

**DAY CALENDAR**  
**Thursday, January 9, 2020 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

67.0  
KA 17-00729

**PEOPLE**  
**V**  
**KEITH O. MORRISON**

Appeal from a judgment of the Supreme Court, Ontario County (Craig J. Doran, J.), rendered January 18, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree (two counts).

**CARA A. WALDMAN for KEITH O. MORRISON**

**Submitted**

**JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

68.0  
KA 19-00805

**PEOPLE**  
**V**  
**GUSTAVO ROMAN**

Appeal from a decision and order of the Monroe County Court (Christopher S. Ciaccio, J.), entered January 26, 2019. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

**DAVID R. JUERGENS for GUSTAVO ROMAN**

**Submitted**

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

**Submitted**

69.0  
KA 19-00670

**PEOPLE**  
**V**  
**RUFINO LOPEZ**

Appeal from an order of the Supreme Court, Monroe County (Alex R. Renzi, J.), entered February 8, 2019. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

**TIMOTHY S. DAVIS for RUFINO LOPEZ**

**Submitted**

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

**Submitted**

70.0  
KA 18-01411

**PEOPLE**  
**V**  
**STORM U. LANG**

Appeal from an order of the Genesee County Court (Charles N. Zambito, J.), entered June 1, 2018. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

**JAMES M. SPECYAL for STORM U. LANG**

**Submitted**

**SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

71.0  
KA 17-00596

**PEOPLE**  
**V**  
**KIRA KASTENHUBER**

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered December 1, 2016. The judgment convicted defendant, upon a plea of guilty, of murder in the second degree.

**EMILY P. TROTT for KIRA KASTENHUBER**

**10 minutes**

	<b>KAREN F. MCGEE for THE PEOPLE OF THE STATE OF NEW YORK</b>	<b>10 minutes</b>
<b>72.0 KAH 18-00672</b>	<b>PEOPLE EX REL. SHAWN E. AKIN V JOHN COLVIN</b>	
	<b>Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), dated February 1, 2018. The order denied the petition for a writ of habeas corpus.</b>	
	<b>DEBORAH K. JESSEY for SHAWN E. AKIN</b>	<b>Submitted</b>
	<b>LETITIA JAMES for JOHN COLVIN</b>	<b>Submitted</b>
<b>73.0 CAF 19-00022</b>	<b>IN THE MATTER OF ERIC M.</b>	
	<b>Appeal from an order of the Family Court, Steuben County (Philip J. Roche, J.), entered November 14, 2018. The order, among other things, adjudged that respondent's consent to the adoption of the subject children was not required.</b>	
	<b>JOHN A. CIRANDO for ERIC S. M.</b>	<b>10 minutes</b>
	<b>CHRISTOPHER A. BARTON for JOY M.</b>	<b>Submitted</b>
	<b>PAUL B. WATKINS for ATTORNEY FOR CHILD</b>	<b>10 minutes</b>
<b>74.0 TP 19-01636</b>	<b>DANIEL MAVROGIAN V STATE UNIVERSITY OF NEW YORK AT BUFFALO</b>	
	<b>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, Erie County [John F. O'Donnell, J.], entered September 3, 2019) to annul a determination of respondent. The determination found petitioner responsible for violations of respondent's Student Code of Conduct University Standards and Administrative Regulations.</b>	
	<b>MICHAEL CHARLES CIMASI for DANIEL MAVROGIAN</b>	<b>10 minutes</b>
	<b>JONATHAN D. HITSOUS for STATE UNIVERSITY OF NEW YORK AT BUFFALO</b>	<b>10 minutes</b>
<b>75.0 CAF 18-02298</b>	<b>LISA DRISCOLL V TIMOTHY MACK</b>	
	<b>Appeal from an order of the Family Court, Cayuga County (Thomas G. Leone, J.), entered December 5, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the parties share joint legal custody of the subject children and awarded petitioner physical custody of the subject children.</b>	
	<b>JOHN A. CIRANDO for SARAH DRISCOLL</b>	<b>10 minutes</b>
	<b>NORMAN J. CHIRCO for LISA DRISCOLL</b>	<b>10 minutes</b>
	<b>TIMOTHY MACK for HIMSELF</b>	<b>Submitted</b>
	<b>CHARLES M. THOMAS for ATTORNEY FOR CHILD</b>	<b>5 minutes</b>
	<b>HEIDI SUE CONNOLLY for ATTORNEY FOR CHILD</b>	<b>10 minutes</b>

77.0  
CA 19-01269

MICHAEL TURNER  
V  
BETH HIGGINS

Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered December 18, 2018. The order, among other things, denied plaintiff's motion to vacate the prior judgment against defendant Beth Higgins.

VAN HENRI WHITE for MICHAEL TURNER 15 minutes

BETH HIGGINS for HERSELF Submitted

AMY L. DI FRANCO for FARMERS NEW CENTURY INSURANCE CO. 15 minutes

78.0  
CA 18-02364

IN THE MATTER OF **SETTLED**  
CONESUS LAKE NURSING HOME, LLC  
V  
NEW YORK STATE DEPARTMENT OF HEALTH

Appeal from an order and judgment of the Supreme Court, Livingston County (Dennis S. Cohen, J.), entered November 16, 2018. The order and judgment dismissed the petition.

MICHAEL P. SCOTT-KRISTANSEN for CONESUS LAKE NURSING HOME

LETITIA JAMES for NEW YORK STATE DEPARTMENT OF HEALTH

79.0  
CA 19-00410

ELIZABETH VOTSIS  
V  
ADP, LLC

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum J.), entered February 8, 2019. The order granted the motion of defendant ADP, LLC, to dismiss the complaint.

SCOTT B. MACLAGAN for ELIZABETH VOTSIS 10 minutes

WILLIAM S. GYVES for ADP, LLC 10 minutes

80.0  
CA 19-01467

AMANDA NORTZ  
V  
NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES

Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered January 30, 2019 in a proceeding pursuant to CPLR article 78.. The order granted the petition.

JONATHAN D. HITSOUS for NEW YORK STATE DMV 10 minutes

JOHN G. LEONARD for AMANDA NORTZ 10 minutes

81.0  
CA 19-01542

ANDREW BROWN  
V  
TOWN OF WATERLOO

Appeal from a decision, order and judgment of the Supreme Court, Seneca County (Daniel J. Doyle, J.), entered February 15, 2019. The decision, order and judgment, insofar as appealed from, granted the CPLR article 78 petition and directed the reinstatement of petitioner.

FRANK W. MILLER for TOWN OF WATERLOO 10 minutes

JUSTIN S. CLARK for ANDREW BROWN 10 minutes

82.0 CA 19-01320	<b>MARY BETH B.</b> <b>V</b> <b>WEST GENESEE CENTRAL SCHOOL DISTRICT</b>	
	Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered May 9, 2019. The order, insofar as appealed from, granted in part the motion of plaintiff to serve a late notice of claim.	
	<b>CHARLES CHRISTIAN SPAGNOLI for WEST GENESEE CSD</b>	15 minutes
	<b>CHRISTOPHER C. FALLON, JR. for MARY BETH B.</b>	15 minutes
83.0 CA 19-00637	<b>BHARAT AGGARWAL</b> <b>V</b> <b>EASTVIEW MALL, LLC</b>	
	Appeal from a decision, order and judgment of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered March 15, 2019. The decision, order and judgment, insofar as appealed from, denied the motion of plaintiffs for summary judgment and granted in part the cross motion of defendant Eastview Mall, LLC, for summary judgment.	
	<b>JUSTIN S. WHITE for BHARAT AGGARWAL</b>	Submitted
	<b>JOHN A. MANCUSO for EASTVIEW MALL, LLC</b>	15 minutes
76.0 CAF 18-01607	<b>JAMES V. WILLIAMS</b> <b>V</b> <b>KRYSTAL D. RICHARDSON</b>	
	Appeal from an order of the Family Court, Onondaga County (William W. Rose, R.), entered August 2, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that respondent shall have sole legal and physical custody of the subject child.	
	<b>KRISTEN N. MCDERMOTT for JAMES V. WILLIAMS</b>	10 minutes
	<b>KRYSTAL D. RICHARDSON for HERSELF</b>	Submitted
	<b>TYLYN L. BOZEMAN for ATTORNEY FOR CHILD</b>	Submitted
88.0 CA 19-00941	<b>MOHSIN NAGI</b> <b>V</b> <b>TONY PAYNE, JR.</b>	
	Appeal from a decision and order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered October 26, 2018. The decision and order awarded attorney's fees to The Deitrich Law Firm, P.C.	
	<b>JOHN A. COLLINS for LIPSITZ GREEN SCIME CAMBRIA, LLP</b>	10 minutes
	<b>EDWARD J. MARKARIAN for THE DIETRICK LAW FIRM P.C.</b>	10 minutes
89.0 CA 19-01358	<b>MOHSIN NAGI</b> <b>V</b> <b>TONY PAYNE, JR.</b>	
	Appeal from an amended decision and order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered January 9, 2019. The amended decision and order awarded attorney's fees to The Deitrich Law Firm, P.C.	
	<b>JOHN A. COLLINS for LIPSITZ GREEN SCIME CAMBRIA, LLP</b>	Submitted
	<b>EDWARD J. MARKARIAN for THE DIETRICK LAW FIRM P.C.</b>	Submitted

90.0  
CA 19-01359

MOHSIN NAGI  
V  
TONY PAYNE, JR.

Appeal from a judgment of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered January 10, 2019. The judgment awarded money damages to The Deitrich Law Firm, P.C.

JOHN A. COLLINS for LIPSITZ GREEN SCIME CAMBRIA, LLP

Submitted

EDWARD J. MARKARIAN for THE DIETRICK LAW FIRM P.C.

Submitted