

DAY CALENDAR
Monday, January 6, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

1.0
TP 19-01445

VAUGHN D. DERAWAY
V
NEW YORK STATE DMV

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, Oneida County [Erin P. Gall, J.], entered August 29, 2018) to review a determination of respondent. The determination vacated a stay and reinstated the revocation of petitioner's driver's license.

JOHN G. LEONARD for VAUGHN D. DERAWAY

Submitted

OWEN DEMUTH for NEW YORK STATE DMV

Submitted

2.0
KA 19-00547

PEOPLE
V
WILLIAM BROCKINGTON

Appeal from an order of the Monroe County Court (Vincent M. Dinolfo, J.), entered January 29, 2019. The order denied the petition of defendant for a downward modification of his risk level pursuant to the Sex Offender Registration Act.

TIMOTHY S. DAVIS for WILLIAM BROCKINGTON

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

4.0
KA 19-00593

PEOPLE
V
JOSEPH CENTOFANTI

Appeal from an order of the Niagara County Court (Matthew J. Murphy, III, J.), entered February 22, 2019. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

JOSEPH G. FRAZIER for JOSEPH CENTOFANTI

Submitted

LAURA THERESA JORDAN for THE PEOPLE OF THE STATE OF NY

Submitted

5.0
KA 19-00837

PEOPLE
V
ROBERT PIWOWAR

Appeal from a judgment of the Supreme Court, Erie County (John F. O'Donnell, J.), rendered January 11, 2005. The judgment convicted defendant, upon a plea of guilty, of manslaughter in the first degree.

SUSAN C. MINISTERO for ROBERT PIWOWAR

Submitted

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

Submitted

6.0
KA 18-00320

PEOPLE
V
RICHARD WHITE

Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered September 8, 2017. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree.

EDWARD P. DUNN for RICHARD WHITE

10 minutes

7.0 KA 17-01653	<p>BRADLEY W. OASLTER for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p> <p>PEOPLE V WAYNE SHORTER</p> <p>Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered June 27, 2017. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class D felony and aggravated unlicensed operation of a motor vehicle in the first degree.</p>
	<p>KRISTEN N. MCDERMOTT for WAYNE SHORTER 10 minutes</p> <p>KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p>
8.0 KA 18-01039	<p>PEOPLE V THOMAS SIMCOE</p> <p>Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Niagara County Court (Matthew J. Murphy, III, J.), entered May 1, 2018. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.</p>
	<p>JOSEPH G. FRAZIER for THOMAS SIMCOE 10 minutes</p> <p>THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p>
9.0 KA 18-00157	<p>PEOPLE V DARNELL DOZIER</p> <p>Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered April 5, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree.</p>
	<p>ALAN WILLIAMS for DARNELL DOZIER 10 minutes</p> <p>MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p>
10.0 CAF 18-01726	<p>ANTHONY MCMILLER V NATASHA FRANK</p> <p>Appeal from an order of the Family Court, Onondaga County (William W. Rose, R.), entered September 4, 2018 in a proceeding pursuant to Family Court Act article 6. The order modified a prior order of custody and visitation.</p>
	<p>KRISTEN N. MCDERMOTT for ANTHONY MCMILLER 15 minutes</p> <p>NATASHA FRANK for HERSELF Submitted</p> <p>ANDREW SCOTT GREENBERG for ATTORNEY FOR CHILD 10 minutes</p>
11.0 CAF 19-00241	<p>DURIEL A. GREEN V BIANCA S. BOLTON</p> <p>Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered December 4, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, confirmed the Referee's Report which modified a prior order of custody and visitation entered July 11, 2014.</p>

	DEBORAH J. SCINTA for DURIEL A. GREEN	5 minutes
	DENIS A. KITCHEN, JR. for BIANCA S. BOLTON	10 minutes
	ALVIN M. GREENE for ATTORNEY FOR CHILD	5 minutes
12.0 CA 19-01425	<p>ROBERT KNAB V NEW YORK STATE THRUWAY AUTHORITY</p> <p>Appeal and cross appeal from a judgment of the Court of Claims (J. David Sampson, J.), entered February 21, 2019. The judgment entered upon a nonjury trial, among other things, adjudged that defendant was 50% liable for the happening of claimant's accident.</p> <p>JOHN A. COLLINS for ROBERT KNAB</p> <p>WILLIAM M. SWIFT for NEW YORK STATE THRUWAY AUTHORITY</p>	SETTLED
13.0 CA 19-00258	<p>STEPHEN BARBEAU V VILLAGE OF LEROY</p> <p>Appeal from a judgment (denominated order) of the Supreme Court, Genesee County (Emilio Colaiacovo, J.), entered January 14, 2019 in a proceeding pursuant to CPLR article 78. The judgment, inter alia, dismissed the proceeding.</p>	
	ALAN J. KNAUF for STEPHEN BARBEAU	Submitted
	JAMES M. WUJCIK for VILLAGE OF LEROY	10 minutes
	KRISTIE L. DEFREZE for CIRCULAR HILL, INC.	15 minutes
14.0 CA 19-00100	<p>425 WEST MAIN ASSOCIATES V SELECTIVE INSURANCE COMPANY</p> <p>Appeal from an order of the Supreme Court, Genesee County (Henry J. Nowak, J.), entered January 4, 2019. The order denied the motion to compel an appraisal.</p>	
	ELIZABETH A. KRAENGEL for 425 WEST MAIN ASSOCIATES	10 minutes
	STEVEN E. PEIPER for SELECTIVE INSURANCE COMPANY	10 minutes
16.0 CA 19-00612	<p>MAPLE-GATE ANESTHESIOLOGISTS, P.C. V DEIXY NASRIN</p> <p>Appeal from an order of the Supreme Court, Erie County (Frank A. Sedita, III, J.), entered March 22, 2019. The order granted the motion of defendants to dismiss the complaint.</p>	
	ROBERT J PORTIN for MAPLE-GATE ANESTHESIOLOGISTS, P.C.	15 minutes
	AMBER E. STORR for DEIXY NASRIN	15 minutes
17.0 CA 19-01101	<p>STATE OF NEW YORK V FOIT-ALBERT ASSOCIATES, ARCHITECTURE</p>	SETTLED

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered May 21, 2019. The order, insofar as appealed from, denied the motion of defendant New York State Thruway Authority for leave to present certain recorded testimony, contractual and common-law indemnification and summary judgment.

ELIZABETH OGNENOVSKI for NEW YORK STATE THRUWAY AUTHORITY

JENNA W. KLUCSIK for FOIT-ALBERT ASSOCIATES, ARCHITECTURE

18.0
CA 19-01152

ANN MASON

V

ERIC D. CARUANA

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered May 16, 2019. The order, among other things, granted plaintiff's motion for summary judgment as against defendant Eric D. Caruana.

MINDY L. ZOGHLIN for ERIC D. CARUANA

10 minutes

RICHARD N. FRANCO for ANN MASON

10 minutes

19.0
CA 19-00872

KAREN DOE

V

HOON CHOI, M.D.

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered January 29, 2019. The order granted the motion of defendant Hoon Choi, M.D. for summary judgment dismissing the complaint.

MICHAEL J. HUTTER for KAREN DOE

15 minutes

ROBERT M. GOLDFARB for HOON CHOI, M.D.

10 minutes

20.1
CA 18-01827

WILMINGTON TRUST, NATIONAL ASSOCIATION **SETTLED**

V

LOCKPORT PROFESSIONAL PARK REALTY

Appeal from an order of the Supreme Court, Niagara County, (Henry J. Nowak, J.), entered August 27, 2018. The order, among other things, denied in part plaintiff's motion for summary judgment.

VIVIAN MARGARITA ARIAS for WILMINGTON TRUST, NATIONAL ASSOC.

WARREN B. ROSENBAUM for LOCKPORT PROFESSIONAL PARK REALTY

DAY CALENDAR
Tuesday, January 7, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

21.0
KA 17-00131

PEOPLE
V
DANIEL K. YOUNGS

Appeal from a judgment of the Herkimer County Court (Donald E. Todd, A.J.), rendered January 6, 2017. The judgment convicted defendant, upon a plea of guilty, of rape in the first degree, criminal sexual act in the first degree and attempted sexual abuse in the first degree.

PETER J. DIGIORGIO, JR. for DANIEL K. YOUNGS 10 minutes

ROBERT R. CALLI for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

22.0
KA 18-01046

PEOPLE
V
MICHAEL BURGESS

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered April 17, 2018. The judgment convicted defendant, upon a plea of guilty, of attempted burglary in the third degree.

ROBERT L. KEMP for MICHAEL BURGESS Submitted

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

23.0
KA 19-01452

PEOPLE
V
MICHAEL STENSON

Appeal from a judgment of the Onondaga County Court (Matthew J. Doran, J.), rendered March 5, 2018. The judgment convicted defendant, upon a plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a firearm.

GUY A. TALIA for MICHAEL STENSON 10 minutes

BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

24.0
KA 17-00096

PEOPLE
V
WILLIE STENSON

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered March 24, 2016. The judgment convicted defendant, upon a plea of guilty, of failure to register or verify as a sex offender, as a class D felony.

DAVID R. JUERGENS for WILLIE STENSON Submitted

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

25.0
KA 17-02209

PEOPLE
V
WADE SANDERS

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered December 13, 2017. The judgment convicted defendant, upon a plea of guilty, of leaving the scene of an incident resulting in death.

SHERRY A. CHASE for WADE SANDERS Submitted

	DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
26.0	PEOPLE	
KA 15-01963	V	
	DAVID TETRO, JR.	
	Appeal from a judgment of the Oswego County Court (Walter W. Hafner, Jr., J.), rendered October 28, 2015. The judgment convicted defendant, upon a jury verdict, of grand larceny in the second degree, welfare fraud in the third degree and offering a false instrument for filing in the first degree.	
	JOHN A. CIRANDO for DAVID TETRO, JR.	15 minutes
	LISA E. FLEISCHMANN for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
27.0	PEOPLE	
KA 17-01096	V	
	OTIS SIMMONS	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Thomas J. Miller, J.), entered April 10, 2017. The order denied defendant's motion pursuant to CPL 440.10 and CPL 440.30 (1-a) to vacate the judgment convicting defendant upon a jury verdict of rape in the first degree, criminal sexual act in the first degree (two counts), aggravated sexual abuse in the third degree, sexual abuse in the first degree and DNA testing of physical evidence.	
	PHILIP ROTHSCHILD for OTIS SIMMONS	10 minutes
	KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
28.0	PEOPLE	
KA 17-02215	V	
	JERRELL ALLEN	
	Appeal from a judgment of the Supreme Court, Onondaga County (Gordon J. Cuffy, A.J.), rendered November 8, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree, obstructing governmental administration in the second degree, reckless endangerment in the second degree and resisting arrest.	
	PIOTR BANASIAK for JERRELL ALLEN	15 minutes
	DARIENN P. BALIN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
29.0	IN THE MATTER OF	
CAF 18-01658	CARL B.	
	Appeal from an order of the Family Court, Monroe County (Stacey Romeo, J.), entered August 13, 2018 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent with respect to the subject child.	
	PAUL B. WATKINS for CARL B.	10 minutes
	CAROL LYNN EISENMAN for MONROE COUNTY DSS	10 minutes
	ELIZABETH DEV. MOELLER for ATTORNEY FOR CHILD	10 minutes
30.0	IN THE MATTER OF	
CAF 19-00200	NYKIRA H.	

Appeal from an order of the Family Court, Monroe County (James E. Walsh, Jr., J.), entered January 8, 2019 in a proceeding pursuant to Social Services Law § 384. The order terminated the partial rights of respondent with respect to the subject child.

JAMES A. HOBBS for CHELLSIE B.-M. 10 minutes

PETER ANDREW ESSLEY for MONROE COUNTY DSS 5 minutes

CLAYTON FREDRICK HALE for ATTORNEY FOR CHILD 5 minutes

31.0
CAF 19-00792

IN THE MATTER OF
OLIVIA W.

Appeal from an order of the Family Court, Oneida County (Julia Brouillette, J.), entered March 27, 2019 in a proceeding pursuant to Family Court Act article 10. The order dismissed the petition.

JOHN A. HERBOWY for ONEIDA COUNTY DSS Submitted

COURTNEY WILLIAMS for COURTNEY W. Submitted

WILLIAM L. KOSLOSKY for ATTORNEY FOR CHILD Submitted

32.0
CAF 18-00929

IN THE MATTER OF
BRIANNA M. H.

SETTLED

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered March 12, 2018 in a proceeding pursuant to Family Court Act article 10. The order denied respondent Crystal H.'s motion to vacate the temporary order of protection issued November 13, 2017 and to vacate a certain provision of the order on review entered on November 29, 2017.

WILLIAM D. BRODERICK, JR. for CRYSTAL H.

NICHOLAS G. LOCICERO for ERIE COUNTY DSS

RICHARD L. SULLIVAN for ATTORNEY FOR THE CHILD

33.0
CAF 18-01639

JOHN AVENT
V
MARIA AVENT

Appeal from an order of the Family Court, Cattaraugus County (Moses M. Howden, J.), entered July 17, 2018 in a proceeding pursuant to Family Court Act article 6. The order granted respondent's motion to dismiss the petition.

JAY DAVID CARR for JOHN AVENT 5 minutes

JESSICA L. ANDERSON for MARIA AVENT 5 minutes

LYLE T. HAJDU for ATTORNEY FOR THE CHILD 5 minutes

34.0
CAF 19-01058

JOHN L. DRAKE
V
ANN M. DRAKE

Appeal from a decision and order of the Family Court, Cattaraugus County (Moses M. Howden, J.), entered November 20., 2018, in a proceeding pursuant to Family Court Act article 4. The decision and order, inter alia, denied the objections of respondent.

JOHN A. CIRANDO for ANN M. DRAKE 10 minutes

JOHN L. DRAKE for HIMSELF Submitted

35.0 CA 19-01270	<p>PATRICIA GLOSEK V BELLA PIZZA</p> <p>Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered July 9, 2019. The order denied the motion of defendant for summary judgment.</p> <p>KEITH N. BOND for BELLA PIZZA 10 minutes</p> <p>DAVID W. OLSON for PATRICIA GLOSEK 10 minutes</p>
36.0 CA 19-01593	<p>JOHN GUIDO V COUNTY OF CAYUGA</p> <p>Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered May 20, 2019. The order, insofar as appealed from, granted in part the motion of plaintiff for summary judgment and denied in part the motion of defendants County of Cayuga, et al., for summary judgment.</p> <p>CHARLES C. SPAGNOLI for COUNTY OF CAYUGA 15 minutes</p> <p>KENNETH B. GOLDBLATT for JOHN GUIDO 15 minutes</p>
37.0 CA 19-00367	<p>CHRISTINE C. BINGHAM V TOWN OF WHEATFIELD</p> <p>Appeal from a decision and order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered February 21, 2019. The decision and order denied the application of plaintiffs for a declaration that their notices of claim were timely served.</p> <p>LILIA FACTOR for CHRISTINE C. BINGHAM 15 minutes</p> <p>SCOTT M. PHILBIN for TOWN OF WHEATFIELD 15 minutes</p>
38.0 CA 19-01261	<p>IN THE MATTER OF ESTATE OF HOWARD BRUSIE</p> <p>Appeal from a decision and order of the Surrogate's Court, Orleans County (Sanford A. Church, S.), entered June 28, 2019. The decision and order denied and dismissed the petition for probate and vacated preliminary letters.</p> <p>BARRY J. DONOHUE for LISA FITZAK 10 minutes</p>
39.0 CA 19-01459	<p>CAROL S. V THE STATE OF NEW YORK</p> <p>Appeal from an order of the Court of Claims (Rene Forgensi Minarik, J.), entered January 11, 2019. The order denied claimants' motion for partial summary judgment on liability and granted defendant's cross-motion for summary judgment dismissing the claim.</p> <p>KATHRYN LEE BRUNS for CAROL S. 15 minutes</p> <p>JONATHAN D. HITSOUS for THE STATE OF NEW YORK 10 minutes</p>
40.0 CA 19-00675	<p>NANCY DZIWULSKI V LISA TOLLINI-REICHERT, M.D.</p>

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered April 1, 2019. The order denied defendant Lisa Tollini-Reichert, M.D.'s motion for summary judgment.

KARA M. EYRE for LISA TOLLINI-REICHERT, M.D.

15 minutes

MICHAEL R. DRUMM for NANCY DZIWULSKI

10 minutes

DAY CALENDAR
Tuesday, January 7, 2020 - 10:00 AM
COURTROOM 2

41.0
CA 18-01432

NED E. DEAN, JR.

V

TOWN OF POLAND ZONING BOARD OF APPEALS

Appeal from a judgment of the Supreme Court, Chautauqua County (Paula L. Feroletto, J.), entered December 29, 2017 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

EDWARD P. WRIGHT for NED E. DEAN, JR.

Submitted

PAUL V. WEBB, JR. for TOWN OF POLAND ZONING BOARD OF APPEALS

Submitted

JULIE B. HEWITT for BRENDA M. BUNCE

Submitted

DAVID R. STAPLETON for THE BROADWAY GROUP, LLC

Submitted

DAY CALENDAR
Wednesday, January 8, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

42.0
KA 17-01532

PEOPLE
V
RESHEENA JENKINS

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered September 28, 2016. The judgment convicted defendant, upon her plea of guilty, of riot in the first degree.

THEODORE W. STENUF for RESHEENA JENKINS

Submitted

BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

43.0
KA 17-01573

PEOPLE
V
RESHEENA JENKINS

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered September 28, 2016. The judgment convicted defendant, upon her plea of guilty, of assault in the second degree.

THEODORE W. STENUF for RESHEENA JENKINS

Submitted

BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

44.0
KA 17-02060

PEOPLE
V
WALTER DENNIS

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered September 8, 2017. The judgment convicted, upon his plea of guilty, of aggravated unlicensed operating of a motor vehicle in the first degree and driving while intoxicated, a misdemeanor.

SHERRY A. CHASE for WALTER DENNIS

Submitted

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

45.0
KA 18-01367

PEOPLE
V
MICHAEL HENDRICKSON

Appeal from a decision and order of the Wayne County Court (Daniel G. Barrett, J.), dated March 19, 2018. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

BRIDGET L. FIELD for MICHAEL HENDRICKSON

Submitted

BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

46.0
KA 17-01359

PEOPLE
V
GERMAN ROSADO-THOMAS

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered May 2, 2016. The judgment convicted defendant, upon a plea of guilty, of manslaughter in the first degree.

KATHRYN B. FRIEDMAN for GERMAN ROSADO-THOMAS

Submitted

	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
47.0	PEOPLE	
KA 19-01535	V	
	TODD J. CORRON	
	Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered September 21, 2017. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree.	
	JOHN A. CIRANDO for TODD J. CORRON	10 minutes
	NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
48.0	PEOPLE	
KA 15-00763	V	
	GARY L. EADY	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered March 26, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a forged instrument in the second degree (four counts).	
	JEFFREY WICKS for GARY L. EADY	10 minutes
	SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
49.0	PEOPLE	
KA 16-01229	V	
	THOMAS SEARS	
	Appeal from a judgment of the Onondaga County Court (James H. Cecile, J.), rendered May 10, 2016. The judgment convicted defendant, upon a plea of guilty, of burglary in the third degree, grand larceny in the fourth degree and criminal possession of stolen property in the fourth degree.	
	KRISTEN N. MCDERMOTT for THOMAS SEARS	15 minutes
	NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
50.0	PEOPLE	
KA 16-01177	V	
	CARL I. SHERMAN	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered April 4, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts) and reckless endangerment in the first degree (two counts).	
	JEFFREY WICKS for CARL I. SHERMAN	10 minutes
	DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
51.0	PEOPLE	
KA 18-01104	V	
	JEFFREY J. GIZOWSKI	
	Appeal from a judgment of the Chautauqua County Court (Susan M. Eagan, J.), rendered March 20, 2018. The judgment convicted defendant, upon his plea of guilty, of attempted aggravated assault upon a police officer.	
	LYLE T. HAJDU for JEFFREY J. GIZOWSKI	Submitted
	JOHN ZUROSKI for THE PEOPLE OF THE STATE OF NEW YORK	Submitted

52.0
CAF 17-01249

IN THE MATTER OF
AAREN F.

Appeal from an order of the Family Court, Erie County (Sharon LoVallo, J.), entered February 28, 2017, in a proceeding pursuant to Family Court Act article 10. The order determined that respondent had derivatively abused the subject child.

DAVID J. PAJAK for AMBER S.

Submitted

NICHOLAS G. LOCICERO for ERIE COUNTY DSS

Submitted

JOSEPH J. SCINTA, JR. for ATTORNEY FOR CHILD

5 minutes

RICHARD L. SULLIVAN for ATTORNEY FOR CHILD

Submitted

53.0
CAF 17-01250

IN THE MATTER OF
DOMINICK L.

Appeal from an order of the Family Court, Erie County (Sharon LoVallo, J.), entered June 15, 2017, in a proceeding pursuant to Family Court Act article 10. The order determined that respondent had abused the subject child.

DAVID J. PAJAK for AMBER S.

Submitted

NICHOLAS G. LOCICERO for ERIE COUNTY DSS

Submitted

RICHARD L. SULLIVAN for ATTORNEY FOR CHILD

Submitted

54.0
CAF 17-01251

IN THE MATTER OF
BROOKLYN S.

Appeal from an order of the Family Court, Erie County (Sharon LoVallo, J.), entered June 15, 2017, in a proceeding pursuant to Family Court Act article 10. The order determined that respondent derivatively neglected the subject child.

DAVID J. PAJAK for AMBER S.

Submitted

NICHOLAS G. LOCICERO for ERIE COUNTY DSS

Submitted

RICHARD L. SULLIVAN for ATTORNEY FOR CHILD

Submitted

55.0
CAF 18-00019

IN THE MATTER OF
EMMA D.

Appeal from an order of the Family Court, Ontario County (William F. Kocher, J.), entered November 24, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, granted Margarita D., sole custody of the subject child.

JOHN A. CIRANDO for KELLY V.

10 minutes

SANDRA JOAN PACKARD for ONTARIO COUNTY DSS

10 minutes

TERESA M. PARE for ATTORNEY FOR CHILD

10 minutes

56.0
CAF 18-00020

IN THE MATTER OF
HARMONY R.W.

Appeal from an order of the Family Court, Ontario County (William F. Kocher, J.), entered November 21, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted petitioner sole legal custody and primary physical placement of the subject child.

	JOHN A. CIRANDO for KELLY V.	Submitted
	SANDRA JOAN PACKARD for ONTARIO COUNTY DSS	Submitted
	TERESA M. PARE for ATTORNEY FOR CHILD	Submitted
57.0 CAF 19-00150	IN THE MATTER OF JAMES L. H.	
	Appeals from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered December 12, 2018 in a proceeding pursuant to Family Court Act article 10. The order adjudged that respondents had abused the subject child.	
	ROBERT J. GALLAMORE for LISA H.	Submitted
	STEPHANIE N. DAVIS for JASON H.	5 minutes
	JEFFERY G. TOMPKINS for OSWEGO COUNTY DSS	5 minutes
	ANDREW SCOTT GREENBERG for ATTORNEY FOR CHILD	10 minutes
58.0 CA 19-01660	CHARLES D. J. V CITY OF BUFFALO	
	Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered March 6, 2019. The order, insofar as appealed from, denied the motion of defendants for summary judgment.	
	CHRISTOPHER R. POOLE for CITY OF BUFFALO	Submitted
	ROBERT HAL PERK for CHARLES D. J.	10 minutes
59.0 CA 19-01227	NATIONAL FUEL GAS SUPPLY CORPORATION V IVAN GUROV	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered December 5, 2018. The order, among other things, granted the verified petition for the acquisition of easements.	
	TIMOTHY M. O'MARA for IVAN GUROV	Submitted
	CRAIG A. LESLIE for NATIONAL FUEL GAS SUPPLY CORPORATION	15 minutes
60.0 CA 19-01350	WILMINGTON SAVINGS FUND SOCIETY FSB V DENNIS G. DELIBERTO	
	Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered January 24, 2019. The order, among other things, granted defendants' motion to dismiss the complaint.	
	ZACHARY R. GOLD for WILMINGTON SAVINGS FUND SOCIETY FSB	Submitted
	T. PADRIC MOORE for DENNIS G. DELIBERTO	15 minutes
63.0 CA 19-01300	KIM A. KIRSCH V BOARD OF EDUCATION OF WILLIAMSVILLE	
	Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered December 13, 2018. The order, inter alia, denied respondents certain costs.	

CHRISTOPHER MAUGANS for BOARD OF EDUCATION OF WILLIAMSVILLE 10 minutes

MICHAEL A. STARVAGGI for KIM A. KIRSCH Submitted

**64.0
CA 19-00438**

**GLENN FREELAND
V
ERIE COUNTY**

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 14, 2019. The order granted the motion of defendants for reargument on partial summary judgment and dismissed plaintiffs' claims pursuant to 42 USC § 1983 against defendants Timothy B. Howard, Erie County Sheriff, and Mark Wipperman, Erie County Undersheriff.

KEVIN T. STOCKER for GLENN FREELAND 10 minutes

ANTHONY B. TARGIA for ERIE COUNTY 15 minutes

**65.0
CA 19-01194**

**NATIONAL FUEL GAS SUPPLY CORPORATION
V
EMILY R. OPREA**

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered December 7, 2018. The order, among other things, granted the verified petition.

RICHARD J. LIPPES for EMILY R. OPREA 15 minutes

CRAIG A. LESLIE for NATIONAL FUEL GAS SUPPLY CORPORATION 15 minutes

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

	KAREN F. MCGEE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
72.0 KAH 18-00672	PEOPLE EX REL. SHAWN E. AKIN V JOHN COLVIN	
	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.	
	DEBORAH K. JESSEY for SHAWN E. AKIN	Submitted
	LETITIA JAMES for JOHN COLVIN	Submitted
73.0 CAF 19-00022	IN THE MATTER OF ERIC M.	
	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.	
	JOHN A. CIRANDO for ERIC S. M.	10 minutes
	CHRISTOPHER A. BARTON for JOY M.	Submitted
	PAUL B. WATKINS for ATTORNEY FOR CHILD	10 minutes
74.0 TP 19-01636	DANIEL MAVROGIAN V STATE UNIVERSITY OF NEW YORK AT BUFFALO	
	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.	
	MICHAEL CHARLES CIMASI for DANIEL MAVROGIAN	10 minutes
	JONATHAN D. HITSOUS for STATE UNIVERSITY OF NEW YORK AT BUFFALO	10 minutes
75.0 CAF 18-02298	LISA DRISCOLL V TIMOTHY MACK	
	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.	
	JOHN A. CIRANDO for SARAH DRISCOLL	10 minutes
	NORMAN J. CHIRCO for LISA DRISCOLL	10 minutes
	TIMOTHY MACK for HIMSELF	Submitted
	CHARLES M. THOMAS for ATTORNEY FOR CHILD	5 minutes
	HEIDI SUE CONNOLLY for ATTORNEY FOR CHILD	10 minutes

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	MARY BETH B. V WEST GENESEE CENTRAL SCHOOL DISTRICT	
	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.	
	CHARLES CHRISTIAN SPAGNOLI for WEST GENESEE CSD	15 minutes
	CHRISTOPHER C. FALLON, JR. for MARY BETH B.	15 minutes
83.0 CA 19-00637	BHARAT AGGARWAL V EASTVIEW MALL, LLC	
	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.	
	JUSTIN S. WHITE for BHARAT AGGARWAL	Submitted
	JOHN A. MANCUSO for EASTVIEW MALL, LLC	15 minutes
76.0 CAF 18-01607	JAMES V. WILLIAMS V KRYSTAL D. RICHARDSON	
	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.	
	KRISTEN N. MCDERMOTT for JAMES V. WILLIAMS	10 minutes
	KRYSTAL D. RICHARDSON for HERSELF	Submitted
	TYLYN L. BOZEMAN for ATTORNEY FOR CHILD	Submitted
88.0 CA 19-00941	MOHSIN NAGI V TONY PAYNE, JR.	
	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.	
	JOHN A. COLLINS for LIPSITZ GREEN SCIME CAMBRIA, LLP	10 minutes
	EDWARD J. MARKARIAN for THE DIETRICK LAW FIRM P.C.	10 minutes
89.0 CA 19-01358	MOHSIN NAGI V TONY PAYNE, JR.	
	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.	
	JOHN A. COLLINS for LIPSITZ GREEN SCIME CAMBRIA, LLP	Submitted
	EDWARD J. MARKARIAN for THE DIETRICK LAW FIRM P.C.	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

DAY CALENDAR
Monday, January 13, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

92.0
KA 18-02403

PEOPLE
V
DOMINIC HAMM

Appeal from a decision and order of the Supreme Court, Monroe County (Vincent M. DiNolfo, J.), entered October 12, 2018. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for DOMINIC HAMM

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

93.0
KA 18-01861

PEOPLE
V
CARLOS PEREZ-MEDINA

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, J.), rendered October 23, 2017. The judgment convicted defendant, upon a plea of guilty, of criminal possession of a controlled substance in the third degree.

THERESA L. PREZIOSO for CARLOS PEREZ-MEDINA

Submitted

LAURA THERESA JORDAN for THE PEOPLE OF THE STATE OF NY

Submitted

94.0
KA 18-00079

PEOPLE
V
JOYCE LEWIS

Appeal from a judgment of the Ontario County Court (Stephen D. Aronson, J.), rendered August 3, 2017. The judgment convicted defendant, upon a plea of guilty, of aggravated driving while intoxicated, as a class E felony, and driving while intoxicated, as a class E felony.

MARK C. DAVISON for JOYCE LEWIS

5 minutes

V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NY

5 minutes

95.0
KA 18-00283

PEOPLE
V
MICHAEL COIT

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered August 9, 2017. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

DEBORAH K. JESSEY for MICHAEL COIT

Submitted

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

Submitted

96.0
KA 16-01976

PEOPLE
V
JOSEPH HARRIS

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered September 1, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the third degree and criminal possession of stolen property.

PETER J. DIGIORGIO, JR. for JOSEPH HARRIS

10 minutes

	JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
97.0 KA 17-00935	PEOPLE V CLEMENT G. HILL	
	Appeal from a judgment of the Supreme Court, Ontario County (Craig J. Doran, J.), rendered April 11, 2016. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree and endangering the welfare of a child.	
	MARK C. DAVISON for CLEMENT G. HILL	10 minutes
	V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NY	5 minutes
98.0 KA 17-01699	PEOPLE V DAVONNE BECKWITH	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered June 30, 2017. The judgment convicted defendant, upon a jury verdict, of resisting arrest and perjury in the first degree.	
	LINDA M. CAMPBELL for DAVONNE BECKWITH	15 minutes
	DARIENN P. BALIN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
99.0 KA 18-00713	PEOPLE V DETAVION MAGEE	
	Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered July 13, 2017. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of a weapon in the second degree.	
	BARBARA J. DAVIES for DETAVION MAGEE	10 minutes
	ERIN E. HART for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
100.0 KA 15-00207	PEOPLE V DANTE H. RANKIN	
	Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered January 23, 2015. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	JAMES A. HOBBS for DANTE H. RANKIN	10 minutes
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
101.0 KAH 17-01758	PEOPLE EX REL. RICHARD F. MILLS V JOHN COLVIN	
	Appeal from a decision and judgment of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered August 14, 2017. The decision and judgment denied and dismissed the petition for a writ of habeas corpus.	
	CHARLES J. GREENBERG for RICHARD F. MILLS	5 minutes
	LETITIA JAMES for JOHN COLVIN	Submitted

102.0 KAH 18-02018	<p>PEOPLE EX REL. RICHARD MILLS V JOHN COLVIN</p> <p>Appeal from a decision and judgment of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered August 7, 2018. The decision and judgment denied and dismissed the petition for a writ of habeas corpus.</p> <p>CHARLES J. GREENBERG for RICHARD MILLS</p> <p>LETITIA JAMES for JOHN COLVIN</p>	<p>Submitted</p> <p>Submitted</p>
103.0 KAH 18-02019	<p>PEOPLE EX REL. RICHARD MILLS V JOHN COLVIN</p> <p>Appeal from a decision and judgment of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered August 28, 2018. The decision and judgment, inter alia, denied the motion of petitioner for relief pursuant to CPLR 5015.</p> <p>CHARLES J. GREENBERG for RICHARD MILLS</p> <p>LETITIA JAMES for JOHN COLVIN</p>	<p>Submitted</p> <p>Submitted</p>
104.0 CAF 18-01194	<p>STACY COMMON V JOHN PIRRO</p> <p>Appeal from an order of the Family Court, Erie County (Michael F. Griffin, J.), entered May 17, 2018 in proceedings pursuant to Family Court Act article 6. The order granted in part the petition of Stacy Common denied the cross-petition of John Pirro.</p> <p>DAVID J. PAJAK for JOHN PIRRO</p> <p>RANDY STUART MARGULIS for STACY COMMON</p> <p>KEVIN C. CONDON for ATTORNEY FOR CHILD</p>	<p>Submitted</p> <p>Submitted</p> <p>Submitted</p>
105.0 CA 19-00761	<p>ALEXANDRA R. V ERIC J. K.</p> <p>Appeal from a judgment of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered February 1, 2019. The judgment, inter alia, granted plaintiffs judgment on recklessness against defendant Eric J. K., apportioned the liability of said defendant at 35% and determined the applicable interest rate.</p> <p>ROBERT M. GOLDFARB for ERIC J. K.</p> <p>MICHAEL J. WILLETT for ALEXANDRA R.</p> <p>MARTIN J. ZUFFRANIERI for JESSICA G.</p> <p>JAMES M. VANDETTE for VANESSA G.</p> <p>RYAN J. MILLS for NELSON A.</p>	<p>10 minutes</p> <p>15 minutes</p> <p>10 minutes</p> <p>10 minutes</p> <p>Submitted</p>
106.0 CA 19-00477	<p>JESSICA G. V ERIC J. K.</p>	

Appeal from a judgment of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered February 20, 2019. The judgment, inter alia, granted plaintiff judgment on recklessness, apportioned the fault of defendant Eric J. K., apportioned the liability of said defendant at 35% and determined the applicable interest rate.

ROBERT M. GOLDFARB for ERIC J. K. Submitted

MICHAEL J. WILLETT for ALEXANDRA R. Submitted

MARTIN J. ZUFFRANIERI for JESSICA G. Submitted

JAMES M. VANDETTE for VANESSA G. Submitted

RYAN J. MILLS for NELSON A. Submitted

107.0
CA 19-00478

VANESSA G.
V
NELSON A.

Appeal from a judgment of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered February 27, 2019. The judgment, inter alia, granted plaintiff judgment on recklessness, apportioned the fault of defendant Eric J. K., at 35% and determined the applicable interest rate.

ROBERT M. GOLDFARB for ERIC J. K. Submitted

MICHAEL J. WILLETT for ALEXANDRA R. Submitted

MARTIN J. ZUFFRANIERI for JESSICA G. Submitted

JAMES M. VANDETTE for VANESSA G. Submitted

RYAN J. MILLS for NELSON A. Submitted

108.0
CA 19-00755

NELSON A.
V
ERIC J. K.

Appeal from a judgment of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered April 4, 2019. The judgment granted plaintiff judgment on recklessness, apportioned defendant's fault at 35% and determined the applicable interest rate.

ROBERT M. GOLDFARB for ERIC J. K. Submitted

MICHAEL J. WILLETT for ALEXANDRA R. Submitted

MARTIN J. ZUFFRANIERI for JESSICA G. Submitted

JAMES M. VANDETTE for VANESSA G. Submitted

RYAN J. MILLS for NELSON A. Submitted

109.0
CA 19-00735

CHRISTIANA TRUST
V
JOHNNY L. RICE

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered October 20, 2017. The order, among other things, granted defendant Johnny L. Rice's cross-motion to serve an amended answer.

ZACHARY R. GOLD for CHRISTIANA TRUST Submitted

	WOODRUFF LEE CARROLL for JOHNNY L. RICE	15 minutes
110.0 CA 19-01664	CHRISTIANA TRUST V JOHNNY L. RICE	
	Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered March 19, 2019. The order, among other things, denied plaintiff's cross-motion to renew and reargue the motion to vacate default judgment and amend the complaint.	
	ZACHARY R. GOLD for CHRISTIANA TRUST	Submitted
	WOODRUFF LEE CARROLL for JOHNNY L. RICE	Submitted
111.0 CA 19-01665	CHRISTIANA TRUST V JOHNNY L. RICE	
	Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered March 19, 2019. The order, among other things, granted defendant Johnny L. Rice's motion for summary judgment and dismissed the complaint.	
	ZACHARY R. GOLD for CHRISTIANA TRUST	Submitted
	WOODRUFF LEE CARROLL for JOHNNY L. RICE	Submitted
112.0 CA 19-00834	THOMAS E. MCGOVERN V YOLANDA J. MCGOVERN	
	Appeal from a judgment of the Supreme Court, Ontario County (William F. Kocher, A.J.), entered October 24, 2018 in a divorce action. The judgment, among other things, dissolved the marriage between the parties and equitably distributed the marital assets.	
	DAVID SCOTT HEIER for YOLANDA J. MCGOVERN	10 minutes
	TERESA M. PARE for THOMAS E. MCGOVERN	10 minutes
113.0 CA 19-00299	LECHASE CONSTRUCTION SERVICES, LLC V JM BUSINESS ASSOCIATES CORP.	
	Appeal from a decision and order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered January 17, 2019. The decision and order granted the motion of plaintiff for a default judgment on liability.	
	JOSEPH FRANCIS BERGH for JM BUSINESS ASSOCIATES CORP.	15 minutes
	TIMOTHY D. BOLDT for LECHASE CONSTRUCTION SERVICES, LLC	15 minutes
114.0 CA 19-00339	CORNELL UNIVERSITY V BOARD OF ASSESSMENT REVIEW	
	Appeal from a judgment and order of the Supreme Court, Ontario County (John J. Ark, J.), entered January 28, 2019. The judgment and order, inter alia, directed the removal of certain property from the tax rolls of the Town of Seneca.	
	SHEILA M. CHALIFOUX for BOARD OF ASSESSMENT REVIEW	15 minutes

	JARED M. PITTMAN for CORNELL UNIVERSITY	15 minutes
115.0	STATE OF NEW YORK	
CA 19-01521	V	
	SUGAR CREEK STORES, INC.	
	Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered January 4, 2019. The order, among other things, denied defendant's motion for summary judgment dismissing plaintiff's complaint.	
	ROBERT JEFFREY SANT for SUGAR CREEK STORES, INC.	10 minutes
	KATE H. NEPVEU for STATE OF NEW YORK	10 minutes
116.0	SURINDER K. VIRK	
CA 19-00118	V	
	CAROL A. GUTT	
	Appeal from an order of the Supreme Court, Erie County (Catherine Nugent-Panepinto, J.), entered January 16, 2019. The order, insofar as appealed from, denied the motion of defendant for summary judgment.	
	RACHEL A. EMMINGER for CAROL A. GUTT	10 minutes
	GERALD T. WALSH for SURINDER K. VIRK	10 minutes
117.0	C & D DESIGN, BUILD, DEVELOPMENT	
CA 19-01550	V	
	VILLAGE OF ALEXANDER, NEW YORK	
	Appeal from an order of the Supreme Court, Genesee County (Emilio L. Colaiacovo, J.), entered January 22, 2019. The order, among other things, granted defendants' motion for summary judgment and dismissed the amended complaint.	
	DAVID PAUL MARCUS for C & D DESIGN, BUILD, DEVELOPMENT	10 minutes
	JAMES M. WUJCIK for VILLAGE OF ALEXANDER, NEW YORK	10 minutes

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&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

DAY CALENDAR
Wednesday, January 15, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

142.0
TP 19-01523

D. N.
V
ANTHONY ANNUCCI

SETTLED

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by an order of the Supreme Court, Erie County [E. Jeannette Ogden, J.], entered July 29, 2019) to review a determination of respondent. The determination found after a Tier III hearing that petitioner violated an inmate rule.

ANDREW STECKER for D. N.

LETITIA JAMES for ANTHONY ANNUCCI

143.0
KA 19-00131

PEOPLE
V
LANCE A. RILEY

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered May 10, 2018. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree.

LYLE T. HAJDU for LANCE A. RILEY

Submitted

VINCENT A. HEMMING for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

144.0
KA 18-00171

PEOPLE
V
GERALD BROWN

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 5, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

SARA A. GOLDFARB for GERALD BROWN

Submitted

KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

145.0
KA 19-00071

PEOPLE
V
ANDRES AYALA

Appeal from a decision and order of the Erie County Court (Michael Pietruszka, J.), entered July 3, 2018. The order denied the petition to vacate the designation of defendant as a level one risk pursuant to the Sex Offender Registration Act.

ALAN WILLIAMS for ANDRES AYALA

Submitted

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

146.0
KA 18-01782

PEOPLE
V
EULESE CRUZ

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered May 11, 2018. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

JOHN A. CIRANDO for EULESE CRUZ

10 minutes

	ZAKARY WOODRUFF for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
147.0 KA 15-01500	PEOPLE V JASON R. WILLIAMS	
	Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered May 12, 2015. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.	
	KATHLEEN P. REARDON for JASON R. WILLIAMS	5 minutes
	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
148.0 KA 16-01486	PEOPLE V CHRISTOPHER GORDON	
	Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered May 17, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a forged instrument in the second degree (two counts) and criminal impersonation.	
	DONALD R. GERACE for CHRISTOPHER GORDON	10 minutes
	STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
149.0 KA 17-01960	PEOPLE V BERNARD A. BROOKS, JR.	
	Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered March 23, 2017. The judgment convicted defendant upon a jury verdict, of criminal possession of a weapon in the second degree.	
	ERIN A. KULESUS for BERNARD A. BROOKS, JR.	10 minutes
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
150.0 KA 16-00193	PEOPLE V MARQUIS D. HARRINGTON	
	Appeal from a judgment of the Monroe County Court (Victoria M. ARgento, J.), rendered January 11, 2016. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree, attempted robbery in the first degree, robbery in the second degree (two counts), criminal possession of a weapon in the second degree (two counts) and criminal use of a firearm in the first degree.	
	CHARLES D. STEINMAN for MARQUIS D. HARRINGTON	10 minutes
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
151.0 CAF 19-00219	JACQUELYN M. GRABOWSKI V JAY CRAIG SMITH, JR.	
	Appeal from an order of the Family Court, Onondaga County (William W. Rose, R.), entered November 19, 2018, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted sole legal and physical custody of the child.	
	JOHN A. CIRANDO for JAY CRAIG SMITH, JR.	10 minutes

	JACQUELYN M. GRABOWSKI for HERSELF	Submitted
	KIMBERLY MARIE SEAGER for ATTORNEY FOR CHILD	10 minutes
152.0 CAF 19-01287	JENNIFER LESINSKI V JASON CIAMAGA	
	Appeal from an order of the Family Court, Wyoming County (Michael F. Griffith, J.), entered December 21, 2018, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted the parties joint custody.	
	RICHARD JAMES FRIEDMAN for JASON CIAMAGA	Submitted
	MARK ALBERT ADRIAN for JENNIFER LESINSKI	Submitted
	JOHN FAY WHITING for ATTORNEY FOR CHILD	5 minutes
153.0 CAF 18-02044	SHANE D. MCGEE V JENNIFER H. MCGEE	
	Appeal from a decision and order of the Family Court, Wayne County (Daniel G. Barrett, J.), entered August 10, 2018, in a proceeding pursuant to Family Court Act article 6. The decision and order granted, inter alia, petitioner physical custody of the subject child.	
	BETH A. RATCHFORD for JENNIFER H. MCGEE	10 minutes
	SHANE D. MCGEE for HIMSELF	Submitted
	STEPHEN R. WARNER for ATTORNEY FOR CHILD	10 minutes
154.0 CA 19-01201	ANTHONY A. SCALZO V CENTRAL CO-OPERATIVE INSURANCE CO.	
	Appeal from an order and judgment (one paper) of the Supreme Court, Oneida County (David A. Murad, J.), entered December 3, 2018. The order and judgment, among other things, adjudged that defendant Central Co-Operative Insurance Company has a duty to defend plaintiff in an underlying tort action.	
	BRENDAN J. REAGAN for CENTRAL CO-OPERATIVE INSURANCE CO.	10 minutes
	RICARDO JOSEPH MAURO for ANTHONY A. SCALZO	10 minutes
	JAY G. WILLIAMS, III for ROBERT J. SALERNO	10 minutes
156.0 CA 19-01508	DANEN DANIELAK V STATE OF NEW YORK	
	Appeal from an order of the Court of Claims (Rene Forgensi Minarik, J.), entered May 9, 2019. The order granted defendant's motion for summary judgment and dismissed the claimant's claim.	
	MATTHEW J. KAISER for DANEN DANIELAK	10 minutes
	JONATHAN D. HITSOUS for STATE OF NEW YORK	10 minutes
157.0 CA 19-01267	KEION PIERRE V ANTHONY ANNUCCI	

Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered February 1, 2019. The memorandum and judgment dismissed the CPLR article 78 petition.

ADAM W. KOCH for KEION PIERRE

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

158.0
CA 19-01260

CANDY ANDERSON

V

JACK E. ANDERSON

Appeal from a decision and order of the Supreme Court, Chautaugua County (Stephen W. Cass, A.J.), entered December 19, 2018. The decision and order denied the motion of plaintiff for summary judgment.

BARBARA A. KILBRIDGE for CANDY ANDERSON

20 minutes

PAUL V. WEBB, JR. for JACK E. ANDERSON

15 minutes

159.0
CA 19-00684

ANTHONY FARGONOLI

V

MARK WARFEL, D.O.

Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered January 18, 2019. The order denied in part the motion of defendants Mark Warfel, D.O., Mark Warfel D.O., P.C., St. Elizabeth Family Practice, St. Elizabeth Medical Center, and Imaging at St. Elizabeth's Medical Arts seeking summary judgment dismissing plaintiff's complaint as against them and any and all cross-claims.

CATHERINE A. GALE for MARK WARFEL, D.O.

Submitted

ROBERT F. JULIAN for ANTHONY FARGONOLI

10 minutes

160.0
CA 19-01057

CAROL A. DURHAM

V

VILLAGE OF PHILADELPHIA

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered November 7, 2018. The order granted defendants' motion for summary judgment dismissing the action.

WILLIAM G. BAUER for CAROL A. DURHAM

10 minutes

STEVEN C. SHAHAN for VILLAGE OF PHILADELPHIA

15 minutes

161.0
CA 19-01616

JEFFREY KRENCIK

V

OAKGROVE CONSTRUCTION, INC.

Appeal and cross appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered February 13, 2019. The order granted the motion of defendant for summary judgment dismissing plaintiff's Labor Law §240(1) cause of action, otherwise denied the motion of defendant for summary judgment and denied the cross motion of plaintiff for summary judgment.

JEFFREY F. BAASE for OAKGROVE CONSTRUCTION, INC.

10 minutes

JOHN A. COLLINS for JEFFREY KRENCIK

10 minutes

161.1
CA 19-00284

ANDREW FAGAN

V

STATE FARM MUTUAL AUTOMOBILE INS.

Appeal from an order of the Supreme Court, Erie County (Paul B. Wojtaszek, J.), entered January 11, 2019. The order denied the motion of defendant Daniel M. Hawrylczak to dismiss the first, second and third causes of action set forth in the amended complaint filed by plaintiff.

PATRICK J. MACKEY for DANIEL M. HAWRYLCZAK

10 minutes

JOSHUA ISRAEL RAMOS for ANDREW FAGAN

10 minutes

DAY CALENDAR
Thursday, January 16, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

162.0
KA 19-00074

PEOPLE
V
SAMMY L. BROWN

Appeal from a judgment of the Jefferson County Court (Kim M. Martusewicz, J.), rendered September 5, 2018. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, attempted robbery in the first degree (two counts), burglary in the first degree (two counts), criminal use of a firearm in the first degree, attempted robbery in the second degree, attempted grand larceny in the third degree, criminal mischief in the third degree and conspiracy in the fourth degree.

TODD MONAHAN for SAMMY L. BROWN **10 minutes**

HARMONY A. HEALY for THE PEOPLE OF THE STATE OF NEW YORK **Submitted**

163.0
TP 19-01585

ROBERT CARDEW
V
ANTHONY ANNUCCI

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, Wyoming County [Michael M. Mohun, A.J.], entered August 28, 2019) to review a determination of respondent. The determination found that petitioner violated various inmate rules.

LEAH R. NOWOTARSKI for ROBERT CARDEW **Submitted**

SARAH L. ROSENBLUTH for ANTHONY ANNUCCI **Submitted**

164.0
KA 15-01390

PEOPLE
V
EDWARD L. RODRIGUEZ

Appeal from a judgment of the Monroe County Court (James J. Pampiano, J.), rendered May 28, 2015. The judgment convicted defendant, upon a jury verdict, of endangering the welfare of a child and criminal possession of a weapon in the fourth degree (two counts).

DREW R. DUBRIN for EDWARD L. RODRIGUEZ **Submitted**

LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK **5 minutes**

165.0
KA 16-00799

PEOPLE
V
ALVIN B. SCOTT

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered December 17, 2015. The judgment convicted defendant, upon a plea of guilty, of assault in the first degree.

TIMOTHY P. DONAHER for ALVIN B. SCOTT **Submitted**

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK **Submitted**

166.0
KA 17-00558

PEOPLE
V
ANDREW L. CAMPBELL

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered February 07, 2017. The judgment convicted defendant, upon a jury verdict, 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).

JAMES M. SPECYAL for ANDREW L. CAMPBELL 10 minutes

JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

167.0
KA 17-00559

PEOPLE
V
ANDREW L. CAMPBELL

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered February 07, 2017. The judgment convicted defendant, upon a plea of guilty, of grand larceny in the fourth degree.

JAMES M. SPECYAL for ANDREW L. CAMPBELL Submitted

JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

168.0
KA 15-01446

PEOPLE
V
GREGORY S. HOYT

Appeal from a judgment of the Monroe County Court (John E. Elliott, A.J.), rendered July 10, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the second degree.

JAMES A. HOBBS for GREGORY S. HOYT 10 minutes

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

170.0
CAF 18-01586

KEREEM JOHNSON
V
MICHELLE L. BODIE

Appeal from an order of the Family Court, Erie County (Mary G. Carney), entered August 1, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, designated Kereem Johnson primary residential parent of the subject child.

DAVID J. PAJAK for MICHELLE L. BODIE Submitted

ANTHONY L. PENDERGRASS for KEREEM JOHNSON 10 minutes

KATE NOWADLY for ATTORNEY FOR CHILD Submitted

171.0
CAF 19-00160

IN THE MATTER OF
JEWELS J.

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered October 5, 2018, in a proceeding pursuant to Social Services Law §384-b. The order terminated the parental rights of respondent.

DAVID R. JUERGENS for JUSTIN J. 5 minutes

CAROL LYNN EISENMAN for MONROE COUNTY DEPT. OF HUMAN SERVICE 10 minutes

ELIZABETH DEV. MOELLER for JEWELS J. 10 minutes

176.0
CA 19-01347

AYANNA HEMPHILL
V
BUFFALO PUBLIC SCHOOLS

SETTLED

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered July 9, 2019. The order denied the motion of defendants for summary judgment.

CHRISTOPHER R. POOLE for BUFFALO PUBLIC SCHOOLS

JOHN V ELMORE for AYANNA HEMPHILL

177.0
CA 18-02307

LUNDY DEVELOPMENT & PROPERTY MANAGEMENT
V
COR REAL PROPERTY COMPANY, LLC

Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered September 20, 2018. The order, among other things, dismissed plaintiff's complaint.

EDWARD JAY SHEATS for LUNDY DEVELOPMENT & PROPERTY MGMT.

10 minutes

GABRIELLE MARDANY HOPE for COR REAL PROPERTY COMPANY, LLC

10 minutes

178.0
CA 19-00457

JEANINE D. SCHWALLIE
V
GREGORY T. FARNAN

Appeal from an order and judgment of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered September 20, 2018. The order and judgment granted the motion of defendants for summary judgment and dismissed the complaint.

PAUL J. VACCA, JR. for JEANINE D. SCHWALLIE

Submitted

JOAN M. RICHTER for GREGORY T. FARNAN

10 minutes

179.0
CA 19-01259

THEODORE FORSYTH
V
CITY OF ROCHESTER

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered December 18, 2018 in a proceeding pursuant to CPLR article 78. The order remanded the matter back to respondents for reconsideration of petitioner's Freedom of Information Law Request.

ELLIOT D. SHIELDS for THEODORE FORSYTH

15 minutes

STEPHANIE PRINCE for CITY OF ROCHESTER

15 minutes

179.1
CA 19-02324

THEODORE FORSYTH
V
CITY OF ROCHESTER

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered June 3, 2019. The order denied the motion of petitioner to hold respondents in contempt.

ELLIOT D. SHIELDS for THEODORE FORSYTH

Submitted

STEPHANIE PRINCE for CITY OF ROCHESTER

Submitted

180.0
CA 19-00839

BACON & SEILER CONSTRUCTORS, INC.
V
SOLVAY IRON WORKS, INC.

Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered April 30, 2019. The order, among other things, granted the motion of defendants John Maestri and Sheila Maestri for summary judgment dismissing the complaint as against them and denied plaintiff's cross-motion for summary judgment.

JORDAN R. PAVLUS for BACON & SEILER CONSTRUCTORS, INC. 15 minutes

JANET D. CALLAHAN for JOHN B. MAESTRI 10 minutes

181.0
CA 19-01562

MYLES BROOKS
V
EVERLYENE DAVIS

Appeal and cross appeal from an order of the Supreme Court, Erie County (Mark A. Grisanti, J.), entered March 19, 2019. The order denied the motion of defendant for summary judgment, denied the cross motion of plaintiff for partial summary judgment on the issue of negligence and granted the cross motion of plaintiff for partial summary judgment on the issue of serious injury.

TIFFANY L. D'ANGELO for EVERLYENE DAVIS 10 minutes

TODD M. SCHIFFMACHER for MYLES BROOKS Submitted