

DAY CALENDAR
Thursday, September 5, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

812.0
KA 17-00502

PEOPLE
V
JESSICA R. SOBLE

Appeal from a judgment of the Monroe County Court (Christopher S. Ciaccio, J.), rendered January 11, 2017. The judgment convicted defendant, upon her plea of guilty, of manslaughter in the first degree.

KIMBERLY J. CZAPRANSKI for JESSICA R. SOBLE **Submitted**

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

814.0
KA 18-00107

PEOPLE
V
DAVID ORTEGA

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered December 21, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

JOHN A. CIRANDO for DAVID ORTEGA **10 minutes**

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

815.0
KA 14-00761

PEOPLE
V
JEFFREY J. DIBBLE

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered January 16, 2014. The judgment convicted defendant, upon a non jury verdict, of attempted aggravated assault upon a police officer, attempted criminal possession of a weapon in the second degree, attempted robbery in the third degree, attempted menacing of a police officer and attempted escape in the third degree.

LINDA M. CAMPBELL for JEFFREY J. DIBBLE **15 minutes**

JEFFREY L. TAYLOR for THE PEOPLE OF THE STATE OF NEW YORK **15 minutes**

816.0
KA 15-00845

PEOPLE
V
JEFFREY J. DIBBLE

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered February 11, 2015. The judgment convicted defendant, upon his plea of guilty, of driving while ability impaired and menacing a police officer, as a felony.

LINDA M. CAMPBELL for JEFFREY J. DIBBLE **Submitted**

JEFFREY L. TAYLOR for THE PEOPLE OF THE STATE OF NEW YORK **Submitted**

817.0
KA 17-00460

PEOPLE
V
JEFFREY J. DIBBLE

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered February 11, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a forged instrument in the second degree.

LINDA M. CAMPBELL for JEFFREY J. DIBBLE

Submitted

JEFFREY L. TAYLOR for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

818.0
KA 17-01668

PEOPLE
V
JEFFREY DIBBLE

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Ontario County Court (Frederick G. Reed, A.J.), dated July 7, 2017. The order denied the motion of defendant to vacate judgments of convictions pursuant to CPL 440.10.

LINDA M. CAMPBELL for JEFFREY DIBBLE

Submitted

JEFFREY L. TAYLOR for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

819.0
KA 16-02164

PEOPLE
V
ROBERT D. LEWIS, SR.

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered October 26, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the first degree.

JOHN A. CIRANDO for ROBERT D. LEWIS, SR.

15 minutes

JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

820.0
KA 17-01780

PEOPLE
V
INALIA ROLLDAN

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered December 21, 2016. The judgment convicted defendant, upon a jury verdict, of kidnapping in the second degree (two counts), criminal use of a firearm in the first degree, criminal possession of a weapon in the third degree, and criminal possession of a weapon in the fourth degree.

LINDSEY M. PIEPER for INALIA ROLLDAN

Submitted

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

821.0
KA 16-02170

PEOPLE
V
COREY ROHADFOX

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered October 13, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fifth degree.

WILLIAM CLAUSS for COREY ROHADFOX

10 minutes

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

10 minutes

822.0
CA 19-00019

ANTHONY LOZZI
V
FULLER ROAD MANAGEMENT CORPORATION

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered July 26, 2018. The order, insofar as appealed from, denied the cross motion of defendants Fuller Road Management Corporation and M+W U.S., Inc., for indemnification from defendant Arrow Sheet Metal Works, Inc.

SANJEEV DEVABHAKTHUNI for FULLER ROAD MANAGEMENT CORP. 10 minutes

DAVID MICHAEL GOODMAN for ARROW SHEET METAL WORKS, INC. 10 minutes

823.0
CA 18-01281

BRIAN BROWDER
V
NYS OFFICE OF CHILDREN AND FAMILY SERVS.

Appeal from a judgment (denominated order and judgment) of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered June 12, 2018 in a CPLR article 78 proceeding. The judgment dismissed the petition.

BRIAN BROWDER for HIMSELF Submitted

LAURA ETLINGER for NYS OFFICE OF CHILDREN AND FAMILY SERVS. Submitted

824.0
CA 19-00502

THOMAS CZECHOWSKI
V
BUFFALO NIAGARA MEDICAL CAMPUS, INC.

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered September 10, 2018. The order, insofar as appealed from, limited certain depositions.

ANNE M. WHEELER for THOMAS CZECHOWSKI 10 minutes

JOHN WALLACE for BUFFALO NIAGARA MEDICAL CAMPUS, INC. Submitted

DAVID RAY ADAMS for ARIA CONTRACTING CORP. 10 minutes

826.0
CA 18-01253

PAULA L. GIBBS
V
STATE FARM FIRE AND CASUALTY COMPANY

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered May 18, 2018. The order denied the motion of plaintiff for a stay of all proceedings.

PAULA L. GIBBS for HERSELF Submitted

ROY ALBERT MURA for STATE FARM FIRE AND CASUALTY COMPANY 15 minutes

827.0
CA 18-02159

PAULA L. GIBBS
V
STATE FARM FIRE AND CASUALTY COMPANY

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered June 21, 2018. The order denied the motion of plaintiff for a stay of all proceedings.

PAULA L. GIBBS for HERSELF Submitted

ROY ALBERT MURA for STATE FARM FIRE AND CASUALTY COMPANY Submitted

828.0
CA 18-02160

PAULA L. GIBBS
V
STATE FARM FIRE AND CASUALTY COMPANY

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), dated October 23, 2018. The order denied the motion of plaintiff to vacate the dismissal of the action.

PAULA L. GIBBS for HERSELF Submitted

ROY ALBERT MURA for STATE FARM FIRE AND CASUALTY COMPANY Submitted

829.0
CA 19-00573

WILMINGTON SAVINGS FUND SOCIETY
V
JULIAN M. FERNANDEZ

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered November 21, 2018. The order, among other things, granted plaintiff leave to reargue defendant's motion to dismiss and upon reargument reversed its prior decision and denied defendant's motion to dismiss.

JULIAN M. FERNANDEZ for HIMSELF Submitted

ZACHARY R. GOLD for WILMINGTON SAVINGS FUND SOCIETY 15 minutes

830.0
CA 19-00394

KERMIT G. STRADTMAN, JR.
V
MARK CAVARETTA

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.) entered August 13, 2018. The order granted defendants' motion for summary judgment dismissing plaintiff's complaint in its entirety.

AMANDA L. MACHACEK for KERMIT G. STRADTMAN, JR. 10 minutes

JOHN PATRICK DANIEU for MARK CAVARETTA 10 minutes

831.0
CA 19-00398

KERMIT G. STRADTMAN, JR.
V
MARK CAVARETTA

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.) entered November 16, 2018. The order denied plaintiff's motion for leave to renew and reargue defendants' motion for summary judgment.

AMANDA L. MACHACEK for KERMIT G. STRADTMAN, JR. Submitted

JOHN PATRICK DANIEU for MARK CAVARETTA Submitted

832.0
CA 18-02363

CYNTHIA SMITH EDWARDS
V
DAVID MYERS

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered May 30, 2018. The order granted the motions of defendants David Myers and Erie County Medical Center Corporation for summary judgment.

BRIAN J. ISAAC for CYNTHIA SMITH EDWARDS 15 minutes

JENNA W. KLUCSIK for DAVID MYERS 15 minutes

	JOHN PATRICK DANIEU for ERIE COUNTY MEDICAL CENTER	10 minutes
833.0 CA 18-02266	FORD MOTOR CREDIT COMPANY LLC V MCCARTHY ACQUISITION GROUP	
	Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.) entered May 14, 2018. The order, among other things, dismissed Case Index Number 605086/2012 with prejudice.	
	AARON M. SAYKIN for THOMAS J. PIERONI	15 minutes
	CRAIG A. LESLIE for FORD MOTOR CREDIT COMPANY LLC	15 minutes
834.0 CA 18-01682	DONALD J. PHEARSDORF V STATE OF NEW YORK	
	Appeal from an interlocutory judgment of the Court of Claims (Renee Forgens Minarik, J.), dated March 30, 2018. The interlocutory judgment granted the motion of plaintiffs for summary judgment on liability.	
	MATTHEW C. LENAHAN for STATE OF NEW YORK	15 minutes
	BRIAN CHAPIN YORK for DONALD J. PHEARSDORF	15 minutes
835.0 CA 18-01474	MICHAEL FINK V 2870 ERIE BLVD. NOVELTIES & GIFTS	
	Appeal from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered July 27, 2018. The order, insofar as appealed from, granted the motion of plaintiff for partial summary judgment to Labor Law § 240 (1) and denied the cross motion of defendants for summary judgment pursuant to Labor Law §§ 240 (1) and 241 (c).	
	ROBIN J. GRAY for 2870 ERIE BLVD. NOVELTIES & GIFTS	Submitted
	ROBERT A. QUATTROCCI for MICHAEL FINK	15 minutes
836.0 CA 19-00077	SIMARIS DIAZ V RGRTA	
	Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered July 11, 2018. The order denied the application of plaintiff for leave to serve a late notice of claim.	
	RICHARD P. AMICO for SIMARIS DIAZ	10 minutes
	GEORGE GERARD MACKAY for RGRTA	15 minutes
837.0 CA 18-02138	YOLANDA JACKSON V JOYCE RUMPF	
	Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered June 1, 2018. The order, insofar as appealed from, granted the motion of plaintiff for summary judgment on the issues of negligence and probable cause.	
	ALAN J. DEPETERS for JOYCE RUMPF	15 minutes
	CHRISTIAN VALENTINO for YOLANDA JACKSON	15 minutes