

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

SESSION CALENDAR FOR THURSDAY, DECEMBER 14, 2023

9:30 A.M. SESSION

E P R C E F P O

BENCH POSITION: Fisher, J., Pritzker, J., Egan Jr., J.P., Ceresia, J., Powers, 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
(6)	CV-23-0916	<b>WHEAT v TOWN OF FORESTBURGH</b> <b>Appellant-Respondent - Brendan T. Fitzpatrick, Esq.</b> Gerber Ciano Kelly Brady LLP (Town of Forestburgh)	10
		<b>Respondent-Appellant - John S. Rand, Esq.</b> Clark, Gagliardi and Miller (Len Wheat, et al.)	10
(1)	112519 113594	<b>PEOPLE v MARCUS MANSFIELD</b> <b>Appellant - Matthew C. Hug, Esq.</b> Hug Law PLLC (Marcus Mansfield)	10
		<b>Respondent - Emily A. Schultz, Esq.</b> Albany County District Attorney's Office (The People of the State of New York)	10
(2)	112614	<b>PEOPLE v DAMIEN M. KARNES</b> <b>Appellant - Melissa K. Swartz, Esq.</b> Cambareri & Brenneck (Damien M. Karnes)	10
		<b>Respondent - Kevin P. Mallery, Esq.</b>	SUB
(3)		<b>REMOVED</b>	
(4)	535445	<b>MATTER OF DYNAMIC LOGIC v TAX APPEALS TRIB.</b> <b>Petitioner - Leah S. Robinson, Esq.</b> Mayer Brown LLP (Dynamic Logic, Inc.)	10
		<b>Respondent - Frederick A. Brodie, Esq.</b> Office of the New York State Attorney General (Tax Appeals Tribunal)	10
(5)		<b>REMOVED</b>	

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Calendar No.	Case No.	Title	Time Allocated
(7)	CV-22-1874	<b>U.S. BANK TRUST, N.A. v GREER</b> <b>Appellant - Joseph A. Chang, Esq.</b> Alsaïdi Chang & Hamdan, LLC (Paul L. Greer, et al.) <b>Respondent - Christina A. Livorsi, Esq.</b> Day Pitney LLP (U.S. Bank Trust, N.A.)	10  10
▶(8)	534880	<b>MORRISSEY v MORRISSEY</b> <b>Appellant - Joseph R. Williams, Esq.</b> Copps DiPaola Silvermna PLLC (Tammy Morrissey) <b>Respondent - Barrett D. Mack, Esq.</b> Mack & Associates, PLLC (Dean Morrissey)	10  10
(9)	535199	<b>MATTER OF CLEMENTE</b> <b>Appellant - Linda A. Mandel Clemente, Esq.</b> Mandel Clemente, P.C. (Paul Clemente) <b>Respondent - David Morgen, Esq.</b> Hinman Straub P.C. (Robert Clemente) <b>Respondent - Eric N. Dratler, Esq.</b> Tabner, Ryan & Keniry, LLP (Geri Lee Ide)	10  5  5

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Calendar No.	Case No.	Title	Time Allocated
(10)	CV-23-0636	<b>MATTER OF NYSCOPBA v DOCCS</b> <b>Appellant - Douglas E. Wagner, Esq.</b> Office of the New York State Attorney General (New York State Department of Corrections and Community Supervision) <b>Respondent - Alexander H. Wynkoop, Esq.</b> Lippes Mathias LLP (New York State Correctional Officers and Police Benevolent Association, Inc.)	10     10
(11)	112038 112445	<b>PEOPLE v KELSEY RUBADUE</b> <b>Appellant - Edward S. Graves, Esq. [Assigned]</b> (Kelsey Rubadue) <b>Respondent - Matthew L. Peabody, Esq.</b>	7  SUB
(12)	CV-23-0354	<b>BARBER v CROUT-WOODARD</b>	SUB
(13)	CR-22-2017	<b>PEOPLE v THOMAS E. JENNE</b>	SUB
(14)	535479	<b>PEOPLE v RAYSHAWN J. NORRIS (SORA)</b>	SUB
(15)	113077 113177	<b>PEOPLE v EDSON MARCELLUS</b>	SUB

► 534880 - MORRISSEY v MORRISSEY  
Panel: E PR F PO