

DAY CALENDAR
Thursday, February 20, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

252.0
TP 19-00582

ADAM HAMILTON
V
STEWART T. ECKERT

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, Erie County [Emilio L. Colaiacovo, J.], entered March 29, 2019) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

ADAM HAMILTON for HIMSELF

Submitted

MARCUS J. MASTRACCO for STEWART T. ECKERT

Submitted

253.0
KA 15-01898

PEOPLE
V
JAMES A. RILEY

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered May 26, 2015. The judgment convicted defendant, upon a non jury verdict, of predatory sexual assault against a child (three counts).

DANIELLE C. WILD for JAMES A. RILEY

10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

254.0
KA 19-01820

PEOPLE
V
DEMONZ GUICE

Appeal from a decision and order of the Supreme Court, Erie County (M. William Boller, A.J.), dated March 11, 2019. The decision and order granted the motion of defendant to suppress a handgun.

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

10 minutes

EMILY P. TROTT for DEMONZ GUICE

Submitted

256.0
KA 18-01349

PEOPLE
V
WENDELL L. FUQUA

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered May 31, 2018. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

NORMAN P. EFFMAN for WENDELL L. FUQUA

10 minutes

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

Submitted

257.0
KA 16-01584

PEOPLE
V
BERNARD L. SNOW

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered June 20, 2016. The judgment convicted defendant, upon a jury verdict, of robbery in the third degree (two counts) and petit larceny.

THOMAS G. SMITH for BERNARD L. SNOW

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

258.0
KA 17-02139

PEOPLE

V

JOSE HERNANDEZ

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 15, 2017. The judgment convicted defendant, upon a non jury verdict, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

J. SCOTT PORTER for JOSE HERNANDEZ

10 minutes

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

10 minutes

259.0
KA 11-01662

PEOPLE

V

LARRY BROWN

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered November 29, 2010. The judgment convicted defendant, upon a jury verdict, of murder in the first degree (two counts) and assault in the first degree.

DAVID M. ABBATOY, JR. for LARRY BROWN

10 minutes

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

10 minutes

260.0
CAF 18-00680

MARY BYLER

V

MELINDA BYLER

Appeal from an order of the Family Court, Chautauqua County (Michael J. Sullivan, J.), entered March 14, 2018 in proceedings pursuant to Family Court Act article 6. The order, among other things, adjudged that the subject children will remain with Mary Byler.

LINDA M. CAMPBELL for KENNETH BYLER

10 minutes

PAUL B. WATKINS for MARY BYLER

10 minutes

JAMES SCOTT DIMMER for MELINDA BYER

Submitted

AVERY S. OLSON, ATTORNEY FOR CHILD

10 minutes

261.0
CAF 18-01124

MAURICE A. GILBERT

V

NATASHKA M. NUNEZ-MERCED

Appeal from an order of the Family Court, Onondaga County (Karen Stanislaus, R.), entered May 18, 2018 in proceedings pursuant to Family Court Act article 6. The order, among other things, awarded Maurice A. Gilbert sole legal and residential custody of the subject child.

PHILIP ROTHSCHILD for NATASHKA M. NUNEZ-MERCED

10 minutes

	MAURICE A. GILBERT for HIMSELF	5 minutes
	SUSAN B. MARRIS, ATTORNEY FOR CHILD	5 minutes
262.0 CA 19-01234	COLOR DYNAMICS, INC. V KEMPER SYSTEM AMERICA, INC.	
	Appeal from an order of the Supreme Court, Erie County (Frank A. Sedita, III, J.), entered June 7, 2019. The order denied the application of petitioner to compel the production of certain documents.	
	EARL K. CANTWELL for COLOR DYNAMICS, INC.	10 minutes
	BARRY J. GAINEY for KEMPER SYSTEM AMERICA, INC.	10 minutes
263.0 CA 19-01548	BURKE, ALBRIGHT, HARTER, & RZEPKA V AUDREY ELAINE SILLS	
	Appeal from an order of the Supreme Court, Steuben County, (Robert B. Wiggins, J.), entered January 31, 2019. The order, among other things, granted plaintiffs' motion to dismiss all counterclaims against them.	
	PAUL A. ARGENTIERI for AUDREY ELAINE SILLS	10 minutes
	CHRISTOPHER MILITELLO for BURKE, ALBRIGHT, HARTER, & RZEPKA	10 minutes
265.0 CA 19-00135	TOWN OF WEST SENECA V KIDENEY ARCHITECTS, P.C.	
	Appeal from an order of the Supreme Court, Erie County (Frederick Marshall, J.), entered January 17, 2019. The order granted defendant's motion to dismiss the plaintiff's complaint.	
	MATTHEW D. HOLMES for TOWN OF WEST SENECA	10 minutes
	ANDREA SCHILLACI for KIDENEY ARCHITECTS, P.C.	10 minutes
266.0 CA 19-01139	TOWN OF WEST SENECA V KIDENEY ARCHITECTS, P.C.	
	Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered June 11, 2019. The order, among other things, denied plaintiff's motion to settle the record on appeal.	
	MATTHEW D. HOLMES for TOWN OF WEST SENECA	Submitted
	ANDREA SCHILLACI for KIDENEY ARCHITECTS, P.C.	Submitted
267.0 CA 19-01034	CASSANDRA MONNIN V CLOVER GROUP, INC.	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered April 24, 2019. The order granted the motion of defendants for summary judgment and dismissed the amended complaint.	
	BOYD L. EARL for CASSANDRA MONNIN	10 minutes
	MATTHEW LENAHAH for CLOVER GROUP, INC.	10 minutes

268.0 CA 19-01673	<p>ROSEMARY A. LIGOTTI V WEGMANS FOOD MARKETS, INC.</p> <p>Appeal from an order of the Supreme Court, Erie County (John F. O'Connell, J.), entered September 9, 2019. The order denied the motion of defendants to dismiss the complaint.</p> <p>MARK P. DELLA POSTA for WEGMANS FOOD MARKETS, INC. 10 minutes</p> <p>ARTHUR G. BAUMEISTER, JR. for ROSEMARY A. LIGOTTI 10 minutes</p>
269.0 CAF 19-00652	<p>DELBERT W. HARGIS, JR. V VICTORIA PRITTY-PITCHER</p> <p>Appeals from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered February 22, 2019 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner custody of the subject child.</p> <p>DONALD A. WHITE for VICTORIA PRITTY-PITCHER 10 minutes</p> <p>DELBERT W. HARGIS, JR. for HIMSELF 15 minutes</p> <p>TODD MONAHAN for NICOLE E. HARGIS Submitted</p> <p>SUSAN B. MARRIS, ATTORNEY FOR CHILD 15 minutes</p>
270.0 CA 19-00298	<p>MARK CERRONE, INC. V HOWARD ZEMSKY</p> <p>Appeal from an order and judgment (one paper) of the Supreme Court, Niagara County (Frank Caruso, J.), entered November 14, 2018 in a proceeding pursuant to CPLR article 78. The order and judgment granted the petition.</p> <p>ALLYSON B. LEVINE for HOWARD ZEMSKY 10 minutes</p> <p>EDWARD P. PERLMAN for MARK CERRONE, INC. 10 minutes</p>
271.0 CA 18-02366	<p>TOWN OF WEST SENECA V LOUIS DESIGN SOLUTIONS ARCHITECTURE</p> <p>Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered December 3, 2018. The order and judgment granted defendant's motion to dismiss plaintiff's complaint.</p> <p>MATTHEW D. HOLMES for TOWN OF WEST SENECA 10 minutes</p> <p>HILARY C. BANKER for LOUIS DESIGN SOLUTIONS ARCHITECTURE 10 minutes</p>
272.0 CA 19-00833	<p>TOWN OF WEST SENECA V LOUIS DESIGN SOLUTIONS ARCHITECTURE</p> <p>Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered April 22, 2019. The order and judgment, revised a prior order and judgment dismissing plaintiff's complaint.</p> <p>MATTHEW D. HOLMES for TOWN OF WEST SENECA Submitted</p>

273.0 CA 19-00850	<p>HILARY C. BANKER for LOUIS DESIGN SOLUTIONS ARCHITECTURE</p> <p>TOWN OF WEST SENECA</p> <p style="text-align: center;">V</p> <p>LOUIS DESIGN SOLUTIONS ARCHITECTURE</p> <p>Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowia, J.), entered April 22, 2019. The order denied plaintiff's motion to settle the record.</p>	Submitted
274.0 CA 19-00260	<p>MATTHEW D. HOLMES for TOWN OF WEST SENECA</p> <p>HILARY C. BANKER for LOUIS DESIGN SOLUTIONS ARCHITECTURE</p> <p>NEW YORK SCHOOLS INSURANCE RECIPROCAL</p> <p style="text-align: center;">V</p> <p>DEBORAH KALBFLIESH</p> <p>Appeal from an order of the Supreme Court, Erie County, (Emilio Colaiacovo, J.), entered February 4, 2019. The order, among other things, denied petitioner's motion to permanently stay arbitration</p>	Submitted Submitted
	<p>JOHN R. EWELL for NEW YORK SCHOOLS INSURANCE RECIPROCAL</p>	15 minutes
	<p>JOHN T. RYAN for DEBORAH KALBFLIESH</p>	15 minutes