

DAY CALENDAR
Wednesday, February 27, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

331.0
TP 18-01907

KYLE WATSON
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, Erie County [M. William Boller, A.J.], entered March 14, 2018) to review a determination of respondent. The determination found after a Tier III hearing that petitioner violated various inmate rules.

KYLE WATSON for HIMSELF

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

332.0
TP 18-02024

TERELL VIERA, JR.
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 October 29, 2018) to review a determination of respondent. The determination found after a Tier II hearing, that petitioner had violated an inmate rule.

LEAH R. NOWOTARSKI for TERELL VIERA, JR.

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

333.0
KA 17-00622

PEOPLE
V
JOSEPH HACKROTT

Appeal from a decision and order of the Erie County Court (Sheila A. DiTullio, J.), entered March 8, 2017. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

KRISTIN M. PREVE for JOSEPH HACKROTT

Submitted

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

Submitted

334.0
KA 16-01085

PEOPLE
V
EDDIE HAMELL

Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered May 6, 2016. The judgment convicted defendant, upon his plea of guilty, 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).

ANTHONY F. BRIGANO for EDDIE HAMELL

Submitted

STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

335.0
KA 16-00785

PEOPLE
V
DAVID E. PENN, III

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered December 2, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

DANIELLE WILD for DAVID E. PENN, III 10 minutes

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

336.0
KA 15-02009

PEOPLE
V
SYLVESTER E. BAXTRUM, JR.

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered September 9, 2015. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree (two counts) and assault in the second degree.

CHARLES D. STEINMAN for SYLVESTER E. BAXTRUM, JR. 10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

337.0
KA 16-01904

PEOPLE
V
DAMAN DERBY

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered June 9, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree and criminal possession of a controlled substance in the fourth degree.

WILLIAM CLAUSS for DAMAN DERBY 10 minutes

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

338.0
KA 12-00161

PEOPLE
V
EUGENE FRENCH

Appeal from a judgment of the Monroe County Court, James J. Piampiano, J.), rendered December 1, 2011. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

BETH A. RATCHFORD for EUGENE FRENCH Submitted

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

339.0
KA 16-01980

PEOPLE
V
TORRENCE JACKSON

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered August 9, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fourth degree and resisting arrest.

SARA A. GOLDFARB for TORRENCE JACKSON 10 minutes

KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

340.0
KA 16-01552

PEOPLE
V
JAMIL A. KNOX

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered July 22, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of weapon in the second degree (two counts).

A. VINCENT BUZARD for JAMIL A. KNOX 10 minutes

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

341.0
KA 15-01727

PEOPLE
V
JOHN MURRAY

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered July 7, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree (two counts).

NATHANIEL V. RILEY for JOHN MURRAY 10 minutes

STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

342.0
KA 03-00547

PEOPLE
V
ANTOINE PARRIS

Appeal from a judgment of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), rendered February 27, 2003. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the second degree, criminal possession of a weapon in the second degree and criminal possession of a weapon in the third degree.

KATHLEEN P. REARDON for ANTOINE PARRIS 10 minutes

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

343.0
KA 17-00491

PEOPLE
V
RUSSELL MERCHANT

Appeal from a judgment of the Onondaga County Court (Walter W. Hafner, Jr., J.), rendered June 23, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the third degree.

KRISTEN MCDERMOTT for RUSSELL MERCHANT Submitted

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

344.0
CAF 16-02242

HAKEEM S. HAMEED
V
ASIA A. BRELAND

Appeal from an order of the Family Court, Onondaga County (Karen Stanislaus, R.), entered March 15, 2016, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted petitioner sole legal custody with joint physical custody.

JOHN A. CIRANDO for ASIA A. BRELAND 10 minutes

HAKEEM S. HAMEED for HIMSELF Submitted

KAREN JUNE DOCTER, ATTORNEY FOR THE CHILD 15 minutes

345.0
CA 18-01878

ANNE M. REBER
V
JAMES REBER

Appeal from a decision and order of the Supreme Court, Monroe County (Gail A. Donofrio, J.), entered March 25, 2018. The decision and order denied the motion of defendant to compel a transfer of funds from plaintiff.

RICHARD GLEN CURTIS for **JAMES REBER** 10 minutes

MICHAEL STEINBERG for **ANNE M. REBER** 15 minutes

346.0
CA 18-01188

JAMES HATCH
V
ST. JOSEPH'S HOSPITAL HEALTH CENTER

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered April 26, 2018. The order granted the motion of defendant St. Joseph's Hospital Health Center for summary judgment and dismissed the complaint against said defendant.

SIDNEY P. COMINSKY for **JAMES HATCH** 15 minutes

MAX D. GALE for **ST. JOSEPH'S HOSPITAL HEALTH CENTER** 15 minutes

JENNA W. KLUCSIK for **ROBERT E. CARLIN, M.D.** 10 minutes

347.0
CA 18-01280

JAMES HATCH
V
ST. JOSEPH HOSPITAL HEALTH CENTER

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered April 26, 2018. The order granted the motion of defendant Robert E. Carlin, M.D., for summary judgment and dismissed the complaint against said defendant.

SIDNEY P. COMINSKY for **JAMES HATCH** Submitted

MAX D. GALE for **ST. JOSEPH'S HOSPITAL HEALTH CENTER** Submitted

JENNA W. KLUCSIK for **ROBERT E. CARLIN, M.D.** Submitted

348.0
CA 18-01400

ROBERT FRANK
V
METALICO ROCHESTER, INC.

Appeal from a decision, order and judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered July 17, 2018. The decision, order and judgment, inter alia, granted the motion of plaintiff for summary judgment on his second cause of action.

KATHERINE S. MCCLUNG for **METALICO ROCHESTER, INC.** 15 minutes

WARREN B. ROSENBAUM for **ROBERT FRANK** 15 minutes

349.0
CA 18-00709

DANIEL V.
V
STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Charles C. Merrell, J.), entered February 1, 2018, in a proceeding pursuant to Mental Hygiene Law article 10. The order, inter alia, released petitioner to strict and intensive supervision and treatment.

PATRICK T. CHAMBERLAIN for DANIEL V.

10 minutes

KATHLEEN M. TREASURE for STATE OF NEW YORK

10 minutes

**351.0
CA 18-01255**

WILMINGTON SAVINGS FUND SOCIETY FSB

V

DEANNA FERRY

Appeal from an order of the Supreme Court, Wyoming County (Michael F. Griffith, A.J.), entered May 31, 2017. The order, among other things, denied defendant Deanna Ferry's motion to dismiss.

RALPH A HORTON for DEANNA FERRY

Submitted

GLENN WARMUTH for WILMINGTON SAVINGS FUND SOCIETY FSB

15 minutes