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**STATE OF NEW YORK  
COMMISSION ON JUDICIAL NOMINATION  
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October 18, 2000

Stuart A. Summit, Counsel  
Stephen P. Younger, Assistant Counsel  
Frederick B. Warder III, Assistant Counsel

Elena Ruth Sassower, Coordinator  
Center for Judicial Accountability, Inc.  
P.O. Box 69, Gedney Station  
White Plains, New York 10605-0069

Dear Ms. Sassower:

In further response to your letter dated October 11, 2000, we have found in the Commission's files the 8 reports to the Governor listed below, and enclose herewith:

- Report dated December 1, 1984
- Report dated July 30, 1992
- Report dated February 3, 1993
- Report dated July 13, 1993
- Report dated October 13, 1993
- Report dated November 4, 1996
- Report dated November 12, 1998
- Report dated October 4, 2000

We have been unable to locate a number of older reports. Enclosed is a list of all nominees to date, showing the Chief or Associate Judge whose term had ended or was being replaced, listed by year of the nominations. This will permit a determination of which reports have not been found.

The Governor may have copies of the missing reports, should you wish to pursue it further. There was an unfortunate incident during the early years of the Commission's

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Elena Ruth Sassower, Coordinator  
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existence, by which the landlord of the offices that the Commission was renting disposed of Commission files on the mistaken assumption that the Commission had vacated the offices, apparently because the State was delinquent in rent payments.

Very truly yours,

Stuart A. Summit, Counsel



SAS/dd

Enclosures

cc: John F. O'Mara, Chair (w/o encs., via telefax)  
Stephen P. Younger, Asst. Counsel (w/o encs., via telefax)  
Frederick B. Warder III, Asst. Counsel (w/o encs., via telefax)

State of New York  
COMMISSION ON JUDICIAL NOMINATION

CANDIDATES NOMINATED FOR APPOINTMENT  
TO THE NEW YORK STATE COURT OF APPEALS

1979 TO PRESENT

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Vacancy #1

Chief Judge Charles D. Breitel (1979)

1. Harold Birns, Assoc. Justice, 1st Department
2. \*Lawrence H. Cooke, Assoc. Judge, Court of Appeals
3. Dominick Gabrielli, Assoc. Judge, Court of Appeals
4. Louis Greenblott, Assoc. Justice, 3rd Department
5. Matthew J. Jasen, Assoc. Judge, Court of Appeals
6. Bernard S. Meyer, Former Justice, Supreme Court, 10th Jud. District
7. Richard D. Simons, Assoc. Justice, 4th Department

Vacancy #2

Associate Judge Lawrence H. Cooke (1979)

1. Harold Birns, Assoc. Justice, 1st Department
2. Mary Johnson Lowe, U.S. District Judge, SDNY
3. Joseph M. McLaughlin, Dean, Fordham Law School
4. \*Bernard S. Meyer, Former Justice, Supreme Court, 10th Jud. District
5. Richard D. Simons, Assoc. Justice, 4th Department

Vacancy #3

Associate Judge Matthew Jasen (1981)

1. James H. Boomer, Justice, Supreme Court, 7th Jud. District
2. \*Matthew J. Jasen, Assoc. Judge, Court of Appeals
3. Richard D. Simons, Assoc. Justice, 4th Department

Vacancy #4

Associate Judge Dominick Gabrielli (1983)

1. Bertram R. Gelfand, Surrogate, Bronx County
2. Joseph M. McLaughlin, U.S. District Judge, EDNY
3. \*\*Richard D. Simons, Assoc. Justice, 4th Department
4. Vito J. Titone, Assoc. Justice, 2nd Department

**Vacancy #5**

**Associate Judge Jacob D. Fuchsberg (1983)**

1. Betty Weinberg Ellerin, Dep. Chief Administrative Judge
2. Bertram R. Gelfand, Surrogate, Bronx County
3. Stewart F. Hancock, Assoc. Justice, 4th Department
4. **\*\*Judith S. Kaye, Attorney in private practice**
5. Leon D. Lazer, Assoc. Justice, 2nd Department
6. Abraham D. Sofaer, U.S. District Judge, SDNY
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #6**

**Chief Judge Lawrence H. Cooke (1985)**

1. Bertram R. Gelfand, Surrogate, Bronx County
2. Neal P. McCurn, U.S. District Judge, NDNY
3. E. Leo Milonas, Assoc. Justice, 1st Department
4. Milton Mollen, Presiding Justice, 2nd Department
5. Abraham D. Sofaer, U.S. District Judge, SDNY
6. Joseph P. Sullivan, Assoc. Justice, 1st Department
7. **\*\*Sol Wachtler, Assoc. Judge, Court of Appeals**

**Vacancy #7**

**Associate Judge Hugh R. Jones (1985)**

1. **\*\*Fritz W. Alexander, II, Assoc. Justice, 1st Department**
2. Richard A. Brown, Assoc. Justice, 2nd Department
3. Bertram R. Gelfand, Surrogate, Bronx County
4. Stewart F. Hancock, Assoc. Justice, 4th Department
5. William E. Hogan, Professor, NYU School of Law
6. Leon D. Lazer, Assoc. Justice, 2nd Department
7. Howard A. Levine, Assoc. Justice, 3rd Department
8. Neal P. McCurn, U.S. District Judge, NDNY
9. Joseph M. McLaughlin, U.S. District Judge, SDNY
10. Abraham D. Sofaer, U.S. District Judge, SDNY
11. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #8**

**Associate Judge Sol Wachtler (1985)**

1. Richard A. Brown, Assoc. Justice, 2nd Department
2. William E. Hogan, Professor, NYU School of Law
3. Leon D. Lazer, Assoc. Justice, 2nd Department
4. Howard A. Levine, Assoc. Justice, 3rd Department
5. Neal P. McCurn, U.S. District Judge, NDNY
6. Joseph P. Sullivan, Assoc. Justice, 1st Department
7. **\*\*Vito J. Titone, Assoc. Justice, 2nd Department**

**Vacancy #9**

**Associate Judge Matthew J. Jasen (1986)**

1. Richard J. Bartlett, Dean, Albany Law School
2. Bertram R. Gelfand, Surrogate, Bronx County
3. Carolyn Gentile, Attorney in private practice
4. **\*\*Stewart F. Hancock, Assoc. Justice, 4th Department**
5. William E. Hogan, Professor, NYU School of Law
6. Howard A. Levine, Assoc. Justice, 3rd Department
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #10**

**Associate Judge Bernard S. Meyer (1987)**

1. **\*\*Joseph W. Bellacosa, Chief Administrative Judge**
2. Richard A. Brown, Assoc. Justice, 2nd Department
3. William E. Hogan, Professor, NYU School of Law
4. Carolyn Gentile, Attorney in private practice
5. Howard A. Levine, Assoc. Justice, 3rd Department
6. Joseph M. McLaughlin, U.S. District Judge, SDNY
7. Norman Redlich, Dean, NYU School of Law

**Vacancy #11**

**Associate Judge Fritz W. Alexander, II (1992)**

1. Carmen B. Ciparick, Justice, Supreme Court, 1st Jud. District
2. Lewis L. Douglass, Judge, Court of Claims, Supreme Court, Kings County
3. William E. Hellerstein, Professor, Brooklyn Law School, and pro bono counsel to law firm
4. Lewis A. Kaplan, Attorney in private practice
5. Howard A. Levine, Assoc. Justice, 3rd Department
6. **\*\*George Bundy Smith, Assoc. Justice, 1st Department**
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #12**

**Chief Judge Sol Wachtler (1993)**

1. William E. Hellerstein, Professor, Brooklyn Law School, and pro bono counsel to law firm
2. Lewis A. Kaplan, Attorney in private practice
3. **\*\*Judith S. Kaye, Assoc. Judge, Court of Appeals**
4. Howard A. Levine, Assoc. Justice, 3rd Department
5. E. Leo Milonas, Assoc. Justice, 1st Department
6. Richard D. Simons, Assoc. Judge, Court of Appeals
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #13**

**Associate Judge Judith S. Kaye (1993)**

1. Myriam J. Altman, Justice, Supreme Court, 1st Jud. District
2. John Carro, Assoc. Justice, 1st Department
3. Samuel L. Green, Assoc. Justice, 4th Department
4. William E. Hellerstein, Professor, Brooklyn Law School, and pro bono counsel to law firm
5. **\*\*Howard A. Levine, Assoc. Justice, 3rd Department**
6. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #14**

**Associate Judge Stewart F. Hancock, Jr. (1993)**

1. Myriam J. Altman, Justice, Supreme Court, 1st Jud. District
2. **\*\*Carmen B. Ciparick, Justice, Supreme Court, 1st Jud. District**
3. Samuel L. Green, Assoc. Justice, 4th Department
4. William E. Hellerstein, Professor, Brooklyn Law School, and pro bono counsel to law firm
5. Sylvia A. Law, Professor, NYU School of Law
6. Albert M. Rosenblatt, Assoc. Justice, 2nd Department
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #15**

**Associate Judge Richard D. Simons (1997)**

1. Myriam J. Altman, Justice, Appellate Division, 2nd Department
2. Samuel L. Green, Assoc. Justice, 4th Department
3. Albert M. Rosenblatt, Assoc. Justice, 2nd Department
4. Guy Miller Struve, Esq., Partner, Davis Polk & Wardwell
5. Joseph P. Sullivan, Assoc. Justice, 1st Department
- \*\*\* 6. Richard C. Wesley, Justice, Appellate Division, 4th Department**
7. G. Robert Witmer, Jr., Esq., Partner, Nixon, Hargrave, Devans & Doyle LLP

**Vacancy #16**

**Associate Judge Vito J. Titone (1998)**

1. Richard T. Andrias, Assoc. Justice, 1st Department
2. George B. Daniels, Justice, Supreme Court, NY County
3. Michael J. Hutter, Jr., Prof. of Law, Albany Law School of Union University
- \*\*\* 4. Albert M. Rosenblatt, Assoc. Justice, 2nd Department**
5. Guy Miller Struve, Esq., Partner, Davis Polk & Wardwell
6. Joseph P. Sullivan, Assoc. Justice, 1st Department
7. James A. Yates, Justice, Supreme Court, NY County

**Vacancy #17**

**Associate Judge Joseph W. Bellacosa (2000)**

1. Richard T. Andrias, Assoc. Justice, 1st Department
2. Stephen G. Crane, Justice, Supreme Court, NY County
3. Steven W. Fisher, Justice, Supreme Court, NY County
- \*\*\* 4. Victoria A. Graffeo, Additional Justice, Appellate Division, 3rd Department
5. James C. Moore, Partner, Harter, Secrest & Emery LLP in Rochester
6. Juanita Bing Newton, Judge, Court of Claims and Deputy Chief Admin. Judge, NY County
7. Susan P. Read, Presiding Judge, New York State Court of Claims

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- \* Appointed by Governor Hugh L. Carey
  - \*\* Appointed by Governor Mario M. Cuomo
  - \*\*\* Appointed by Governor George Pataki