

MOTION NO. (524/07) KA 06-01067. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V TONY BORDEN, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: SMITH, J.P., CENTRA, LINDLEY, DEJOSEPH, AND SCUDDER, JJ. (Filed July 1, 2016.)

MOTION NO. (608/08) KA 05-01153. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V PRESTON BOYD, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., CENTRA, LINDLEY, TROUTMAN, AND SCUDDER, JJ. (Filed July 1, 2016.)

MOTION NO. (58/09) KA 07-01927. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ERIC D. CARR, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: SMITH, J.P., CENTRA, PERADOTTO, LINDLEY, AND SCUDDER, JJ. (Filed July 1, 2016.)

MOTION NO. (397/13) KA 10-01378. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V EDDIE D. ENNIS, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., SMITH, PERADOTTO, LINDLEY, AND CURRAN, JJ. (Filed July 1, 2016.)

MOTION NO. (447/14) KA 12-02292. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V PARISH M. STREETER, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: CENTRA, J.P., PERADOTTO, LINDLEY, DEJOSEPH, AND SCUDDER, JJ. (Filed July 1, 2016.)

MOTION NO. (701/14) KA 12-01916. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V SEAN BARILL, DEFENDANT-APPELLANT. -- Motion for writ of error coram nobis denied. PRESENT: WHALEN, P.J., SMITH, CARNI, LINDLEY, AND SCUDDER, JJ. (Filed July 1, 2016.)

MOTION NO. (1147/15) CA 15-00220. -- BRIAN LIPPENS, PLAINTIFF-RESPONDENT, V WINKLER BACKEREITECHNIK GMBH, WERNER & PFLEIDERER INDUSTRIELLE BACKTECHNIK GMBH, BAKERY ENGINEERING/WINKLER, INC., DEFENDANTS-APPELLANTS, WINKLER INTERNATIONAL CORPORATION, ET AL., DEFENDANTS. (APPEAL NO. 1.) -- Motion for reargument denied. PRESENT: WHALEN, P.J., SMITH, PERADOTTO, CARNI, AND DEJOSEPH, JJ. (Filed July 1, 2016.)

MOTION NO. (1148/15) CA 15-00221. -- BRIAN LIPPENS, PLAINTIFF-RESPONDENT, V WINKLER BACKEREITECHNIK GMBH, WERNER & PFLEIDERER INDUSTRIELLE BACKTECHNIK GMBH, BAKERY ENGINEERING/WINKLER, INC., DEFENDANTS-APPELLANTS, WINKLER INTERNATIONAL CORPORATION, ET AL., DEFENDANTS. (APPEAL NO. 2.) -- Motions for reargument or leave to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J., SMITH, PERADOTTO, CARNI, AND DEJOSEPH, JJ. (Filed July 1, 2016.)

MOTION NO. (349/16) CA 15-01561. -- CHRISTOPHER DANN, PLAINTIFF-RESPONDENT-APPELLANT, V AUBURN POLICE DEPARTMENT, CITY OF AUBURN, DEFENDANTS-APPELLANTS, CAYUGA COUNTY DISTRICT ATTORNEY'S OFFICE, AND COUNTY

OF CAYUGA, DEFENDANTS-RESPONDENTS. -- Motion for leave to appeal to the Court of Appeals denied. PRESENT: SMITH, J.P., DEJOSEPH, NEMOYER, TROUTMAN, AND SCUDDER, JJ. (Filed July 1, 2016.)

MOTION NO. (378/16) CA 14-01928. -- AFTERMATH RESTORATION, INC., PLAINTIFF, V NEW YORK CENTRAL MUTUAL FIRE INSURANCE COMPANY, ALBERT F. STAGER, INC., DEFENDANTS-RESPONDENTS, AND DAVID DALE, DEFENDANT-APPELLANT. -- Motion for poor person relief denied. Motion for reargument or leave to appeal to the Court of Appeals dismissed. PRESENT: CENTRA, J.P., CARNI, DEJOSEPH, CURRAN, AND SCUDDER, JJ. (Filed July 1, 2016.)

MOTION NO. (390/16) KA 14-00817. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JEFFREY D. PAUL, ALSO KNOWN AS JEFFREY D. LIPSON, DEFENDANT-APPELLANT. -- Motion for reargument denied. PRESENT: CENTRA, J.P., PERADOTTO, CARNI, CURRAN, AND TROUTMAN, JJ. (Filed July 1, 2016.)

KA 13-01528. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V ANTOINE GARNER, DEFENDANT-APPELLANT. -- Judgment unanimously affirmed. Counsel's motion to be relieved of assignment granted (*see People v Crawford*, 71 AD2d 38). (Appeal from a Judgment of the Erie County Court, Kenneth F. Case, J. - Robbery, 1st Degree). PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, DEJOSEPH, AND NEMOYER, JJ. (Filed July 1, 2016.)