

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

666.0
KA 18-01567

PEOPLE
V
STEVEN J. FOERSTER

Appeal from an order of the Monroe County Court (Stephen T. Miller, A.J.), entered April 12, 2018. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act.

DAVID R. JUERGENS for STEVEN J. FOERSTER **Submitted**

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

667.0
KA 16-02225

PEOPLE
V
ZACHARIE HICKS

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered October 18, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

CARA A. WALDMAN for ZACHARIE HICKS **Submitted**

R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK **Submitted**

668.0
KA 18-00155

PEOPLE
V
FRANK M. THOMAS

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered December 13, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

THERESA L. PREZIOSO for FRANK M. THOMAS **Submitted**

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

669.0
KA 18-01799

PEOPLE
V
JOSEPH KOWAL

Appeal from an order of the Cayuga County Court (Thomas G. Leone, J.), entered June 13, 2018. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

DAVID P. ELKOVITCH for JOSEPH KOWAL **Submitted**

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

670.0
KA 17-00691

PEOPLE
V
JAMES PARTRIDGE

Appeal from a judgment of the Onondaga County Court (Walter W. Hafner, Jr., A.J.), rendered October 14, 2016. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child, course of sexual conduct against a child in the first degree and endangering the welfare of a child.

PHILIP ROTHSCHILD for JAMES PARTRIDGE **10 minutes**

671.0 KA 17-00975	<p>NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p> <p>PEOPLE V JONATHAN J. LAMAGNA</p> <p>Appeal from a judgment of the Genesee County Court (Charles N. Zambito, J.), rendered February 14, 2017. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree and coercion in the second degree.</p> <p>JAMES M. SPECYAL for JONATHAN J. LAMAGNA 5 minutes</p> <p>SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes</p>
672.0 KA 17-01072	<p>PEOPLE V VICTOR J. GRIMES</p> <p>Appeal from a judgment of the Genesee County Court (Michael F. Pietruszka, A.J.), rendered August 16, 2016. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.</p> <p>JAMES M. SPECYAL for VICTOR J. GRIMES 15 minutes</p> <p>SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p>
673.0 KA 18-00285	<p>PEOPLE V DOMINICK CRUZ</p> <p>Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered December 2, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, attempted murder in the second degree, assault in the first degree and criminal possession of a weapon in the second degree.</p> <p>JOSEPH G. FRAZIER for DOMINICK CRUZ 10 minutes</p> <p>THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NY 10 minutes</p>
674.0 CAF 17-02167	<p>MONICA ROHRBACK V KENNETH MONACO</p> <p>Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered August 9, 2017 in a proceeding pursuant to Family Court Act article 8. The order granted the motion of respondent to dismiss the petition.</p> <p>CHARLES J. GREENBERG for MONICA ROHRBACK 5 minutes</p> <p>KENNETH MONACO for HIMSELF Submitted</p>
675.0 CAF 17-02168	<p>MONICA ROHRBACK V KENNETH MONACO</p> <p>Appeal from an order of the Family Court, Erie County (Kevin M. Carter, J.), entered August 14, 2017 in a proceeding pursuant to Family Court Act article 8. The order dismissed the petition</p> <p>CHARLES J. GREENBERG for MONICA ROHRBACK Submitted</p>

	KENNETH MONACO for HIMSELF	Submitted
676.0 CAF 18-00732	In the Matter of RAMON F.	
	Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered March 7, 2018 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.	
	JANET C. SOMES for WILSON F.	10 minutes
	CAROL LYNN EISENMAN for MONROE COUNTY DEPT. HUMAN SERVICES	10 minutes
	TANYA J. CONLEY, ATTORNEY FOR THE CHILD	10 minutes
677.0 CAF 18-01118	VALOREE A. FRUMUSA V LAWRENCE FRUMUSA	
	Appeal from an order of the Family Court, Wayne County (Richard M. Healy, J.), entered April 2, 2018 in a proceeding pursuant to Family Court Act article 4. The order, insofar as appealed from, denied objections of respondent to the order of a Support Magistrate.	
	ROBERT A. DINERI for LAWRENCE FRUMUSA	Submitted
	VALOREE A. FRUMUSA for HERSELF	Submitted
678.0 CAF 18-00030	In the Matter of OLIVIA G.	
	Appeal from an order of the Family Court, Cattaraugus County (Terrence M. Parker, A.J.), entered December 5, 2017 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.	
	JOSEPH P. MILLER for OLIVAR I.-G.	Submitted
	WENDY G. PETERSON for CATTARAUGUS COUNTY DSS	5 minutes
	BERT R. DOHL, ATTORNEY FOR THE CHILD	Submitted
	MARY SPEEDY HAJDU, ATTORNEY FOR THE CHILD	5 minutes
	LINDA M. SCHNELL, ATTORNEY FOR THE CHILD	Submitted
679.0 CA 18-01921	JASON ADOLF V ERIE COUNTY IDA	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered April 20, 2018. The order, insofar as appealed from, granted the motion of defendants Erie County Industrial Development Agency and 6238 Group, LLC, for summary judgment and dismissed the complaint.	
	JONATHAN M. GORSKI for JASON ADOLF	10 minutes
	ROB GOODWIN for ERIE COUNTY INDUSTRIAL DEVELOPMENT	15 minutes
680.0 CA 18-02072	HERBERT DEVAUL V ERIE INSURANCE COMPANY OF NEW YORK	

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered September 17, 2018. The order, insofar as appealed from, denied the motion of plaintiff for summary judgment.

KELSEY W. SHANNON for HERBERT DEVAUL

10 minutes

MARCO CERCONE for ERIE INSURANCE COMPANY OF NEW YORK

10 minutes

681.0
CA 19-00231

CYNTHIA ISENSEE

V

UPSTATE ORTHOPEDICS, LLP

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered June 25, 2018. The order granted the motion of defendants for summary judgment and dismissed the complaint.

GABRIELLE MARDANY HOPE for CYNTHIA ISENSEE

10 minutes

MAX D. GALE for UPSTATE ORTHOPEDICS, LLP

10 minutes

682.0
CA 19-00240

SALVATORE PELONERO

V

STURM ROOFING, LLC

Appeal from an order of the Supreme Court, Erie County (Emilio L. Colaiacovo, J.), entered August 2, 2018. The order granted the motion of plaintiff for summary judgment on the issue of liability.

PETER J. SORGI for STURM ROOFING, LLC

15 minutes

PHILIP A. MILCH for SALVATORE PELONERO

10 minutes

685.0
CA 19-00252

JAY FELLI

V

CATHOLIC CHARITIES OF STEUBEN COUNTY

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.) entered June 25, 2018. The order granted defendant's motion to dismiss the plaintiff's amended complaint.

DAVID KAGLE for JAY FELLI

10 minutes

SCOTT ROGOFF for CATHOLIC CHARITIES OF STEUBEN COUNTY

10 minutes

686.0
CA 18-02005

ATIYA B. WEEKS

SETTLED

V

SHARON L. ANDERSON

Appeal and cross appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered May 30, 2018. The order, among other things, granted defendant's motion for leave to reargue plaintiff's motion for summary judgment on the issue of negligence and denied defendant's motion for leave to renew opposition to plaintiff's motion compelling discovery.

RICHARD J. ZIELINSKI for SHARON L. ANDERSON

J. PATRICK LENNON for ATIYA B. WEEKS

687.0
CA 18-02246

ATIYA B. WEEKS

SETTLED

V

SHARON L. ANDERSON

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered November 30, 2017. The order granted plaintiff's motion for summary judgment on the issue of negligence.

RICHARD J. ZIELINSKI for SHARON L. ANDERSON

J. PATRICK LENNON for ATIYA B. WEEKS

688.0
CA 18-01211

J. PATRICK BARRETT

V

CHRISTINE R. BARRETT

Appeal and cross appeal from a judgment of the Supreme Court, Onondaga County (Ferris D. Lebous, J.) entered April 2, 2018. The judgment, among other things, dissolved the parties' marriage.

LEWIS J. HEISMAN for CHRISTINE R. BARRETT

15 minutes

BARRETT D. MACK for J. PATRICK BARRETT

10 minutes