

DAY CALENDAR
Monday, April 4, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

290.0
KA 14-01138

PEOPLE
V
CHARLES D. JOHNSON

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered January 17, 2014. The judgment convicted defendant, upon his plea of guilty, of rape in the first degree.

CAITLIN M. CONNELLY for CHARLES D. JOHNSON Submitted

WILLIAM G. ZICKL for PEOPLE OF THE STATE OF NEW YORK Submitted

291.0
KA 13-00828

PEOPLE
V
JOSE GARCIA-CRUZ

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered May 23, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree.

JOHN A. CIRANDO for JOSE GARCIA-CRUZ 10 minutes

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

292.0
KA 13-01227

PEOPLE
V
RYAN S. SMITH

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered June 4, 2013. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree (five counts), robbery in the first degree (seven counts), kidnapping in the second degree (three counts), criminal use of a firearm in the first degree (two counts), assault in the first degree, assault in the second degree (two counts), criminal possession of a weapon in the second degree, menacing a police officer, grand larceny in the third degree and resisting arrest.

PATRICIA M. MCGRATH for RYAN S. SMITH 5 minutes

DAVID A. HERATY for PEOPLE OF THE STATE OF NEW YORK 5 minutes

293.0
KA 12-02016

PEOPLE
V
GARTH O. BENNETT

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Monroe County (Francis A. Affronti, J.), dated March 7, 2012. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.

MARK D. FUNK for GARTH O. BENNETT 5 minutes

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

294.0
KA 15-00670

PEOPLE
V
RAOUL BALDWIN

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), entered March 9, 2015. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

PIOTR BANASIAK for RAOUL BALDWIN

Submitted

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

Submitted

295.0
KA 13-00527

PEOPLE
V
MAXIE R. SHIPP

Appeal from a judgment of the Monroe County Court (John R. Schwartz, A.J.), rendered January 28, 2013. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

KIMBERLY F. DUGUAY for MAXIE R. SHIPP

5 minutes

ROBERT J. SHOEMAKER for PEOPLE OF THE STATE OF NEW YORK

5 minutes

296.0
KA 13-01915

PEOPLE
V
JESSE JOHNSTON

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered May 8, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree, burglary in the second degree (three counts), burglary in the third degree and criminal possession of stolen property in the third degree.

JOHN A. CIRANDO for JESSE JOHNSTON

10 minutes

V. CHRISTOPHER EAGGLESTON for PEOPLE OF THE STATE OF N.Y.

10 minutes

297.0
KA 12-02135

PEOPLE
V
BRIAN SMITH

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Monroe County Court (Frank P. Geraci, Jr., J.), entered October 12, 2012. The order denied the motion of defendant pursuant to CPL article 440.

JON P. GETZ for BRIAN SMITH

10 minutes

GEOFFREY KAEUPER for PEOPLE OF THE STATE OF NEW YORK

10 minutes

298.0
KA 13-02151

PEOPLE
V
CODY LITTLE

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered September 11, 2013. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, reckless endangerment in the second degree and resisting arrest.

KRISTIN M. PREVE for CODY LITTLE

10 minutes

NICHOLAS T. TEXIDO for PEOPLE OF THE STATE OF NEW YORK

10 minutes

299.0
KA 13-00466

PEOPLE
V
SEAN DELANEY

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered October 9, 2012. The judgment convicted defendant, upon a jury verdict, of aggravated criminal contempt.

KIMBERLY F. DUGUAY for SEAN DELANEY

5 minutes

NANCY GILLIGAN for PEOPLE OF THE STATE OF NEW YORK

5 minutes

300.0
CAF 15-01426

BRENDA L. BRUMFIELD

V

GEORGE C.E. BRUMFIELD

Appeal from an order of the Family Court, Monroe County (Dandrea L. Ruhlmann, J.), entered November 10, 2014 in a proceeding pursuant to Family Court Act article 4. The order dismissed the violation petition.

GEORGE A. SCHELL for BRENDA L. BRUMFIELD

10 minutes

GEORGE C.E. BRUMFIELD for HIMSELF

Submitted

301.0
CAF 14-00882

BARRY A. PUGH

V

TAMMY R. RICHARDSON

Appeal from an order of the Family Court, Monroe County (Thomas W. Polito, R.), entered September 9, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded sole custody of the subject child to respondent.

PETER J. GLENNON for BARRY A. PUGH

Submitted

KATHLEEN P. REARDON for TAMMY R. RICHARDSON

5 minutes

SUSAN LARAGY, ATTORNEY FOR CHILD

Submitted

302.0
CA 15-01563

JEREMIAH CULLEN

V

AT&T INC.

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered November 17, 2014. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment pursuant to Labor Law § 240 (1) and denied the motion of defendants to dismiss plaintiff's claim pursuant to Labor Law § 240 (1).

JARETT L. WARNER for AT&T INC.

15 minutes

JOHN CHERUNDOLO for JEREMIAH CULLEN

10 minutes

303.0
CA 15-01277

JOHN G. ULLMAN & ASSOCIATES, INC.

V

BCK PARTNERS, INC.

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered July 21, 2015. The order granted the motion of plaintiff for a preliminary injunction.

STEVEN EDWARD COLE for BCK PARTNERS, INC.

15 minutes

JEANETTE N. WARREN for JOHN G. ULLMAN & ASSOCIATES, INC.

15 minutes

304.0
CA 15-00824

LAURA DORFMAN

V

SALAMANCA BOARD OF PUBLIC UTILITIES

Appeal from a judgment (denominated order) of the Supreme Court, Cattaraugus County (Michael L. Nenno, A.J.), entered July 15, 2014 in a proceeding pursuant to CPLR article 78. The judgment granted the petition and directed respondents to refund certain monthly water charges.

DANIEL A. SPITZER for SALAMANCA BOARD OF PUBLIC UTILITIES 10 minutes

LAURA DORFMAN for HERSELF Submitted

MAURA C. SEIBOLD for ROSS JOHN 10 minutes

MAXINE JIMERSON for HERSELF Submitted

305.0
CA 15-01554

ANGELA ROSS
V
ALEXANDER MITCHELL AND SON, INC.

Appeals from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered November 26, 2014 in a personal injury action. The order, among other things, denied defendants' motions for summary judgment dismissing plaintiff's complaint.

KELLY J. PHILIPS for ALEXANDER MITCHELL AND SON, INC. 15 minutes

KEITH M. FRARY for BASIC INSTALLATIONS, INC. 10 minutes

KATHLEEN C. SASSANI for THE MILLS COMPANY 15 minutes

ROBERT A. QUATTROCCI for ANGELA ROSS 10 minutes

306.0
CA 15-00963

KIMBERLY LAWTON
V
TOWN OF ORCHARD PARK

Appeal from an order of the Supreme Court, Erie County (Catherine R. Nugent Panepinto, J.), entered November 14, 2014. The order denied the motion of plaintiff for leave to file a late notice of claim.

SCOTT MICHAEL DUQUIN for KIMBERLY LAWTON 15 minutes

JAMES P. DOMAGALSKI for TOWN OF ORCHARD PARK 15 minutes

307.0
CA 15-01583

ALBERT R. BOWMAN
V
ERIE COUNTY MEDICAL CENTER CORP.

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered March 16, 2015. The order granted the motion of plaintiff for leave to file a late notice of claim.

JOHN PATRICK DANIEU for ERIE COUNTY MEDICAL CENTER CORP. 10 minutes

KAREN R. SANDERS for ALBERT R. BOWMAN 10 minutes

308.0
CA 15-01450

THOMAS D. AYERS
V
SNYDER CORP.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 7, 2015. The order denied the motion of defendant Thomas D. Ayers for partial summary judgment.

ANDREW P. FLEMING for THOMAS D. AYERS 10 minutes

JOANNA J. CHEN for INNOVATIVE HEALTH SERVICES OF AMERICA 10 minutes

309.0
CA 15-01598

MARC J. NYHLEN
V
TIMOTHY J. GILES

Appeal and cross appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered March 2, 2015. The order denied the motion of defendant for summary judgment.

KEVIN LOFTUS for TIMOTHY J. GILES

10 minutes

EDWARD J. SCHWENDLER, III, for MARC J. NYHLEN

10 minutes