

**DAY CALENDAR**  
**Tuesday, January 14, 2020 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

**118.0**  
**TP 18-01637**

**DARREL OLDHAM**  
**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, Jefferson County [James P. McClusky, J.], dated September 7, 2018) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

**DARREL OLDHAM for HIMSELF**

**Submitted**

**FRANK BRADY for ANTHONY ANNUCCI**

**Submitted**

**119.0**  
**KA 18-00869**

**PEOPLE**  
**V**  
**BRANDON DECAPUA**

Appeal from a decision and order of the Supreme Court, Monroe County (Vincent M. DiNolfo, J.), entered January 31, 2018. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

**TIMOTHY SCOTT DAVIS for BRANDON DECAPUA**

**Submitted**

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

**Submitted**

**120.0**  
**KA 18-02393**

**PEOPLE**  
**V**  
**BRANDON GRIFFITH**

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered September 28, 2018. The judgment convicted defendant, upon his plea of guilty, of promoting orison contraband in the first degree (two counts).

**CHARLES A. MARANGOLA for BRANDON GRIFFITH**

**Submitted**

**BRITTANY GROME ANTONACCI for THE PEOPLE OF THE STATE OF NY**

**Submitted**

**121.0**  
**KA 17-00944**

**PEOPLE**  
**V**  
**SHELBY M. HODGE**

Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered January 24, 2017. The judgment convicted defendant, upon a plea of guilty, of kidnapping in the second degree.

**JOHN A. CIRANDO for SHELBY M. HODGE**

**10 minutes**

**AMY LEIGH HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK**

**10 minutes**

**122.0**  
**KA 16-00979**

**PEOPLE**  
**V**  
**DOMINIC PARTON**

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered May 13, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the first degree and criminal possession of a weapon in the fourth degree.

	BRIDGET L. FIELD for DOMINIC PARTON	10 minutes
	KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
123.0 KA 18-00860	PEOPLE V LERON BAILEY	
	Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered March 6, 2018. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, attempted murder in the second degree and criminal possession of a weapon in the second degree (two counts).	
	SHERRY A. CHASE for LERON BAILEY	15 minutes
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
124.0 KA 15-02014	PEOPLE V HENRY J. NEWSOME	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered October 20, 2015. The judgment convicted defendant, upon a jury verdict, of burglary in the third degree.	
	BENJAMIN L. NELSON for HENRY J. NEWSOME	5 minutes
	KAYLAN C. PORTER for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
125.0 CAF 18-02344	GARY LATRAY V ANDREA HEWITT	
	Appeal from an order of the Family Court, Onondaga County (Karen Stanislaus, R.), entered September 5, 2018, in a proceeding pursuant to Family Court Act article 6. The order denied the petition for custody.	
	JOHN A. CIRANDO for GARY LATRAY	10 minutes
	ANDREA HEWITT for HERSELF	Submitted
	STEPHANIE N. DAVIS for ATTORNEY FOR CHILD	5 minutes
126.0 CAF 18-02345	ANDREA HEWITT V GARY LATRAY	
	Appeal from an order of the Family Court, Onondaga County (Karen Stanislaus, R.), entered September 11, 2018, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, continued joint custody.	
	JOHN A. CIRANDO for GARY LATRAY	Submitted
	ANDREA HEWITT for HERSELF	Submitted
	STEPHANIE N. DAVIS for ATTORNEY FOR CHILD	Submitted
127.0 CAF 18-00996	IN THE MATTER OF LOGAN P.	
	Appeal from an order of the Family Court, Seneca County (Dennis F. Bender, J.), entered May 17, 2018 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent neglected the subject child.	

	CHARLES J. GREENBERG for STEPHEN P.	5 minutes
	CHRISTOPHER LUCCHESI for SENECA COUNTY DSS	5 minutes
	PAUL WENDELL BLEAKLEY for ATTORNEY FOR CHILD	Submitted
128.0 CAF 18-00997	IN THE MATTER OF LOGAN P.	
	Appeal from an order of the Family Court, Seneca County (Dennis F. Bender, J.), entered April 30, 2018 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent neglected the subject child and directed respondent to have no communication with the subject child, except during the course of visitation.	
	CHARLES J. GREENBERG for STEPHEN P.	Submitted
	CHRISTOPHER LUCCHESI for SENECA COUNTY DSS	Submitted
	PAUL WENDELL BLEAKLEY for ATTORNEY FOR CHILD	Submitted
129.0 CAF 19-00248	ROCHELLE RAGER V JOSHUA RAMSELL	
	Appeal from a decision and order of the Family Court, Niagara County (Kathleen Wojtaszek-Gariano, J.), entered December 19, 2018, in a proceeding pursuant to Family Court Act article 6. The decision and order, inter alia, granted the petition of Rochelle Rager for leave to relocate with the subject child to South Carolina.	
	THERESA L. PREZIOSO for JOSHUA RAMSELL	10 minutes
	JESSICA J. BURGASSER for ROCHELLE RAGER	10 minutes
	MELISSA A. CAVAGNARO for ATTORNEY FOR CHILD	10 minutes
130.0 CAF 18-02172	PAMELA ROBINSON V ERIE COUNTY DSS	
	Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered May 9, 2018 in proceedings pursuant to Family Court Act article 6. The order dismissed the petition with prejudice.	
	CHARLES J. GREENBERG for PAMELA ROBINSON	5 minutes
	NICHOLAS G. LOCICERO for ERIE COUNTY DSS	10 minutes
	RICHARD L. SULLIVAN for ATTORNEY FOR CHILD	Submitted
	DOMINIC PAUL CANDINO for ATTORNEY FOR CHILD	5 minutes
131.0 CA 19-01532	OSVALDO GARCIA V TOWN OF TONAWANDA	
	Appeal from an order of the Supreme Court, Erie County (Emilio Colaiacovo, J.), entered February 6, 2019. The order, insofar as appealed from, denied the motion of plaintiff to strike the answer of Town of Tonawanda.	
	R. COLIN CAMPBELL for OSVALDO GARCIA	10 minutes
	RYAN LANCE GELLMAN for TOWN OF TONAWANDA	10 minutes

132.0 CA 19-01351	<p>NICOLE P. BASS V LYNN R. BURRELL</p> <p>Appeal from an order of the Supreme Court, Niagara County Ralph A. Boniello, III, J.), entered May 1, 2019. The order, insofar as appealed from, denied the motion of defendants Lynn R. Burrell and B&amp;R Green Trucking, LLC, for summary judgment.</p> <p>ADAM C. FERRANDINO for LYNN R. BURRELL</p> <p>PAUL K. BARR for NICOLE P. BASS</p>	<p>15 minutes</p> <p>15 minutes</p>
133.0 CA 19-00283	<p>STATE OF NEW YORK V RICHARD F.</p> <p>Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered December 27, 2018, in a proceeding pursuant to Mental Hygiene Law article 10. The order, inter alia, committed respondent to a secure treatment facility.</p> <p>PATRICK T. CHAMBERLAIN for RICHARD F.</p> <p>KATHLEEN M. TREASURE for STATE OF NEW YORK</p>	<p>10 minutes</p> <p>10 minutes</p>
134.0 CA 19-00313	<p>DEANNA LETRAY V NEW YORK STATE DHR</p> <p>Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered January 28, 2019 in a proceeding pursuant to CPLR article 78. The order denied the petition.</p> <p>ERIN BETH HARRIST for DEANNA LETRAY</p> <p>ERIN MARIE SOBKOWSKI for NEW YORK STATE DHR</p> <p>ROBERT JAMES SLYE for CITY OF WATERTOWN POLICE DEPARTMENT</p> <p>DAVID PAULSEN for JEFFERSON COUNTY SHERIFF'S OFFICE</p>	<p>15 minutes</p> <p>15 minutes</p> <p>Submitted</p> <p>Submitted</p>
135.0 CA 19-01218	<p>STEVEN M. CRAMER V RONALD J. SCHRUEFER</p> <p>Appeal from a judgment of the Supreme Court, Erie County (Mark A. Montour, J.), entered January 15, 2019. The judgment, entered upon a jury verdict of no cause for action in favor of defendant, awarded defendant costs and disbursements.</p> <p>DANIEL J. CHIACCHIA for STEVEN M. CRAMER</p> <p>LEAH A. COSTANZO for RONALD J. SCHRUEFER</p>	<p>10 minutes</p> <p>10 minutes</p>
136.0 CA 19-00399	<p>ANALISA MCDOWELL V MICHAEL C. BRANT</p> <p>Appeal from an order of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered October 23, 2018. The order denied defendant Michael C. Brant's motion for summary judgment.</p> <p>PETER D. CANTONE for MICHAEL C. BRANT</p>	<p>10 minutes</p>

	JONATHAN E. STAEHR for ANALISA MCDOWELL	10 minutes
137.0 CA 19-00400	JORDAN MCDOWELL V MICHAEL C. BRANT	
	Appeal from an order of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered October 23, 2018. The order denied defendant Michael C. Brant's motion for summary judgment.	
	PETER D. CANTONE for MICHAEL C. BRANT	Submitted
	JONATHAN E. STAEHR for JORDAN MCDOWELL	Submitted
139.0 CA 19-00229	TRAVELERS CASUALTY AND SURETY CO. V DIPIZIO CONSTRUCTION COMPANY, INC.	
	Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered January 29, 2019. The order denied the motion by non-party Dipizio Construction Company seeking to intervene in this consolidated action.	
	DANIEL W. ISAACS for DIPIZIO CONSTRUCTION COMPANY, INC.	Submitted
	ANDREW P. DEVINE for ERIE CANAL HARBOR DEVELOPMENT CORP.	10 minutes
140.0 CA 19-01640	IVES HILL COUNTRY CLUB, INC. V CITY OF WATERTOWN	
	Appeal from a memorandum decision and order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered March 5, 2019. The memorandum decision and order denied the motion of plaintiffs for summary judgment, granted the cross motions of defendants for summary judgment and dismissed the complaint.	
	STEVEN G. LEVENTHAL for IVES HILL COUNTRY CLUB, INC.	15 minutes
	MITCHELL J. KATZ for CITY OF WATERTOWN	15 minutes
	IAN W. GILBERT for WATERTOWN GOLF CLUB	15 minutes
141.0 CA 19-01642	IVES HILL COUNTRY CLUB, INC. V CITY OF WATERTOWN	
	Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered July 19, 2019. The order denied the motion of plaintiffs for leave to renew.	
	STEVEN G. LEVENTHAL for IVES HILL COUNTRY CLUB, INC.	Submitted
	MITCHELL J. KATZ for CITY OF WATERTOWN	Submitted
	IAN W. GILBERT for WATERTOWN GOLF CLUB	Submitted