V  
LOTFI BELKHIR

Appeal from an order of the Family Court, Ontario County (Maurice E. Strobbridge, J.H.O.), entered November 24, 2014, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, continued sole custody of the minor children of the parties with petitioner.

LOTFI BELKHIR for HIMSELF

15 minutes

SUSAN JONES for SOUAD AMRANE

5 minutes

ROBERT L. GOSPER, ATTORNEY FOR CHILD

5 minutes

VICTORIA KING, ATTORNEY FOR CHILD

5 minutes

448.0  
CA 15-01764

ERIC WHITE  
V  
ERIC T. SCHNEIDERMAN

Appeal from an order of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty, III, J.), entered March 12, 2015. The order granted the cross motion of defendants to dismiss and dismissed as moot the motion of plaintiffs for a preliminary injunction.

PAUL J. CAMBRIA, JR., for ERIC WHITE 20 minutes

ROBERT M. GOLDFARB for ERIC T. SCHNEIDERMAN 10 minutes

449.0  
CA 15-00174

DAWUD RAHMAN  
V  
ANTHONY ANNUCCI

Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered December 1, 2014. The memorandum and judgment denied the CPLR article 78 petition.

ADAM W. KOCH for DAWUD RAHMAN Submitted

ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI Submitted

450.0  
CA 15-01735

LISA M. KELLOGG  
V  
CHARLEEN S. PERNAT

Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered April 2, 2015. The order insofar as appealed from, denied the motion of plaintiffs for partial summary judgment

LYNN KNAPP BLAKE for LISA M. KELLOGG 15 minutes

TERANCE V. WALSH for CHARLEEN S. PERNAT 10 minutes

451.0  
CA 15-01777

SARAHANN GATTI  
V  
RODGER J. SCHWAB

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 20, 2015. The order denied the motion of defendant for summary judgment dismissing the complaint.

JOHN R. CONDREN for RODGER J. SCHWAB 15 minutes

MITCHELL MARK STENGER for SARAHANN GATTI 10 minutes

452.0  
CA 15-01647

CHRISTOPHER STEINHOFF  
V  
MAGDA BAYOUMI

Appeal from a memorandum decision and order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered May 1, 2015. The memorandum decision and order extinguished the lien of Alexander & Catalano, LLC, and ordered a disbursement of funds.

JAMES L. ALEXANDER for ALEXANDER & CATALANO, LLC 10 minutes

MICHAEL JON LONGSTREET for CHRISTOPHER STEINHOFF 10 minutes

453.0  
CA 15-00882

BETH ANN PIENTA  
V  
A.W. CHESTERTON COMPANY

Appeal from a decision and order of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered July 10, 2014. The decision and order denied the motion of defendant Crane Co., to set aside a jury verdict.

ANGELA DIGIGLIO for CRANE CO.

15 minutes

DENNIS P. HARLOW for BETH ANN PIENTA

15 minutes

454.0  
CA 15-01237

BETH ANN PIENTA

V

A.W. CHESTERTON COMPANY

Appeal from a decision and order of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered June 5, 2015. The decision and order denied the motion of defendant Crane Co., for a stay and reduction of judgment.

ANGELA DIGIGLIO for CRANE CO.

Submitted

DENNIS P. HARLOW for BETH ANN PIENTA

Submitted

455.0  
CA 15-01238

BETH ANN PIENTA

V

A.W. CHESTERTON COMPANY

Appeal from an order of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered June 10, 2015. The order granted plaintiff judgment against defendant Crane Co.

ANGELA DIGIGLIO for CRANE CO.

Submitted

DENNIS P. HARLOW for BETH ANN PIENTA

Submitted

456.0  
CA 15-01240

BETH ANN PIENTA

V

A.W. CHESTERTON COMPANY

Appeal from a statement for judgment of the Supreme Court, Erie County (Jeremiah J. Moriarty, III, J.), entered June 10, 2015. The statement for judgment awarded plaintiff money damages against defendant Crane Co.

ANGELA DIGIGLIO for CRANE CO.

Submitted

DENNIS P. HARLOW for BETH ANN PIENTA

Submitted

**DAY CALENDAR**  
**Monday, May 16, 2016 - 10:00 AM**  
**COURTROOM 2**

457.0  
KA 12-02155

**PEOPLE**  
**V**  
**MURIDI MOHAMED**

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered October 4, 2012. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree.

KRISTIN M. PREVE for MURIDI MOHAMED

Submitted

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

Submitted

458.0  
KA 12-02156

**PEOPLE**  
**V**  
**MURIDI MOHAMED**

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered October 4, 2012. The judgment convicted defendant, upon a nonjury verdict, of manslaughter in the first degree.

KRISTIN M. PREVE for MURIDI MOHAMED

Submitted

DAVID R. PANEPINTO for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

**DAY CALENDAR**  
**Tuesday, May 17, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

459.0  
KA 14-00752

**PEOPLE**  
**V**  
**DEBORA K. GRAMZA**

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered January 22, 2014. The judgment convicted defendant, upon her plea of guilty, of grand larceny in the second degree and falsifying business records in the first degree.

**SHERRY A. CHASE for DEBORA K. GRAMZA**

Submitted

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

Submitted

460.0  
KA 14-00753

**PEOPLE**  
**V**  
**DEBORA K. GRAMZA**

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered January 22, 2014. The judgment convicted defendant, upon her plea of guilty, of offering a false instrument for filing in the first degree.

**SHERRY A. CHASE for DEBORA K. GRAMZA**

Submitted

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

Submitted

461.0  
KA 12-01741

**PEOPLE**  
**V**  
**BRIANNA M. MASSEY**

Appeal from a judgment of the Erie County Court (M. William Boller, J.), rendered June 11, 2012. The judgment convicted defendant, upon a nonjury verdict, of assault in the first degree.

**DEBORAH K. JESSEY for BRIANNA M. MASSEY**

10 minutes

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

5 minutes

462.0  
KA 15-01785

**PEOPLE**  
**V**  
**MICHAEL JOHNSON**

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered July 15, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree.

**ANTHONY JOSEPH LANA for MICHAEL JOHNSON**

10 minutes

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

10 minutes

463.0  
KA 13-01460

**PEOPLE**  
**V**  
**ALLEN CEHFUS**

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered May 23, 2013. The judgment convicted defendant, upon a jury verdict, of driving while intoxicated, a class E felony, aggravated unlicensed operation of a motor vehicle in the first degree and resisting arrest.

	EVAN B. HANNAY for ALLEN CEHFUS	10 minutes
	ROMANA A. LAVALAS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
464.0 KA 13-01645	PEOPLE V DONNELL L. WILLIAMS	
	Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered July 31, 2012. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree (two counts) and burglary in the second degree (two counts).	
	JAMES ECKERT for DONNELL L. WILLIAMS	Submitted
	STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
465.0 KA 14-01505	PEOPLE V ERIC CHANT	
	Appeal from a judgment of the Chautauqua County Court (John T. Ward, Jr., J.), rendered February 11, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree.	
	LYLE T. HAJDU for ERIC CHANT	15 minutes
	JOSEPH M. CALIMERI for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
466.0 KA 11-01115	PEOPLE V DASZELL TAYLOR	
	Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered September 14, 2010. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and criminal possession of a weapon in the third degree.	
	JEANNIE MICHALSKI for DASZELL TAYLOR	Submitted
	JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
467.0 KA 12-02150	PEOPLE V SCOTT A. NAUHEIMER	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered November 8, 2012. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree.	
	JANE I. YOON for SCOTT A. NAUHEIMER	10 minutes
	GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
468.0 KA 14-00233	PEOPLE V SALVATORE LETIZIA	
	Appeal from a memorandum and order of the Supreme Court, Erie County (John L. Michalski, J.), entered November 26, 2013. The memorandum and order, insofar as appealed from, denied the motion of defendant for DNA testing pursuant to CPL 440.30 (a-1).	
	TIMOTHY P. MURPHY for SALVATORE LETIZIA	5 minutes

469.0 KA 14-01510	<p><b>DONNA A. MILLING</b> for THE PEOPLE OF THE STATE OF NEW YORK <span style="float: right;">5 minutes</span></p> <p><b>PEOPLE</b> V <b>CURTIS BROWN</b></p> <p>Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered April 14, 2014. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the second degree (three counts), sexual abuse in the second degree (three counts) and endangering the welfare of a child.</p> <p><b>LINDA M. CAMPBELL</b> for CURTIS BROWN <span style="float: right;">15 minutes</span></p> <p><b>JAMES P. MAXWELL</b> for THE PEOPLE OF THE STATE OF NEW YORK <span style="float: right;">10 minutes</span></p>
470.0 CA 15-00769	<p><b>ELLIOT PATER</b> V <b>CITY OF BUFFALO</b></p> <p>Appeals and from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered July 22, 2014. The order granted the motion by defendants City of Buffalo and the Buffalo Police Department for summary judgment.</p> <p><b>GREGORY V. PAJAK</b> for ELLIOT PATER <span style="float: right;">15 minutes</span></p> <p><b>TIMOTHY M. HUDSON</b> for SUSAN PHISTER <span style="float: right;">15 minutes</span></p> <p><b>ROBERT E. QUINN</b> for CITY OF BUFFALO <span style="float: right;">15 minutes</span></p> <p><b>JEFFREY M. HARRINGTON</b> for GREGG O'SHEI <span style="float: right;">Submitted</span></p>
471.0 CA 15-01160	<p><b>EMPIRE MEDICAL SYSTEMS, LLC</b> V <b>JERAMY BERNARDONI</b></p> <p>Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered December 18, 2014. The order, insofar as appealed from, provided that, in the appraisal of the fair market value of plaintiff, the parties may raise the issue of certain contractual distributions.</p> <p><b>WARREN B. ROSENBAUM</b> for EMPIRE MEDICAL SYSTEMS, LLC <span style="float: right;">15 minutes</span></p> <p><b>ALAN J. BOZER</b> for JERAMY BERNARDONI <span style="float: right;">15 minutes</span></p>
472.0 CA 15-01213	<p><b>LATOYA PEOPLES</b> V <b>M&amp;T BANK</b></p> <p>Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered April 20, 2015. The order granted defendant M&amp;T Bank's motion for summary judgment.</p> <p><b>BRIDGET M. TALERICO</b> for LATOYA PEOPLES <span style="float: right;">Submitted</span></p> <p><b>PATRICK J. HINES</b> for M&amp;T BANK <span style="float: right;">10 minutes</span></p>
473.0 TP 15-01708	<p><b>NICHOLAS CASTIGLIA</b> V <b>COUNTY OF ONTARIO</b></p>

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Ontario County [Thomas A. Stander, J.], entered October 2, 2015) to annul a determination of respondents. The determination terminated the employment of petitioner.

MATTHEW J. FUSCO for NICHOLAS CASTIGLIA Submitted

LEA T. NACCA for COUNTY OF ONTARIO Submitted

GARY L. CURTISS for PHILLIP POVERO Submitted

474.0  
CA 15-00088

PEOPLE OF THE STATE OF NEW YORK  
V  
EDWARD BREEDEN

Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered November 18, 2014 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, adjudged that respondent is a dangerous sex offender requiring treatment and committed respondent to a secure treatment facility.

PATRICK T. CHAMBERLAIN for EDWARD BREEDEN 15 minutes

FRANK BRADY for PEOPLE OF THE STATE OF NEW YORK 10 minutes

475.0  
CA 15-01159

BRENDA M. BOROSZKO  
V  
GERALD J. ZYLINSKI

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered April 1, 2015. The order granted the motion of defendant for summary judgment, denied the cross motions of plaintiffs for partial summary judgment and dismissed the complaint.

EDWARD J. MARKARIAN for BRENDA M. BOROSZKO 15 minutes

PAUL D. MCCORMICK for GERALD J. ZYLINSKI 10 minutes

JAMES P. BURGIO for MICHAEL A. PECA 10 minutes

476.0  
CA 15-01380

RONALD DOUGLAS  
V  
STATE OF NEW YORK

Appeal from an interlocutory judgment of the Court of Claims (Michael E. Hudson, J.), entered November 6, 2014. The interlocutory judgment apportioned liability.

OWEN DEMUTH for STATE OF NEW YORK 10 minutes

GEFFREY GISMONDI for RONALD DOUGLAS 5 minutes

ROBERT STEINHAUS for C. TANISHA BURT 15 minutes

477.0  
CA 15-01381

C. TANISHA BURT  
V  
STATE OF NEW YORK

Appeal from an interlocutory judgment of the Court of Claims (Michael E. Hudson, J.), entered November 6, 2014. The interlocutory judgment apportioned liability.

ROBERT D. STEINHAUS for C. TANISHA BURT Submitted

	<b>OWEN DEMUTH for STATE OF NEW YORK</b>	<b>Submitted</b>
<b>478.0</b>	<b>CIERRA DANDY</b>	
<b>CA 15-01209</b>	<b>V</b>	
	<b>M&amp;T BANK</b>	
	<b>Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered April 20, 2015. The order granted defendant M&amp;T Bank's motion for summary judgment.</b>	
	<b>BRIDGET M. TALERICO for CIERRA DANDY</b>	<b>Submitted</b>
	<b>PATRICK J. HINES for M&amp;T BANK</b>	<b>10 minutes</b>
<b>479.0</b>	<b>GDH CONSTRUCTION INC.</b>	
<b>CA 15-01793</b>	<b>V</b>	
	<b>MARK A. GUGINO</b>	
	<b>Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered January 9, 2015. The order granted the motion of defendants Mark A. Gugino and Linda M. Gugino for summary judgment and dismissed the summons and complaint.</b>	
	<b>WAYNE I. FREID for GDH CONSTRUCTION INC.</b>	<b>10 minutes</b>
	<b>DARYL BRAUTIGAM for MARK A. GUGINO</b>	<b>10 minutes</b>
<b>480.0</b>	<b>DAWN BUSH</b>	
<b>CA 15-01770</b>	<b>V</b>	
	<b>RICKI KOVACEVIC</b>	
	<b>Appeal from an order of the Supreme Court, Erie County (E. Jeanette Ogden, J.), entered July 14, 2015. The order denied the motion of plaintiff for summary judgment.</b>	
	<b>ELLEN B. STURM for DAWN BUSH</b>	<b>10 minutes</b>
	<b>BENJAMIN R. WOLF for RICKI KOVACEVIC</b>	<b>15 minutes</b>

**DAY CALENDAR**  
**Tuesday, May 17, 2016 - 10:00 AM**  
**COURTROOM 2**

481.0  
KA 11-01995

**PEOPLE**  
**V**  
**ANTHONY STEWART**

Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered August 29, 2011. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

**PIOTR BANASIAK for ANTHONY STEWART**

**Submitted**

**WILLIAM J. FITZPATRICK for THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

**DAY CALENDAR**  
**Wednesday, May 18, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

482.0  
KA 15-01285

**PEOPLE**  
**V**  
**STEVEN ROBINSON**

Appeal from a resentence of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 27, 2015. Defendant was resented upon his conviction of attempted burglary in the second degree.

DAVID R. JUERGENS for STEVEN ROBINSON Submitted

SANDRA J. DOORLEY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

483.0  
KA 13-00990

**PEOPLE**  
**V**  
**CHRISTOPHER MC CREA**

Appeal from a judgment of the Wyoming County Court (Michael F. Griffith, J.), rendered April 3, 2013. The judgment convicted defendant, upon his plea of guilty, of perjury in the first degree.

GARY MULDOON for CHRISTOPHER MC CREA 5 minutes

VINCENT A. HEMMING for THE PEOPLE OF THE STATE OF NEW YORK Submitted

484.0  
KA 14-00927

**PEOPLE**  
**V**  
**JORDAN WILLIAMS**

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered May 12, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree (four counts) attempted robbery in the second degree; and robbery in the third degree.

CAITLIN M. CONNELLY for JORDAN WILLIAMS Submitted

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

485.0  
KA 15-01650

**PEOPLE**  
**V**  
**CHRISTOPHER ZINK**

Appeal from a judgment of the Monroe County Court (James P. Piampiano, J.), rendered February 28, 2013. The judgment revoked a term of probation and imposed a term of incarceration.

JAMES ANTHONY NAPIER for CHRISTOPHER ZINK Submitted

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

486.0  
KA 13-00290

**PEOPLE**  
**V**  
**HECTOR FUENTES**

Appeal from a decision/order of the Onondaga County Court (Thomas J Miller, J.), entered March 8, 2013. The decision/order denied the motion of defendant pursuant to CPL 440.20.

MARY P. DAVISON for HECTOR FUENTES Submitted

	ROMANA A. LAVALAS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
487.0 KA 14-00867	PEOPLE V DANIEL S. ROUNDS	
	Appeal from a judgment of the Lewis County Court (Daniel R. King, J.), rendered October 18, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.	
	JOHN J. RASPANTE for DANIEL S. ROUNDS	5 minutes
	JOHN A. CIRANDO for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
488.0 KA 13-01193	PEOPLE V CHARLES KERCE	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered June 5, 2013. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree and robbery in the first degree.	
	EVAN B. HANNAY for CHARLES KERCE	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
489.0 KA 13-00647	PEOPLE V MARLO S. HELMS	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered February 14, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.	
	DAVID R. JUERGENS for MARLO S. HELMS	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
490.0 KA 11-02451	PEOPLE V KAHLEIF GREEN	
	Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered December 1, 2010. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree and assault in the second degree.	
	PIOTR BANASIAK for KAHLEIF GREEN	5 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
491.0 KA 12-02144	PEOPLE V JAMEL S. MONTGOMERY	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered August 21, 2012. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts) and criminal possession of a weapon in the third degree.	
	JAMES ECKERT for JAMEL S. MONTGOMERY	10 minutes

	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
492.0 CA 15-01234	<b>CITIMORGAGE, INC.</b> V <b>KIP C. CARTER</b>	
	Appeal from an order and judgment of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 18, 2014. The order and judgment dismissed the action for foreclosure.	
	LARRY T. POWELL for CITIMORGAGE, INC.	Submitted
	KIP C. CARTER for HIMSELF	Submitted
	MARY LANNON FANGIO for SALLY ANN CARTER	Submitted
493.0 CA 15-01275	<b>JAMES M. HELD</b> V <b>THE PIKE COMPANY</b>	
	Appeal from a judgment of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered October 10, 2014. The judgment directed third-party defendant to pay over \$1,147,049.14, plus interest, to third-party plaintiffs.	
	CURTIS SOBEL for CME ASSOCIATES, INC.	15 minutes
	JEFFREY D. SCHULMAN for THE PIKE COMPANY	10 minutes
494.0 CA 15-01334	<b>LISA NAPIERALA</b> V <b>NEW YORK STATE DIVISION OF HUMAN RIGHTS</b>	
	Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered October 10, 2014 in a proceeding pursuant to CPLR article 78. The order, among other things, granted the petition to reverse a determination of respondent New York State Division of Human Rights.	
	JOSEPH S. BROWN for ERIE COMMUNITY COLLEGE	10 minutes
	LINDY KORN for LISA NAPIERALA	10 minutes
495.0 CA 15-01775	<b>ANDREA ROTELLA DIEZ</b> V <b>LEWISTON-PORTER CSD</b>	
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered December 18, 2014. The order granted the petition for leave to serve a late notice of claim.	
	LOUIS B. DINGLEDEY, JR., for LEWISTON-PORTER CSD	10 minutes
	MATTHEW T. MOSHER for ANDREA ROTELLA DIEZ	10 minutes
496.0 CA 15-01767	<b>SCOTT SCHAFFER</b> V <b>LORRAINE JASKOWIAK</b>	
	Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered July 14, 2015. The order granted the motion of defendants for summary judgment and dismissed the complaint.	
	MO J. ATHARI for SCOTT SCHAFFER	15 minutes
	DAVID MITCHELL HEHR for LORRAINE JASKOWIAK	15 minutes

497.0  
CA 15-00805

INDUS PVR LLC  
V  
MAA-SHARDA, INC.

Appeal from a judgment of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered September 16, 2014. The judgment, among other things, adjudged that he mortgage premises described in the complaint in this action be sold at public auction.

ROBERT J. LUNN for MAA-SHARDA, INC.

15 minutes

JOHN C. NUTTER for INDUS PVR LLC

15 minutes

498.0  
CA 15-00806

INDUS PVR LLC  
V  
MAA-SHARDA, INC.

Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered November 5, 2014. The order, among other things, granted defendant MAA-Sharda Inc's application for the fixing of an undertaking and adjudged that an undertaking in the sum of two million dollars is required.

ROBERT J. LUNN for MAA-SHARDA, INC.

Submitted

JOHN C. NUTTER for INDUS PVR LLC

Submitted

499.0  
CA 15-00807

INDUS PVR LLC  
V  
MAA-SHARDA, INC.

Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered December 26, 2014. The order denied defendant MAA-Sharda, Inc's motion for leave to reargue and renew its opposition to plaintiff's motion for a judgment of foreclosure and sale.

ROBERT J. LUNN for MAA-SHARDA, INC.

Submitted

JOHN C. NUTTER for INDUS PVR LLC

Submitted

500.0  
CA 15-00447

MIGUEL COLON  
V  
STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Joseph E. Fahey, J.), entered February 6, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order continued the commitment of petitioner to a secure treatment facility.

MICHAEL H. MCCORMICK for MIGUEL COLON

10 minutes

KATHLEEN M. ARNOLD for STATE OF NEW YORK

10 minutes

501.0  
CAF 14-02288

IAN WALKER  
V  
SUNSHINE CARROLL

Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered June 24, 2014, in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody of the subject child.

DAVID J. PAJAK for SUNSHINE CARROLL

5 minutes

	ANDREW F. EMBORSKY for IAN WALKER	5 minutes
	LYDIA VAUGHN EVANS, ATTORNEY FOR CHILD	5 minutes
502.0 CAF 14-02289	<b>IAN WALKER</b> V <b>SUNSHINE CARROLL</b>	
	Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 24, 2014, in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied Sunshine Carroll's motion to vacate a prior court order awarding Ian Walker sole custody of the subject child	
	DAVID J. PAJAK for SUNSHINE CARROLL	Submitted
	ANDREW F. EMBORSKY for IAN WALKER	Submitted
	LYDIA VAUGHN EVANS, ATTORNEY FOR CHILD	Submitted
503.0 CA 15-01180	<b>RESCUE MISSION OF UTICA, INC.</b> V <b>CITY OF UTICA</b>	
	Appeal from a decision and order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered March 17, 2014. The decision and order granted the CPLR article 78 petition, declared petitioner's use of its property legal and reversed the determination of respondent Zoning Board of Appeals of the City of Utica.	
	PETER J. DIGIORGIO, JR., for MICHAEL S. RIZZO	15 minutes
	KATHRYN HARTNETT for CITY OF UTICA	10 minutes
	WILLIAM P. SCHMITT for RESCUE MISSION OF UTICA, INC.	15 minutes
504.0 CA 15-01181	<b>MICHAEL S. RIZZO</b> V <b>RESCUE MISSION OF UTICA, INC.</b>	
	Appeal from a decision and order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered June 26, 2015. The decision and order dismissed the CPLR article 78 petition.	
	PETER J. DIGIORGIO, JR., for MICHAEL S. RIZZO	Submitted
	KATHRYN HARTNETT for CITY OF UTICA	Submitted
	WILLIAM P. SCHMITT for RESCUE MISSION OF UTICA, INC.	Submitted
505.0 CA 15-01523	<b>ELAM SAND &amp; GRAVEL CORP.</b> V <b>TOWN OF WEST BLOOMFIELD</b>	
	Appeal from an order of the Supreme Court, Ontario County (Craig J. Doran, A.J.), entered October 27, 2014. The order granted the motion by defendants Sue S. Stewart, Neighbors to Support West Bloomfield and Citizens to Support West Bloomfield to dismiss the twelfth cause of action.	
	PETER J. SORGI for ELAM SAND & GRAVEL CORP.	10 minutes
	DAVID K. HOU for TOWN OF WEST BLOOMFIELD	15 minutes
	TERRENCE L. ROBINSON, JR., for NEIGHBORS TO SUPPORT	10 minutes

**DAY CALENDAR**  
**Wednesday, May 18, 2016 - 10:00 AM**  
**COURTROOM 2**

506.0  
KA 10-02419

**PEOPLE**  
**V**  
**LAQUAN CRIMM**

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered October 6, 2010. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree (two counts), assault in the first degree and grand larceny in the fourth degree.

**DAVID R. JUERGENS for LAQUAN CRIMM**

**Submitted**

**ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

**DAY CALENDAR**  
**Thursday, May 19, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

507.0  
KA 12-02098

**PEOPLE**  
**V**  
**MATTHEW ALLEN**

Appeal from a judgment of the Monroe County Court (Vincent M. DiNolfo, J.), rendered September 27, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

KIMBERLY F. DUGUAY for MATTHEW ALLEN Submitted

LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK Submitted

508.0  
KA 15-00422

**PEOPLE**  
**V**  
**CAMMESOA M. WILLIAMS**

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered December 10, 2014. The judgment revoked a term of probation and imposed a term of incarceration.

JOSEPH G. FRAZIER for CAMMESOA M. WILLIAMS Submitted

LAURA T. BITTNER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

509.0  
KA 13-01462

**PEOPLE**  
**V**  
**CORTNEY J. WILLIAMS**

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered April 29, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree

JANE I. YOON for CORTNEY J. WILLIAMS Submitted

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

510.0  
KA 14-02143

**PEOPLE**  
**V**  
**DAVID A. WITHERSPOON**

Appeal from an order of the Livingston County Court (Robert B. Wiggins, J.), entered November 4, 2014. The order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

JEANNIE MICHALSKI for DAVID A. WITHERSPOON Submitted

JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

511.0  
KA 14-01106

**PEOPLE**  
**V**  
**NICOLE DESGROSIELLIER**

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.); entered May 12, 2014. The judgment revoked defendant's probation and imposed a term of imprisonment.

EDWARD P. PERLMAN for NICOLE DESGROSIELLIER Submitted

	THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
512.0 KA 15-01365	<p><b>PEOPLE</b> V <b>MICHAEL J. REGATUSO</b></p> <p>Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered May 13, 2015. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree, criminal possession of a controlled substance in the third degree (two counts), criminal possession of a controlled substance in the seventh degree and unlawful possession of marihuana.</p>	
	DANIELLE C. WILD for MICHAEL J. REGATUSO	10 minutes
	VINCENT A. HEMMING for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
513.0 KA 15-01366	<p><b>PEOPLE</b> V <b>MICHAEL J. REGATUSO, II</b></p> <p>Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered May 13, 2015. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree (seven counts), criminal possession of a controlled substance in the third degree (seven counts) and conspiracy in the fourth degree.</p>	
	DANIELLE C. WILD for MICHAEL J. REGATUSO, II	Submitted
	VINCENT A. HEMMING for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
514.0 KA 14-00658	<p><b>PEOPLE</b> V <b>EUGENE LAWRENCE</b></p> <p>Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered February 28, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.</p>	
	DEBORAH JESSEY for EUGENE LAWRENCE	10 minutes
	MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
515.0 KA 13-01689	<p><b>PEOPLE</b> V <b>ELFIN ELLIOTT</b></p> <p>Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered September 5, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the seventh degree.</p>	
	DAVID R. JUERGENS for ELFIN ELLIOTT	10 minutes
	SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
516.0 KA 12-02276	<p><b>PEOPLE</b> V <b>MICHAEL T. ARTERBERRY</b></p> <p>Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered October 24, 2012. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of marihuana in the third degree.</p>	

	JANE I. YOON for MICHAEL T. ARTERBERRY	5 minutes
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
517.0 KA 15-01130	<b>PEOPLE</b> V <b>DANIEL FINOCCHIARO</b>	
	Appeal from a decision/order of the Onondaga County Court (Joseph E. Fahey, J.), entered January 27, 2015. The decision/order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.	
	EVAN B. HANNAY for DANIEL FINOCCHIARO	Submitted
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
518.0 CAF 15-01132	<b>LATASHA R. GRANT</b> V <b>MICHAEL J. HABALOU</b>	
	Appeal from an order of the Family Court, Niagara County (Kathleen M. Wojtaszek-Gariano, J.), entered June 10, 2015 in proceeding pursuant to Family Court Act article 6. The order, among other things, modified a prior order, dated July 16, 2013, by granting respondent supervised access to the subject children.	
	MARY-JEAN BOWMAN for MICHAEL J. HABALOU	Submitted
	JENELLE L. MESSER for LATASHA R. GRANT	Submitted
	PATRICIA M. MCGRATH, ATTORNEY FOR CHILD	Submitted
519.0 CA 15-01485	<b>PATRICIA PAGE</b> V <b>NIAGARA FALLS MEMORIAL MEDICAL CTR.</b>	
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered November 24, 2014. The order insofar as appealed from, granted the motions of defendants to dismiss the complaint, denied as moot the motion of plaintiffs to compel disclosure and denied the motion of plaintiffs to vacate the order of January 30, 2014.	
	LINDA LALLI STARK for PATRICIA PAGE	15 minutes
	MARK R. AFFRONTI for NIAGARA FALLS MEMORIAL MEDICAL CTR	15 minutes
	SVETLANA K. IVY for CURLIN MEDICAL INC.	15 minutes
520.0 CA 15-01486	<b>PATRICIA PAGE</b> V <b>NIAGARA FALLS MEMORIAL MEDICAL CTR.</b>	
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered March 13, 2015. The order denied the motion of plaintiffs for reargument.	
	LINDA LALLI STARK for PATRICIA PAGE	Submitted
	MARK R. AFFRONTI for NIAGARA FALLS MEMORIAL MEDICAL CENT	Submitted
	SVETLANA K. IVY for CURLIN MEDICAL INC.	Submitted

521.0  
CAF 15-00017

JOSEPH CLARK  
V  
TARA HAWKINS

Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered December 16, 2014, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted sole custody of the parties' child to petitioner.

TIMOTHY R. LOVALLO for TARA HAWKINS 5 minutes  
JOSEPH CLARK for HIMSELF Submitted  
NOEMI FERNANDEZ, ATTORNEY FOR CHILD 10 minutes

522.0  
CAF 14-01120

In the Matter of  
AMANDA M.

Appeal from a decision and order of the Family Court, Erie County (Margaret O. Szczer, J.), entered June 16, 2014, in proceeding pursuant to Social Services Law § 384-b. The decision and order terminated the parental rights of respondent.

DAVID J. PAJAK for GEORGE M. Submitted  
JOSEPH T. JARZEMBEK for ERIE COUNTY DSS 5 minutes  
KRISTIN L. ARCURI, ATTORNEY FOR CHILD 5 minutes  
WILLIAM D. BRODERICK, JR., ATTORNEY FOR CHILD 10 minutes

523.0  
CA 15-01272

THE SHORE WINDS, LLC  
V  
SEBASTIAN CACCAMO

Appeal from an amended order and judgment of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered October 3, 2014. The amended order and judgment granted the motion of plaintiff for a money judgment pursuant to CPLR 3215.

CHRISTOPHER J. CALABRESE for SEBASTIAN CACCAMO 10 minutes  
CANDACE M. CURRAN for THE SHORE WINDS, LLC 10 minutes

524.0  
CA 15-01750

KENNETH M. BUTKOWSKI  
V  
BRENDAN J. KIEFER

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered January 7, 2015. The order granted the motion of respondents to dismiss the amended petition and dismissed the amended petition.

W. JAMES SCHWAN for KENNETH M. BUTKOWSKI 10 minutes  
MARK A. MOLDENHAUER for BRENDAN J. KIEFER 10 minutes

525.0  
CA 15-01717

In the Matter of Arbitration Between  
CITY OF LOCKPORT  
(LOCKPORT PROFESSIONAL FIREFIGHTERS)

Appeal from a decision and order of the Supreme Court, Niagara County (Frank Caruso, J.), entered December 22, 2014. The decision and order denied the petition for a stay of arbitration and granted the motion of respondent to dismiss and to compel arbitration.

BRIAN S. KREMER for CITY OF LOCKPORT

Submitted

ANDREA LEE SAMMARCO for LOCKPORT PROF. FIREFIGHTERS ASSOC.

Submitted

526.0  
CAF 15-00314

In the Matter of  
BRIAN S.

Appeal from an order of the Family Court, Cayuga County (Thomas G. Leone, J.), entered March 2, 2015, in a proceeding pursuant to Family Court Act article 10. The order determined that respondent Tanya S. had neglected the subject children.

ADAM H. VAN BUSKIRK for TANYA S.

10 minutes

ALLISON A. BOSWORTH for CAYUGA CO. DSS

10 minutes

THEODORE W. STENUF, ATTORNEY FOR CHILD

5 minutes

SUSAN JAMES, ATTORNEY FOR CHILD

5 minutes

MARYBETH D. BARNET, ATTORNEY FOR CHILD

5 minutes

527.0  
CA 15-01711

TODD SPRING  
V  
COUNTY OF MONROE

Appeal from a decision, order and judgment of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered January 7, 2015. The decision, order and judgment, insofar as appealed from, granted in part the petition to compel response to the Freedom of Information Law request of petitioner.

EUGENE WELCH for COUNTY OF MONROE

15 minutes

GLENN E. PEZZULO for TODD SPRING

Submitted

528.0  
CA 15-01703

MARK DODGE  
V  
COUNTY OF ERIE

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 16, 2015. The order, insofar as appealed from, denied defendant County of Erie's motion for summary judgment dismissing the complaint of plaintiffs Mark Dodge and Kristin Dodge.

THOMAS JOHN NAVARRO, JR., for COUNTY OF ERIE

15 minutes

PETER M. KOOSHOIAN for MARK DODGE

15 minutes

**DAY CALENDAR**  
**Thursday, May 19, 2016 - 10:00 AM**  
**COURTROOM 2**

529.0  
KA 13-01457

**PEOPLE**  
**V**  
**SCOTT D. STANLEY**

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered August 1, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the first degree and rape in the second degree.

**NICHOLAS P. DIFONZO for SCOTT D. STANLEY**

**Submitted**

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

**Submitted**

**DAY CALENDAR**  
**Monday, May 23, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

530.0  
KA 15-01733

**PEOPLE**  
**V**  
**ANDREW PEYATT**

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered April 22, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted criminal sexual act in the first degree and attempted course of sexual conduct against a child in the first degree.

THOMAS J. EOANNOU for ANDREW PEYATT 5 minutes

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

531.0  
KA 14-00408

**PEOPLE**  
**V**  
**ROBERT HAIGLER**

Appeal from a judgment of the Wyoming County Court (Mark H. Dadd, J.), rendered September 5, 2013. The judgment convicted defendant, upon his plea of guilty, of promoting prison contraband in the second degree.

MARY P. DAVISON for ROBERT HAIGLER 5 minutes

DONALD G. O'GEEN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

532.0  
KA 12-00819

**PEOPLE**  
**V**  
**TYNELL L. TISDALE**

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered March 15, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree, criminal possession of a controlled substance in the fourth degree, unlawful possession of marijuana and possession of alcohol in a motor vehicle.

CHRISTOPHER G. HORNIG for TYNELL L. TISDALE 5 minutes

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

533.0  
KA 14-01683

**PEOPLE**  
**V**  
**WILLIAM J. DOLAN, JR.**

Appeal from a judgment of the Lewis County Court (Daniel R. King, J.), rendered July 18, 2014. The judgement convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the second degree.

GUY A. TALIA for WILLIAM J. DOLAN, JR. Submitted

JOHN A. CIRANDO for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

534.0  
KA 13-00308

**PEOPLE**  
**V**  
**DAVID BROWN**

Appeal from a judgment of the Onondaga County Court (Jeffrey R. Merrill, A.J.), rendered November 13, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

CHRISTINE M. COOK for DAVID BROWN

Submitted

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

Submitted

535.0  
KA 13-00309

PEOPLE  
V  
DAVID BROWN

Appeal from a judgment of the Onondaga County Court (Jeffrey R. Merrill, A.J.), rendered November 13, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree.

CHRISTINE M. COOK for DAVID BROWN

Submitted

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

Submitted

536.0  
KA 14-01314

PEOPLE  
V  
ANDRE AMOS

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered May 28, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

CAITLIN M. CONNELLY for ANDRE AMOS

5 minutes

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

5 minutes

537.0  
KA 14-01970

PEOPLE  
V  
RICHARD H. MOORE

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered May 2, 2014. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

EDWARD P. PERLMAN for RICHARD H. MOORE

Submitted

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

Submitted

538.0  
KA 14-00336

PEOPLE  
V  
ROBERT W. HENDERSON

Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered August 12, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the fifth degree.

JOHN A. CIRANDO for ROBERT W. HENDERSON

10 minutes

AMY L. HALLLENBECK for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

539.0  
KA 14-00531

PEOPLE  
V  
FREDERICK SYMONDS, JR.

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered March 11, 2014. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the third degree and incest in the third degree (two counts).

JOSEPH D. WALDORF for FREDERICK SYMONDS, JR. 10 minutes

JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

540.0  
KA 14-00958

PEOPLE  
V  
CHRISTOPHER L. WALTERS

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered May 29, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

BARBARA J. DAVIES for CHRISTOPHER L. WALTERS 10 minutes

ANTHONY M. ROSSI for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

541.0  
KA 13-02011

PEOPLE  
V  
TYRONE L. GRAHAM

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered February 28, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.

KIMBERLY F. DUGUAY for TYRONE L. GRAHAM 10 minutes

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

542.0  
CAF 14-01821

In the Matter of  
JOEY J.

Appeal from a decision and order of the Family Court, Erie County, (Margaret O. Szczur, J.), entered September 29, 2014, in a proceeding pursuant to Social Services Law § 384-b. The decision and order terminated the parental rights of respondent.

WILLIAM D. BRODERICK, JR., for ELEANOR J. Submitted

JOSEPH T. JARZEMBEK for ERIE COUNTY DSS 10 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD Submitted

543.0  
CAF 15-00550

In the Matter of  
JOSHUA T. N.

Appeal from an order of the Family Court, Wayne County (Dennis M. Kehoe, J.), entered March 13, 2015 in proceeding pursuant to Family Court Act article 6. The order, among other things, terminated respondent's parental rights regarding subject children.

CHARLES J. GREENBERG for TOMMIE M. 10 minutes

GARY LEE BENNETT for WAYNE COUNTY DSS 10 minutes

VICTOR B. CHAMBERS, ATTORNEY FOR CHILD 10 minutes

544.0  
CAF 13-02185

TRISHA M. DANIELS  
V  
JUSTIN M. DAVIS

Appeal from an order of the Family Court, Monroe County (Paul M. Riordan, R.), entered October 24, 2013 in a proceeding pursuant to Family Court Act article 8. The order, among other things, directed respondent to have no offensive contact with petitioner.

GEORGE J. HOFFMAN, JR., for JUSTIN M. DAVIS 10 minutes

TRISHA M. DANIELS for HERSELF Submitted

FREDERICK PETER LESTER, ATTORNEY FOR CHILD Submitted

545.0  
CAF 14-02153

CHRISTOPHER NICHOLSON  
V  
DONNA M. NICHOLSON

Appeal from an order of the Family Court, Monroe County (John B. Gallagher, Jr., J.), entered October 6, 2014, in a proceeding pursuant to article 6 of the Family Court Act. The order denied the petition.

MARY P. DAVISON for CHRISTOPHER NICHOLSON 5 minutes

DONNA M. NICHOLSON for HERSELF Submitted

GARY MULDOON, ATTORNEY FOR CHILD 10 minutes

546.0  
CA 15-01332

DORI R. MARSHALL  
V  
GEOFFREY G. HOBIKA

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered December 11, 2014. The order, insofar as appealed from, determined that each party should contribute equally to the college expenses of their daughter.

WAYNE I. FREID for DORI R. MARSHALL 10 minutes

JAMES P. RENDA for GEOFFREY G. HOBIKA 15 minutes

547.0  
CA 15-01795

PATRICIA KAREN KILLIAN  
V  
CAPTAIN SPICER'S GALLERY, LLC

Appeal from an order of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered April 13, 2015. The order, among other things, granted defendants' motion for partial summary judgment.

TERESA M. BENNETT for PATRICIA KAREN KILLIAN 10 minutes

STEPHEN W. GEBO for CAPTAIN SPICER'S GALLERY, LLC 10 minutes

548.0  
CA 15-01862

WELLSVILLE CITIZENS  
V  
WAL-MART STORES, INC.

Appeal from a decision and order of the Supreme Court, Allegany County (Terrence M. Parker, J.), entered June 12, 2014. The decision and order denied the CPLR article 78 petition.

PARKER MACKAY for WELLSVILLE CITIZENS L 15 minutes

KENNETH D. FRIEDMAN for WAL-MART STORES, INC. 15 minutes

MICHAEL B. FINN for TOWN OF WELLSVILLE

Submitted

549.0  
CA 15-00810

**DON M. MOORE**  
V  
**THE CENTRAL NY VOLLEYBALL OFFICIALS CORP.**

Appeal from a memorandum decision and order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered July 1, 2014. The memorandum decision and order denied the CPLR article 78 petition and granted the motion of respondent to dismiss the petition.

DON M. MOORE for HIMSELF

30 minutes

NICOLE MARLOW-JONES for THE CENTRAL NY VOLLEYBALL OFFICIALS

10 minutes

550.0  
CA 15-01661

**DAVID R. MILES**  
V  
**TOWN/VILLAGE OF EAST ROCHESTER**

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered December 19, 2014. The order, among other things, granted plaintiff Sal Barbieri, doing business as Northside Roofing's motion to renew its summary judgment motion and upon renewal granted the motion for summary judgment.

DERRICK A. SPATORICO for DAVID R. MILES

10 minutes

THOMAS SAN FILIPO for SAL BARBIERI

10 minutes

**DAY CALENDAR**  
**Monday, May 23, 2016 - 10:00 AM**  
**COURTROOM 2**

551.0  
KA 12-00590

**PEOPLE**  
**V**  
**LUIS QUINONES**

Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered August 10, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree (two counts).

**PHILIP ROTHSCHILD for LUIS QUINONES**

**Submitted**

**VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

**DAY CALENDAR**  
**Tuesday, May 24, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

552.0  
KA 13-01077

**PEOPLE**  
**V**  
**MICHAEL L. TYLER**

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered April 3, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the second degree

JANE I. YOON for MICHAEL L. TYLER Submitted

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

553.0  
KA 13-01649

**PEOPLE**  
**V**  
**DANIEL SEITZ**

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered May 24, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.

EVAN B. HANNAY for DANIEL SEITZ Submitted

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

554.0  
KA 13-01424

**PEOPLE**  
**V**  
**EARNEST L. BELL**

Appeal from a judgment of the Monroe County Court (John R. Schwartz, A.J.), rendered April 15, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree, (two counts) and criminal possession of a controlled substance in the third degree (three counts).

JANE I. YOON for EARNEST L. BELL Submitted

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

555.0  
KA 15-00638

**PEOPLE**  
**V**  
**MICHAEL NEWSOME**

Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered January 8, 2015. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree (two counts), assault in the second degree and criminal obstruction of breathing or blood circulation.

ROBERT TUCKER for MICHAEL NEWSOME Submitted

BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

556.0  
KA 15-00637

**PEOPLE**  
**V**  
**MICHAEL NEWSOME**

Appeal from a judgment of the Wayne County Court (Daniel G. Barrett, J.), rendered January 8, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree (two counts).

	ROBERT TUCKER for MICHAEL NEWSOME	Submitted
	BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
557.0 KA 15-00431	PEOPLE V STEVEN B. LEWIS	
	Appeal from an order of the Wayne County Court (Daniel G. Barrett, J.), entered March 9, 2015. The order determined that defendant is a level three risk, pursuant to the Sex Offender Registration Act.	
	DAVID M. PARKS for STEVEN B. LEWIS	Submitted
	BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
558.0 KA 12-02309	PEOPLE V DONYELL MCKENZIE	
	Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered December 5, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	DREW R. DUBRIN for DONYELL MCKENZIE	10 minutes
	ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
559.0 KA 15-02114	PEOPLE V MICHAEL TYO	
	Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered May 5, 2014. The judgment convicted defendant, upon his plea of guilty, of forgery in the second degree.	
	JOHN A. CIRANDO for MICHAEL TYO	15 minutes
	AMY L. HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
560.0 KA 14-00979	PEOPLE V RASHEED JACKSON	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 3, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and reckless endangerment in the first degree.	
	PHILIP ROTHSCHILD for RASHEED JACKSON	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
561.0 KA 11-00093	PEOPLE V HERIBERTO SOTO	
	Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.), rendered January 4, 2011. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child.	
	DREW R. DUBRIN for HERIBERTO SOTO	10 minutes
	SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes

562.0  
KA 14-00525

**PEOPLE**  
**V**  
**LEROY SAVAGE SMITH**

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered May 20, 2013. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the fourth degree.

PHILIP ROTHSCHILD for LEROY SAVAGE SMITH 10 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

563.0  
CAF 14-02135

**In the Matter of**  
**ALEXUS R. L.**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered October 28, 2014, in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

DAVID J. PAJAK for ASHLEY K. Submitted

PAULA A. CAMPBELL for GENESEE COUNTY DSS Submitted

SARA E. ROOK, ATTORNEY FOR CHILD 5 minutes

564.0  
CAF 14-02136

**In the Matter of**  
**JORDIN K.**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered October 28, 2014, in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

DAVID J. PAJAK for ASHLEY K. Submitted

PAULA A. CAMPBELL for GENESEE COUNTY DSS Submitted

SARA E. ROOK, ATTORNEY FOR CHILD Submitted

565.0  
CAF 14-01936

**CHARISE R. TELLES**  
**V**  
**TODD J. DEWIND**

Appeal from an order of the Family Court, Monroe County (John J. Rivoli, J.H.O.), entered October 8, 2014, in a proceeding pursuant to article 8 of the Family Court Act. The order, among other things, directed respondent to stay away from petitioner.

CYNTHIA FEATHERS for TODD J. DEWIND 5 minutes

CHARLES A. SCHIANO, JR., for CHARISE R. TELLES 5 minutes

566.0  
CAF 15-00264

**LINDSAY A. ESPOSITO**  
**V**  
**MATTHEW E. MAGILL**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered January 12, 2015, in proceedings pursuant to Family Court Act article 6. The order dismissed the petition

CHARLES J. GREENBERG for LINDSAY A. ESPOSITO 5 minutes

MATTHEW E. WARD for HIMSELF 5 minutes

FARES A. RUMI, ATTORNEY FOR CHILD 10 minutes

567.0  
CA 15-01719

**CHELSEY A. O'BRYAN**  
**V**  
**TONAWANDA HOUSING AUTHORITY**

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered February 10, 2015. The order granted the motion of defendant for summary judgment and dismissed th complaint.

JOHN A. COLLINS for CHELSEY A. O'BRYAN 10 minutes

KEVIN A. LANE for TONAWANDA HOUSING AUTHORITY 10 minutes

568.0  
CA 15-00907

**LAURIE MILLS**  
**V**  
**BUFFALO GENERAL HOSPITAL**

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered April 13, 2015. The order, among other things, denied defendant's motion for summary judgment dismissing the complaint.

AMANDA C. ROSSI for BUFFALO GENERAL HOSPITAL 15 minutes

DOMINIC J. POMPO for LAURIE MILLS 10 minutes

569.0  
CA 15-01762

**MICHAEL R. EBELING** **SETTLED**  
**V**  
**JOSHUA R. WALKER**

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered July 6, 2015. The order denied the motion of plaintiff for summary judgment.

J. MICHAEL HAYES for MICHAEL R. EBELING

ROBERT M. LIPPMAN for JOSHUA R. WALKER

570.0  
CA 15-01427

**JAMES MYKYTYN**  
**V**  
**HANNAFORD BROS. CO.**

Appeal and cross appeal from an order of the Supreme Court, Oneida County (Patrick F. McCrae, J.), entered May 14, 2015. The order granted in part and denied in part the motion of defendants for summary judgment dismissing the complaint.

TED HENRY WILLIAMS for HANNAFORD BROS. CO. 15 minutes

A.J. BOSMAN for JAMES MYKYTYN 15 minutes

571.0  
CA 15-01429

**In the Matter of**  
**THE ESTATE OF ERNEST EARL COWELL**

Appeal from a decision and order of the Surrogate's Court, Allegany County (Thomas P. Brown, S.), entered October 15, 2014. The decision and order denied the motion of appellant to confirm his bid for an oil and gas lease.

GERALD J. VELLA for ERNEST COWELL 10 minutes

ALAN LEROY SPEARS for GLORIA LOUK 10 minutes

MICHAEL B. FINN for TERRI ROSS Submitted

572.0  
CA 15-01755

JABARI PENDA  
V  
MARY J. DUVALL

Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered June 11, 2015. The order denied the motion of defendant Michael F. Bartowski for summary judgment dismissing the complaint.

KEITH D. MILLER for MICHAEL F. BARTOWSKI

10 minutes

ROBERT E. LAHM for JABARI PENDA

10 minutes

573.0  
CA 15-01861

LARRY WEST  
V  
TIME CAP DEVELOPMENT CORP.

**SETTLED**

Appeal and cross appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered July 13, 2015. The order, among other things, denied plaintiff's motion for partial summary judgment and granted in part defendants' motion for summary judgment.

MICHAEL G. BERSANI for LARRY WEST

JENNA W. KLUCSIK for TIME CAP DEVELOPMENT CORP.

**DAY CALENDAR**  
**Tuesday, May 24, 2016 - 10:00 AM**  
**COURTROOM 2**

574.0  
KA 13-02107

**PEOPLE**  
**V**  
**MICHAEL D. AGEE**

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered March 14, 2013. The judgment convicted defendant, upon a jury verdict, of attempted robbery in the first degree, robbery in the first degree, and robbery in the second degree.

**ROBERT M. GRAFF for MICHAEL D. AGEE**

**Submitted**

**LAURA T. BITTNER for THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

**DAY CALENDAR**  
**Wednesday, May 25, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

575.0  
KA 13-01653

**PEOPLE**  
**V**  
**KESHAWN M. JENNINGS**

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered July 29, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

DAVID R. JUERGENS for KESHAWN M. JENNINGS Submitted

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

576.0  
KA 13-02012

**PEOPLE**  
**V**  
**MARCUS LOCKWOOD**

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered May 17, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

KRISTEN MCDERMOTT for MARCUS LOCKWOOD Submitted

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

577.0  
KA 15-01152

**PEOPLE**  
**V**  
**KATHRYN V. SMITH**

Appeal from a judgment of the Monroe County Court (Vincent M. DiNolfo, J.), rendered January 29, 2015. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree, burglary in the second degree and robbery in the second degree (three counts).

DAVID M. ABBATOY, JR., for KATHRYN V. SMITH 10 minutes

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

578.0  
KA 15-00274

**PEOPLE**  
**V**  
**WILLIE L. SMITH**

Appeal from a decision and order of the Monroe County Court (James J. Piampiano, J.), entered December 12, 2014. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

JAMES ECKERT for WILLIE L. SMITH Submitted

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

579.0  
KA 15-00095

**PEOPLE**  
**V**  
**KEVIN STEVENS**

Appeal from a judgment of the Wayne County Court (Dennis M. Kehoe, J.); entered December 2, 2014. The judgment revoked defendant's probation and imposed a term of imprisonment.

ROBERT TUCKER for KEVIN STEVENS

Submitted

BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

580.0  
KA 11-01833

PEOPLE

V

RICHARD BECRAFT, JR.

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered May 11, 2010. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child (two counts).

PATRICK J. MARTHAGE for RICHARD BECRAFT, JR.

10 minutes

STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

581.0  
KA 12-01872

PEOPLE

V

ROBERTO FELICIANO

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered August 2, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

JANE I. YOON for ROBERTO FELICIANO

10 minutes

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

10 minutes

582.0  
KA 14-00981

PEOPLE

V

JEROME INGRAM

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered May 12, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

TIMOTHY P. MURPHY for JEROME INGRAM

10 minutes

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

5 minutes

583.0  
KA 14-01638

PEOPLE

V

JOVAN L. BARKSDALE

Appeal from a memorandum and order of the Erie County Court (Kenneth F. Case, J.), dated July 29, 2014. The memorandum and order denied the motion of defendant pursuant to CPL 440.10.

ROBERT L. KEMP for JOVAN L. BARKSDALE

Submitted

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

Submitted

584.0  
KA 15-01259

PEOPLE

V

BRENDA E. ROTH

Appeal from a decision/order of the Lewis County Court (Daniel R. King, J.), entered June 18, 2015. The decision/order, insofar as appealed from, dismissed counts first through third of indictment no. 2015-008.

WENDY LEHMANN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

	DONALD R. GERACE for BRENDA E. ROTH	10 minutes
585.0 CA 15-01779	<b>THOMAS J. PIERONI</b> V <b>PHILLIPS LYTLE LLP</b>	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered July 8, 2015. The order granted defendants' motion to dismiss the complaint.	
	B.P. OLIVERIO for THOMAS J. PIERONI	15 minutes
	RANDALL DAVID WHITE for PHILLIPS LYTLE LLP	15 minutes
586.0 CA 15-01630	<b>BRIAN EISCH</b> V <b>SANDY CREEK CENTRAL SCHOOL DISTRICT</b>	
	Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered March 13, 2015. The order, among other things, denied in part defendant's motion for summary judgment.	
	CHRISTINE GASSER for SANDY CREEK CENTRAL SCHOOL DISTRICT	15 minutes
	RALPH S. ALEXANDER for BRIAN EISCH	10 minutes
587.0 CA 15-00173	<b>ARRELLO BARNES</b> V <b>ANTHONY ANNUCCI</b>	
	Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered December 1, 2014. The memorandum and judgment dismissed the CPLR article 78 petition.	
	ADAM W. KOCH for ARRELLO BARNES	Submitted
	PETER H. SCHIFF for ANTHONY ANNUCCI	Submitted
588.0 CA 15-01686	<b>JOHN SUGGS</b> V <b>STATE OF NEW YORK</b>	
	Appeal from an order of the Supreme Court, Oneida County (Joseph E. Fahey, A.J.), entered October 2, 2015, in a proceeding pursuant to Mental Hygiene Law article 10. The order discharged petitioner from the care, custody, control and supervision of respondent New York State Office of Mental Health.	
	FREDERICK A. BRODIE for STATE OF NEW YORK	10 minutes
	MEGAN E. DORR for JOHN SUGGS	10 minutes
589.0 CA 15-01712	<b>CHESTER W. PASTUSZYNSKI</b> V <b>LISA F. LOFASO</b>	
	Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered July 9, 2015. The order denied the motion of defendants for summary judgment dismissing the complaint.	
	HEDWIG M. AULETTA for LISA F. LOFASO	15 minutes
	BRADLEY D. MARBLE for CHESTER W. PASTUSZYNSKI	15 minutes

590.0  
CA 15-01856

**VINCENT J. COONS**  
**V**  
**PREMIER PARKS, INC.**

Appeal from a decision and order of the Supreme Court, Livingston County (Robert B. Wiggins, A.J.), entered February 17, 2015. The decision and order denied the motion of defendants for summary judgment.

**MATTHEW J. KELLY for PREMIER PARKS, INC.** 10 minutes

**THOMAS JAMES RZEPKA for VINCENT J. COONS** 10 minutes

591.0  
CA 15-01751

**AUSTIN HARVARD LLC**  
**V**  
**CITY OF CANANDAIGUA**

Appeal from an order of the Supreme Court, Ontario County (Craig J. Doran, A.J.), entered April 7, 2015. The order dismissed the complaint.

**CHARLES J. GENESE for AUSTIN HARVARD LLC** 10 minutes

**MICHELE O. SMITH for CITY OF CANANDAIGUA** 10 minutes

592.0  
CA 15-00223

**In the Matter of**  
**THE APPLICATION OF MICHELE M. AZZI**

Appeal from an order and judgment of the Surrogate's Court, Monroe County (Edmund A. Calvaruso, S.), entered December 10, 2014. The order and judgment, among other things, granted the petition seeking the appointment of a guardian of the property of David J. D.,

**JENNY S. TRAPANI for HERSELF** 10 minutes

**BRIAN LAUDADIO for MICHELE M. AZZI** 10 minutes

592.1  
CA 15-01558

**CARMEN J. FINOCCHI, JR.**  
**V**  
**LIVE NATION, INC.**

Appeal and cross appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered March 30, 2015. The order precluded defendants from using their contract with Gentour, Inc., on its motion for summary judgment; granted in part and denied in part the motion of defendants for summary judgment; and granted the cross motion of plaintiffs to amend their bill of particulars.

**MEGHAN BROWN for LIVE NATION, INC.** 15 minutes

**ANNE BELTZ RIMMLER for CARMEN J. FINOCCHI, JR.** 15 minutes

**DAY CALENDAR**  
**Thursday, May 26, 2016 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

593.0  
KA 14-01489

**PEOPLE**  
**V**  
**AHKEEM HUFFMAN**

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered August 4, 2014. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

TIMOTHY P. MURPHY for AHKEEM HUFFMAN Submitted

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

594.0  
KA 15-00787

**PEOPLE**  
**V**  
**MICHAEL A. BERTOLLINI**

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered January 29, 2015. The judgment convicted defendant, upon his plea of guilty, of failure to report change of address as a sex offender.

ADAM H. VAN BUSKIRK for MICHAEL A. BERTOLLINI Submitted

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

595.0  
KA 15-00788

**PEOPLE**  
**V**  
**MICHAEL A. BERTOLLINI**

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered January 29, 2015. The judgment convicted defendant, upon his plea of guilty, of reckless endangerment in the first degree.

ADAM H. VAN BUSKIRK for MICHAEL A. BERTOLLINI Submitted

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

596.0  
KA 13-01280

**PEOPLE**  
**V**  
**MICHAEL BROOKS**

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered May 24, 2013. The judgment convicted defendant, upon a jury verdict, of assault in the second degree.

MARIO J. GUTIERREZ for MICHAEL BROOKS Submitted

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

597.0  
KA 14-01246

**PEOPLE**  
**V**  
**SCOTT A. KOPPER**

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered June 23, 2014. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree.

SUSAN C. MINISTERO for SCOTT A. KOPPER Submitted

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

598.0  
KA 14-01532

PEOPLE  
V  
BRADLEY V. MALONEY

Appeal from a judgment of the Erie County Court (Michael F. Pietruska, J.), entered May 15, 2014. The judgment revoked defendant's probation and imposed a term of imprisonment.

TIMOTHY P. MURPHY for BRADLEY V. MALONEY Submitted

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

599.0  
KA 14-00470

PEOPLE  
V  
JOSE J. STITT

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered August 12, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree and robbery in the third degree.

SHERRY A. CHASE for JOSE J. STITT 10 minutes

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

600.0  
KA 13-00465

PEOPLE  
V  
DARRION B. FREEMAN

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered January 16, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree (two counts) and criminal possession of marihuana in the third degree.

JAMES A. HOBBS for DARRION B. FREEMAN 5 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

601.0  
KA 13-01066

PEOPLE  
V  
AARON JACKSON

Appeal from a judgment of the Onondaga County Court (John H. Crandall, J.), rendered March 28, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, manslaughter in the second degree, attempted robbery in the first degree (two counts), attempted robbery in the second degree and criminal possession of a weapon in the second degree (two counts).

CHRISTINE M. COOK for AARON JACKSON 10 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

602.0  
KA 14-00190

PEOPLE  
V  
EARL F. SPRAGUE, III

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered January 22, 2014. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree (28 counts).

NICHOLAS P. DIFONZO for EARL F. SPRAGUE, III 10 minutes

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

603.0  
KA 15-00261

PEOPLE  
V  
MARK KREBBEKS

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered January 6, 2015. The judgment convicted defendant, after a nonjury trial, of falsifying business records in the first degree, making a punishable false written statement, and falsely reporting an incident in the third degree.

STEVEN D. SESSLER for MARK KREBBEKS 10 minutes

JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

604.0  
KA 15-01732

PEOPLE  
V  
CORDERO GIBSON

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered October 31, 2012. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

DOMINIC SARACENO for CORDERO GIBSON Submitted

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

605.0  
CA 15-01676

In the Matter of Arbitration Between  
PATRICK M. O'FLYNN  
(MONROE CO. DEPUTY SHERIFF'S ASSOC.)

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered May 22, 2015. The order granted the petition to vacate a January 28, 2015 opinion and award of an arbitrator, vacated that opinion and award and ordered a new hearing before a different arbitrator.

DANIEL DEBOLT for MONROE COUNTY DEPUTY SHERIFF'S ASSOC. 10 minutes

MATTHEW BROWN for PATRICK M. O'FLYNN 10 minutes

606.0  
CA 15-01373

PARAMITA BANDYOPADHYAY  
V  
REBANTA BANDYOPADHYAY

Appeal from an order of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), entered December 10, 2014. The order, insofar as appealed from, determined the child support obligation of plaintiff.

MARILEE G. SERCU for PARAMITA BANDYOPADHYAY 15 minutes

JAMES A. VALENTI for REBANTA BANDYOPADHYAY 10 minutes

KIMBERLY WEISBECK, ATTORNEY FOR CHILD 5 minutes

607.0  
CA 15-01206

RUSSELL PECORARO  
V  
MARY W. MILLER

Appeal from a decision and order of the Supreme Court, Niagara County (Frank Caruso, J.), entered March 23, 2015. The decision and order denied the motion of plaintiff for substituted service pursuant to CPLR 308 (5) and granted the cross motion of defendant to dismiss the action.

CAMILLE A. SARKEES for RUSSELL PECORARO 5 minutes

**NANCY A. LONG for MARY W. MILLER**

**10 minutes**

**608.0  
CA 15-01829**

**In the Matter of Arbitration Between  
WILSON CENTRAL SCHOOL DISTRICT  
(WILSON TEACHER'S ASSOCIATION)**

**Appeal from an order of the Supreme Court, Niagara County (Mark A. Montour, J.), entered March 20, 2015. The order and judgment denied the petition to stay arbitration and granted the request to compel arbitration.**

**TRACIE L. LOPARDI for WILSON CENTRAL SCHOOL DISTRICT**

**15 minutes**

**ANTHONY J. BROCK for WILSON TEACHERS' ASSOCIATION**

**10 minutes**

**609.0  
CA 16-00209**

**CASINO FREE TYRE  
V  
TOWN BOARD OF TOWN OF TYRE**

**Appeal from a memorandum-decision, order and judgment of the Supreme Court, Seneca County (W. Patrick Falvey, A.J.), entered February 1, 2016, in a CPLR article 78 proceeding. The memorandum-decision, order and judgment dismissed the petition.**

**DANIEL F. KATZ for CASINO FREE TYRE**

**30 minutes**

**MARK CHERTOK for TOWN BOARD OF TOWN OF TYRE**

**20 minutes**

**ALAN J. KNAUF for LAGO RESORT & CASINO**

**20 minutes**