

DAY CALENDAR
Monday, May 13, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

575.0
TP 19-00276

DAVIDE COGGINS
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 February 11, 2019) 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 DAVIDE COGGINS

Submitted

LETITIA JAMES for ANTHONY ANNUCCI

Submitted

576.0
TP 19-00050

MICHAEL HENDERSON
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 January 10, 2019) to review two determinations of respondent. The determinations found after two separate tier III hearings that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for MICHAEL HENDERSON

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

577.0
TP 19-00141

CHARLES BRUCATO
V
STATE UNIVERSITY OF NY AT BUFFALO

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 [Donna M. Siwek, J.], entered January 24, 2019) to review a determination of respondent. The determination found petitioner responsible for violating certain articles of the Student Code of Conduct and imposed sanctions which included a 1½ year suspension from the University at Buffalo.

JOSHUA R. LIPPES for CHARLES BRUCATO

10 minutes

BRIAN D. GINSBERG for STATE UNIVERSITY OF NY AT BUFFALO

10 minutes

580.0
KA 15-00161

PEOPLE
V
SHALA WILLIAMS

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered November 10, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the second degree, and criminal possession of a weapon in the second degree (two counts).

JOHN R. LEWIS for SHALA WILLIAMS

15 minutes

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

10 minutes

581.0
KA 18-00728

PEOPLE
V
SHALA WILLIAMS

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Stephen J. Dougherty, J.), dated February 28, 2018. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of murder in the second degree, assault in the second degree, and criminal possession of a weapon in the second degree (two counts).

JOHN R. LEWIS for SHALA WILLIAMS

Submitted

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

Submitted

582.0
KA 17-00968

PEOPLE
V
RICHARD BAEZ

Appeal from a judgment of the Monroe County Court (Thomas R. Morse, A.J.) rendered September 29, 2016. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault (four counts), rape in the first degree, rape in the third degree, criminal sexual act in the third degree and sexual abuse in the first degree.

PAUL B. WATKINS for RICHARD BAEZ

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

583.0
KA 18-00175

PEOPLE
V
JOSHUA M. THIBAUT

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered June 6, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree, criminal possession of a weapon in the third degree, menacing a police officer, unlawful imprisonment in the second degree, harassment in the second degree and endangering the welfare of a child.

JOHN A. CIRANDO for JOSHUA M. THIBAUT

10 minutes

V. CHRISTOPHER EAGGESTON for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

584.0
KA 16-00003

PEOPLE
V
AYOTUNJI A.

Appeal from an adjudication of the Monroe County Court (James J. Piampiano, J.), rendered October 31, 2013. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

KATHLEEN P. REARDON for AYOTUNJI A.

5 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

585.0
KA 19-00136

PEOPLE
V
JAMES BALL

Appeal from an order of the Onondaga County Court (Thomas J. Miller, J.), entered July 10, 2018. The order granted defendant's motion to dismiss the indictment.

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

MICHAEL SPANO for JAMES BALL 10 minutes

586.0
KA 17-00613

PEOPLE
V
JORGE A. FLORES RODRIGUEZ

Appeal from a judgment of the Supreme Court, Ontario County (Craig J. Doran, J.), rendered December 21, 2016. The judgment convicted defendant, upon his plea of guilty, of identity theft in the first degree, grand larceny in the third degree, attempted grand larceny in the fourth degree, grand larceny in the fourth degree (two counts), attempted grand larceny in the third degree, and petit larceny.

JOHN A. CIRANDO for JORGE A. FLORES RODRIGUEZ 10 minutes

V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF STATE OF NEW YORK 5 minutes

587.0
CAF 17-00525

In the Matter of
PATIENCE T.

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered March 14, 2017 in a proceeding pursuant to Social Services Law § 384-b. The order denied respondent's motion to vacate the default judgment.

WILLIAM D. BRODERICK, JR. for CHRISTOPHER T. 10 minutes

REBECCA HOFFMAN for ERIE COUNTY DSS 5 minutes

JEFFREY M. HARRINGTON, ATTORNEY FOR CHILD 5 minutes

588.0
CA 19-00122

PETER MITCHELL
V
CITY OF GENEVA

Appeal from a final order and judgment of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered June 26, 2018. The final order and judgment granted the motion of defendants to dismiss the complaint, granted the motion of defendants to convert the motion to a motion for summary judgment, granted the motion of defendants for summary judgment, denied the motion of plaintiffs to amend the complaint and dismissed the complaint.

PETER JOHN CRAIG for PETER MITCHELL Submitted

H. TODD BULLARD for CITY OF GENEVA 15 minutes

589.0
CA 18-01336

JOHN BENDER
V
LANCASTER CENTRAL SCHOOL DISTRICT

Appeal from a judgment of the Supreme Court, Erie County (Dennis E. Ward, J.), entered June 7, 2018 in a proceeding pursuant to CPLR article 78. The judgment vacated in part and confirmed in part the arbitration decision.

VICTORIA A. GRAFFEO for LANCASTER CENTRAL SCHOOL DISTRICT 15 minutes

	BRIAN M. MELBER for JOHN BENDER	15 minutes
590.0 CA 18-02317	HELEN M. NAZARETH V JEFFREY J. BULL	SETTLED
	Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered June 26, 2018. The order, insofar as appealed from, granted the motion of plaintiffs for summary judgment on the issue of serious injury.	
	MAUREEN G. FATCHERIC for JEFFREY J. BULL	
	THOMAS J. GAFFNEY for HELEN M. NAZARETH	
591.0 CA 19-00098	In the Matter of Arbitration Between JEFFERSON COUNTY (JEFFERSON LOCAL CSEA)	
	Appeal from an order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered July 10, 2018. The order, inter alia, denied the petition for a permanent stay of arbitration.	
	JOHN LEE SABIK for JEFFERSON COUNTY	10 minutes
	JEREMY GINSBURG for JEFFERSON COUNTY LOCAL CIVIL SERVICE	10 minutes
592.0 CA 18-02276	GULF COAST BANK & TRUST COMPANY V BRAND CONSULTING GROUP, INC.	
	Appeal from an order and judgment (one paper) of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.) entered June 4, 2018. The order and judgment, among other things, denied defendants' motion to compel arbitration.	
	ROBERT LUSARDI for BRAND CONSULTING GROUP, INC.	15 minutes
	EDWARD D. ALTABET for GULF COAST BANK & TRUST COMPANY	15 minutes
594.0 CA 18-01433	PEOPLE OF THE STATE OF NEW YORK V IVYBROOKE EQUITY ENTERPRISES, LLC	
	Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered June 27, 2018. The order and judgment, insofar as appealed from, denied petitioner's motion for summary judgment, granted the cross motion of respondent for summary judgment and dismissed the proceeding	
	ROBERT M. GOLDFARB for PEOPLE OF THE STATE OF NEW YORK	10 minutes
	DAVID E. GUTOWSKI for IVYBROOKE EQUITY ENTERPRISES, LLC	15 minutes
595.0 CA 18-02013	SAMANTHA M. CORSI V DONALD A. ALESSI, JR.	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 18, 2018. The order granted the motion of defendant Alessi Fitness, Inc., for summary judgment, dismissed the complaint against said defendant and denied the cross motion of plaintiff for summary judgment and other relief.	

J. PATRICK LENNON for SAMANTHA M. CORSI

15 minutes

RICHARD G. COLLINS for DONALD A. ALESSI, JR.

Submitted

MICHAEL E. APPELBAUM for ALESSI FITNESS, INC.

15 minutes

DAY CALENDAR
Tuesday, May 14, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

596.0
KA 17-00109

PEOPLE
V
DWIGHT J. NEWTON

Appeal from a judgment of the Jefferson County Court (James P. McClusky, J.), rendered October 28, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

CHARLES J. GREENBERG for DWIGHT J. NEWTON

10 minutes

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

597.0
KA 17-00110

PEOPLE
V
DWIGHT J. NEWTON

Appeal from a judgment of the Jefferson County Court (James P. McClusky, J.), rendered October 28, 2016. The judgment convicted defendant, upon his plea of guilty, of forgery in the second degree.

CHARLES J. GREENBERG for DWIGHT J. NEWTON

Submitted

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

598.0
KA 18-00525

PEOPLE
V
RAYMOND O. FOX, JR.

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered November 30, 2017. The judgment convicted defendant, upon his plea of guilty, of failure to register and failure to provide a photograph.

JOSEPH G. FRAZIER for RAYMOND O. FOX, JR.

Submitted

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

Submitted

599.0
KA 16-02362

PEOPLE
V
THOMAS MURPHY

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered December 5, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree and arson in the second degree.

NICHOLAS P. DIFONZO for THOMAS MURPHY

Submitted

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

Submitted

600.0
KA 13-01006

PEOPLE
V
ROBBIE C. ELMORE, SR.

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered July 13, 2012. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the first degree (two counts), attempted criminal sexual act in the first degree, criminal sexual act in the second degree (two counts), criminal sexual act in the third degree (two counts), incest in the third degree (two counts) and intimidating a victim in the third degree.

JOHN A. CIRANDO for ROBBIE C. ELMORE, SR.

15 minutes

V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

601.0
KA 18-00218

PEOPLE
V
LEROY FAVORS

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.); entered September 18, 2017. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

KRISTIN M. PREVE for LEROY FAVORS

Submitted

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

Submitted

602.0
KA 17-00891

PEOPLE
V
KURT J. HAZZARD

Appeal from a resentencing of the Lewis County Court (Daniel R. King, J.), entered December 2, 2016. Defendant was resentenced upon his conviction of incest in the third degree.

JOHN J. RASPANTE for KURT J. HAZZARD

Submitted

JOHN A. CIRANDO for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

602.1
KA 19-00649

PEOPLE
V
KURT J. HAZZARD

Appeal from a judgment of the Lewis County Court (Daniel R. King, J.), rendered August 12, 2016. The judgment convicted defendant, upon a jury verdict, of course of sexual conduct against a child and incest in the third degree (two counts).

JOHN J. RASPANTE for KURT J. HAZZARD

Submitted

JOHN A. CIRANDO for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

603.0
KA 15-02178

PEOPLE
V
JEFFREY BLUNT

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered September 16, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, conspiracy in the second degree and criminal possession of a weapon in the third degree.

DREW R. DUBRIN for JEFFREY BLUNT

10 minutes

DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

604.0 CAF 17-01543	In the Matter of D'ANGEL M.-B.	<p>Appeal from an order of the Family Court, Onondaga County (Julie A. Cecile, J.), entered August 24, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, terminated respondent's parental rights with respect to the subject child.</p> <p>JOHN A. CIRANDO for DONELL M.-B. 10 minutes</p> <p>YVETTE VELASCO for ONONDAGA COUNTY DSS Submitted</p> <p>ROBERT SWIFT TEMPLE, ATTORNEY FOR CHILD 10 minutes</p>
605.0 CAF 18-00374	ALICIA C. BIBBES-TURNER V DARRYL BIBBES	<p>Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered November 30, 2017 in a proceeding pursuant to Family Court Act article 4. The order denied petitioner's objections to an order of the Support Magistrate which dismissed the petition with prejudice.</p> <p>THERESA JOE FERRARA for ALICIA C. BIBBES-TURNER Submitted</p> <p>DARRYL BIBBES for HIMSELF Submitted</p>
606.0 CAF 18-00372	SHEILA ANN JORDAN V CHRISTOPHER D. REED	<p>Appeal from an order of the Family Court, Cayuga County (Thomas G. Leone, J.), entered January 26, 2018 in a proceeding pursuant to Family Court Act article 4. The order, among other things, committed respondent to jail for a period of six months.</p> <p>JOHN A. CIRANDO for CHRISTOPHER D. REED 10 minutes</p> <p>SHEILA ANN JORDAN for HERSELF Submitted</p>
607.0 CAF 18-00189	In the Matter of CHASE W.	<p>Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered January 17, 2018 in a proceeding pursuant to Social Services Law § 384-b. The order granted the motion of petitioner for summary judgment and terminated the parental rights of respondent.</p> <p>CHARLES J. GREENBERG for DANIEL W. Submitted</p> <p>NICHOLAS G. LOCICERO for ERIE COUNTY DSS Submitted</p> <p>MARY ANNE CONNELL, ATTORNEY FOR THE CHILD 10 minutes</p>
608.0 CAF 18-00190	In the Matter of MAYCI W.	<p>Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered January 17, 2018 in a proceeding pursuant to Social Services Law § 384-b. The order granted the motion of petitioner for summary judgment and terminated the parental rights of respondent.</p> <p>CHARLES J. GREENBERG for DANIEL W. Submitted</p> <p>NICHOLAS G. LOCICERO for ERIE COUNTY DSS Submitted</p>

	MARY ANNE CONNELL, ATTORNEY FOR THE CHILD	Submitted
609.0 CAF 19-00262	SHELLI A. WHEELER V MICHAEL S. WHEELER	
	Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered July 24, 2018 in a proceeding pursuant to Family Court Act article 4. The order calculated the obligations of respondent for college expenses.	
	PAUL B. WATKINS for SHELLI A. WHEELER	10 minutes
	GARY MULDOON for MICHAEL S. WHEELER	10 minutes
610.0 CA 18-01950	NOWELLE BIGELOW V HAMILTON MEDICAL, INC.	
	Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered June 28, 2018. The order denied the motion of the defendant Hamilton Medical, A.G. to dismiss the complaint.	
	JAMES M. WOOLSEY, III for HAMILTON MEDICAL, A.G.	15 minutes
	JOHN C. CHERUNDOLO for NOWELLE BIGELOW	10 minutes
611.0 CA 18-02081	ALFRED-ALMOND CSD V NY44 HEALTH BENEFITS PLAN TRUST	
	Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.) entered October 4, 2018. The order, among other things, granted the motion of defendant Erie 1 Board of Cooperative Educational Services to dismiss the complaint as against it and granted the motion by defendant NY44 Heath Benefits Plan Trust and its individual trustees to dismiss certain causes of action as against them.	
	CHRISTOPHER M. MILITELLO for ALFRED-ALMOND CSD	15 minutes
	BENJAMIN F. NEIDL for ERIE 1 BOCES	Submitted
	ERIK A. GOERGEN for NY44 HEALTH BENEFITS PLAN TRUST	10 minutes
612.0 CA 18-01361	ONE FLINT ST., LLC V EXXON MOBIL CORPORATION	
	Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered February 7, 2018. The order, insofar as appealed from, granted the motions of plaintiffs and defendants Exxon Mobil Corporation and ExxonMobil Oil Corporation for partial summary judgment, determined that defendants Louis Atkin, 15 Flint Street, Inc., and Genesee Scrap & Tin Baling Co., Inc., are strictly liable as discharger under the Navigation Law and the Oil Spill Act and denied the cross motion of said defendants for summary judgment.	
	GRETA KATRIN KOLCON for GENESEE SCRAP & TIN BALING CO., INC	15 minutes
	LAURA SICLARI for EXXON MOBIL CORPORATION	15 minutes
	ALAN J. KNAUF for ONE FLINT ST., LLC	20 minutes

613.0
CA 18-00504

DARREN DAVIS
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered February 22, 2018 in a CPLR article 78 proceeding. The judgment dismissed the petition.

LEAH R. NOWOTARSKI for DARREN DAVIS Submitted

LAURA ETLINGER for ANTHONY ANNUCCI Submitted

614.0
CA 18-01960

COUNTY OF SENECA
V
MAXIM DEVELOPMENT GROUP

Appeal from an amended order of the Supreme Court, Seneca County (Dennis F. Bender, A.J.) entered March 23, 2018. The amended order denied respondent's motion for summary judgment dismissing the petition and notice of foreclosure.

DIRK A. GALBRAITH for MAXIM DEVELOPMENT GROUP 10 minutes

DAVID K. ETTMAN for COUNTY OF SENECA 10 minutes

615.0
CA 19-00117

JEFFREY L. YOUNG
V
MICHAEL P. CARTER

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered June 18, 2018. The order, insofar as appealed from, denied in part the motion of defendants for summary judgment.

ROY Z. ROTENBERG for MICHAEL P. CARTER 10 minutes

MATTHEW J. KAISER for JEFFREY L. YOUNG 10 minutes

616.0
CA 18-01520

GLORIA ODIORNE
V
JASCOR, INC.

Appeal from an order of the Supreme Court, Seneca County (Daniel J. Doyle, J.), entered June 7, 2018. The order granted the motion of defendant for summary judgment, dismissed the complaint and denied the cross motion of plaintiffs to strike defendant's answer.

JOHN A. CIRANDO for GLORIA ODIORNE 10 minutes

LISA M. ROBINSON for JASCOR, INC. 10 minutes

617.0
CA 18-01137

TAMMY A. CLEVELAND
V
GREGORY C. PERRY, M.D.

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.) entered May 4, 2018. The order granted defendants' motions seeking to enjoin and prohibit all parties and their attorneys from making extrajudicial statements about this action or the underlying facts in a public forum or in front of the media.

CHARLES F. BURKWIT for TAMMY A. CLEVELAND 15 minutes

JENNA W. KLUCSIK for GREGORY C. PERRY, M.D. 15 minutes

MICHAEL J. WILLETT for KALEIDA HEALTH

15 minutes

**618.0
CA 18-01138**

**TAMMY A. CLEVELAND
V
GREGORY C. PERRY, M.D.**

Appeal and cross appeals from an order of the Supreme Court, Niagara County (Frank Caruso, J.) entered May 8, 2018. The order granted in part defendants' motions for summary judgment dismissing plaintiff's complaint.

CHARLES F. BURKWIT for TAMMY A. CLEVELAND

Submitted

JENNA W. KLUCSIK for GREGORY C. PERRY, M.D.

Submitted

MICHAEL J. WILLETT for KALEIDA HEALTH

Submitted

DAY CALENDAR
Tuesday, May 14, 2019 - 10:00 AM
COURTROOM 2

619.0
CAF 17-01440

JOSE M. VALENTIN
V
NEYDA R. MENDEZ

Appeal from an order of the Family Court, Monroe County (Thomas W. Polito, R.), entered July 10, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded respondent sole custody of the subject child and directed that petitioner's visitation with the child be supervised.

JAMES A. HOBBS for JOSE M. VALENTIN

Submitted

KATHLEEN P. REARDON for NEYDA R. MENDEZ

Submitted

CHRISTINE F. REDFIELD, ATTORNEY FOR THE CHILD

Submitted

DAY CALENDAR
Wednesday, May 15, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

621.0
KA 18-02297

PEOPLE
V
MATTHEW LOUIS LOMAGLIO

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

DAVID M. ABBATOY, JR. for MATTHEW LOUIS LOMAGLIO Submitted

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

622.0
KA 18-00518

PEOPLE
V
NAESEAN HOWARD

Appeal from a judgment of the Onondaga County Court (Robert L. Bauer, A.J.), rendered February 17, 2017. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree, assault in the second degree and criminal possession of a weapon in the fourth degree.

SARA A. GOLDFARB for NAESEAN HOWARD Submitted

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

623.0
KA 17-01080

PEOPLE
V
JAMES JOHNSON, JR.

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered March 24, 2017. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the fifth degree.

BRITTNEY NICOLE CLARK for JAMES JOHNSON, JR. 10 minutes

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

624.0
KA 17-01360

PEOPLE
V
RAKWON ROBERTSON

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered June 23, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree, attempted assault in the first degree and criminal possession of a weapon in the second degree.

BARBARA J. DAVIES for RAKWON ROBERTSON Submitted

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

625.0
KA 19-00031

PEOPLE
V
ARTHUR LEWIS, JR.

Appeal from a judgment of the Erie County Court (Michael F. Pietruszka, J.), rendered May 7, 2018. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the second degree.

	ERIN E. MCCAMPBELL for ARTHUR LEWIS, JR.	10 minutes
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
626.0 KA 17-01334	PEOPLE V JOSE CRUZ-RIVERA	
	Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 22, 2017. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, kidnapping in the second degree, gang assault in the first degree, assault in the first degree and criminal possession of a weapon in the third degree.	
	LINDA M. CAMPBELL for JOSE CRUZ-RIVERA	15 minutes
	KENNETH TYLER, JR., for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
627.0 KA 16-00034	PEOPLE V EARL HOWARD	
	Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Erie County Court (Michael L. D'Amico, J.), dated December 1, 2015. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10.	
	SHERRY A. CHASE for EARL HOWARD	10 minutes
	DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
628.0 KA 15-01805	PEOPLE V ROBERTO QUINONES	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered November 13, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts), robbery in the first degree, robbery in the second degree and criminal possession of a weapon in the second degree.	
	BRIDGET L. FIELD for ROBERTO QUINONES	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
629.0 KA 17-01637	PEOPLE V SHAMON BEDELL	
	Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered June 6, 2017. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree	
	CAITLIN M. CONNELLY for SHAMON BEDELL	5 minutes
	JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
630.0 KAH 18-01819	PEOPLE EX REL. NANCY ENOKSEN V S. SQUIRES	

Appeal from a judgment (denominated order) of the Supreme Court, Orleans County (Michael M. Mohun, A.J.), entered August 7, 2018 in a habeas corpus proceeding. The judgment denied the petition.

NANCY ENOKSEN for HERSELF

Submitted

LETITIA JAMES for S. SQUIRES

Submitted

631.0
KAH 18-01820

PEOPLE EX REL.
NANCY ENOKSEN
V
S. SQUIRES

Appeal from an order of the Supreme Court, Orleans County (Michael M. Mohun, A.J.), entered August 17, 2018. The order denied the motion of petitioner seeking leave to renew or reargue.

NANCY ENOKSEN for HERSELF

Submitted

LETITIA JAMES for S. SQUIRES

Submitted

632.0
KAH 18-01806

PEOPLE EX REL.
MELINDA LUCK
V
S. SQUIRES

Appeal from a judgment (denominated order) of the Supreme Court, Orleans County (Michael M. Mohun, A.J.), entered August 7, 2018 in a habeas corpus proceeding. The judgment denied the petition.

MELINDA LUCK for HERSELF

Submitted

LETITIA JAMES for S. SQUIRES

Submitted

633.0
KAH 18-01807

PEOPLE EX REL.
MELINDA LUCK
V
S. SQUIRES

Appeal from an order of the Supreme Court, Orleans County (Michael M. Mohun, A.J.), entered August 7, 2018. The order denied the motion of petitioner seeking leave to renew or reargue.

MELINDA LUCK for HERSELF

Submitted

LETITIA JAMES for S. SQUIRES

Submitted

634.0
CA 19-00067

PAMELA SHATTUCK
V
SHIRLEY ANAIN

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.) entered July 16, 2018. The order granted defendant's motion for summary judgment.

WAYNE I. FREID for PAMELA SHATTUCK

15 minutes

MICHAEL J. ROACH for SHIRLEY ANAIN

10 minutes

635.0
CA 18-01829

CHARLES E. WASHINGTON, SR.
V
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Erie County (James H. Dillon, J.), entered March 19, 2018. The order, insofar as appealed from, denied the motion of defendant City of Buffalo for summary judgment.

ROBERT E. QUINN for CITY OF BUFFALO 10 minutes

GREGORY V. PAJAK for CHARLES E. WASHINGTON, SR. 10 minutes

TODD C. BUSHWAY for DAYCIA P. MCCLAM Submitted

MICHAEL A. RIEHLER for MASTERS EDGE, INC. Submitted

636.0
CA 18-02342

TOWN OF LERAY
V
VILLAGE OF EVANS MILLS

Appeal from a judgment (denominated order) of the Supreme Court, Jefferson County (James P. McClusky, J.), entered May 23, 2018 in a CPLR article 78 proceeding and declaratory judgment action. The judgment found that the zoning laws of respondents-defendants do not apply to petitioner-plaintiff's construction of a barn but do apply to the construction of a new entrance from Willow Street.

MARK G. GEBO for TOWN OF LERAY Submitted

BRODY D. SMITH for VILLAGE OF EVANS MILLS 15 minutes

637.0
CA 18-01677

HAMILTON EQUITY GROUP, LLC
V
HECTOR A. MARICHAL, P.C.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 14, 2018. The order denied the motion of defendants Hector A. Marichal, P.C., and Hector A. Marichal for renewal and granted the cross motion of plaintiff for summary judgment against said defendants.

CHARLES ZOLOT for HECTOR A. MARICHAL, P.C. 15 minutes

ADAM M. BRASKY for HAMILTON EQUITY GROUP, LLC 10 mintues

639.0
CA 19-00036

KAREN L. BATTAGLIA
V
MDC CONCOURSE CENTER, LLC

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered June 26, 2018. The order denied the motion of defendants MDC Concourse Center, LLC, McGuire Development Company, LLC, and McGuire Management Company, LLC, for summary judgment and for conditional indemnification and granted the motion of defendant R.D. Trucking & Transportation, Inc., for summary judgment and dismissed the complaint against said defendant.

JOSEPH GEORGE GOERGEN for MDC CONCOURSE CENTER, LLC 10 minutes

KEVIN LOFTUS for R.D. TRUCKING & TRANSPORTATION, INC 10 minutes

JOHN A. COLLINS for KAREN L. BATTAGLIA 10 minutes

642.0
CA 18-02148

JAMES M. ALLYN
V
FIRST CLASS SIDING, INC.

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered April 27, 2018. The order denied the motion of plaintiff for summary judgment, granted the motion of defendants for summary judgment and dismissed the complaint.

MATTHEW C. GALGIARDO for JAMES M. ALLYN

15 minutes

BRYAN J. MAGGS for FIRST CLASS SIDING, INC.

15 minutes

642.1
KA 14-00320

PEOPLE

V

JAVON BOYD

Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered June 25, 2013. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the first degree (three counts), rape in the first degree, strangulation in the second degree, criminal obstruction of breathing (two counts) and assault in the third degree.

DONALD R. GERACE for JAVON BOYD

10 minutes

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

10 minutes

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

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

DAY CALENDAR
Monday, May 20, 2019 - 10:00 AM
COURTROOM 2

688.1
KA 12-01527

PEOPLE
V
MATTHEW V. NOCE

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered July 25, 2012. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree.

JANET C. SOMES for MATTHEW V. NOCE

Submitted

DANIEL GROSS for PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Tuesday, May 21, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

689.0
KA 17-00297

PEOPLE
V
TONY VICK

Appeal from a judgment of the Onondaga County Court (Walter W. Hafner, Jr., A.J.), rendered November 7, 2016. The judgment convicted defendant, upon a jury verdict, of attempted kidnapping in the second degree and assault in the second degree.

CHRISTINE M. COOK for TONY VICK **10 minutes**

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

690.0
KA 17-01495

PEOPLE
V
MARC CZTERNASTEK

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered July 15, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, assault in the first degree, unlawful imprisonment in the first degree and criminal possession of a weapon in the fourth degree.

SARA A. GOLDFARB for MARC CZTERNASTEK **10 minutes**

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

691.0
KA 15-00569

PEOPLE
V
REYNALDO PABON

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered January 27, 2015. The judgment convicted defendant, upon his plea of guilty, of arson in the second degree.

KATHLEEN P. REARDON for REYNALDO PABON **10 minutes**

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

692.0
KA 17-00583

PEOPLE
V
REYNALDO PABON

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, Monroe County (Francis A. Affronti, J.), dated April 18, 2016. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of arson in the second degree.

KATHLEEN P. REARDON for REYNALDO PABON **Submitted**

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK **Submitted**

693.0
KA 14-02218

PEOPLE
V
DAVID STEINMETZ, JR.

Appeal from an order of the Steuben County Court (Joseph W. Latham, J.), entered July 3, 2014. The order denied the application of defendant for modification of his risk assessment pursuant to the Sex Offender Registration Act.

CHARLES J. GREENBERG for DAVID STEINMETZ, JR.

Submitted

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

Submitted

694.0
CAF 17-01838

In the Matter of
ALANA G.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered October 4, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, determined that petitioner had neglected the subject children.

WILLIAM D. BRODERICK, JR. for DANIELLE I.

10 minutes

NICHOLAS G. LOCICERO for ERIE COUNTY DSS

Submitted

JAMES A. KREUZER, ATTORNEY FOR THE CHILD

Submitted

695.0
CAF 18-01398

MONICA LITTLE
V
SCOTT LITTLE

Appeals from an order of the Family Court, Ontario County (Frederick G. Reed, A.J.), entered May 31, 2018 in a proceeding pursuant to Family Court Act article 6. The order dismissed the amended petition with prejudice.

CARA A. WALDMAN for MONICA LITTLE

10 minutes

VICTORIA KING, ATTORNEY FOR THE CHILD

5 minutes

GARY MULDOON for SCOTT LITTLE

10 minutes

696.0
CAF 18-01399

MONICA LITTLE
V
SCOTT LITTLE

Appeals from an order of the Family Court, Ontario County (Frederick G. Reed, A.J.), entered May 31, 2018 in a proceeding pursuant to Family Court Act article 6. The order dismissed an order to show cause filed by petitioner to modify the parties' custody agreement.

CARA A. WALDMAN for MONICA LITTLE

Submitted

VICTORIA KING, ATTORNEY FOR THE CHILD

Submitted

GARY MULDOON for SCOTT LITTLE

Submitted

697.0
CAF 18-01466

MONICA LITTLE
V
SCOTT LITTLE

Appeals from an order of the Family Court, Ontario County (Frederick G. Reed, A.J.), entered June 1, 2018 in a proceeding pursuant to Family Court Act article 8. The order dismissed the petition with prejudice.

CARA A. WALDMAN for MONICA LITTLE

Submitted

VICTORIA KING, ATTORNEY FOR THE CHILD

Submitted

GARY MULDOON for SCOTT LITTLE

Submitted

698.0
CAF 18-00747

DESEAN T. KELLY
V
LORREN BROWN

Appeal from an order of the Family Court, Monroe County (Thomas W. Polito, R.), entered March 15, 2018 in a proceeding pursuant to Family Court Act article 6. The order denied the petition.

BENJAMIN L. NELSON for DESEAN T. KELLY 10 minutes

KATHLEEN P. REARDON for LORREN BROWN 5 minutes

MARK ALLEN SCHLECHTER, ATTORNEY FOR THE CHILD 10 minutes

699.0
CA 18-01718

VLADIMIR JEANTY
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (Christopher J. McCarthy, J.), entered April 21, 2017. The order granted the motion of defendant to dismiss the claim and dismissed the claim.

VLADIMIR JEANTY for HIMSELF 15 minutes

FRANK BRADY for STATE OF NEW YORK 10 minutes

700.0
CA 18-00549

THOMAS H. O'NEILL, JR.
V
ROSE R. O'NEILL

Appeal and cross appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered August 4, 2017. The order, among other things, denied defendant's motion to reargue previous orders of the Supreme Court and denied plaintiff's cross motion for a downward modification of his maintenance obligations.

JAMES P. RENDA for THOMAS H. O'NEILL, JR. 15 minutes

SHARI JO REICH for ROSE R. O'NEILL 15 minutes

701.0
CA 18-00550

THOMAS H. O'NEILL, JR.
V
ROSE R. O'NEILL

Appeal and cross appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered January 9, 2018. The order, among other things, granted in part, defendant's motion for maintenance arrears.

JAMES P. RENDA for THOMAS H. O'NEILL, JR. Submitted

SHARI JO REICH for ROSE R. O'NEILL Submitted

702.0
CA 18-00552

THOMAS H. O'NEILL, JR.
V
ROSE R. O'NEILL

Appeal from a judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered February 13, 2018. The order, among other things, awarded defendant a money judgment as against plaintiff for maintenance arrears.

JAMES P. RENDA for THOMAS H. O'NEILL, JR. Submitted

SHARI JO REICH for ROSE R. O'NEILL Submitted

703.0
CA 18-00553

THOMAS H. O'NEILL, JR.
V
ROSE R. O'NEILL

Appeal from an amended judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered March 15, 2018. The amended judgment, among other things, awarded defendant's counsel the sum of \$165,000 in attorneys' fees against plaintiff.

JAMES P. RENDA for THOMAS H. O'NEILL, JR.

Submitted

SHARI JO REICH for ROSE R. O'NEILL

Submitted

704.0
CA 18-00682

THOMAS H. O'NEILL, JR.
V
ROSE R. O'NEILL

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.) entered January 12, 2011. The order, among other things, denied defendant's petition and judgment for the underpayment of maintenance.

SHARI JO REICH for ROSE R. O'NEILL

Submitted

JAMES P. RENDA for THOMAS H. O'NEILL, JR.

Submitted

705.0
CA 19-00189

THOMAS H. O'NEILL, JR.
V
ROSE R. O'NEILL

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Timothy J. Walker, A.J.) entered July 10, 2018. The order and judgment, among other things, granted defendant's motion for maintenance and annual cost-of-living adjustments.

JAMES P. RENDA for THOMAS H. O'NEILL, JR.

Submitted

SHARI JO REICH for ROSE R. O'NEILL

Submitted

706.0
CA 18-01405

JAMES LIEBEL
V
CITY OF ROCHESTER

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Monroe County (Evelyn Frazee, J.) entered August 7, 2018 in a CPLR article 78 proceeding. The judgment denied and dismissed the petition.

JONATHAN R. TANTILLO for JAMES LIEBEL

10 minutes

PATRICK N. BEATH for CITY OF ROCHESTER

10 minutes

707.0
CA 18-02029

SHERYL A. JANISH
V
SHETOYA NISHEA SANCHEZ

SETTLED

Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.) dated April 10, 2018. The order, among other things, denied the pre-answer motion of defendant Venture Forthe, Inc., seeking dismissal of plaintiff's action as against them.

KIMBERLY M. THRUN for VENTURE FORTHE, INC.

ROBERT L. BRENNAN, JR. for SHERYL A. JANISH

708.0
CA 19-00199

CHRISTINA PRIOLA
V
CORY HUNTER

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered September 14, 2018. The order granted the motions of defendants Gertrude Gifford, LLC, and Resurgent Properties, LLC, for summary judgment and dismissed the complaint against said defendants.

ROBERT A. QUATTROCCI for CHRISTINA PRIOLA 15 minutes

JUSTIN P. HARMON for GERTRUDE GIFFORD 10 minutes

ERIN K. SKUCE for RESURGENT PROPERTIES LLC Submitted

709.0
CA 18-02156

CATHOLIC FAMILY CENTER
V
ROBERT C.

Appeal from an order of the Supreme Court, Monroe County (Joan S. Kohout, J.), entered April 20, 2018. The order, insofar as appealed from, denied the application of petitioner for attorney's fees.

YOLANDA RIOS for CATHOLIC FAMILY CENTER 5 minutes

ROBERT C. for HIMSELF Submitted

710.0
CA 18-01428

BRIAN HUNT
V
ANTHONY J. ANNUCCI

Appeal from a judgment (denominated order) of the Supreme Court, Erie County (Christopher J. Burns, J.), entered June 19, 2018 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

BRIAN HUNT for HIMSELF Submitted

MARCUS J. MASTRACCO for ANTHONY J. ANNUCCI Submitted

711.0
CA 18-01697

GRANT TALLEY
V
STATE OF NEW YORK

Appeal from a judgment of the Court of Claims (Renee Forgensi Minarik, J.), entered April 4, 2018. The judgment awarded claimant money damages as against defendant.

ZAINAB A. CHAUDHRY for STATE OF NEW YORK 10 minutes

GRANT TALLEY for HIMSELF Submitted

DAY CALENDAR
Wednesday, May 22, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

712.0
KA 17-01079

PEOPLE
V
BRENDA E. ROTH

Appeal from a judgment of the Lewis County Court (John H. Crandall, A.J.), rendered March 31, 2017. The judgment convicted defendant, after a nonjury trial, of manslaughter in the second degree, tampering with physical evidence and endangering the welfare of a child.

DONALD R. GERACE for BRENDA E. ROTH 10 minutes

JOHN A. CIRANDO for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

713.0
KA 16-01256

PEOPLE
V
ADRIAN JONES

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered June 29, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.

KIMBERLY J. CZAPRANSKI for ADRIAN JONES 5 minutes

DARIENN P. BALIN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

714.0
KA 17-00504

PEOPLE
V
PHILLIP G. YATES

Appeal from a judgment of the Seneca County Court (Dennis F. Bender, J.), rendered August 15, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the fifth degree.

CHARLES J. GREENBERG for PHILLIP G. YATES 10 minutes

MARK S. SINKIEWICZ for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

715.0
KA 16-01477

PEOPLE
V
JARVIS RICHARDSON

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloj, J.), rendered August 17, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the second degree

PIOTR BANASIAK for JARVIS RICHARDSON 10 minutes

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

716.0
CAF 17-01976

MICHAEL DINUNZIO
V
CHARLENE ZYLINSKI

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered January 25, 2017 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody of the subject child.

CHARLES J. GREENBERG for CHARLENE ZYLINSKI Submitted

	DENNIS A. SCINTA for MICHAEL DINUNZIO	Submitted
	KELLY LINN BALL, ATTORNEY FOR THE CHILD	Submitted
717.0 CAF 17-01977	CHARLENE N. ZYLINSKI V MICHAEL DINUNZIO	
	Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered January 26, 2017 in a proceeding pursuant to Family Court Act article 8. The order, among other things, dismissed the petition.	
	CHARLES J. GREENBERG for CHARLENE N. ZYLINSKI	Submitted
	DENNIS A. SCINTA for MICHAEL DINUNZIO	Submitted
	KELLY LINN BALL, ATTORNEY FOR THE CHILD	Submitted
718.0 CAF 17-01978	CHARLENE N. ZYLINSKI V MICHAEL DINUNZIO	
	Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered January 26, 2017 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition with prejudice.	
	CHARLES J. GREENBERG for CHARLENE N. ZYLINSKI	Submitted
	DENNIS A. SCINTA for MICHAEL DINUNZIO	Submitted
	KELLY LINN BALL, ATTORNEY FOR THE CHILD	Submitted
719.0 CAF 17-01979	CHARLENE N. ZYLINSKI V MICHAEL DINUNZIO	
	Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered January 26, 2017 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition with prejudice.	
	CHARLES J. GREENBERG for CHARLENE N. ZYLINSKI	Submitted
	DENNIS A. SCINTA for MICHAEL DINUNZIO	Submitted
	KELLY LINN BALL, ATTORNEY FOR THE CHILD	Submitted
720.0 CAF 17-01980	CHARLENE N. ZYLINSKI V MICHAEL DINUNZIO	
	Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered January 26, 2017 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition with prejudice.	
	CHARLES J. GREENBERG for CHARLENE N. ZYLINSKI	Submitted
	DENNIS A. SCINTA for MICHAEL DINUNZIO	Submitted
	KELLY LINN BALL, ATTORNEY FOR THE CHILD	Submitted
721.0 CAF 18-00299	MICHAEL DINUNZIO V CHARLENE ZYLINSKI	

Appeal from an order of the Family Court, Erie County (Deanne M. Tripi, J.), entered January 16, 2018. The order denied respondent's motion to vacate a prior court order issued on January 25, 2017.

CHARLES J. GREENBERG for CHARLENE ZYLINSKI

Submitted

DENNIS A. SCINTA1647 MICHAEL DINUNZIO

Submitted

KELLY LINN BALL, ATTORNEY FOR THE CHILD

Submitted

722.0
CA 18-01949

MAURICIO ESPINAL
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered June 27, 2018 in a CPLR article 78 proceeding. The judgment dismissed the petition.

LEAH R. NOWOTARSKI for MAURICIO ESPINAL

Submitted

KATE H. NEPVEU for ANTHONY ANNUCCI

Submitted

723.0
CA 18-01647

SUZANNE PEARCE
V
JOINT BOARD OF DIRECTORS OF ERIE-WYOMING COUNTY

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered March 29, 2018. The order denied the motion of defendant Joint Board of Directors of Erie-Wyoming County Soil Conservation District for summary judgment.

MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE

15 minutes

CATHERINE B. FOLEY for SUZANNE PEARCE

15 minutes

JUSTIN L. HENDRICKS for ERIE CTY SOIL & WATER CONSERVATION

10 minutes

DOMINIC CHIMERA for WYOMING CTY SOIL & WATER CONSERVATION

15 minutes

MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE CTY SOIL

Submitted

NORMAN E.S. GREENE for TOWN OF WEST SENECA

10 minutes

JEREMY C. TOTH for COUNTY OF ERIE

Submitted

724.0
CA 18-01648

SUZANNE PEARCE
V
ERIE COUNTY SOIL & WATER CONSERVATION

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered April 10, 2018. The order, insofar as appealed from, granted the motion of defendant Erie County Soil & Water Conservation District for summary judgment and dismissed the complaint against said defendant.

MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE

Submitted

CATHERINE B. FOLEY for SUZANNE PEARCE

Submitted

JUSTIN L. HENDRICKS for ERIE CTY SOIL & WATER CONSERVATION

Submitted

DOMINIC CHIMERA for WYOMING CTY SOIL & WATER CONSERVATION

Submitted

MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE CTY SOIL

Submitted

NORMAN E.S. GREENE for TOWN OF WEST SENECA

Submitted

JEREMY C. TOTH for COUNTY OF ERIE

Submitted

725.0
CA 18-01589

SUZANNE PEARCE

V

WYOMING COUNTY SOIL & WATER CONSERVATION

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered April 16, 2018. The order, insofar as appealed from, granted the motion of defendant Wyoming County Soil & Water Conservation District for summary judgment and dismissed the complaint against said defendant.

MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE

Submitted

CATHERINE B. FOLEY for SUZANNE PEARCE

Submitted

JUSTIN L. HENDRICKS for ERIE CTY SOIL & WATER CONSERVATION

Submitted

DOMINIC CHIMERA for WYOMING CTY SOIL & WATER CONSERVATION

Submitted

MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE CTY SOIL

Submitted

NORMAN E.S. GREENE for TOWN OF WEST SENECA

Submitted

JEREMY C. TOTH for COUNTY OF ERIE

Submitted

726.0
CA 18-01649

SUZANNE PEARCE

V

JOINT BOARD OF DIRECTORS OF ERIE-WYOMING COUNTY

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered April 26, 2018. The order, insofar as appealed from, granted the motion of defendant Town of West Seneca for summary judgment and dismissed the complaint against said defendant.

MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE

Submitted

CATHERINE B. FOLEY for SUZANNE PEARCE

Submitted

JUSTIN L. HENDRICKS for ERIE CTY SOIL & WATER CONSERVATION

Submitted

DOMINIC CHIMERA for WYOMING CTY SOIL & WATER CONSERVATION

Submitted

MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE CTY SOIL

Submitted

NORMAN E.S. GREENE for TOWN OF WEST SENECA

Submitted

JEREMY C. TOTH for COUNTY OF ERIE

Submitted

727.0
CA 18-02015

SUZANNE PEARCE

V

JOINT BOARD OF DIRECTORS OF ERIE-WYOMING COUNTY

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, A.J.), entered October 10, 2018. The order granted the motion of defendant County of Erie for reargument, granted the motion of defendant County of Erie for summary judgment and dismissed the complaint against defendant County of Erie.

MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE

Submitted

CATHERINE B. FOLEY for SUZANNE PEARCE

Submitted

JUSTIN L. HENDRICKS for ERIE CTY SOIL & WATER CONSERVATION

Submitted

DOMINIC CHIMERA for WYOMING CTY SOIL & WATER CONSERVATION Submitted
MARK P. DELLA POSTA for JOINT BD OF DIRECTORS OF ERIE CTY SOIL Submitted
NORMAN E.S. GREENE for TOWN OF WEST SENECA Submitted
JEREMY C. TOTH for COUNTY OF ERIE Submitted

728.0
CA 18-01753

MILBURN MCFADDEN
V
TOWN OF WESTMORELAND ZONING BOARD

Appeal from a judgment (denominated order) of the Supreme Court, Oneida County (Erin P. Gall, J.), entered June 29, 2018 in a CPLR article 78 proceeding. The judgment denied the petition to annul a determination of respondent.

MILBURN MCFADDEN for HIMSELF Submitted
THERESA MCFADDEN for HERSELF Submitted
JANET D. CALLAHAN for TOWN OF WESTMORELAND ZONING BOARD Submitted

729.0
CA 18-01651

RONALD PLAZA
V
ANTHONY ANNUCCI

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered August 15, 2018 in a proceeding pursuant to CPLR article 78. The judgment dismissed the petition.

ADAM W. KOCH for RONALD PLAZA Submitted
MARTIN A. HOTVET for ANTHONY ANNUCCI Submitted

730.0
CA 18-01971

GREATER BUFFALO ACCIDENT & INJURY
V
GEICO CASUALTY COMPANY

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.) entered September 28, 2018. The order, among other things, denied defendant's motion to dismiss the complaint.

J'NAIA L. BOYD for GEICO CASUALTY COMPANY 15 minutes
DANIEL K. MORRIS for GREATER BUFFALO ACCIDENT & INJURY 10 minutes

731.0
CA 18-01278

VARINDER GILL **SETTLED**
V
JOSEPH LOMBARDO

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.) entered June 19, 2018. The order denied plaintiff's motion to dismiss all counterclaims of the defendants and to preclude defendants from offering proof at trial.

STUART B. SHAPIRO for VARINDER GILL
ROBERT D. STEINHAUS for JOSEPH LOMBARDO

732.0
CA 19-00146

JONATHAN T. FOGEL, M.D.
V
KALEIDA HEALTH

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Erie County (Mark A. Montour, J.), entered January 3, 2019 in a CPLR article 78 proceeding. The judgment denied the motion of respondents to dismiss the petition and granted the petition annulling the determination of respondents

ROBERT JOSEPH LANE, JR. for KALEIDA HEALTH 10 minutes

RICHARD T. SULLIVAN for JONATHAN T. FOGEL, M.D. 10 minutes

733.0
CA 18-01108

MARK A. REGAN
V
RICHARD MILLARD

Appeal from an order of the Monroe County Court (Victoria M. Argento, J.), entered March 28, 2018. The order denied the application of plaintiff for an extension of time to perfect an appeal from an order of the City Court.

MARK A. REGAN for HIMSELF 15 minutes

ERICKA ELLIOTT for RICHARD MILLARD 10 minutes

733.1
CA 18-01699

DEAHANN HARRIS
V
ERIE COUNTY MEDICAL CENTER CORPORATION

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered February 22, 2018. The order, insofar as appealed from, directed that the deposition of Noelle Lohr, N.P., be retaken, denied the motion of defendants Riffat Sadiq, M.D., et al., to disqualify counsel for plaintiff and directed counsel for plaintiff to make certain disclosures to counsel for Lohr only.

MELISSA L. ZITTEL for RIFFAT SADIQ, M.D. 15 minutes

MEGHAN M. BROWN for DEAHANN HARRIS 10 minutes

733.2
CA 19-00042

DEAHANN HARRIS
V
ERIE COUNTY MEDICAL CENTER CORPORATION

Appeal and cross appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered January 2, 2019. The order, inter alia, denied the motion of defendants Riffat Sadiq, M.D., et al., to disqualify counsel for plaintiff.

MELISSA L. ZITTEL for RIFFAT SADIQ, M.D. Submitted

MEGHAN M. BROWN for DEAHANN HARRIS Submitted