

**MOTION NO. (1751/00) KA 99-05499. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V LAWRENCE A. MOORE, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: SCUDDER, P.J., FAHEY, LINDLEY, SCONIERS, AND VALENTINO, JJ. (Filed June 13, 2014.)

**MOTION NO. (1713/04) KA 02-00981. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ALVIN FULTON, JR., ALSO KNOWN AS SHAIK S., ALSO KNOWN AS SHAIKH S. ABDMUQTADIR, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: SCUDDER, P.J., CENTRA, PERADOTTO, CARNI, AND SCONIERS, JJ. (Filed June 13, 2014.)

**MOTION NO. (445/06) KA 05-00193. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RICHARD F. MILLS, DEFENDANT-APPELLANT.** -- Motion to vacate denied. PRESENT: SMITH, J.P., CENTRA, LINDLEY, AND WHALEN, JJ. (Filed June 13, 2014.)

**MOTION NO. (234/09) KA 05-02074. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V DAVID J. SINGLETON, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: FAHEY, J.P., PERADOTTO, CARNI, SCONIERS, AND WHALEN, JJ. (Filed June 13, 2014.)

**MOTION NO. (624/10) KA 08-02379. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V VARNER HARRIS, JR., DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: SCUDDER, P.J., CENTRA, CARNI, LINDLEY, AND SCONIERS, JJ. (Filed June 13, 2014.)

**MOTION NO. (1361/10) KA 09-00580. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V RICHARD J. MCKEON, JR., DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: CENTRA, J.P., CARNI, LINDLEY, SCONIERS, AND VALENTINO, JJ. (Filed June 13, 2014.)

**MOTION NO. (1416/10) KA 07-01179. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V MAURICE DELEE, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: SCUDDER, P.J., SMITH, LINDLEY, SCONIERS, AND VALENTINO, JJ. (Filed June 13, 2014.)

**MOTION NO. (1176/13) KA 11-01120. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ANTHONY GRIFFIN, DEFENDANT-APPELLANT.** -- Motion for writ of error coram nobis denied. PRESENT: SMITH, J.P., CENTRA, FAHEY, CARNI, AND WHALEN, JJ. (Filed June 13, 2014.)

**MOTION NO. (1375/13) CA 13-00784. -- TAUSHIEYA KEENE, PLAINTIFF-APPELLANT, V THE MARKETPLACE AND WILMORITE MANAGEMENT GROUP, LLC, DEFENDANTS-RESPONDENTS.** -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SCUDDER, P.J., CENTRA, CARNI, SCONIERS, AND WHALEN, JJ. (Filed June 14, 2014.)

**MOTION NO. (27/14) KA 12-01343. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ROBIN DROUIN, DEFENDANT-APPELLANT.** -- Motion for reargument denied. PRESENT: SMITH, J.P., PERADOTTO, LINDLEY, SCONIERS, AND VALENTINO, JJ. (Filed June 13, 2014.)

MOTION NO. (85/14) CA 13-00856. -- RICHARD PIOTROWSKI,  
PLAINTIFF-RESPONDENT, V MCGUIRE MANOR, INC., DEFENDANT-APPELLANT. (APPEAL  
NO. 1.) -- Motion for leave to appeal to the Court of Appeals denied (see  
*Concepcion v New York City Health & Hosps. Corp.*, 97 NY2d 674; *Maynard v  
Greenberg*, 82 NY2d 913). PRESENT: CENTRA, J.P., FAHEY, LINDLEY, SCONIERS,  
AND WHALEN, JJ. (Filed June 13, 2014.)

MOTION NO. (136/14) CA 13-00839. -- MICHAEL A. LAWLER, PLAINTIFF-APPELLANT,  
V KST HOLDINGS CORPORATION, ET AL., DEFENDANTS, AND KEVIN S. TAILLIE,  
DEFENDANT-RESPONDENT. -- Motion for reargument or leave to appeal to the  
Court of Appeals denied. PRESENT: SCUDDER, P.J., CENTRA, FAHEY, CARNI,  
AND VALENTINO, JJ. (Filed June 13, 2014.)

MOTION NO. (159/14) CA 13-01309. -- CHRISTOPHER M. BOWER,  
PLAINTIFF-RESPONDENT-APPELLANT, V CITY OF LOCKPORT, DENNIS ZABROWSKI AND  
GREGORY CHAMBERS, DEFENDANTS-APPELLANTS-RESPONDENTS. -- Motion for  
reargument or leave to appeal to the Court of Appeals denied. PRESENT:  
SMITH, J.P., FAHEY, CARNI, VALENTINO, AND WHALEN, JJ. (Filed June 13,  
2014.)

MOTION NO. (189/14) KAH 12-02327. -- THE PEOPLE OF THE STATE OF NEW YORK EX  
REL. NICHOLAS ROBLES, PETITIONER-APPELLANT, V WARDEN ORLEANS STATE PRISON,  
ET AL., RESPONDENTS-RESPONDENTS. -- Motion for leave to appeal to the Court  
of Appeals denied. PRESENT: SCUDDER, P.J., CENTRA, PERADOTTO, LINDLEY,  
AND WHALEN, JJ. (Filed June 13, 2014.)

MOTION NO. (202/14) CA 13-01558. -- IN THE MATTER OF SIERRA CLUB, PEOPLE FOR A HEALTHY ENVIRONMENT, INC., COALITION TO PROTECT NEW YORK, JOHN MARVIN, THERESA FINNERAN, MICHAEL FINNERAN, VIRGINIA HAUFF AND JEAN WOSINSKI, PETITIONERS-RESPONDENTS, V VILLAGE OF PAINTED POST, PAINTED POST DEVELOPMENT, LLC, SWEPI, LP, RESPONDENTS-APPELLANTS, AND WELLSBORO AND CORNING RAILROAD, LLC, RESPONDENT-RESPONDENT. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SCUDDER, P.J., CENTRA, PERADOTTO, LINDLEY, AND WHALEN, JJ. (Filed June 13, 2014.)

MOTION NO. (206/14) CA 13-01373. -- IN RE: EIGHTH JUDICIAL DISTRICT ASBESTOS LITIGATION. JOANN H. SUTTNER, EXECUTRIX OF THE ESTATE OF GERALD W. SUTTNER, DECEASED, PLAINTIFF-RESPONDENT, V A.W. CHESTERTON COMPANY, ET AL., DEFENDANTS, AND CRANE CO., DEFENDANT-APPELLANT. -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: SCUDDER, P.J., CENTRA, PERADOTTO, LINDLEY, AND WHALEN, JJ. (Filed June 13, 2014.)

MOTION NO. (208/14) TP 13-01474. -- IN THE MATTER OF ARRELLO BARNES, PETITIONER, V BRIAN FISCHER, COMMISSIONER, NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, RESPONDENT. -- Motion for reconsideration denied. PRESENT: SMITH, J.P., FAHEY, CARNI, SCONIERS, AND VALENTINO, JJ. (Filed June 13, 2014.)

MOTION NO. (235/14) KAH 13-00283. -- THE PEOPLE OF THE STATE OF NEW YORK EX REL. RONALD ACKRIDGE, PETITIONER-APPELLANT, V MICHAEL SHEAHAN, SUPERINTENDENT, FIVE POINTS CORRECTIONAL FACILITY AND NEW YORK STATE

**DIVISION OF PAROLE, RESPONDENTS-RESPONDENTS.** -- Motion for reargument denied. PRESENT: SCUDDER, P.J., SMITH, CARNI, LINDLEY, AND SCONIERS, JJ. (Filed June 13, 2014.)

**MOTION NO. (273/14) KA 12-00926.** -- **THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JIMMY DEAN RUSSELL, DEFENDANT-APPELLANT.** -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: SMITH, J.P., FAHEY, LINDLEY, SCONIERS, AND VALENTINO, JJ. (Filed June 13, 2014.)

**MOTION NO. (369/14) CA 13-01638.** -- **KRISTOPHER SPAIN, PLAINTIFF-APPELLANT, V VICTOR HOLL AND ROBERT M. SMITH, DEFENDANTS-RESPONDENTS.** -- Motion for reargument or leave to appeal to the Court of Appeals denied. PRESENT: CENTRA, J.P., FAHEY, LINDLEY, SCONIERS, AND WHALEN, JJ. (Filed June 13, 2014.)

**MOTION NO. (421/14) TP 13-01828.** -- **IN THE MATTER OF ARRELLO BARNES, PETITIONER, V ANTHONY ANNUCCI, ACTING COMMISSIONER, NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION, RESPONDENT.** -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: SCUDDER, P.J., CENTRA, CARNI, SCONIERS, AND WHALEN, JJ. (Filed June 13, 2014.)

**KA 09-2213.** -- **THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V STEVEN FARNSWORTH, DEFENDANT-APPELLANT.** **KA 09-02214.** -- **THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V STEVEN FARNSWORTH, DEFENDANT-APPELLANT.** -- Motion to dismiss granted. Memorandum: The matters are

remitted to Livingston County Court to vacate the convictions and dismiss the indictment and the amended statement of violation dated June 5, 2009 either sua sponte or on application of either the District Attorney or counsel for defendant (see *People v Matteson*, 75 NY2d 745). PRESENT: SCUDDER, P.J., SMITH, CENTRA, FAHEY, AND PERADOTTO, JJ. (Filed June 13, 2014.)