

**DAY CALENDAR**  
**Monday, October 15, 2018 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1073.0  
TP 18-00740

**DARNELL BALLARD**  
V  
**SUSAN KICKBUSH**

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 [Russell P. Buscaglia, A.J.], entered November 22, 2017) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated an inmate rule.

**DARNELL BALLARD** for HIMSELF

Submitted

**MARCUS J. MASTRACCO** for SUSAN KICKBUSH

Submitted

1074.0  
KA 17-01664

**PEOPLE**  
V  
**HOWARD GRIFFITH**

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), entered July 21, 2017. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

**WILLIAM CLAUSS** for HOWARD GRIFFITH

Submitted

**KAITLYN M. GUPTILL** for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1075.0  
KA 16-00217

**PEOPLE**  
V  
**WILLIAM MIDDLEBROOKS**

Appeal from a determination of the Erie County Court (Michael F. Pietruszka, J.), rendered August 31, 2015. The determination continued a term of incarceration previously imposed.

**BARBARA J. DAVIES** for WILLIAM MIDDLEBROOKS

Submitted

**DONNA A. MILLING** for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1076.0  
KA 14-01339

**PEOPLE**  
V  
**ALAN FICK**

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen J.), rendered July 24, 2014. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree (two counts), grand larceny in the fourth degree (three counts) and unlawful imprisonment in the first degree.

**JOHN A. CIRANDO** for ALAN FICK

15 minutes

**GREGORY MCCAFFREY** for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1077.0  
KA 16-02094

**PEOPLE**  
V  
**ADRIAN HALL**

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered October 18, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted reckless endangerment in the first degree.

TIMOTHY P. MURPHY for ADRIAN HALL

Submitted

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

Submitted

1078.0  
KA 17-00161

PEOPLE  
V  
MICHAEL F. RAMSEY

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Monroe County Court (Douglas A. Randall, J.), entered November 28, 2016. The order denied the motion of defendant to set aside his sentence pursuant to CPL 440.20.

ROSALYN B. AKALONU for MICHAEL F. RAMSEY

10 minutes

DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1079.0  
KA 16-00044

PEOPLE  
V  
QUINNTEZ J. HALL

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered October 21, 2015. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree (two counts), criminal possession of a controlled substance in the third degree (two counts) and criminal possession of a controlled substance in the seventh degree.

MARK C. DAVISON for QUINNTEZ J. HALL

10 minutes

V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

1080.0  
KA 16-02182

PEOPLE  
V  
MIGUEL MARTINEZ

Appeal from a judgment of the Onondaga County Court (Walter W. Hafner, Jr., J.), rendered August 2, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the fifth degree.

LINDA M. CAMPBELL for MIGUEL MARTINEZ

10 minutes

NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1081.0  
KA 17-00483

PEOPLE  
V  
ZACHARIAH A. MADONNA

Appeal from a judgment of the Onondaga County Court (Walter W. Hafner, Jr., A.J.), entered November 9, 2016. The order determined that defendant is a level two offender pursuant to the Sex Offender Registration Act.

JOHN A. CIRANDO for ZACHARIAH A. MADONNA

Submitted

KAITLYN M. GUPTILL for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

1082.0  
KAH 16-00564

PEOPLE EX REL.  
RICHARD GLOSS  
V  
SUSAN KICKBUSH

Appeal from a judgment (denominated order) of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), entered January 19, 2016 in a habeas corpus proceeding. The judgment, among other things, denied the petition.

SHERRY A. CHASE for RICHARD GLOSS

Submitted

BARBARA D. UNDERWOOD for SUSAN KICKBUSH

Submitted

1083.0  
CAF 17-00862

In the Matter of  
DANIEL K.

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, A.J.), entered March 31, 2017 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent Roger K. had neglected the subject children.

DANIELLE BLACKABY for ROGER K.

10 minutes

MAGGIE SEIKALY for ONONDAGA COUNTY DSS

Submitted

JOHN G. KOSLOSKY, ATTORNEY FOR THE CHILD

Submitted

1084.0  
CAF 18-00025

SHERIF BASHIR  
V  
CHRISTINE M. BRUNNER

Appeal from an order of the Family Court, Wayne County (Richard M. Healy, J.), entered November 13, 2017 in a proceeding pursuant to Family Court Act article 4. The order, among other things, denied respondent's objections to the determination of the Support Magistrate.

SHEILA DICKINSON for CHRISTINE M. BRUNNER

5 minutes

SHERIF BASHIR for HIMSELF

Submitted

1085.0  
CA 17-02158

LAPORSHA SHAW  
V  
BARBARA FRIEDLY

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered May 22, 2017. The order, insofar as appealed from, granted the motion of defendant Barbara Friedly for summary judgment and dismissed the complaint against said defendant.

MICHAEL COBBS for LAPORSHA SHAW

10 minutes

TIFFANY L. D'ANGELO for BARBARA FRIEDLY

10 minutes

1086.0  
CA 17-02159

LAPORSHA SHAW  
V  
BARBARA FRIEDLY

Appeal from an order of the Supreme Court, Monroe County (Renee Forgensi Minarik, A.J.), entered October 25, 2017. The order denied the motion of plaintiff to reargue or renew.

MICHAEL COBBS for LAPORSHA SHAW

Submitted

	TIFFANY L. D'ANGELO for BARBARA FRIEDLY	Submitted
1087.0 CA 17-01450	STATE OF NEW YORK V NATHANIEL W.	
	Appeal from an order of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered May 2, 2017. The order committed respondent to a secure treatment facility pursuant to Mental Hygiene Law article 10.	
	KAREN BAILEY TURNER for NATHANIEL W.	10 minutes
	KATHLEEN M. TREASURE for STATE OF NEW YORK	10 minutes
1088.0 CA 18-00641	CITY OF UTICA V VLADIMIR SUPRUNCHIK	
	Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered January 25, 2018. The order, among other things, denied respondent's motion to declare null and void that portion of a judgment of foreclosure that deemed all personal property located at 1532 Oriskany Street in the City of Utica to be abandoned to petitioner.	
	DAVID G. GOLDBAS for VLADIMIR SUPRUNCHIK	10 minutes
	KATHRYN HARTNETT for CITY OF UTICA	10 minutes
1089.0 CA 18-00793	JAMES KELLY V BRENDA J. LEAIRD KELLY	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered August 15, 2017. The order, among other things, denied plaintiff's motion to terminate maintenance payments to defendant.	
	SHARI JO REICH for JAMES KELLY	15 minutes
	JAMES P. RENDA for BRENDA J. LEAIRD KELLY	15 minutes
1090.0 CA 18-00900	ALLIED WORLD NATIONAL ASSURANCE V PEERLESS INSURANCE COMPANY	
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered October 23, 2017. The order, insofar as appealed from, denied the motion of defendant for summary judgment.	
	MARSHALL T. POTASHNER for PEERLESS INSURANCE COMPANY	15 minutes
	PATRICK M. TOMOVIC for ALLIED WORLD NATIONAL ASSURANCE	15 minutes
1091.0 CA 17-01540	PAULA L. GIBBS V STATE FARM FIRE AND CASUALTY COMPANY	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered July 18, 2017. The order, among other things, granted the motion of Zdarsky, Sawicki & Agostinelli LLP to withdraw as counsel for plaintiff and granted Zdarsky, Sawicki & Agostinelli LLP a charging lien, pursuant to Judiciary Law § 475, on the proceeds of any amount recovered by plaintiff in this action.	
	PAULA L. GIBBS for HERSELF	Submitted

<b>1092.0</b> <b>CA 18-00748</b>	<b>ROY ALBERT MURA for STATE FARM FIRE AND CASUALTY COMPANY</b>  <b>TODD SPRING</b> <b>V</b> <b>COUNTY OF MONROE</b>		<b>10 minutes</b>
	<p>Appeal from an order of the Supreme Court, Monroe County (James P. Murphy, J.), entered March 29, 2018. The order, insofar as appealed from, denied in part the motion of defendants County of Monroe and Maggie Brooks, as Monroe County Executive, for summary judgment.</p>		
	<b>EUGENE WELCH for COUNTY OF MONROE</b>		<b>15 minutes</b>
	<b>GLENN E. PEZZULO for TODD SPRING</b>		<b>15 minutes</b>
<b>1093.0</b> <b>CA 18-00648</b>	<b>SIERRA CLUB</b> <b>V</b> <b>NEW YORK STATE DEC</b>		
	<p>Appeal from an order and judgment (one paper) of the Supreme Court, Yates County (William F. Kocher, A.J.), entered June 20, 2017 in a proceeding pursuant to CPLR article 78. The order and judgment, among other things, dismissed the amended petition.</p>		
	<b>RICHARD J. LIPPES for SIERRA CLUB</b>		<b>10 minutes</b>
	<b>YVONNE E. HENNESSEY for GREENIDGE GENERATION, LLC</b>		<b>15 minutes</b>
	<b>CLAIBORNE WALTHALL for NEW YORK STATE DEC</b>		<b>10 minutes</b>