

DAY CALENDAR
Tuesday, February 19, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

200.0
KA 17-00129

PEOPLE
V
BRENDYN J. SINGLETON-PRADIA

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered February 10, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree (three counts).

JANET C. SOMES for BRENDYN J. SINGLETON-PRADIA **Submitted**

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

201.0
KA 16-01600

PEOPLE
V
MARCUS MICOLO

Appeal from a judgment of the Seneca County Court (Dennis F. Bender, J.), rendered August 15, 2016. The judgment convicted defendant, upon a jury verdict, of aggravated harassment of an employee by an inmate.

RYAN J. MULDOON for MARCUS MICOLO **Submitted**

CHRISTOPHER W. FOLK for THE PEOPLE OF THE STATE OF NEW YORK **Submitted**

202.0
KA 16-00636

PEOPLE
V
THERESA A. FERGUSON

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered March 29, 2016. The judgment convicted defendant, upon her plea of guilty, of criminal sexual act in the third degree.

JESSICA J. BURGASSER for THERESA A. FERGUSON **Submitted**

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

203.0
KA 17-00614

PEOPLE
V
JASON R. VOTRA

Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered November 22, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fifth degree.

JOHN A. CIRANDO for JASON R. VOTRA **10 minutes**

AMY L. HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK **10 minutes**

204.0
KA 15-00473

PEOPLE
V
LATANYA L. WASHINGTON

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered October 23, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the third degree.

CATHERINE H. JOSH for LATANYA L. WASHINGTON **5 minutes**

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

205.0
KA 16-02152

PEOPLE
V
TIMOTHY REINARD

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.) rendered November 7, 2016. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree (two counts) and criminal possession of a weapon in the second degree.

NICHOLAS P. DIFONZO for TIMOTHY REINARD 10 minutes

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

206.0
KA 17-02061

PEOPLE
V
RICHARD A. DAVIS

Appeal from an amended decision and order of the Supreme Court, Erie County (Deborah A. Haendiges, J.), entered April 11, 2017. The amended decision and order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

BARBARA J. DAVIES for RICHARD A. DAVIS Submitted

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

207.0
KA 16-02360

PEOPLE
V
ELI CASILLAS

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered November 28, 2016. The judgment convicted defendant, upon his plea of guilty, of strangulation in the second degree and assault in the second degree.

ALAN WILLIAMS for ELI CASILLAS Submitted

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

208.0
KA 18-00319

PEOPLE
V
GLENN A. PENDERGRAPH

Appeal from an order of the Onondaga County Court (Gordon J. Cuffy, J.), entered January 23, 2018. The order denied defendant's motion to vacate a conviction pursuant to CPL 440.10.

PIOTR BANASIAK for GLENN A. PENDERGRAPH 15 minutes

NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

209.0
KA 17-00946

PEOPLE
V
ZACKARY S. DRESSNER

Appeal from an order of the Monroe County Court (Vincint M. Dinolfo, J.), entered March 22, 2017. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for ZACKARY S. DRESSNER Submitted

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

210.0
KA 17-00128

PEOPLE
V
BRENDYN J. SINGLETON-PRADIA

Appeal from a judgment of the Supreme Court, Monroe County (Daniel J. Doyle, J.), rendered February 10, 2015. 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.

JANET C. SOMES for BRENDYN J. SINGLETON-PRADIA

Submitted

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

Submitted

211.0
OP 18-01660

STEPHEN P. MCNERLIN
V
HON. VICTORIA M. ARGENTO

Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court for the Fourth Judicial Department pursuant to CPLR 506 [b]) to prohibit the prosecution fo petitioner.

THOMAS A CORLETTA for STEPHEN P. MCNERLIN

20 minutes

LEAH R. MERVINE for SANDRA J. DOORLEY

10 minutes

FRANK BRADY for HON. VICTORIA M. ARGENTO

Submitted

212.0
CA 18-01800

CARRINGTON MORTGAGE SERVICES, LLC
V
LINDA M. SUDANO

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 5, 2018. The order dismissed plaintiff's action

MICHAEL LI for CARRINGTON MORTGAGE SERVICES, LLC

Submitted

CASEY E. CALLANAN for LINDA M. SUDANO

10 minutes

213.0
CA 18-01843

CITY OF BUFFALO
V
BRAND-ON-SERVICES, INC.

Appeal from an order and judgment of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered April 2, 2018. The order and judgment granted the motion of the City of Buffalo for summary judgment, denied the cross motion of Morton H. Wittlin for summary judgment, decreed that Wittlin does not have a security interest in certain floating docks and decreed that the City of Buffalo has priority over the security interest claimed by Wittlin in the floating docks.

WAYNE I. FREID for MORTON H. WITTLIN

15 minutes

DAVID M. LEE for CITY OF BUFFALO

15 minutes

214.0
CA 18-01230

GREGORY L. PETERSON
V
NEW YORK CENTRAL MUTUAL FIRE INSURANCE

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered August 31, 2017. The order granted the motion of defendant to deem stricken the complaint and dismissed the action.

JENNIFER M. VAN VOORHIS for GREGORY L. PETERSON

15 minutes

	JAMES GRABER for NEW YORK CENTRAL MUTUAL FIRE INSURANCE	10 minutes
215.0 CA 18-01180	TAMAICA TAYLOR V MARCIA BIRDSONG	
	Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered March 3, 2016. The judgment, insofar as appealed from, dismissed the complaint against defendant David L. Vangalio and awarded said defendant costs and disbursements.	
	FRANK S. FALZONE for TAMAICA TAYLOR	10 minutes
	PHILIP C. BARTH, III, for DAVID L. VANGALIO	15 minutes
216.0 CA 17-01446	MARK HOGAN V DAVID VANDEWATER	
	Appeal from a judgment of the Supreme Court, Lewis County (James P. McClusky, J.), entered May 5, 2017. The judgment, among other things, dismissed plaintiffs' complaint.	
	A.J. BOSMAN for MARK HOGAN	15 minutes
	MARK D. GORIS for DAVID VANDEWATER	10 minutes
	ROBERT JAMES SLYE for FRANK P. ROSE	10 minutes
	KELSEY TILL THOMPSON for GINA NICOLETTI	15 minutes
217.0 CA 18-00562	MARK HOGAN V DAVID VANDEWATER	
	Appeal from an order of the Supreme Court, Lewis County (Patrick F. MacRae, J.), entered December 18, 2017. The order, among other things, denied plaintiffs' motion seeking judgment as a matter of law and a new trial on damages or, alternatively a new trial.	
	A.J. BOSMAN for MARK HOGAN	Submitted
	MARK D. GORIS for DAVID VANDEWATER	Submitted
	ROBERT JAMES SLYE for FRANK P. ROSE	Submitted
	KELSEY TILL THOMPSON for GINA NICOLETTI	Submitted
218.0 CA 18-01893	MARK HOGAN V DAVID VANDEWATER	
	Appeal from a judgment of the Supreme Court, Lewis County (James P. McClusky, J.), entered May 5, 2017. The judgment, among other things, dismissed the plaintiffs' complaint.	
	A.J. BOSMAN for MARK HOGAN	Submitted
	MARK D. GORIS for DAVID VANDEWATER	Submitted
	ROBERT JAMES SLYE for FRANK P. ROSE	Submitted
	KELSEY TILL THOMPSON for GINA NICOLETTI	Submitted

219.0
CA 18-01894

MARK HOGAN
V
DAVID VANDEWATER

Appeal from an order of the Supreme Court, Lewis County (Patrick F. MacRae, J.), entered December 18, 2017. The order, among other things, denied plaintiffs' motion seeking judgment as a matter of law and a new trial on damages or, alternatively a new trial.

A.J. BOSMAN for MARK HOGAN Submitted
MARK D. GORIS for DAVID VANDEWATER Submitted
ROBERT JAMES SLYE for FRANK P. ROSE Submitted
KELSEY TILL THOMPSON for GINA NICOLETTI Submitted

220.0
CA 18-02064

JILL TOHER
V
ANDREW J. DUCHNYCZ, JR.

Appeal from an order of the Supreme Court, Herkimer County (Charles C. Merrell, J.), entered July 26, 2018. The order denied the motion of defendant for summary judgment dismissing the complaint.

ERIN K. SKUCE for ANDREW J. DUCHNYCZ, JR. 10 minutes
MICHAEL A. CASTLE for JILL TOHER 10 minutes

221.0
CA 18-01594

CAROL SMITH
V
LEANN HAMASAKI

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered September 28, 2017. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment on the issue of personal injury.

MARK A. FORDEN for LEANN HAMASAKI 10 minutes
VAN HENRI WHITE for CAROL SMITH 15 minutes

222.0
CA 18-01229

KATHLEEN S. DURNELL
V
NEW YORK CENTRAL MUTUAL FIRE INSURANCE

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered August 31, 2017. The order granted the motion of defendant to deem stricken the complaint and dismissed the action.

JENNIFER M. VAN VOORHIS for KATHLEEN S. DURNELL 15 minutes
JAMES GRABER for NEW YORK CENTRAL MUTUAL FIRE INSURANCE 10 minutes

222.1
CA 18-01581

MARLENE A. STODDARD
V
WILLIAM A. STODDARD

Appeal from an order of the Supreme Court, Cayuga County (Richard A. Dollinger, A.J.), entered January 17, 2018. The order, inter alia, granted the motion of defendant to modify a qualified domestic relations order.

LORRAINE S. SILVERMAN for MARLENE A. STODDARD Submitted
ADAM H. VAN BUSKIRK for WILLIAM A. STODDARD Submitted

DAY CALENDAR
Tuesday, February 19, 2019 - 10:00 AM
COURTROOM 2

223.0
KA 14-00670

PEOPLE
V
MILES S. MITCHELL

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered October 29, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts), attempted robbery in the first degree, attempted robbery in the second degree and criminal possession of a weapon in the second degree (two counts).

BRIDGET L. FIELD for MILES S. MITCHELL

Submitted

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

Submitted

DAY CALENDAR
Wednesday, February 20, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

224.0
KA 16-01482

PEOPLE
V
ANTHONY HOPPER

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 22, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

PHILIP ROTHSCHILD for ANTHONY HOPPER Submitted

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

225.0
KA 18-00387

PEOPLE
V
WILLIAM R. OLIVER

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered October 5, 2017. The judgment convicted defendant, upon his plea of guilty, of welfare fraud in the third degree.

DAVID P. ELKOVITCH for WILLIAM R. OLIVER Submitted

CHRISTOPHER T. VALDINA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

226.0
KA 17-00863

PEOPLE
V
JEREMY L. SOUTAR

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered January 29, 2015. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree.

CHARLES A. MARANGOLA for JEREMY L. SOUTAR Submitted

CHRISTOPHER T. VALDINA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

227.0
KA 17-01634

PEOPLE
V
KOLTON F. COTTER

Appeal from a judgment of the Genesee County Court (Charles N. Zambito, J.), rendered July 7, 2017. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

CAITLIN M. CONNELLY for KOLTON F. COTTER Submitted

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

228.0
KA 16-01271

PEOPLE
V
TYLER CHURCH

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 22, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

KRISTEN MCDERMOTT for TYLER CHURCH Submitted

	NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
229.0 KA 16-02332	PEOPLE V DYQUANN M. TUCKER	
	Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered September 19, 2014. The judgment convicted defendant, upon a nonjury verdict, of criminal sale of a controlled substance in the second degree.	
	BRIDGET L. FIELD for DYQUANN M. TUCKER	10 minutes
	SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
230.0 KA 13-02068	PEOPLE V WILLIAM A. WILKINS	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered November 19, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, robbery in the first degree (three counts) and attempted robbery in the first degree (two counts).	
	DAVID R. JUERGENS for WILLIAM A. WILKINS	10 minutes
	SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
231.0 KA 16-00752	PEOPLE V JOSE LOIZ	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered November 2, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.	
	SARA A. GOLDFARB for JOSE LOIZ	Submitted
	KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
232.0 KA 18-00527	PEOPLE V JOSE LOIZ	
	Appeal from a resentencing of the Onondaga County Court (Joseph E. Fahey, J.), rendered June 2, 2016. Defendant was resentenced upon his conviction of criminal possession of a controlled substance in the third degree.	
	SARA A. GOLDFARB for JOSE LOIZ	Submitted
	KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
233.0 KA 13-01831	PEOPLE V RODNEY LOWMAN	
	Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered September 27, 2013. The judgment convicted defendant, upon a jury verdict, of resisting arrest.	
	JEFFREY WICKS for RODNEY LOWMAN	10 minutes

	LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
234.0 KAH 18-01640	PEOPLE EX REL. ANDRE DURHAM V ANTHONY J. ANNUCCI	
	Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered July 30, 2018. The memorandum and judgment converted the proceeding to a CPLR article 78 proceeding and dismissed the proceeding.	
	JAN HOTH for ANDRE DURHAM	Submitted
	BRIAN D. GINSBERG for ANTHONY J. ANNUCCI	10 minutes
235.0 CAF 17-01563	ERIC B. GUTHRIE V HOLLY M. YOUNG	
	Appeal from an order of the Family Court, Ontario County (Stephen Aronson, A.J.), entered June 6, 2017 in a proceeding pursuant to pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody of the subject children.	
	CARA A. WALDMAN for HOLLY M. YOUNG	10 minutes
	ERIC B. GUTHRIE for HIMSELF	Submitted
	SUSAN GRAY, ATTORNEY FOR THE CHILD	5 minutes
236.0 CAF 17-01879	LINDSAY R. BETTS V WAYNE E. MOORE	
	Appeal from an order of the Family Court, Ontario County (Brian D. Dennis, J.), entered July 20, 2017, in a proceeding pursuant to Family Court Act article 6. The order, insofar as appealed from, dismissed the petition of petitioner for modification of custody and visitation.	
	CARA A. WALDMAN for LINDSAY R. BETTS	10 minutes
	WAYNE E. MOORE for HIMSELF	Submitted
	CHRISTINE F. REDFIELD, ATTORNEY FOR THE CHILD	10 minutes
237.0 CAF 17-00774	In the Matter of JAIME D.	
	Appeal from an order of the Family Court, Oswego County (James K. Eby, J.), entered April 13, 2017 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent James N. had educationally neglected the subject children.	
	JOHN A. CIRANDO for JAMES N.	10 minutes
	JEFFREY G. TOMPKINS for OSWEGO CO. DSS	Submitted
	MICHAEL R. O'NEILL, ATTORNEY FOR THE CHILD	Submitted
238.0 CAF 17-02042	In the Matter of JAIME D.	

Appeal from an order of the Family Court, Oswego County (James K. Eby, J.), entered October 31, 2017 in a proceeding pursuant to Family Court Act article 10. The order, inter alia, granted a suspended judgment against respondent James N.

JOHN A. CIRANDO for JAMES N.

Submitted

JEFFREY G. TOMPKINS for OSWEGO CO. DSS

Submitted

MICHAEL R. O'NEILL, ATTORNEY FOR THE CHILD

Submitted

239.0
CAF 18-00110

JAKE ROSS FOWLER, SR.
V
CRYSTAL LEE FOWLER

Appeal from an order of the Family Court, Oneida County (Gerald Neri, R.), entered December 22, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner primary physical custody and sole legal custody of the subject children.

SCOTT GODKIN for CRYSTAL LEE FOWLER

Submitted

DIANE M. MARTIN-GRANDE for JAKE ROSS FOWLER, SR.

5 minutes

TIMOTHY A. BENEDICT, ATTORNEY FOR THE CHILD

10 minutes

DOUGLAS M. DEMARCHE, JR., ATTORNEY FOR THE CHILD

10 minutes

240.0
CA 18-02017

KATHLEEN CUSHING
V
ALLSTATE FIRE AND CASUALTY INC. CO.

Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered April 17, 2018. The order, insofar as appealed from, granted the motion of defendant Frank Boden Insurance Agency to dismiss the complaint and granted the motion of defendant Allstate Fire and Casualty Co., Inc., to dismiss plaintiff's second cause of action.

GUSTAVE J. DETRAGLIA, JR., for KATHLEEN CUSHING

10 minutes

BRITTANY L. HANNAH for ALLSTATE FIRE AND CASUALTY INC. CO.

10 minutes

241.0
CA 18-01301

RITA LAURICELLA
V
LC APARTMENTS, LLC

Appeal from a decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered March 27, 2018. The decision and order granted the motion to limit damages on the breach of contract claim, and to dismiss the negligence cause of action.

THOMAS JAMES RZEPKA for RITA LAURICELLA

10 minutes

RAUL E. MARTINEZ for LC APARTMENTS, LLC

10 minutes

242.0
CA 17-01546

QUINTIN A. NOWLIN
V
CHARLIE SCHIANO, JR., ESQ.

Appeal from a decision and order of the Supreme Court, Monroe County (Robert B. Wiggins, A.J.), entered January 11, 2017. The decision and order granted the motion of defendants to dismiss the complaint.

QUINTIN A. NOWLIN for HIMSELF

Submitted

243.0 CA 18-01946	<p>PAUL G. FERRARA for CHARLIE SCHIANO, JR., ESQ. 10 minutes</p> <p>TOWN OF MEXICO V COUNTY OF OSWEGO</p> <p>Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered April 6, 2018. The judgment granted the motion of defendants to dismiss the complaint and dismissed the action.</p> <p>DANIEL J. PAUTZ for TOWN OF MEXICO 5 minutes</p> <p>RICHARD C. MITCHELL for COUNTY OF OSWEGO 5 minutes</p>
244.0 CA 18-01809	<p>MD3 HOLDINGS, LLC V AUGUST BUERKLE</p> <p>Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered August 8, 2018. The order denied in part and granted in part the motion of defendant for summary judgment.</p> <p>MICHAEL J. KAWA for AUGUST BUERKLE 10 minutes</p> <p>DAVID MICHAEL CAPRIOTTI for MD3 HOLDINGS, LLC 10 minutes</p>
245.0 CA 18-01521	<p>IN THE MATTER OF THE ESTATE OF ANDREW F. HARTUNG</p> <p>Appeal from an order of the Surrogate's Court, Onondaga County (Ava S. Raphael, S.), entered December 14, 2017. The order, inter alia, awarded counsel fees to counsel for the Public Administrator.</p> <p>JOSEPH H. HARTUNG for HUIMSELF 20 minutes</p> <p>ROBERT W. CONNOLLY for ALICIA S. CALAGIOVANNI 5 minutes</p>

DAY CALENDAR
Wednesday, February 20, 2019 - 10:00 AM
COURTROOM 2

246.0
KA 17-00951

PEOPLE
V
BAQI MUTI

Appeal from a judgment of the Erie County Court County (Sheila A. DiTullio, J.), rendered April 5, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the third degree (two counts).

TIMOTHY P. MURPHY for BAQI MUTI Submitted

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK Submitted

247.0
KA 15-01808

PEOPLE
V
CURTIS WILSON

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered March 17, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

TIMOTHY S. DAVIS for CURTIS WILSON Submitted

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

248.0
KA 18-00940

PEOPLE
V
DONALD M. SINCLAIR

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), rendered January 16, 2018. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

THERESA L. PREZIOSO for DONALD M. SINCLAIR Submitted

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

249.0
KA 16-01162

PEOPLE
V
MALCOLM WALKER

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered May 27, 2016. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree.

SARA A. GOLDFARB for MALCOLM WALKER Submitted

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

250.0
KA 18-00917

PEOPLE
V
TAYLON D. HEMPHILL

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, J.), rendered January 8, 2018. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the fifth degree.

THERESA L. PREZIOSO for TAYLON D. HEMPHILL Submitted

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

251.0
KA 17-00057

PEOPLE
V
LARRY CROSS

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered February 17, 2016. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, assault in the first degree and criminal possession of a weapon in the second degree.

NICHOLAS P. DIFONZO for LARRY CROSS 10 minutes

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

252.0
KA 14-01254

PEOPLE
V
DONNELL LLOYD

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, Erie County (M. William Boller, A.J.), dated June 6, 2014. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of murder in the second degree and criminal possession of a weapon in the second degree.

KRISTIN M. PREVE for DONNELL LLOYD 10 minutes

DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

253.0
KA 17-00537

PEOPLE
V
BRANDEN HARDY

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered February 23, 2017. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

ROBERT L. KEMP for BRANDEN HARDY 10 minutes

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

254.0
KA 17-01281

PEOPLE
V
ADAM C. SMITH

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone, J.), rendered November 17, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

DAVID P. ELKOVITCH for ADAM C. SMITH Submitted

BRITTANY ANTONACCI for THE PEOPLE OF THE STATE OF NEW YORK Submitted

255.0
KA 18-01822

PEOPLE
V
ROBERT RYDZEWSKI

Appeal from a judgment of the Supreme Court, Erie County (Deborah A. Haendiges, J.), rendered December 21, 2017. The judgment revoked a term of probation and imposed a term of incarceration.

ERIN E. MCCAMPBELL for ROBERT RYDZEWSKI 10 minutes

	ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
256.0 CAF 17-01647	<p>THOMAS M. RAPP V PAMELA A. HORBETT</p> <p>Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered June 16, 2017 in a proceeding pursuant to Family Court Act article 4. The order denied respondent's objections to an order of the Support Magistrate.</p>	
	PAMELA A. HORBETT for HERSELF	Submitted
	JOAN CASILIO ADAMS for THOMAS M. RAPP	10 minutes
257.0 CAF 18-00212	<p>LUCKEE D. NORDEE V KILSI C. NORDEE</p> <p>Appeal from an order of the Family Court, Erie County (Brenda M. Freedman, R.), entered September 1, 2017 in a proceeding pursuant to pursuant to Family Court Act article 6. The order, among other things, designated respondent as the primary residential parent of the subject child.</p>	
	DENIS A. KITCHEN, JR., for LUCKEE D. NORDEE	10 minutes
	CHARLES J. GREENBERG for KILSI C. NORDEE	5 minutes
	JENNIFER M. PAULINO, ATTORNEY FOR THE CHILD	5 minutes
258.0 CAF 17-01792	<p>In the Matter of ADDISON M.</p> <p>Appeal from an order of the Family Court, Erie County (Sharon LoVallo, J.), entered September 28, 2017 in a proceeding pursuant to pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had abused the subject child.</p>	
	DEBORAH J. SCINTA for BRIDGETTE M.	5 minutes
	ROSEMARY LINDA BAPST for ERIE CO. DSS	Submitted
	RICHARD L. SULLIVAN, ATTORNEY FOR THE CHILD	5 minutes
259.0 CAF 18-00266	<p>DESIRE M. EUSON V DASHAWN WRIGHT</p> <p>Appeal from an order of the Family Court, Niagara County (Kathleen M. Wojtaszek-Gariano, J.), entered January 2, 2018 in a proceeding pursuant to pursuant to Family Court Act article 6. The order dismissed the petition.</p>	
	KATHLEEN E. CASEY for DESIRE M. EUSON	Submitted
	DASHAWN WRIGHT for HIMSELF	Submitted
	MELISSA A. CAVAGNARO, ATTORNEY FOR THE CHILD	5 minutes
260.0 CAF 18-00267	<p>DASHAWN WRIGHT V DESIREE EUSON</p>	

Appeal from an order of the Family Court, Niagara County (Kathleen M. Wojtaszek-Gariano, J.), entered January 2, 2018 in a proceeding pursuant to pursuant to Family Court Act article 6. The order awarded petitioner sole custody of the subject child.

KATHLEEN E. CASEY for DESIREE EUSON

Submitted

DASHAWN WRIGHT for HIMSELF

Submitted

MELISSA A. CAVAGNARO, ATTORNEY FOR THE CHILD

Submitted

261.0
CA 18-01209

MEDICAL CARE OF WESTERN NEW YORK
V
ALLSTATE INSURANCE COMPANY

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered November 1, 2017. The order denied defendant's motion to dismiss.

JERRY MARTI for ALLSTATE INSURANCE COMPANY

15 minutes

DANIEL K. MORRIS for MEDICAL CARE OF WESTERN NEW YORK

15 minutes

262.0
CA 18-00588

PATRICIA PAGE
V
NIAGARA FALLS MEMORIAL MEDICAL CENTER

Appeal and cross appeal from an order of the Supreme Court, Niagara County (Sara Sheldon, A.J.), entered January 3, 2018. The order, among other things, denied plaintiffs' motion for summary judgment as against defendant Niagara Falls Memorial Medical Center and denied defendant Niagara Falls Memorial Medical Center's motion for summary judgment.

SETH A. HISER for NIAGARA FALLS MEMORIAL MEDICAL CENTER

10 minutes

SCOTT MICHAEL DUQUIN for PATRICIA PAGE

10 minutes

263.0
CA 18-00655

TOWN OF BRIGHTON
V
WEST BRIGHTON FIRE DEPARTMENT, INC.

Appeal from an decision and order of the Supreme Court, Monroe County (John J. Ark, J.), entered May 17, 2017 in a CPLR article 78 proceeding and a declaratory judgment action. The decision and order directed petitioners to pay monthly rent of \$5,000.

TIMOTHY C. HANNIGAN for TOWN OF BRIGHTON

15 minutes

DAVID B. GARWOOD for WEST BRIGHTON FIRE DEPARTMENT, INC.

15 minutes

264.0
CA 18-01062

STACHE INVESTMENTS CORPORATION
V
LEONARD CIOLEK

Appeal from a statement for judgment of the Supreme Court, Erie County (Henry J. Nowak, J.), entered April 19, 2018. The statement for judgment awarded plaintiff money damages.

JOSEPH G. MAKOWSKI for LEONARD CIOLEK

10 minutes

DAVID J. RUDROFF for STACHE INVESTMENTS CORPORATION

10 minutes

265.0
CA 18-02079

CARMEN BRITT
V
BUFFALO MUNICIPAL HOUSING AUTHORITY

Appeal from a decision and order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered May 1, 2018. The decision and order denied plaintiff's motion to restore his actions to the trial calendar.

LOUIS ROSADO for CARMEN BRITT	10 minutes
JOHN J. MARCHESE for BUFFALO MUNICIPAL HOUSING AUTHORITY	Submitted
ADAM C. FERRANDINO for GRACE MANOR HEALTH CARE FACILITY, INC.	Submitted
ELIZABETH G. ADYMY for PHILLIP J. RADOS, M.D.	Submitted
SALLY J. BROAD for NELDA LAWLER, M.D.	Submitted

266.0
CA 18-02077

ROBERT J. CARNEVALE
V
LORAN M. BOMMER

Appeal from an order of the Supreme Court, Erie County (Dennis E. Ward, J.), entered April 20, 2018. The order granted the motion of plaintiff for summary judgment on the issues of negligence and serious injury.

RICHARD T. SARAF for LORAN M. BOMMER	15 minutes
CAITLIN M. HIGGINS for ROBERT J. CARNEVALE	15 minutes

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

VICTOR PALADINO 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

LETITIA JAMES 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 Submitted

DAVID J. PAJAK for ALBA M. MERCEDES 5 minutes

JENNIFER M. PAULINO, ATTORNEY FOR THE CHILD Submitted

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

LETITIA JAMES 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.

DAVID B. GARWOOD 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

LETITIA JAMES 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

JONATHAN HITSOUS for THERESA L. EGAN 10 minutes

DAY CALENDAR
Thursday, February 21, 2019 - 10:00 AM
COURTROOM 2

288.0
KA 16-00732

PEOPLE
V
AL A. GIVANS

Appeal from a judgment of the Jefferson County Court (James P. McClusky, J.), rendered March 31, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree and criminally using drug paraphernalia in the second degree.

KEVIN ARTHUR LANE for AL A. GIVANS

Submitted

GEORGE R. SHAFFER, III, for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Monday, February 25, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

289.0
TP 18-01517

JONATHAN ALVARADO
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, Wyoming County [Michael M. Mohun, A.J.], entered August 23, 2018) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for JONATHAN ALVARADO

Submitted

JOSEPH M. SPADOLA for ANTHONY ANNUCCI

Submitted

290.0
KA 17-02113

PEOPLE
V
JASON SLISHEVSKY

Appeal from a decision and order of the Onondaga County Court (Gordon J. Cuffy, J.), entered September 22, 2017. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

KRISTEN MCDERMOTT for JASON SLISHEVSKY

Submitted

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

Submitted

291.0
KA 17-01782

PEOPLE
V
JOSHUA A. UERKVITZ

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered June 6, 2017. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for JOSHUA A. UERKVITZ

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

292.0
KA 18-00043

PEOPLE
V
BRUCE C. WADSWORTH

Appeal from an order of the Monroe County Court (Stephen T. Miller, A.J.), entered September 30, 2017. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for BRUCE C. WADSWORTH

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

293.0
KA 18-00242

PEOPLE
V
BRIAN WILSON

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered October 16, 2017. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

	LINDA M. CAMPBELL for BRIAN WILSON	Submitted
	NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
294.0 KA 16-01088	PEOPLE V RICHARD SPAGNUALO	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered March 18, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts) and criminal mischief in the fourth degree.	
	DARIENN POWERS for RICHARD SPAGNUALO	10 minutes
	BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
295.0 KA 17-00195	PEOPLE V CHRISTOPHER MCCULLEN	
	Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered January 23, 2017. The judgment convicted defendant, upon his plea of guilty, of scheme to defraud in the first degree and grand larceny in the fourth degree (seven counts).	
	ROBERT L. KEMP for CHRISTOPHER MCCULLEN	10 minutes
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
296.0 CAF 18-00883	DANIEL LEE FERRATELLA V ANGELA BEERS THOMAS	
	Appeal from an order of the Family Court, Stueben County (Mathew K. McCarthy, J.), entered April 25, 2018 in a proceeding pursuant to Family Court Act article 8. The order, among other things, adjudged that respondent had committed acts constituting the family offense of criminal contempt.	
	MARY P. DAVISON for ANGELA BEERS THOMAS	5 minutes
	MICHELLE A. COOKE for DANIEL LEE FERRATELLA	10 minutes
	BRITTANY LEIGH LINDER, ATTORNEY FOR THE CHILD	5 minutes
297.0 CAF 18-00745	JESSICA W. BENSON V JAMES T. SMITH	
	Appeal from an order of the Family Court, Stueben County (Mathew K. McCarthy, J.), entered April 2, 2018 in a proceeding pursuant to Family Court Act article 8. The order, among other things, directed respondent to stay away from petitioner.	
	MARY P. DAVISON for JAMES T. SMITH	5 minutes
	RAYMOND PETER KOT, II, for JESSICA W. BENSON	5 minutes
	MARYBETH D. BARNET, ATTORNEY FOR THE CHILD	5 minutes
298.0 CAF 18-00746	JESSICA W. BENSON V JAMES T. SMITH	

Appeal from an order of the Family Court, Stueben County (Mathew K. McCarthy, J.), entered April 12, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded respondent sole custody and placement of the subject child.

MARY P. DAVISON for JAMES T. SMITH Submitted

RAYMOND PETER KOT, II, for JESSICA W. BENSON Submitted

MARYBETH D. BARNET, ATTORNEY FOR THE CHILD Submitted

299.0
CAF 18-01362

JOSHUA T. ATHOE
V
NIA M. GOODMAN

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered June 6, 2018 in a proceeding pursuant to pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody of the subject child.

JEFFREY WICKS for NIA M. GOODMAN 15 minutes

JENNIFER M. LORENZ for JOSHUA T. ATHOE 10 minutes

CHRISTINE F. REDFIELD, ATTORNEY FOR THE CHILD 10 minutes

304.0
CA 18-01591

BROADWAY WAREHOUSE CO.
V
BROOKS C. ANDERSON

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered April 16, 2018. The order granted the motion of defendant to dismiss the complaint.

J. MICHAEL LENNON for BROADWAY WAREHOUSE CO. 15 minutes

JUSTIN S. WHITE for BROOKS C. ANDERSON 10 minutes

305.0
CA 18-02105

THE WALTON & WILLETT STONE BLOCK
V
CITY OF OSWEGO COMMUNITY DEVELOPMENT

Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered April 16, 2018. The order granted defendant Camelot Lodge, LLC's motion to renew is motion to dismiss the complaint and upon renewal dismissed plaintiffs' complaint as against defendant Camelot Lodge, LLC.

TERRY J. KIRWAN, JR., for THE WALTON & WILLETT STONE BLOCK 15 minutes

CLIFFORD TSAN for CAMELOT LODGE, LLC 10 minutes

JON P. DEVENDORF for CITY OF OSWEGO COMMUNITY DEVELOPMENT Submitted

306.0
CA 18-00865

KARI ANN FULL
V
COUNTY OF MONROE

Appeal from a decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered July 12, 2017. The decision and order granted the motion of defendants to dismiss the complaint and for sanctions.

SCOTT MICHAEL DUQUIN for KARI ANN FULL 10 minutes

MATTHEW D. BROWN for COUNTY OF MONROE 5 minutes

307.0
CA 18-00965

NICHOLAS CARUSO
V
MICHAEL D. CHATFIELD

SETTLED

Appeal from an order of the Supreme Court, Chautauqua County (James H. Dillon, J.), entered March 19, 2018. The order, insofar as appealed from, denied the motion of defendants Michael D. Chatfield and Landstar Ranger, Inc., for summary judgment as to plaintiff, Ronald J. Caruso's claim of significant limitation of use of a body function or system.

PETER D. CANTONE for MICHAEL D. CHATFIELD

BRIAN CHAPIN YORK for RONALD J. CARUSO

308.0
CA 18-01773

BENEVOLENT AND PROTECTIVE ORDER OF ELKS
V
CREATIVE COMFORT SYSTEMS, INC.

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), entered April 10, 2018. The order, inter alia, granted the motion of plaintiffs to disqualify Rupp Baase Pfalzgraf Cunningham, LLC, from representing defendants.

R. ANTHONY RUPP, III, for CREATIVE COMFORT SYSTEMS, INC.

15 minutes

ANDREW O. MILLER for BENEVOLENT AND PROTECTIVE ORDER

10 minutes

309.0
CA 18-01590

BROADWAY WAREHOUSE, CO.
V
BUFFALO BARN BOARD, LLC

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered June 21, 2018. The order, insofar as appealed from, granted the motion of defendants Empire Building Diagnostics, Inc., and EBD Management, Inc., for summary judgment and dismissed the second amended verified complaint against said defendants.

J. MICHAEL LENNON for BROADWAY WAREHOUSE, CO.

15 minutes

ANDREW O. MILLER for EMPIRE BUILDING DIAGNOSTICS, INC.

10 minutes

310.0
CA 18-02007

MICHAEL SAVOIE
V
PAUL C. GIGLIOTTI

Appeal from an order of the Supreme Court, Niagara County (David J. Furlong, J.), entered April 24, 2018. The order, insofar as appealed from, granted the motions of defendants for summary judgment and dismissed the complaint.

WILLIAM A. QUINLAN for MICHAEL SAVOIE

15 minutes

MARK P. DELLA POSTA for PAUL C. GIGLIOTTI

15 minutes

THERESA L. PREZIOSO for TREBROS, INC.

15 minutes

311.0
CA 18-01258

JEFFREY SIMPSON
V
SYRACUSE SIGNAL SYSTEMS, INC.

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 6, 2018. The order denied the motion of defendant for summary judgment.

KEVIN R. VAN DUSER for SYRACUSE SIGNAL SYSTEMS, INC.

15 minutes

SIDNEY P. COMINSKY for JEFFREY SIMPSON

15 minutes

DAY CALENDAR
Monday, February 25, 2019 - 10:00 AM
COURTROOM 2

312.0
KA 16-01481

PEOPLE
V
ANTONE HERROD

Appeal from a judgment of the Erie County Court (David W. Foley, A.J.), rendered June 27, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

LEE KINDLON for ANTONE HERROD

Submitted

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

Submitted

DAY CALENDAR
Tuesday, February 26, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

313.0
KA 16-01806

PEOPLE
V
SHERRY L. MCDONALD

Appeal from a judgment of the Monroe County Court (Christopher S. Ciaccio, J.), rendered July 13, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

MARK C. DAVISON for SHERRY L. MCDONALD **10 minutes**

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK **10 minutes**

314.0
KA 18-01500

PEOPLE
V
KENNETH HOUCK

Appeal from an order of the Onondaga County Court (Stephen J. Dougherty, J.), entered November 22, 2017. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

NATHANIEL V. RILEY for KENNETH HOUCK **Submitted**

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

315.0
KA 17-00741

PEOPLE
V
RAYMOND CAMPAGNA, JR.

Appeal from a judgment of the Cayuga County Court (Thomas G. Leone J.), rendered November 29, 2016. The judgment convicted defendant, upon his plea of guilty, of aggravated vehicular homicide, aggravated vehicular assault and driving while intoxicated, a misdemeanor.

HEIDI SUE CONNOLLY for RAYMOND CAMPAGNA, JR. **Submitted**

DIANE MARIE ADSIT for THE PEOPLE OF THE STATE OF NEW YORK **Submitted**

316.0
KA 17-00183

PEOPLE
V
ANTONIO J.

Appeal from an adjudication of the Erie County Court (Kenneth F. Case, J.), rendered September 9, 2016. Defendant was adjudicated a youthful offender upon his plea of guilty to robbery in the first degree.

DEBORAH JESSEY for ANTONIO J. **10 minutes**

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK **10 minutes**

317.0
KA 17-00184

PEOPLE
V
ANTONIO J.

Appeal from an adjudication of the Erie County Court (Kenneth F. Case, J.), rendered September 9, 2016. Defendant was adjudicated a youthful offender upon his plea of guilty to robbery in the first degree.

DEBORAH JESSEY for ANTONIO J. **Submitted**

	MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
318.0 CAF 17-01648	JESENIA E. SANTOS V RASHAD MUHAMMED	
	Appeal from an order of the Family Court, Monroe County (James E. Walsh, J.), entered June 21, 2017, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted petitioner sole custody of the children of the parties.	
	FREDERICK PETER LESTER for RASHAD MUHAMMED	Submitted
	CHELSEA L. PALMISANO for JESENIA E. SANTOS	Submitted
	LISA MASLOW, ATTORNEY FOR THE CHILD	Submitted
319.0 CAF 17-01274	In the Matter of DAGAN B.	
	Appeal from an order of the Family Court, Ontario County (Frederick J. Reed, J.), entered July 5, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, placed the subject children under the care and custody of petitioner pending the next permanency hearing.	
	MARK C. DAVISON for CALLA B.	5 minutes
	HOLLY AMY ADAMS for ONTARIO CO. DSS	5 minutes
	TIFFANY M. SORGEN, ATTORNEY FOR THE CHILD	Submitted
320.0 CAF 17-01536	In the Matter of DAGAN B.	
	Appeal from an order of the Family Court, Ontario County (Frederick J. Reed, J.), entered August 11, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, placed the subject children under the care and custody of petitioner pending the next permanency hearing.	
	MARK C. DAVISON for CALLA B.	Submitted
	HOLLY AMY ADAMS for ONTARIO CO. DSS	Submitted
	TIFFANY M. SORGEN, ATTORNEY FOR THE CHILD	Submitted
321.0 CA 18-01228	LORCEN BURROUGHS V JOHN COLVIN	
	Appeal from a decision and judgment of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered April 16, 2018. The decision and judgment denied petitioner's CPLR article 78 petition.	
	LORCEN BURROUGHS for HIMSELF	Submitted
	MARCUS J. MASTRACCO for JOHN COLVIN	Submitted
322.0 CA 18-00038	SCOTT P. V STATE OF NEW YORK	

Appeal from an order of the Supreme Court, Oneida County (Charles C. Merrell, J.), entered November 1, 2017 in a proceeding pursuant to Mental Hygiene Law article 10. The order, inter alia, continued the commitment of petitioner to a secure treatment facility.

MARK C. DAVISON for SCOTT P.

10 minutes

FRANK BRADY for STATE OF NEW YORK

10 minutes

323.0
CA 18-00907

KEVIN MCINTOSH

V

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered March 20, 2018. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment on his causes of action seeking retiree healthcare benefits and payment of accrued vacation pay.

MICHAEL HARREN for INTERNATIONAL BROTHERHOOD OF TEAMSTERS

10 minutes

R. SCOTT DELUCA for KEVIN MCINTOSH

10 minutes

324.0
CA 18-01246

KEVIN JANIGA

V

TOWN OF WEST SENECA ZBA

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered December 18, 2017 in a proceeding pursuant to CPLR article 78. The order dismissed the petition.

RICHARD J. LIPPES for KEVIN JANIGA

10 minutes

JOHN J. FENZ for TOWN OF WEST SENECA ZBA

Submitted

MARC STEVEN SMITH for MARRANO/MARC EQUITY, INC.

10 minutes

FRANK J. JACOBSON for NICK CROGLIO

10 minutes

325.0
CA 18-01103

WILLIAM CRAWFORD

V

R. JEWULA HOLDINGS LLC

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered May 26, 2017. The order directed counsel for plaintiff to subpoena certain records for in camera review and denied the cross motion of plaintiff to compel discovery.

TERRENCE P. HIGGINS for WILLIAM CRAWFORD

10 minutes

AARON M. ADOFF for R. JEWULA HOLDINGS LLC

10 minutes

326.0
CA 18-02028

In the Matter of Arbitration Between
THE PROFESSIONAL, CLERICAL, TECHNICAL EMPLOYEES ASSOCIATION
(BOARD OF EDUCATION FOR CITY OF BUFFALO CSD)

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered June 18, 2018. The order granted the petition to confirm an arbitrator's award and denied the cross petition to vacate an arbitrator's award.

BETHANY CENTRONE for BD OF EDUC. FOR CITY OF BUFFALO CSD

10 minutes

PAUL DAVID WEISS for THE PROFESSIONAL, CLERICAL, TECHNICAL

10 minutes

327.0
CA 18-00158

JON P. RICHEAL
V
ANGELIA RICHEAL

Appeal from a judgment of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered December 23, 2016 in a divorce action. The judgment, among other things, awarded defendant permanent non-duration lifetime maintenance.

MICHAEL J. STACHOWSKI for **JON P. RICHEAL**

Submitted

ANGELIA RICHEAL for **HERSELF**

Submitted

328.0
CA 18-00724

STATE OF NEW YORK
V
LESLIE L.

Appeal from an order of the Supreme Court, Orleans County (James P. Punch, A.J.), entered July 26, 2017 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, committed respondent to a secure treatment facility.

GARY MULDOON for **LESLIE L.**

10 minutes

FREDERICK A. BRODIE for **STATE OF NEW YORK**

10 minutes

329.0
CA 18-01476

PAUL M. BAVISOTTO
V
MICHAEL DOLDAN

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered June 21, 2018. The order granted the motion of defendants Michael Doldan and Sara Doldan for summary judgment and dismissed the complaint and all cross claims against said defendants.

BLAKE J. ZACCAGNINO for **PAUL M. BAVISOTTO**

10 minutes

ALYSON CULLITON for **MICHAEL DOLDAN**

10 minutes

MARK C. DAVIS for **MEGHAN GRAY**

Submitted

DAY CALENDAR
Tuesday, February 26, 2019 - 10:00 AM
COURTROOM 2

330.0
KA 13-01173

PEOPLE
V
TRELLIS L. PRESSLEY

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered May 15, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree and criminal sexual act in the third degree.

LINDA M. CAMPBELL for TRELLIS L. PRESSLEY

Submitted

DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

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

DAY CALENDAR
Wednesday, February 27, 2019 - 10:00 AM
COURTROOM 2

352.0
KA 15-01192

PEOPLE
V
DEVONNE PARRIS

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered June 24, 2015. The judgment convicted defendant, upon his plea of guilty, of gang assault in the first degree.

DAVID R. JUERGENS for DEVONNE PARRIS Submitted

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

353.0
KA 16-01560

PEOPLE
V
BRANDON GRANT

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered October 19, 2015. The judgment convicted defendant, upon his plea of guilty, of murder in the second degree.

IRENE AURORA FLORES for BRANDON GRANT Submitted

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

354.0
KA 16-01951

PEOPLE
V
RASHAUN A. HOLT

Appeal from a judgment of the Erie County Court (David W. Foley, J.), rendered September 29, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the fifth degree.

RICHARD L. SULLIVAN for RASHAUN A. HOLT Submitted

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

355.0
KA 17-00760

PEOPLE
V
PEDRO ROMERO

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered March 1, 2017. The judgment sentenced defendant to a determinate term of seven years with three years postrelease supervision upon his conviction for assault in the second degree.

JOHN A. CIRANDO for PEDRO ROMERO Submitted

KENNETH H. TYLER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

356.0
KA 18-00859

PEOPLE
V
DARIUS L. BRAY

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), rendered January 31, 2018. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.

JOSEPH G. FRAZIER for DARIUS L. BRAY Submitted

	THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
357.0 KA 17-00962	PEOPLE V MICHAEL GREER	
	Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered June 27, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.	
	BARBARA J. DAVIES for MICHAEL GREER	Submitted
	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
358.0 KA 16-00932	PEOPLE V OMAR I. BELLAMY	
	Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered March 30, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree, coercion in the first degree and attempted coercion in the first degree.	
	THEODORE W. STENUF for OMAR I. BELLAMY	10 minutes
	HARMONY A. HEALY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
359.0 KA 10-01859	PEOPLE V JAMES BALDWIN	
	Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered August 13, 2010. The judgment convicted defendant, upon a jury verdict, of arson in the second degree.	
	SHERRY A. CHASE for JAMES BALDWIN	10 minutes
	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
360.0 KA 16-00769	PEOPLE V OMAR I. BELLAMY	
	Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered October 25, 2015. 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.	
	THEODORE W. STENUF for OMAR I. BELLAMY	10 minutes
	AMY LEIGH HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
361.0 KA 17-00750	PEOPLE V DERRELL AUSTIN	
	Appeal from a decision and order of the Erie County Court (Sheila A. DiTullio, J.), entered March 16, 2017. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.	

	ERIN A. KULESUS for DERRELL AUSTIN	Submitted
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
362.0 KA 16-01598	PEOPLE V DANIEL WHITING	
	Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered August 16, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	ROBERT L. KEMP for DANIEL WHITING	10 minutes
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
364.0 CAF 18-01916	MATTHEW J. KINNE V AMANDA L. BYRD	
	Appeal from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, J.), entered March 20, 2018, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, awarded custody to petitioner.	
	LAWRENCE D. HASSELER for AMANDA L. BYRD	10 minutes
	PETER J. DIGIORGIO, JR., for MATTHEW J. KINNE	10 minutes
	MATTHEW A. GOETTEL, ATTORNEY FOR THE CHILD	5 minutes
365.0 CA 18-01516	GARY WORKMAN V MICHELE DUMOUCHEL	
	Appeal from an order of the Jefferson County Court (Kim Martusewicz, J.), entered June 5, 2017. The order affirmed an order of the Town of Champion Court dated October 19, 2016 which adjudged that defendant's dog should be euthanized.	
	MATTHEW ALBERT for MICHELE DUMOUCHEL	Submitted
	ADAM R. MATTESON for GARY WORKMAN	10 minutes
366.0 CA 18-02127	DONALD G. COPELAND V CONCRETE APPLIED TECHNOLOGIES CORP.	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered August 14, 2018. The order, among other things, denied in part defendants' motion to compel.	
	ANN M. CAMPBELL for CONCRETE APPLIED TECHNOLOGIES CORP.	10 minutes
	JOHN A. COLLINS for DONALD G. COPELAND	10 minutes
367.0 CA 18-01826	RENEE A. WAGGONER TOY V THE VALLEY COMMUNITY ASSOCIATION	SETTLED
	Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered March 27, 2018. The order, among other things, denied defendant Valley Community Association, Inc.'s motion for summary judgment.	

MEGHAN M. BROWN for THE VALLEY COMMUNITY ASSOCIATION

THOMAS P. KOTRYS for RENEE A. WAGGONER TOY

368.0
CA 18-01139

TERRENCE A. ROBINSON

V

CITY OF BUFFALO PLANNING BOARD

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Joseph R. Glowia, J.), entered March 14, 2018 in a proceeding pursuant to CPLR article 78. The order and judgment dismissed the petition.

TERRENCE A. ROBINSON for HIMSELF 15 minutes

CHARLES W. MALCOMB for NORSTAR DEVELOPMENT USA, L.P. 10 minutes

ROBERT E. QUINN for CITY OF BUFFALO PLANNING BOARD 10 minutes

369.0
CA 18-01441

PIXLEY DEVELOPMENT CORP.

V

ERIE INSURANCE COMPANY

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered January 23, 2018. The order denied the motion of plaintiff for a declaratory judgment and granted the cross motion of defendants for summary judgment dismissing the complaint.

CORY SCHOONMAKER for PIXLEY DEVELOPMENT CORP. 15 minutes

JENNIFER EHMAN for ERIE INSURANCE COMPANY 10 minutes

370.0
CA 18-01770

DALE KLUCZYNSKI

V

ADAM ZWACK

Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered March 23, 2018. The order denied the motion of defendants to dismiss the complaint.

JACLYN S. WANEMAKER for ADAM ZWACK 15 minutes

SCOTT MICHAEL DUQUIN for DALE KLUCZYNSKI 10 minutes

371.0
CA 18-01818

CHANDRA NIEDZWIECKI

V

JARRETT E. YEATES

Appeal from an order and judgment of the Supreme Court, Erie County (Tracey M. Bannister, J., for Donna M. Siwek, J.), entered July 26, 2018. The order, insofar as appealed from, granted the cross motion of plaintiff for summary judgment on negligence and proximate cause and struck defendants' ninth and tenth affirmative defenses.

MATTHEW D. PFALZER for JARRETT E. YEATES 10 minutes

JOHN A. COLLINS for CHANDRA NIEDZWIECKI 10 minutes

DAY CALENDAR
Thursday, February 28, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

372.0
TP 18-01839

CHRISTIAN CENTRAL ACADEMY
V
NEW YORK STATE DIVISION OF HUMAN RIGHTS

Proceeding pursuant to Executive Law § 298 (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 1, 2018) to review a determination of respondent. The determination found unlawful discrimination on the basis of familial status.

MICHAEL J. BALESTRA for CHRISTIAN CENTRAL ACADEMY 10 minutes
TONI ANN HOLLIFIELD for NYS DIVISION OF HUMAN RIGHTS 15 minutes
KATHLEEN LYSEK for HERSELF Submitted

373.0
KA 17-00059

PEOPLE
V
WILLIAM MCCULLOUGH

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered June 30, 2016. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.

KRISTIN M. PREVE for WILLIAM MCCULLOUGH 10 minutes
DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

374.0
KA 18-01621

PEOPLE
V
THOMAS RAFFERTY

Appeal from a decision and order of the Ontario County Court (Frederick G. Reed, J.), dated June 4, 2018. The decision and order granted defendant's motion to dismiss the indictment and dismissed the indictment.

JEFFERY R. FRIESEN for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes
THOMAS RAFFERTY for THOMAS RAFFERTY 10 minutes

376.0
CAF 17-01278

GERALD JOHNSON
V
NANCY JIMERSON

Appeal from a decision and order of the Family Court, Erie County (Margaret A. Logan, R.), entered July 10, 2017, in a proceeding pursuant to Family Court Act article 6. The decision and order, inter alia, granted sole custody to petitioner.

CHARLES J. GREENBERG for NANCY JIMERSON Submitted
RICHARD JAMES FRIEDMAN for GERALD JOHNSON Submitted
JENNIFER M. PAULINO, ATTORNEY FOR THE CHILD Submitted

377.0
CAF 18-00541

JAMIE CULLOP
V
JASON MILLER

Appeal from an order of the Family Court, Oneida County (James R. Griffith, J.), entered March 13, 2018 in a proceeding pursuant to pursuant to Family Court Act article 6. The order dismissed the petition with prejudice.

SCOTT GODKIN for JAMIE CULLOP

Submitted

MICHAEL THOMAS JOHNSON for JASON MILLER

Submitted

PETER J. DIGIORGIO, JR., ATTORNEY FOR THE CHILD

Submitted

378.0
CAF 18-00103

JAMES CHROMCZAK
V
ANGELIA SALEK

Appeal from an order of the Family Court, Herkimer County (John J. Brennan, J.), entered December 15, 2017 in a proceeding pursuant to pursuant to Family Court Act article 6. The order, among other things, dismissed the petition.

TRACY LEE PUGLIESE for JAMES CHROMCZAK

Submitted

ANGELIA SALEK for HERSELF

Submitted

PETER J. DIGIORGIO, JR., ATTORNEY FOR THE CHILD

Submitted

379.0
CAF 18-00104

JAMES CHROMCZAK
V
ANGELIA SALEK

Appeal from an order of the Family Court, Herkimer County (John J. Brennan, J.), entered December 26, 2017 in a proceeding pursuant to pursuant to Family Court Act article 6. The order, among other things, dismissed the petition.

TRACY LEE PUGLIESE for JAMES CHROMCZAK

Submitted

ANGELIA SALEK for HERSELF

Submitted

PETER J. DIGIORGIO, JR., ATTORNEY FOR THE CHILD

Submitted

380.0
CAF 18-00534

ANGELIA SALEK
V
JAMES CHROMCZAK

Appeal from an order of the Family Court, Herkimer County (John J. Brennan, J.), entered March 9, 2018 in a proceeding pursuant to pursuant to Family Court Act article 6. The order, among other things, adjudged that respondent's paramour shall have no contact with the subject child.

TRACY LEE PUGLIESE for JAMES CHROMCZAK

Submitted

ANGELIA SALEK for HERSELF

Submitted

PETER J. DIGIORGIO, JR., ATTORNEY FOR THE CHILD

Submitted

381.0
TP 18-00451

GREGORY THOMPSON
V
NYS 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, Monroe County [William K. Taylor, J.], entered October 27, 2017) to review a determination of respondent. The determination revoked petitioner's driving privileges in the State of New York.

ZACHARY T. RUETZ for GREGORY THOMPSON

Submitted

BRIAN D. GINSBERG for NYS DMV

10 minutes

383.0
CA 17-02195

CELLINO & BARNES, PC
V
BRIAN CHAPIN YORK

Appeal from an order of the Supreme Court, Erie County (Tracy A. Bannister, J.), entered September 29, 2017. The order, among other things, awarded plaintiff attorneys fees.

BRIAN CHAPIN YORK for HIMSELF

10 minutes

GREGORY V. PAJAK for CELLINO & BARNES, PC

10 minutes

384.0
CA 18-00706

CELLINO & BARNES, PC
V
BRIAN CHAPIN YORK

Appeal from a judgment of the Supreme Court, Erie County (Tracy A. Bannister, J.), entered January 8, 2018. The judgment, among other things, awarded plaintiff the sum of \$32,028.28 as against defendant.

BRIAN CHAPIN YORK for HIMSELF

Submitted

GREGORY V. PAJAK for CELLINO & BARNES, PC

Submitted

385.0
CA 18-01444

BAYVIEW LOAN SERVICING, LLC.
V
GERARD A. STRAUSS

Appeal from an order of the Supreme Court, Erie County (Deborah A. Haendiges, J.), entered August 15, 2017. The order, among other things, directed plaintiff to transfer title of the subject premises.

HILARY PRADA for BAYVIEW LOAN SERVICING, LLC.

Submitted

NICHOLAS PAUL DEMARCO for DARYL R. FOX

10 minutes

394.0
CA 18-01771

ISKALO ELECTRIC TOWER LLC
V
STANTEC CONSULTING SERVICES, INC.

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Donna M. Siwek, J.), entered March 21, 2018. The order and judgment, among other things, denied in part plaintiffs' motion for summary judgment.

JOHN CHARLES GARAS for ISKALO ELECTRIC TOWER LLC

10 minutes

F. PAUL GREENE for STANTEC CONSULTING SERVICES, INC.

15 minutes

395.0
CA 18-01420

A.E.
V
HAMILTON COLLEGE

Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered May 16, 2018. The order denied and dismissed a CPLR article 78 proceeding.

DONNA ALDEA for A.E.

20 minutes

JONATHAN B. FELLOWS for HAMILTON COLLEGE

10 minutes

395.1
KA 18-01593

PEOPLE

V

BENJAMIN M. WASSELL

Appeal from a judgment of the Chautauqua County Court (Michael L. D'Amico, A.J.), rendered May 30, 2014. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the third degree and criminal sale of a firearm in the third degree (two counts).

JAMES OSTROWSKI for BENJAMIN M. WASSELL

10 minutes

MATTHEW B. KELLER for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

DAY CALENDAR
Thursday, February 28, 2019 - 10:00 AM
COURTROOM 2

396.0
KA 16-01335

PEOPLE
V
MICHAEL SWEAT

Appeal from an order of the Supreme Court, Erie County (Penny M. Wolfgang, J.), dated May 16, 2016. The appeal was held by this Court by order entered March 24, 2017, decision was reserved and the matter was remitted to Supreme Court, Erie County, for further proceedings (148 AD3d 1641). The proceedings were held and completed.

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

Submitted

MICHAEL STACHOWSKI for MICHAEL SWEAT

Submitted