

DAY CALENDAR
Wednesday, September 16, 2015 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1035.0
KA 12-00368

PEOPLE
V
AARON J. JOHNSON

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered October 13, 2011. 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 fifth degree, criminal possession of marihuana in the fifth degree and criminally using drug paraphernalia in the second degree (four counts).

LINDA M. CAMPBELL for AARON J. JOHNSON 15 minutes

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

1036.0
KA 12-02194

PEOPLE
V
BRYON M. IELFIELD

Appeal from a judgment of the Supreme Court, Lewis County (Charles C. Merrell, J.), rendered March 30, 2012. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree and endangering the welfare of a child.

JOHN J. RASPANTE for BRYON M. IELFIELD Submitted

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

1037.0
KA 13-02162

PEOPLE
V
TERRANCE B. HINES

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered November 7, 2013. The judgment convicted defendant, after a nonjury trial, of criminal sale of a controlled substance in the third degree (two counts) and criminal possession of a controlled substance in the third degree (two counts).

DAVID P. ELKOVITCH for TERRANCE B. HINES Submitted

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

1038.0
KA 13-00818

PEOPLE
V
JUSTIN JONES

Appeal from a judgment of the Supreme Court, Monroe County (John J. Ark, J.), rendered August 14, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

JANE I. YOON for JUSTIN JONES 10 minutes

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

1039.0
KA 14-00755

PEOPLE
V
DARRYL NANCE

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered March 21, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

ROBERT L. KEMP for DARRYL NANCE 10 minutes

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

1040.0
KA 13-01079

PEOPLE
V
EZEIEKILE NAFI

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered May 29, 2013. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree.

BARBARA J. DAVIES for EZEIEKILE NAFI 10 minutes

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

1041.0
KA 10-02080

PEOPLE
V
SAMUEL L. JACKSON, JR.

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered July 28, 2010. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree.

EFTIHIA BOURTIS for SAMUEL L. JACKSON, JR. 10 minutes

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1042.0
KA 12-01597

PEOPLE
V
CLINTON JOHNSON

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered June 20, 2012. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.

EVAN B. HANNAY for CLINTON JOHNSON 10 minutes

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

1043.0
CA 15-00442

GREAT LAKES MOTOR CORP.
V
PATRICK F. JOHNSON

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 13, 2015. The order denied defendant's motion for summary judgment dismissing plaintiff's complaint.

WILLIAM F. SAVINO for PATRICK F. JOHNSON 10 minutes

JOHN A. COLLINS for GREAT LAKES MOTOR CORP. 10 minutes

1044.0
CA 15-00486

JAMIE MURRAY
V
RICHARD GOLLEY

Appeal from a memorandum decision and order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered January 9, 2015. The memorandum decision and order denied the motion of defendant William Emmons to dismiss the complaint.

SARAH E. BREINER for WILLIAM EMMONS 10 minutes

JEFF D. DEFRANCISCO for JAMIE MURRAY 10 minutes

SHEILA FINN SCHWEDES for RICHARD GOLLEY 10 minutes

1045.0
CA 14-01841

ERICK J. MILLER
V
ALLSTATE INDEMNITY COMPANY

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered May 29, 2014. The order, among other things, denied in part defendant's motion to dismiss.

ANTHONY G. MARECKI for ALLSTATE INDEMNITY COMPANY 15 minutes

FRANK GAETANO MONTEMALO for ERICK J. MILLER 15 minutes

1046.0
CA 14-01842

ERICK J. MILLER
V
ALLSTATE INDEMNITY COMPANY

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered August 22, 2014. The order, among other things, denied that portion of defendant's motion seeking dismissal of plaintiffs' claim for punitive damages as moot

ANTHONY G. MARECKI for ALLSTATE INDEMNITY COMPANY Submitted

FRANK GAETANO MONTEMALO for ERICK J. MILLER Submitted

1047.0
CA 15-00271

LORI SHAMP
V
KEVIN SHAMP

Appeal and cross appeal from a judgment of the Supreme Court, Monroe County (Kenneth Fisher, J.), entered May 19, 2014. The judgment, inter alia, equitably distributed the marital property of the parties.

MICHAEL STEINBERG for LORI SHAMP 15 minutes

LEAH E. TARANTINO for KEVIN SHAMP 10 minutes

1048.0
CA 15-00117

JACOB STILLMAN
V
MOBILE MOUNTAIN, INC.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered May 8, 2014. The order granted the motion of defendants Mobile Mountain, Inc., Phillip A. Cerny and Joshua Wooley to bifurcate trial of the issues of liability and damages.

KEVIN FRANCIS WALSH, JR., for JACOB STILLMAN 15 minutes

JEFFREY P. DIPALMA for MOBILE MOUNTAIN, INC. 15 minutes

1049.0
CA 14-01932

TAMMY L. WESTFALL
V
OLEAN GENERAL HOSPITAL

Appeal from an order of the Supreme Court, Cattaraugus County (Paula L. Feroletto, J.), entered July 30, 2014. The order denied plaintiffs' motion for an order certifying this action as a class action.

MICHAEL R. DRUMM for TAMMY L. WESTFALL

15 minutes

SALLY J. BROAD for OLEAN GENERAL HOSPITAL

15 minutes

1050.0
CA 15-00267

JUSTIN COFFEE

V

TANK INDUSTRY CONSULTANTS, INC.

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered November 14, 2014. The order, insofar as appealed from, denied without prejudice the motion of plaintiff to sever the third-party action and granted the motions of defendant Tank Industries Consultants, Inc., and third-party defendant to strike the note of issue.

ROBERT A. QUATTROCCI for JUSTIN COFFEE

15 minutes

STEPHEN A. DAVOLI for TANK INDUSTRY CONSULTANTS, INC.

10 minutes

SANDRA J. SABOURIN for WORLDWIDE INDUSTRIES CORP.

10 minutes

BRADY O'MALLEY for CDK INDUSTRIES, INC.

15 minutes

1051.0
CA 14-02062

ERIE MATERIALS, INC.

V

CENTRAL CITY ROOFING CO., INC.

Appeal from an order of the Supreme Court, Onondaga County (Hugh A. Gilbert, J.), entered August 12, 2014. The order, among other things, awarded plaintiff partial summary judgment on the first cause of action in its complaint.

LINDA M. CAMPBELL for CENTRAL CITY ROOFING CO., INC.

15 minutes

JORDAN R. PAVLUS for ERIE MATERIALS, INC.

15 minutes

1052.0
CA 15-00118

DONNOVAN CRUTCHFIELD

V

BRIAN JONES

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered October 3, 2014. The order, insofar as appealed from, denied the motion of plaintiff for partial summary judgment on the issue of serious injury.

TIMOTHY C. BELLAVIA for DONNOVAN CRUTCHFIELD

10 minutes

DAVID F. BOWEN for BRIAN JONES

10 minutes

1053.0
CA 14-01874

WELLS FARGO BANK, N.A.

V

DONALD ALESSI

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered March 29, 2014. The order granted the motion of plaintiff for summary judgment, struck the answer and counter claims of defendants and granted plaintiff judgment in the amount of \$210,162.57.

RICHARD G. COLLINS for DONALD ALESSI

15 minutes

GABRIELLE B. RUDA for WELLS FARGO BANK, N.A.

15 minutes

1054.0
CA 15-00312

FRANK TALLARINO
V
ONEIDA COUNTY BOARD OF LEGISLATORS

Appeal from a decision, order and judgment of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered September 18, 2014. The decision, order and judgment granted the cross motion of respondents to dismiss the petition and dismissed the petition.

GUSTAVE J. DETRAGLIA, JR., for FRANK TALLARINO **Submitted**

HERBERT J. CULLY for ONEIDA COUNTY BOARD OF LEGISLATORS **5 minutes**

1055.0
CA 14-01837

ASHLEY SWAGGARD
V
CHARLES DAGONESE

Appeal from an amended order of the Supreme Court, Erie County (Joseph R. Glowina, J.), entered June 27, 2014. The amended order denied the motion of defendant Charles Dagonese to dismiss the complaint and granted the cross motion of plaintiff for leave to reserve Dagonese.

RODGER DOYLE, JR., for CHARLES DAGONESE **10 minutes**

DAVID M. GIGLIO for ASHLEY SWAGGARD **Submitted**