

State of New York
Supreme Court, Appellate Division
Third Judicial Department
518-471-4777

SESSION CALENDAR FOR WEDNESDAY, FEBRUARY 22, 2023

1:00 P.M. SESSION

GA E A R E CE

BENCH POSITION: REYNOLDS FITZGERALD, J., EGAN JR., J., GARRY, P.J., AARONS, J., CERESIA, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(9)	CV-22-2123	MATTER OF HUSSAIN v LYNCH Petitioner - Chad D. Seigel, Esq. Tacopina Seigel & DeOreo (Nauman Hussain) Respondent - Angela M. Kelley, Esq. (Hon. Peter Lynch)	10 10
(8)	534230	MATTER OF COUNTY OF ALBANY v JOHNSON Appellant - Lloyd Johnson, Pro Se Respondent - Mark T. Houston, Esq. Albany County Attorney's Office (County of Albany)	SUB 10
➤(1)	535688 535689	DOLGAS v WALES Appellant-Respondent - Hugh D. Sandler, Esq. Krantz Berman LLP (Mark Dolgas) Respondent-Appellant - William S. Nolan, Esq. Whiteman Osterman & Hanna LLP (Tri-Valley Elementary School District, et al.)	10 10
(2)	534011	DAVIS v MARSHALL & STERLING, INC. Appellant-Respondent - Joseph J. Cherico, Esq. McCarter & English, LLP (Joseph A. Davis, et al.) Respondent-Appellant - Christopher B. Weldon, Esq. Kiedel, Weldon & Cunningham (Marshall & Sterling, Inc.)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(3)	534732	PELLETIER v MORGAN <i>Appellant</i> - Dirk A. Galbraith, Esq. Boughlin & Gerhart, LLP (Robert J. Morgan, et al.) <i>Respondent</i> - Edward Y. Crossmore, Esq. Crossmore Law Office (Nicole Pelletier)	10 10
(4)	535031	CHO-BODNAR v ADIRONDACK MAXILLOFACIAL SURGERY <i>Appellant</i> - Lisa M. Robinson, Esq. Goldberg Segalla (Alan D. Goldman) <i>Appellant</i> - Emily A. Phillips, Esq. O'Connor, O'Connor, Bresee & First, P.C. (Adirondack Maxillofacial Surgery, et al.) <i>Respondent</i> - Stephen J. Reh fuss, Esq. Reh fuss Law Firm, P.C. (Sun Ae Cho-Bodnar, et al.)	10 10 10
►(5)	112309	PEOPLE v DOMINIC F. SPIRITO. <i>Appellant</i> - John A. Cirando, Esq. [Assigned] (Dominic F. Spirito) <i>Respondent</i> - Cheryl A. Mancini, Esq. Tioga County District Attorney's Office (The People of the State of New York)	10 10
(6)	112883	PEOPLE v KARMELIA DEERE <i>Appellant</i> - James A. Bartosik, Esq. Albany County Public Defender's Office (Karmelia Deere) <i>Respondent</i> - Jonathan P. Catania, Esq. Albany County District Attorney's Office (The People of the State of New York)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(7)	534421	PLEASE ME v THE STATE OF NEW YORK <i>Appellant</i> - Robert J. La Reddola, Esq. Kostelanetz LLP (Please Me, LLC) <i>Respondent</i> - Frederick A. Brodie, Esq. Office of the New York State Attorney General (The State of New York)	10 10
(10)	531579	MATTER OF ALACHI I.	SUB
(11)	110284	PEOPLE v WALTER COLE	SUB
(12)	112569	PEOPLE v SHYQUAN MILLER	SUB
(13)	110282	PEOPLE v KAREEN GRAHAM	SUB
(14)	535001	MATTER OF LOYA v ANNUCCI	SUB
(15)	534921	MATTER OF WILBER v HAMISTER GROUP LLC	SUB

► #535688/535689 - Dolgas v Wales
Panel: E A R E CE

► #112309 - People v Dominic F. Spirito
Panel: E A R E CE