

DAY CALENDAR  
Thursday, February 21, 2019 - 10:00 AM  
HON. SAMUEL L. GREEN COURTROOM

267.0  
TP 18-01775

CAROL HILL  
V  
HOWARD ZUCKER

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Onondaga County [James P. Murphy, J.], entered July 28, 2018) to review a determination of respondent. The determination denied petitioner's application for chronic care Medical Assistant benefits.

ANTHONY A. MARRONE, II, for CAROL HILL

Submitted

BARBARA D. UNDERWOOD for HOWARD ZUCKER

Submitted

MORGAN R. THURSTON for SARAH G. MERRICK

Submitted

268.0  
TP 18-01973

WILLIAMSVILLE SUBURBAN, LLC  
V  
HOWARD ZUCKER

**SETTLED**

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 [Timothy J. Walker, A.J.], entered October 12, 2018) to review a determination of respondent. The determination rejected the discharge plan of petitioner.

JENNIFER M. PUGLISI for WILLIAMSVILLE SUBURBAN, LLC

BARBARA D. UNDERWOOD for HOWARD ZUCKER

JOSEPH CRAIG for JOSEPH CRAIG

270.0  
KA 18-00522

PEOPLE  
V  
BRIAN E. SCHMIEGE

Appeal from a judgment of the Niagara County Court (Richard C. Kloch, Sr., J.), rendered November 16, 2017. The judgment convicted defendant, upon his plea of guilty, of auto stripping in the second degree.

ROBERT M. GRAFF for BRIAN E. SCHMIEGE

Submitted

LAURA T. JORDAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

271.0  
KA 15-00064

PEOPLE  
V  
RUDY C. PATTERSON

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered October 20, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree and criminal possession of a controlled substance in the fifth degree.

BRIDGET L. FIELD for RUDY C. PATTERSON

10 minutes

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

272.0  
KA 17-00957

PEOPLE  
V  
MICHAEL HOLLEY

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered June 6, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

BARBARA J. DAVIES for MICHAEL HOLLEY Submitted

DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK Submitted

273.0  
KA 17-00958

PEOPLE  
V  
JUAN QUINONES-RIVERA

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.); entered April 13, 2017. The judgment revoked defendant's probation and imposed a term of imprisonment.

KRISTIN M. PREVE for JUAN QUINONES-RIVERA Submitted

DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK Submitted

275.0  
KA 18-00520

PEOPLE  
V  
BRIAN E. SCHMIEGE

Appeal from a judgment of the Niagara County Court (Richard C. Kloch, Sr., J.), rendered November 16, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the third degree.

ROBERT M. GRAFF for BRIAN E. SCHMIEGE Submitted

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK Submitted

277.0  
KA 16-00759

PEOPLE  
V  
DEVIN ISIDORE

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered March 23, 2016. The judgment convicted defendant, upon a jury verdict, of attempted predatory sexual assault against a child (two counts).

PETER J. PULLANO for DEVIN ISIDORE 10 minutes

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

278.0  
KA 17-01903

PEOPLE  
V  
THOMAS WILLIAMS

Appeal from a decision and order of the Monroe County Court (Christopher S. Ciaccio, J.), entered August 18, 2017. The decision and order denied the petition of defendant for a downward modification of his risk level pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for THOMAS WILLIAMS Submitted

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

280.0  
CAF 18-01015

**CARLOS M. SANCHEZ**  
V  
**ALBA M. MERCEDES**

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered April 17, 2018, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted the motion of respondent to dismiss the petition.

ELISABETH MARIE ROSSOW for CARLOS M. SANCHEZ 15 minutes

DAVID J. PAJAK for ALBA M. MERCEDES 5 minutes

JENNIFER M. PAULINO, ATTORNEY FOR THE CHILD 5 minutes

281.0  
CAF 18-01016

**CARLOS M. SANCHEZ**  
V  
**ALBA M. MERCEDES**

Appeal from a decision and order of the Family Court, Erie County (Deanne M. Tripi, J.), entered April 17, 2018, in a proceeding pursuant to Family Court Act article 6. The decision and order, inter alia, dismissed the petition for a modification of visitation

ELISABETH MARIE ROSSOW for CARLOS M. SANCHEZ Submitted

DAVID J. PAJAK for ALBA M. MERCEDES Submitted

JENNIFER M. PAULINO, ATTORNEY FOR THE CHILD Submitted

282.0  
CAF 17-01178

**In the Matter of**  
**CARMELA H.**

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered June 13, 2017, in a proceeding pursuant to Family Court article 10. The order granted the motion of petitioner determining that reasonable efforts are not required to be made to reunite respondent with the subject child.

JOHN A. CIRANDO for DANIELLE F. 10 minutes

MAGGIE SEIKALY for ONONDAGA CO. DSS Submitted

SUSAN B. MARRIS, ATTORNEY FOR THE CHILD 5 minutes

283.0  
CA 18-01940

**JOHN D. CADORE**  
V  
**STATE OF NEW YORK**

Appeal from a decision and order of the Court of Claims (Catherine C. Schaeve, J.), entered November 28, 2017. The decision and order denied the motion of claimant for a default judgment.

JOHN D. CADORE for HIMSELF Submitted

BARBARA D. UNDERWOOD for STATE OF NEW YORK Submitted

284.0  
CA 18-01769

**PANAMA CENTRAL SCHOOL DISTRICT**  
V  
**EVERGUARD SURFACING, INC.**

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered December 8, 2017. The order, insofar as appealed from, denied the motion of defendants First National Insurance Group of America and Liberty Mutual Group, Inc., for summary judgment dismissing the complaint.

KIMBERLY M. THRUN for FIRST NATIONAL INS. COMPANY OF AMERICA 15 minutes

ALLISON B. FIUT for PANAMA CENTRAL SCHOOL DISTRICT 10 minutes

285.0  
CA 18-00329

PAT A. INZER  
V  
WEST BRIGHTON FIRE DEPARTMENT, INC.

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered May 5, 2017. The order granted the petition for dissolution of the West Brighton Fire Department, Inc.

BRADLEY MARC PINSKY for WEST BRIGHTON FIRE DEPARTMENT, INC. 15 minutes

TIMOTHY C. HANNIGAN for TOWN OF BRIGHTON 15 minutes

MARK C. BUTLER for PAT A. INZER Submitted

BARBARA D. UNDERWOOD for ERIC T. SCHNEIDERMAN, ESQ. Submitted

286.0  
CA 18-02078

CLOVER/ALLEN'S CREEK NEIGHBORHOOD ASSOCIATION LLC  
V  
M&F, LLC

Appeal from a decision and order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered July 6, 2018. The decision, order and judgment, inter alia, declared that the public trust doctrine is inapplicable.

LAURIE BLOOM for CLOVER/ALLEN'S CREEK NEIGHBORHOOD ASSN 15 minutes

WARREN B. ROSENBAUM for M&F, LLC 15 minutes

JOHN A. MANCUSO for TOWN OF BRIGHTON 15 minutes

287.0  
CA 18-02135

ROBERT J. LOHMAN  
V  
THERESA L. EGAN

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered April 13, 2018 in a proceeding pursuant to CPLR article 78. The order dismissed the petition.

DAVID M. ABBATOY, JR., for ROBERT J. LOHMAN 10 minutes

BARBARA D. UNDERWOOD for THERESA L. EGAN Submitted