

DAY CALENDAR  
Friday, September 6, 2019 - 10:00 AM  
HON. SAMUEL L. GREEN COURTROOM

838.0  
KA 16-00850

PEOPLE  
V  
ABDIEL VAZQUEZ

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered May 13, 2016. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree.

BRIDGET L. FIELD for ABDIEL VAZQUEZ 5 minutes

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

839.0  
KA 16-01484

PEOPLE  
V  
JOHNNY BLACKSHELL

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered July 8, 2016. The judgment convicted defendant, upon a jury verdict, of murder in the first degree (three counts), assault in the first degree (two counts), assault in the second degree and criminal possession of a weapon in the second degree (two counts).

WILLIAM G. PIXLEY for JOHNNY BLACKSHELL 15 minutes

DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

840.0  
KA 16-01485

PEOPLE  
V  
JOHNNY BLACKSHELL

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered August 5, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of stolen property in the fourth degree.

WILLIAM G. PIXLEY for JOHNNY BLACKSHELL Submitted

DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

841.0  
KA 18-00678

PEOPLE  
V  
JOHNNY BLACKSHELL

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered September 8, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted murder in the second degree, assault in the first degree, robbery in the first degree, robbery in the second degree (two counts), burglary in the second degree, criminal possession of a weapon in the second degree, reckless endangerment in the first degree and petit larceny.

WILLIAM G. PIXLEY for JOHNNY BLACKSHELL Submitted

DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

842.0  
KA 16-00190

PEOPLE  
V  
JAMAR A. GRAHAM

Appeal from a judgment of the Monroe County Court (Victoria M. Argento, J.), rendered July 30, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the first degree and attempted kidnapping in the second degree.

JAMES A. HOBBS for JAMAR A. GRAHAM 10 minutes

LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

843.0  
KA 17-01753

PEOPLE  
V  
JEFFREY R. MAGEE

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered July 10, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

JAMES M. SPECYAL for JEFFREY R. MAGEE Submitted

SUSAN M. HOWARD for THE PEOPLE OF THE STATE OF NEW YORK Submitted

844.0  
KA 17-01862

PEOPLE  
V  
DANNIE J. SIMS

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, III, J.), rendered August 8, 2017. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree

JOSEPH G. FRAZIER for DANNIE J. SIMS Submitted

MARY-JEAN BOWMAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

845.0  
KA 17-01539

PEOPLE  
V  
ROBERT SUDA

Appeal from a judgment of the Supreme Court, Erie County (John J. Buscaglia, J.), rendered August 3, 2016. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class E felony.

ALAN WILLIAMS for ROBERT SUDA 15 minutes

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

846.0  
KA 18-01873

PEOPLE  
V  
HANDSOME RICE

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 9, 2017. The judgment convicted defendant, upon his plea of guilty, of assault in the first degree.

NATHANIEL V. RILEY for HANDSOME RICE Submitted

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

847.0  
KA 19-00389

PEOPLE  
V  
KENNETH PASTORE

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), dated December 4, 2018. The order granted in part defendant's motion to suppress certain contraband seized from his vehicle and statements defendant made to law enforcement.

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

NICHOLAS P. DIFONZO for KENNETH PASTORE 5 minutes

848.0  
CAF 18-00611

**JOSHUA DEVORE**  
V  
**DHANAI AH M. O'HARRA-GARDNER**

Appeal from an order of the Family Court, Steuben County (Philip J. Roche, J.), entered March 26, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner custody of the subject child.

CARA A. WALDMAN for DHANAI AH M. O'HARRA-GARDNER 10 minutes

JOSHUA DEVORE for HIMSELF Submitted

STEVEN PAUL MAIO, ATTORNEY FOR CHILD Submitted

849.0  
CAF 18-00898

**In the Matter of**  
**JOVAN F., JR.**

Appeal from an order of the Family Court, Onondaga County (Julie A. Cecile, J.), entered March 30, 2018 in a proceeding pursuant to Family Court Act article 10. The order determined that respondent had neglected the subject child.

PHILIP ROTHSCHILD for TIFFANY R. W. 10 minutes

YVETTE VELASCO for ONONDAGA COUNTY DSS Submitted

ANDREW SCOTT GREENBERG, ATTORNEY FOR CHILD 10 minutes

850.0  
CAF 18-01487

**In the Matter of**  
**JOVAN F., JR.**

Appeal from an order of the Family Court, Onondaga County (Julie A. Cecile, J.), entered July 20, 2018 in a proceeding pursuant to Family Court Act article 10. The order continued the placement of the child with petitioner.

PHILIP ROTHSCHILD for TIFFANY R. W. Submitted

YVETTE VELASCO for ONONDAGA COUNTY DSS Submitted

ANDREW SCOTT GREENBERG, ATTORNEY FOR CHILD Submitted

851.0  
CAF 18-00760

**SUSAN TRIPPLE**  
V  
**CRYSTAL TOWNSEND**

Appeal from an order of the Family Court, Herkimer County (John J. Brennan, J.), entered January 18, 2018 in a proceeding pursuant to Family Court Act article 6. The order granted petitioner custody of the subject children.

PETER J. DIGIORGIO, JR., for DARIUS STEWART, SR. Submitted

SUSAN TRIPPLE for HERSELF Submitted

	GEORGE G. FIESINGER, JR., for CRYSTAL TOWNSEND	Submitted
	EDWARD G. KAMINSKI, ATTORNEY FOR CHILD	Submitted
	JOHN G. KOSLOSKY, ATTORNEY FOR CHILD	Submitted
852.0 CAF 18-01202	<b>KIERSTEN A. SMITH</b> V <b>SHERRI BALLAM</b>	
	Appeal from an order of the Family Court, Steuben County (Peter C. Bradstreet, A.J.), entered June 12, 2018. The order granted petitioner Kiersten A. Smith sole custody of the subject child and denied visitation to respondent Sherri Ballam.	
	MICHAEL STEINBERG for SHERRI BALLAM	15 minutes
	PAUL B. WATKINS for KIERSTEN A. SMITH	10 minutes
	MARYBETH D. BARNET, ATTORNEY FOR CHILD	5 minutes
853.0 CA 18-02086	<b>CENTERLINE/FLEET HOUSING</b> V <b>HOPKINS COURT APARTMENTS, LLC</b>	
	Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered July 21, 2017. The order denied the motion of defendants Hopkins Court Apartments, LLC, Whitney Capital Company, LLC, Whitney Hopkins Associates and CRS Properties, Inc., for summary judgment.	
	DAVID A. DAVENPORT for HOPKINS COURT APARTMENTS, LLC	15 minutes
	ERIC S. PETTIT for CENTERLINE/FLEET HOUSING	15 minutes
854.0 CA 18-01438	<b>In the Matter of</b> <b>LAURENCE R. GOODYEAR</b>	
	Appeal from an order of the Surrogate's Court, Erie County (Acea M. Mosey, S.), entered June 25, 2018. The order, insofar as appealed from, granted in part the motion of the respondents for reargument and renewal.	
	DAVID G. OBERDICK for FREDERICK J. YOUNG	15 minutes
	ANDREW P. ZAPPIA for SWEPI, LP	Submitted
	KEVIN M. KEARNEY for DANIEL M. GOODYEAR	15 minutes
855.0 CA 18-01634	<b>EASTVIEW MALL, LLC</b> V <b>GRACE HOLMES, INC.</b>	
	Appeal from an order of the Supreme Court, Ontario County (Matthew A. Rosenbaum, J.), entered September 6, 2018. The order, inter alia, granted the motion of plaintiff for a preliminary injunction.	
	DANIELLE C. LESSER for GRACE HOLMES, INC.	15 minutes
	JOHN A. MANCUSO for EASTVIEW MALL, LLC	15 minutes
856.0 CA 18-01747	<b>BOARD OF EDUCATION OF PALMYRA-MAC</b> V <b>FLOWER CITY GLASS CO., INC.</b>	

Appeals from an order of the Supreme Court, Wayne County (Matthew A. Rosenbaum, J.) entered August 14, 2018. The order, among other things, denied defendants' motions for summary judgment.

MICHAEL REDDY for FLOWER CITY GLASS CO., INC. 15 minutes

MATTHEW SINGER for NUDO PRODUCTS, INC. 15 minutes

ROBERT W. CONNOLLY for BOARD OF EDUCATION OF PALMYRA-MAC 15 minutes

857.0  
CA 18-01732

JOSEPH HARTNETT  
V  
HUNT REAL ESTATE CORPORATION

Appeal from an order of the Supreme Court, Erie County (Emilio L. Colaiacovo, J.), entered October 20, 2017. The order granted the motion of Hunt Real Estate Corporation and Beatrice Dunwoodie for summary judgment dismissing plaintiffs' complaint and any and all cross claims against them.

JOSEPH G. MAKOWSKI for JOSEPH HARTNETT 10 minutes

ROBERT F. HORVAT for HUNT REAL ESTATE CORPORATION 10 minutes

JEFFREY P. DIPALMA for MICHAEL ZUCHOWSKI 10 minutes

858.0  
CA 18-01733

JOSEPH HARTNETT  
V  
MICHAEL ZUCHOWSKI

Appeal from an order of the Supreme Court, Erie County (Emilio L. Colaiacovo, J.), entered December 4, 2017. The order denied the motion of Michael Zuchowski for summary judgment dismissing plaintiffs' complaint and denied plaintiffs' cross motion for summary judgment as against defendant Michael Zuchowski, on the issue of negligence.

JOSEPH G. MAKOWSKI for JOSEPH HARTNETT Submitted

JEFFREY P. DIPALMA for MICHAEL ZUCHOWSKI Submitted

859.0  
CA 18-02084

CENTERLINE/FLEET HOUSING  
V  
HOPKINS COURT APARTMENTS, LLC

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered November 1, 2018. The order, insofar as appealed from, denied the motion of defendants Hopkins Court Apartments, LLC, Whitney Capital Company, LLC, Whitney Hopkins Associates and CRS Properties, Inc., for renewal of their motion for summary judgment.

DAVID A. DAVENPORT for HOPKINS COURT APARTMENTS, LLC 15 minutes

ERIC S. PETTIT for CENTERLINE/FLEET HOUSING 15 minutes

860.0  
CA 18-01904

MICHAEL KULIGOWSKI  
V  
ONE NIAGARA, LLC

Appeals from an order of the Supreme Court, Niagara County (Sara Sheldon, A.J.), entered October 2, 2018. The order, among other things, denied in part the motion of One Niagara, LLC seeking summary judgment and denied the cross motion of defendant R.B. U'Ren Equipment Rental, Inc. seeking summary judgment.

**MAUREEN G. FATCHERIC for ONE NIAGARA, LLC** **10 minutes**

**LISA L. GOLLIHUE for R.B. U'REN EQUIPMENT RENTAL, INC.** **15 minutes**

**MICHAEL SZCYGIEL for MICHAEL KULIGOWSKI** **15 minutes**

**861.0**  
**CA 19-00002**

**LAKEVIEW LOAN SERVICING, LLC**

**V**

**MARK EDWARD FINN**

**Appeal from an order of the Supreme Court, Wayne County (John B. Nesbitt, A.J.), entered April 2, 2018. The order, inter alia, granted the motion of plaintiff for summary judgment and appointed a referee.**

**AMARIS ELLIOTT-ENGEL for MARK EDWARD FINN** **10 minutes**

**GREGORY J. SANDA for LAKEVIEW LOAN SERVICING, LLC** **10 minutes**