



State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
P.O. Box 7288, Capitol Station  
Albany, NY 12224-0288

Robert D. Mayberger  
Clerk of the Court

(518) 471-4777  
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<http://www.nycourts.gov/ad3>

## **FEBRUARY 2018 Term Calendar**

This is a TENTATIVE calendar of argued cases only. The listing below is intended to indicate only the date and time argument has been scheduled to occur and not the sequence in which the cases will be called. An updated Session Calendar, indicating the Justices sitting for a particular session, the attorneys arguing and the time allowed for each argument, will be posted on the Appellate Division, Third Department website ([www.nycourts.gov/ad3](http://www.nycourts.gov/ad3)) one week prior to the beginning of the term. The Court's policy requires notice of any calendar changes at least 24 hours prior to argument and your failure to abide by this policy could result in the imposition of costs. Please be advised the Court's arguments are streamed live via the Court's website.

### **TUESDAY, FEBRUARY 13, 2018 1:00 P.M. SESSION**

524321 U.S. BANK NATIONAL ASSN. v HARRINGTON  
108177 PEOPLE v MICHAEL CUBERO  
525097 MATTER OF THE HEIGHTS OF LANSING DEV. v VILLAGE OF LANSING  
108575 PEOPLE v JOHN J. THOMPSON  
523797 MATTER OF LORETTA RR. v MARYANN SS.  
524887 HSBC BANK USA v GUARDIAN PRESERVATION  
107571 PEOPLE v MAURICE MILLER

### **WEDNESDAY, FEBRUARY 14, 2018 1:00 P.M. SESSION**

524732 PALMATIER v MR. HEATER CORP.  
524617 MATTER OF CATSKILL HERITAGE ALLIANCE v NEW YORK STATE DEPT. OF ENVTL. CONSERVATION  
525548 STEPHENSON v ALLSTATE INDEMNITY CO.  
107743 PEOPLE v EDWARD A. ALEXANDER  
524680 GIANNUZZI v KEARNEY  
108327 PEOPLE v RASHEEN J. ROBINSON  
525373 MATTER OF THE ESTATE SMITH  
525136 SMERO v CITY OF SARATOGA SPRINGS



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**THURSDAY, FEBRUARY 15, 2018**  
**1:00 P.M. SESSION**

524951 MATTER OF WALTER O. COWAN  
108356 PEOPLE v OCTAVIA HALL  
524648 MATTER OF COUNTY OF BROOME  
524930 McCORMACK v MALONEY  
525452 HURLEY v CITY OF GLENS FALLS  
107727 PEOPLE v NAHKIEM FIELDS  
525197 SCHONBRUN v DELUKE  
107847 PEOPLE v NASEIR SIMMONS  
107915 PEOPLE v RAYMOND L. JACKSON

**FRIDAY, FEBRUARY 16, 2018**  
**9:30 A.M. SESSION**

524169 GORDON-MEDLEY v MEDLEY  
525214/ SCOTT v THAYER  
525505  
106134/ PEOPLE v ANTHONY LALONDE  
108982  
525419 GAUTREAU v GOLDBERG  
523682 MATTER OF DAWN M.  
525388 MATTER OF BOVEE v TOWN OF HADLEY PLANNING BD.  
108106/ PEOPLE v KEVIN WARREN  
108110  
525163 MEYER v ZUCKER



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**TUESDAY, FEBRUARY 20, 2018**  
**1:00 P.M. SESSION**

109240 PEOPLE v GILBERTO A. NUNEZ  
109282 PEOPLE v GILBERTO A. NUNEZ  
109283 PEOPLE v GILBERTO A. NUNEZ  
524613 TOWN OF UNION v TIME WARNER  
524374 MATTER OF NATHANAEL E.  
525376 FIRMENT v DICK'S SPORTING GOODS  
525442 MATTER OF THE ESTATE OF ROBERT J. WILKINS  
524242 PEOPLE OF THE STATE OF NEW YORK v THE COLLEGE NETWORK

**WEDNESDAY, FEBRUARY 21, 2018**  
**1:00 P.M. SESSION**

525007 BILES v WHISHER  
524722 MATTER OF GARTNER v NEW YORK STATE ATTORNEY GENERAL'S OFF.  
525490 PERKINS v COUNTY OF TOMPKINS  
107932 PEOPLE v ARTHUR W. ELLIS JR.  
523352 MATTER OF WENDY KK. v JENNIFER KK.  
107418 PEOPLE v COLIN M. CHIN  
525519 MATTER OF KIRKVIEW ASSOCS. v AMROCK  
524548 MATTER OF HEATHER U. v JANICE V.



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**THURSDAY, FEBRUARY 22, 2018**  
**1:00 P.M. SESSION**

- 525165 MATTER OF ADIRONDACK WILD v NEW YORK STATE ADIRONDACK PARK AGENCY
- 525034 SUPERHOST HOTELS v SELECTIVE INS. CO. OF AM.
- 525322 NORMANSKILL CREEK v TOWN OF BETHLEHEM
- 523153 MATTER OF KRISTINA S.
- 108107 PEOPLE v JAHRELL FRIDAY
- 107887 PEOPLE v RONNIE PETTUS
- 525226 HALSTEAD v FOURNIA
- 524689 SCHWENGBER v HULTENIUS
- 525385 MATTER OF WELLNER v JABLONKA

**FRIDAY, FEBRUARY 23, 2018**  
**9:30 A.M. SESSION**

- 525150 DRISCOLL v STATE OF NEW YORK
- 108160 PEOPLE v ROGERS JACKSON
- 525298 BLANCHARD v CHAMBERS
- 525387 PHILLIPS v TOWN OF GLENVILLE
- 108263 PEOPLE v JOHN YOUNG
- 525443 MATTER OF ALLA CAPITAL DEV. CORP. v THE NEW YORK STATE LIQ. AUTH.
- 525371 ABDELRAHMAN v EL MAHDI
- 525393 DILORENZO v JUAN ORTOO HOLDINGS
- 523476 MATTER OF DONALD G. v HOPE H.