

**DAY CALENDAR**  
**Thursday, May 16, 2019 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

**643.0**  
**TP 18-02320**

**DARNELL DAVISON**  
**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 December 12, 2018) to review two determinations of respondent. The determinations found after two separate tier III hearings that petitioner had violated various inmate rules.

**ADAM W. KOCH** for **DARNELL DAVISON**

**Submitted**

**MARTIN A. HOTVET** for **ANTHONY ANNUCCI**

**Submitted**

**644.0**  
**TP 19-00190**

**JULIO SMITH**  
**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, J.], entered January 30, 2019) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated an inmate rule.

**LEAH R. NOWOTARSKI** for **JULIO SMITH**

**Submitted**

**LETITIA JAMES** for **ANTHONY ANNUCCI**

**Submitted**

**645.0**  
**KA 17-00615**

**PEOPLE**  
**V**  
**MAURICE M. MAHONEY**

Appeal from a judgment of the Oswego County Court (James W. McCarthy, J.), rendered September 29, 2016. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree.

**COURTNEY S. RADICK** for **MAURICE M. MAHONEY**

**10 minutes**

**AMY LEIGH HALLENBECK** for **THE PEOPLE OF THE STATE OF NEW YORK**

**10 minutes**

**646.0**  
**KA 18-00521**

**PEOPLE**  
**V**  
**BRIAN E. SCHMIEGE**

Appeal from a judgment of the Niagara County Court (Richard C. Kloch, Sr., A.J.), rendered November 16, 2017. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

**ROBERT M. GRAFF** for **BRIAN E. SCHMIEGE**

**Submitted**

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

**Submitted**

**647.0**  
**KA 18-00499**

**PEOPLE**  
**V**  
**JORGE SUAREZ**

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered December 21, 2017. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and criminal possession of a weapon in the second degree.

DAVID J. PAJAK for JORGE SUAREZ 5 minutes

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

651.0  
KA 16-02251

PEOPLE  
V  
AMY DELL

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered July 11, 2016. The judgment convicted defendant, upon a jury verdict, of aggravated vehicular homicide (two counts) and aggravated unlicensed operation of a motor vehicle in the first degree.

PHILIP ROTHSCHILD for AMY DELL 10 minutes

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

652.0  
KA 18-01272

PEOPLE  
V  
JOSEPH R. WATKINS, II

Appeal from a judgment of the Steuben County Court (William F. Kocher, A.J.), rendered December 15, 2017. The judgment convicted defendant, upon a jury verdict, of criminal sex act in the first degree, rape in the first degree, and incest in the third degree.

STEVEN A. FELDMAN for JOSEPH R. WATKINS, II Submitted

BROOKS T. BAKER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

653.0  
CAF 18-00744

ARTHUR D. WALLS, JR.  
V  
JOHANNA L. RODRIGUEZ

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered March 19, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted the petition and designated petitioner as the primary residential parent and primary decision making authority with respect to the subject child.

TIMOTHY R. LOVALLO for JOHANNA L. RODRIGUEZ 5 minutes

REBECCA J. TALMUD for ARTHUR D. WALLS, JR. Submitted

MICHELE A. BROWN, ATTORNEY FOR THE CHILD Submitted

654.0  
CAF 18-00827

ARTHUR D. WALLS, JR.  
V  
JOHANNA L. RODRIGUEZ

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered April 6, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted the petition and designated petitioner as the primary residential parent and primary decision making authority with respect to the subject child.

TIMOTHY R. LOVALLO for JOHANNA L. RODRIGUEZ Submitted

REBECCA J. TALMUD for ARTHUR D. WALLS, JR. Submitted

	MICHELE A. BROWN, ATTORNEY FOR THE CHILD	Submitted
655.0 CAF 17-01458	LEONARD S. EDMONDS V HANEFAH LEWIS	
	Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered July 13, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted the petition and awarded petitioner sole custody of the subject child.	
	BRIDGET L. FIELD for HANEFAH LEWIS	10 minutes
	PAUL B. WATKINS for LEONARD S. EDMONDS	10 minutes
	MARK A. SCHLECTER, ATTORNEY FOR THE CHILD	10 minutes
656.0 CAF 18-00184	In the Matter of JACK S.	
	Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered January 9, 2018 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondents had neglected the subject children.	
	EVELYNE A. O'SULLIVAN for FRANKLIN S.	Submitted
	NICHOLAS G. LOCICERO for ERIE COUNTY DSS	Submitted
	RICHARD L. SULLIVAN, ATTORNEY FOR THE CHILD	Submitted
657.0 CAF 18-01321	KENNETH SULLIVAN V AMY SULLIVAN	
	Appeal from an order of the Family Court, Onondaga County (Karen Stanislaus, R.), entered July 11, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted petitioners sole custody of the subject child.	
	PHILIP ROTHSCHILD for AMY SULLIVAN	10 minutes
	CHARLES EDWARD LUPIA for KENNETH SULLIVAN	10 minutes
	SUSAN B. MARRIS, ATTORNEY FOR THE CHILD	5 minutes
658.0 CA 18-01604	CAROL ROBERSON ALMALAHI V NFT METRO SYSTEMS, INC.	
	Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered August 8, 2018. The order, insofar as appealed from, granted the motion of defendant to compel certain medical authorizations.	
	BARRY J. DONOHUE for CAROL ROBERSON ALMALAHI	10 minutes
	MEGHAN M. BROWN for NFT METRO SYSTEMS, INC.	10 minutes
659.0 CA 18-02200	REVERSE MORTGAGE SOLUTIONS, INC. V C. DEWEY MCLEOD	SETTLED

Appeal from an order of the Supreme Court, Monroe County (John M. Owens, A.J.), entered April 19, 2018. The order denied the motion of plaintiff to strike the answer of defendant C. Dewey McLeod and for summary judgment, granted the cross motion of said defendant to dismiss the complaint and dismissed the complaint.

KENNETH SHEEHAN for REVERSE MORTGAGE SOLUTIONS, INC.

ROBERT A SCHWARTZ for C. DEWEY MCLEOD

660.0  
CA 19-00271

AMBER N. SNYDER  
V  
TRACEY L. DAW

Appeal from an order of the Supreme Court, Yates County (William F. Kocher, A.J.), entered August 22, 2018. The order, insofar as appealed from, denied in part the motion of defendants for summary judgment.

BARNEY FRANK BILELLO for TRACEY L. DAW

10 minutes

MATTHEW J. KAISER for AMBER N. SNYDER

10 minutes

661.0  
CA 18-02305

CITY OF UTICA  
V  
KERRY G. MARTIN

Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered August 8, 2018. The order, inter alia, vacated a judgment of foreclosure.

MERIMA SMAJIC for CITY OF UTICA

Submitted

MARK A. WOLBER for KERRY G. MARTIN

Submitted

662.0  
CA 19-00101

JODY C. BEST  
V  
GUTHRIE MEDICAL GROUP, P.C.

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered July 6, 2018. The order, insofar as appealed from, granted the motion of defendants Guthrie Robert Packer Hospital, et al., for summary judgment and dismissed the complaint against said defendants.

ANNA CZARPLES for JODY C. BEST

15 minutes

KAREN GUYDER FELTER for GUTHRIE ROBERT PACKER HOSPITAL

15 minutes

663.0  
CA 18-02121

BLACK RIVER PLUMBING, HEATING  
V  
BOARD OF EDUCATION THOUSAND ISLANDS

Appeal and cross appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.) entered January 23, 2018. The order denied plaintiff's motion for summary judgment and denied defendants' cross motion to terminate plaintiff as a contractor.

JORDAN R. PAVLUS for BLACK RIVER PLUMBING, HEATING

15 minutes

BRIAN M. QUINN for BOARD OF EDUCATION THOUSAND ISLANDS

15 minutes

664.0  
CA 19-00052

THOMAS CUYLER  
V  
ALLSTATE INSURANCE COMPANY

Appeal and cross appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered October 25, 2018. The order, insofar as appealed from, denied the respective motions of the parties for summary judgment on the issue of serious injury.

TIMOTHY C. BELLAVIA for THOMAS CUYLER

15 minutes

TIFFANY L. D'ANGELO for ALLSTATE INSURANCE COMPANY

10 minutes

665.0  
CA 18-02122

KYLIE F. KESHAV  
V  
KESHAV F. SINGH

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered January 27, 2017. The order, inter alia, rendered a determination on equitable distribution and maintenance

SHARI JO REICH for KYLIE F. KESHAV

Submitted

CHRISTOPHER S. MATTINGLY for KESHAV F. SINGH

Submitted

665.1  
CA 18-01583

AMERICAN TAX FUNDING, LLC  
V  
DRUCKMAN LAW GROUP PLLC

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered February 14, 2018. The order granted the motion of defendant for a change of venue.

JUSTIN T. HUFFMAN for AMERICAN TAX FUNDING, LLC

15 minutes

MARIA SIDERIS for DRUCKMAN LAW GROUP PLLC

Submitted