

**DAY CALENDAR**  
**Thursday, September 10, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

944.0  
TP 15-00395

**MICHAEL ALLEN**  
V  
**ROBINSON, FIRST DEPUTY**

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, Cayuga County [Mark H. Fandrich, J.], entered February 27, 2015) to review a determination of respondent. The determination found after a Tier II hearing that petitioner had violated various inmate rules.

**MICHAEL ALLEN** for HIMSELF

Submitted

**PETER H. SCHIFF** for **ROBINSON, FIRST DEPUTY**

Submitted

945.0  
TP 15-00425

**JERMAINE FANN**  
V  
**L.T. BRIGHT**

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, Orleans County [James P. Punch, A.J.], entered March 10, 2015) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated various inmate rules.

**JERMAINE FANN** for HIMSELF

Submitted

**ERIC T. SCHNEIDERMAN** for **L.T. BRIGHT**

Submitted

946.0  
TP 15-00354

**HECTOR LAPORTE**  
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 February 26, 2015) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

**ADAM W. KOCH** for **HECTOR LAPORTE**

Submitted

**PETER H. SCHIFF** for **ANTHONY ANNUCCI**

Submitted

948.0  
TP 15-00352

**ALEX SHOGA**  
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 February 27, 2015) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

**NORMAN P. EFFMAN** for **ALEX SHOGA**

Submitted

	PETER H. SCHIFF for ANTHONY ANNUCCI	Submitted
949.0 KA 10-00695	PEOPLE V JOHN HOWARD	
	Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.), rendered July 16, 2009. The judgment convicted defendant, upon a jury verdict, of resisting arrest.	
	KATHLEEN P. REARDON for JOHN HOWARD	10 minutes
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
950.0 KA 12-01128	PEOPLE V TRAMEIL GREEN	
	Appeal from a judgment of the Supreme Court, Erie County (John A. Michalek, J.), rendered November 21, 2011. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.	
	KAREN RUSSO-MCLAUGHLIN for TRAMEIL GREEN	5 minutes
	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
951.0 KA 12-01127	PEOPLE V DARRELL ROGERS	
	Appeal from a judgment of the Supreme Court, Erie County (John A. Michalek, J.), rendered November 21, 2011. The judgment convicted defendant, upon his plea of guilty, of predatory sexual assault and rape in the first degree.	
	KAREN RUSSO-MCLAUGHLIN for DARRELL ROGERS	Submitted
	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
953.0 CA 14-01729	EVA E. DUNLOP V SAINT LEO THE GREAT R.C. CHURCH	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered July 1, 2014. The order granted the motion of defendants to dismiss the action.	
	KEVIN T. STOCKER for EVA E. DUNLOP	10 minutes
	KATIE L. RENDA for SAINT LEO THE GREAT R.C. CHURCH	10 minutes
954.0 CA 15-00280	EXCELSIOR V ASSESSOR, TOWN OF AMHERST	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 17, 2014 in a proceeding pursuant to RPTL article 7. The order, among other things, denied the petition.	
	PETER ALLEN WEINMANN for EXCELSIOR	10 minutes
	RONALD P. BENNETT for ASSESSOR, TOWN OF AMHERST	Submitted
	JOSHUA FEINSTEIN for AMHERST CENTRAL SCHOOL DISTRICT	10 minutes

955.0  
CA 15-00234

RONALD KIMBALL, JR.  
V  
LAWRENCE E. NORMANDEAU, JR.

Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered May 30, 2014 in a personal injury action. The order, among other things, granted defendants' motions for summary judgment dismissing plaintiff's complaint.

MO J. ATHARI for RONALD KIMBALL, JR. 10 minutes

MARSHA HARRIS for LAWRENCE E. NORMANDEAU, JR. 10 minutes

RICHARD L. WEBER for RONALD MATTESON 10 minutes

MATTHEW E. WHRITENOUR for WILLIAM MARONEY 10 minutes

956.0  
CA 15-00430

RACHEL REGDOS  
V  
CITY OF BUFFALO

Appeal from a judgment of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered March 3, 2015 in a personal injury action. The judgment apportioned fault between plaintiff and defendant Officer Deanna Fera on the issue of liability.

DAVID M. LEE for CITY OF BUFFALO 10 minutes

JOHN A. COLLINS for RACHEL REGDOS 15 minutes

957.0  
CA 14-01558

In the Matter of  
REGINA L.F.

Appeal from an order and judgment of the Supreme Court, Monroe County (William P. Polito, J.), entered November 6, 2013, in a proceeding pursuant to Mental Hygiene Law article 81. The order and judgment, inter alia, determined Regina L.F. to be an incapacitated person, appointed Catholic Family Center as the guardian of the person and property of Regina L.F., and directed that Regina L. F. shall be provided with comfort care, including food and hydration.

MILES P. ZATKOWSKY for CATHOLIC FAMILY CENTER 15 minutes

F. PAUL GREENE for LISA RYAN Submitted

MICHAEL JONASCU for JOHN R. FOSTER Submitted

958.0  
CA 14-02263

In the Matter of  
REGINA L.F.

Appeal from a decision and order and judgment of the Supreme Court, Monroe County (William P. Polito, J.), entered November 7, 2014, in a proceeding pursuant to Mental Hygiene Law article 81. The decision and order granted the application of Catholic Family Center to be removed as the guardian for the personal needs of Regina L.F., and reinstated the health care proxy of Regina L. F., dated April 13, 2000.

MILES P. ZATKOWSKY for CATHOLIC FAMILY CENTER Submitted

F. PAUL GREENE for LISA RYAN Submitted

MICHAEL JONASCU for JOHN R. FOSTER Submitted

959.0  
CA 15-00116

**MONICA HARRIS**  
**V**  
**EVAN CAMPBELL**

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered July 29, 2014. The order, insofar as appealed from, denied the motion of plaintiffs for summary judgment on the issue of serious injury.

JOSHUA ISRAEL RAMOS for MONICA HARRIS 15 minutes

JOSHUA M. HENRY for EVAN CAMPBELL 15 minutes

961.0  
CA 15-00302

**LEVEL 3 COMMUNICATIONS, LLC**  
**V**  
**ERIE COUNTY**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered November 7, 2014. The order dismissed the petition

JOHN G. NICOLICH for LEVEL 3 COMMUNICATIONS, LLC 15 minutes

MAURA C. SEIBOLD for CITY OF BUFFALO 10 minutes

JENNIFER PERSICO for ERIE COUNTY 10 minutes

J. RYAN WHITE for LAKESHORE CENTRAL SCHOOL DISTRICT 10 minutes

MICHAEL B. RISMAN for NORTH COLLINS CENTRAL SCHOOL DISTRICT 15 minutes

ANTONIO M. SAVAGLIO for CITY OF LACKAWANNA Submitted

RICHARD MICHAEL SCHAUS for VILLAGE OF NORTH COLLINS Submitted

JOHN GAUGHAN for CITY OF LAKAWANNA SCHOOL DISTRICT Submitted

962.0  
CA 15-00348

**SCOTT WINTERMUTE**  
**V**  
**VANDEMARK CHEMICAL, INC.**

Appeal from a judgment of the Supreme Court, Niagara County (Matthew Murphy, A.J.), entered May 9, 2014. The judgment awarded plaintiff money damages upon a jury verdict.

R. ANTHONY RUPP, III, for VANDEMARK CHEMICAL, INC. 15 minutes

ANTHONY DELISO for SCOTT WINTERMUTE 10 minutes

964.0  
CA 15-00373

**ALLEGANY MOUNTAIN RESORT LLC**  
**V**  
**TOWN OF EAST OTTO**

Appeal from an order of the Supreme Court, Cattaraugus County (Michael L. Nenko, A.J.), entered May 27, 2014. The order granted the motion of petitioner for partial summary judgment and determined that all 386 units of petitioner are RVs exempt from real property tax.

ERIN M. BRADY SWENSON for TOWN OF EAST OTTO 10 minutes

LAURIE STYKA BLOOM for ALLEGANY MOUNTAIN RESORT LLC 10 minutes

965.1  
CA 15-00538

**MYRON WRIGHT**  
**V**  
**STATE OF NEW YORK**

**Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered March 26, 2015, in a proceeding pursuant to Mental Hygiene Law article 10. The order directed the discharge of petitioner from the custody of the Office of Mental Health upon a finding that petitioner is not a sex offender requiring civil management.**

**MICHAEL CONNOLLY for STATE OF NEW YORK**

**10 minutes**

**PATRICK T. CHAMBERLAIN for MYRON WRIGHT**

**10 minutes**