

# CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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April 29, 2025

TO: New York State Commission on Judicial Conduct

FROM: Elena Sassower, Director  
Center for Judicial Accountability, Inc. (CJA)

RE: File Nos. 2024/A-0576-0585: Request for Substantiation/Clarification of Clerk Zahner's April 1, 2025 Letter – & for Reconsideration & Referral to the Albany County District Attorney: CJA's November 9, 2024 conflict-of-interest/corruption complaint vs Appellate Division, Third Dept. Presiding Justice Garry & Nine Associate Justices for corrupting the appellate process in *CJA v. JCOPE, et al.* ([CV-23-0115](#)) to financially benefit themselves and protect and insulate from accountability corrupt executive and legislative respondents with whom they have relationships and dependencies.

By an [April 1, 2025 letter](#), Commission Clerk Celia Zahner purported that the Commission had “reviewed” [CJA's November 9, 2025 complaint](#) and asked her to advise me that it had dismissed it because:

“Upon careful consideration, the Commission concluded that there was insufficient indication of judicial misconduct to justify judicial discipline.”

Please substantiate/clarify Clerk Zahner's letter by furnishing:

- (1) the date on which the Commission purportedly “reviewed” and “dismissed” the November 9, 2025 complaint;
- (2) the number of Commissioners who were present and voted on the complaint, their identities, and whether any of the judge-members of the Commission recused themselves;
- (3) the meaning of the phrase “insufficient indication of judicial misconduct to justify judicial discipline”, including confirmation that dismissal on such ground is without the Commission's investigating the complaint;
- (4) the legal authority that permits the Commission to dismiss, without investigation, a complaint for “insufficient indication of judicial misconduct to justify judicial discipline”;

- (5) the specific respects in which the Commissioners deemed the November 9, 2025 complaint to be “insufficient” in its “indication of judicial misconduct”;
- (6) any and all appeal/review/reconsideration procedures.

Additionally, pursuant to the [Commission’s Policy Manual](#), §2.12 “Reconsideration of Matters Pursuant to Judiciary Law §§44(1), (2), (3)” and §2.10 “Referrals to District Attorneys”, please deem this letter a request for both, inasmuch as the supposed “insufficient indication of judicial misconduct” are “criminal acts”, violating, *inter alia*:

[Penal Law §195](#) (“official misconduct”);  
[Penal Law §496](#) (“corrupting the government”) – part of the “Public Trust Act”;  
[Penal Law §195.20](#) (“defrauding the government”);  
[Penal Law §175.35](#) (“offering a false instrument for filing in the first degree”);  
[Penal Law §155.42](#) (“grand larceny in the first degree”);  
[Penal Law §190.65](#) (“scheme to defraud in the first degree”);  
[Penal Law §20.00](#) (“criminal liability for conduct of another”),

and so-identified at page 2 of the “[legal autopsy](#)”/analysis of the Appellate Division’s June 20, 2024 [Memorandum and Order](#), on which the complaint rests, with a further round of “criminal acts” committed by the [Appellate Division’s October 10, 2024 “Decision and Order on Motion”](#), devoid of decision, facts, and law, on which the complaint also rests.

Thank you.

s/ Elena Sassower