

DAY CALENDAR
Wednesday, May 18, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

482.0
KA 15-01285

PEOPLE
V
STEVEN ROBINSON

Appeal from a resentence of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 27, 2015. Defendant was resented upon his conviction of attempted burglary in the second degree.

DAVID R. JUERGENS for STEVEN ROBINSON Submitted

SANDRA J. DOORLEY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

483.0
KA 13-00990

PEOPLE
V
CHRISTOPHER MC CREA

Appeal from a judgment of the Wyoming County Court (Michael F. Griffith, J.), rendered April 3, 2013. The judgment convicted defendant, upon his plea of guilty, of perjury in the first degree.

GARY MULDOON for CHRISTOPHER MC CREA 5 minutes

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

484.0
KA 14-00927

PEOPLE
V
JORDAN WILLIAMS

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered May 12, 2014. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree (four counts) attempted robbery in the second degree; and robbery in the third degree.

CAITLIN M. CONNELLY for JORDAN WILLIAMS Submitted

NICHOLAS T. TEXIDO for THE PEOPLE OF THE STATE OF NEW YORK Submitted

485.0
KA 15-01650

PEOPLE
V
CHRISTOPHER ZINK

Appeal from a judgment of the Monroe County Court (James P. Piampiano, J.), rendered February 28, 2013. The judgment revoked a term of probation and imposed a term of incarceration.

JAMES ANTHONY NAPIER for CHRISTOPHER ZINK Submitted

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

486.0
KA 13-00290

PEOPLE
V
HECTOR FUENTES

Appeal from a decision/order of the Onondaga County Court (Thomas J Miller, J.), entered March 8, 2013. The decision/order denied the motion of defendant pursuant to CPL 440.20.

MARY P. DAVISON for HECTOR FUENTES Submitted

	ROMANA A. LAVALAS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
487.0 KA 14-00867	PEOPLE V DANIEL S. ROUNDS	
	Appeal from a judgment of the Lewis County Court (Daniel R. King, J.), rendered October 18, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.	
	JOHN J. RASPANTE for DANIEL S. ROUNDS	5 minutes
	JOHN A. CIRANDO for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
488.0 KA 13-01193	PEOPLE V CHARLES KERCE	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered June 5, 2013. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree and robbery in the first degree.	
	EVAN B. HANNAY for CHARLES KERCE	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
489.0 KA 13-00647	PEOPLE V MARLO S. HELMS	
	Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered February 14, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a weapon in the second degree.	
	DAVID R. JUERGENS for MARLO S. HELMS	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
490.0 KA 11-02451	PEOPLE V KAHLEIF GREEN	
	Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered December 1, 2010. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree and assault in the second degree.	
	PIOTR BANASIAK for KAHLEIF GREEN	5 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
491.0 KA 12-02144	PEOPLE V JAMEL S. MONTGOMERY	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered August 21, 2012. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts) and criminal possession of a weapon in the third degree.	
	JAMES ECKERT for JAMEL S. MONTGOMERY	10 minutes

	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
492.0 CA 15-01234	CITIMORGAGE, INC. V KIP C. CARTER	
	Appeal from an order and judgment of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 18, 2014. The order and judgment dismissed the action for foreclosure.	
	LARRY T. POWELL for CITIMORGAGE, INC.	Submitted
	KIP C. CARTER for HIMSELF	Submitted
	MARY LANNON FANGIO for SALLY ANN CARTER	Submitted
493.0 CA 15-01275	JAMES M. HELD V THE PIKE COMPANY	
	Appeal from a judgment of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered October 10, 2014. The judgment directed third-party defendant to pay over \$1,147,049.14, plus interest, to third-party plaintiffs.	
	CURTIS SOBEL for CME ASSOCIATES, INC.	15 minutes
	JEFFREY D. SCHULMAN for THE PIKE COMPANY	10 minutes
494.0 CA 15-01334	LISA NAPIERALA V NEW YORK STATE DIVISION OF HUMAN RIGHTS	
	Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered October 10, 2014 in a proceeding pursuant to CPLR article 78. The order, among other things, granted the petition to reverse a determination of respondent New York State Division of Human Rights.	
	JOSEPH S. BROWN for ERIE COMMUNITY COLLEGE	10 minutes
	LINDY KORN for LISA NAPIERALA	10 minutes
495.0 CA 15-01775	ANDREA ROTELLA DIEZ V LEWISTON-PORTER CSD	
	Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered December 18, 2014. The order granted the petition for leave to serve a late notice of claim.	
	LOUIS B. DINGLEDEY, JR., for LEWISTON-PORTER CSD	10 minutes
	MATTHEW T. MOSHER for ANDREA ROTELLA DIEZ	10 minutes
496.0 CA 15-01767	SCOTT SCHAFFER V LORRAINE JASKOWIAK	
	Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered July 14, 2015. The order granted the motion of defendants for summary judgment and dismissed the complaint.	
	MO J. ATHARI for SCOTT SCHAFFER	15 minutes
	DAVID MITCHELL HEHR for LORRAINE JASKOWIAK	15 minutes

497.0
CA 15-00805

INDUS PVR LLC
V
MAA-SHARDA, INC.

Appeal from a judgment of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered September 16, 2014. The judgment, among other things, adjudged that he mortgage premises described in the complaint in this action be sold at public auction.

ROBERT J. LUNN for MAA-SHARDA, INC.

15 minutes

JOHN C. NUTTER for INDUS PVR LLC

15 minutes

498.0
CA 15-00806

INDUS PVR LLC
V
MAA-SHARDA, INC.

Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered November 5, 2014. The order, among other things, granted defendant MAA-Sharda Inc's application for the fixing of an undertaking and adjudged that an undertaking in the sum of two million dollars is required.

ROBERT J. LUNN for MAA-SHARDA, INC.

Submitted

JOHN C. NUTTER for INDUS PVR LLC

Submitted

499.0
CA 15-00807

INDUS PVR LLC
V
MAA-SHARDA, INC.

Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered December 26, 2014. The order denied defendant MAA-Sharda, Inc's motion for leave to reargue and renew its opposition to plaintiff's motion for a judgment of foreclosure and sale.

ROBERT J. LUNN for MAA-SHARDA, INC.

Submitted

JOHN C. NUTTER for INDUS PVR LLC

Submitted

500.0
CA 15-00447

MIGUEL COLON
V
STATE OF NEW YORK

Appeal from an order of the Supreme Court, Oneida County (Joseph E. Fahey, J.), entered February 6, 2015 in a proceeding pursuant to Mental Hygiene Law article 10. The order continued the commitment of petitioner to a secure treatment facility.

MICHAEL H. MCCORMICK for MIGUEL COLON

10 minutes

KATHLEEN M. ARNOLD for STATE OF NEW YORK

10 minutes

501.0
CAF 14-02288

IAN WALKER
V
SUNSHINE CARROLL

Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered June 24, 2014, in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole custody of the subject child.

DAVID J. PAJAK for SUNSHINE CARROLL

5 minutes

	ANDREW F. EMBORSKY for IAN WALKER	5 minutes
	LYDIA VAUGHN EVANS, ATTORNEY FOR CHILD	5 minutes
502.0 CAF 14-02289	IAN WALKER V SUNSHINE CARROLL	
	Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered October 24, 2014, in a proceeding pursuant to Family Court Act article 6. The order, among other things, denied Sunshine Carroll's motion to vacate a prior court order awarding Ian Walker sole custody of the subject child	
	DAVID J. PAJAK for SUNSHINE CARROLL	Submitted
	ANDREW F. EMBORSKY for IAN WALKER	Submitted
	LYDIA VAUGHN EVANS, ATTORNEY FOR CHILD	Submitted
503.0 CA 15-01180	RESCUE MISSION OF UTICA, INC. V CITY OF UTICA	
	Appeal from a decision and order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered March 17, 2014. The decision and order granted the CPLR article 78 petition, declared petitioner's use of its property legal and reversed the determination of respondent Zoning Board of Appeals of the City of Utica.	
	PETER J. DIGIORGIO, JR., for MICHAEL S. RIZZO	15 minutes
	KATHRYN HARTNETT for CITY OF UTICA	10 minutes
	WILLIAM P. SCHMITT for RESCUE MISSION OF UTICA, INC.	15 minutes
504.0 CA 15-01181	MICHAEL S. RIZZO V RESCUE MISSION OF UTICA, INC.	
	Appeal from a decision and order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered June 26, 2015. The decision and order dismissed the CPLR article 78 petition.	
	PETER J. DIGIORGIO, JR., for MICHAEL S. RIZZO	Submitted
	KATHRYN HARTNETT for CITY OF UTICA	Submitted
	WILLIAM P. SCHMITT for RESCUE MISSION OF UTICA, INC.	Submitted
505.0 CA 15-01523	ELAM SAND & GRAVEL CORP. V TOWN OF WEST BLOOMFIELD	
	Appeal from an order of the Supreme Court, Ontario County (Craig J. Doran, A.J.), entered October 27, 2014. The order granted the motion by defendants Sue S. Stewart, Neighbors to Support West Bloomfield and Citizens to Support West Bloomfield to dismiss the twelfth cause of action.	
	PETER J. SORGI for ELAM SAND & GRAVEL CORP.	10 minutes
	DAVID K. HOU for TOWN OF WEST BLOOMFIELD	15 minutes
	TERRENCE L. ROBINSON, JR., for NEIGHBORS TO SUPPORT	10 minutes