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DISTRICT ATTORNEY  
OF THE  
COUNTY OF NEW YORK  
ONE HOGAN PLACE  
NEW YORK, N.Y. 10013  
(212) 388-9000



ROBERT M. MORGENTHAU  
DISTRICT ATTORNEY

February 7, 1996

Ms. Elena Sassower  
Center for Judicial Accountability, Inc.  
Box 69, Gedney Station  
White Plains, New York 10605

Dear Ms. Sassower:

I am in receipt of your letter to this Office dated January 31 regarding the complaint that you previously made to us in connection to the Article 78 proceeding entitled Doris L. Sassower v. Commission on Judicial Conduct of the State of New York, Index # 95-109141 (Supreme Court of the State of New York, IAS Part 49). As you may recall, you and I discussed your complaint at some length in a telephone conversation on May 26, 1995, a few days after you initially brought the matter to our attention. In substance, you alleged criminal misconduct on the part of the Commission and sought our Office's intervention in the Article 78 proceeding on the basis of your belief that the Commission was failing to fulfill its statutory mandate.

It remains our view that the information contained in your complaint is insufficient to warrant or support a criminal prosecution of the Commission on Judicial Conduct and its members.

Regarding our decision not to intervene in the Article 78 proceeding, I refer you to the Affirmation that we filed in IAS Part 49 on June 23, 1995. I understand from your subsequent correspondence that Justice Cahn dismissed the Article 78 petition on July 13, 1995. You may wish to explore an appeal of that decision. I also note from your recent letter that you have brought your concerns regarding both the Commission's failure to comply with its statutory mandate and the specific issues raised in the Article 78 proceeding to the attention of the Assembly Judiciary Committee, which oversees the Commission.

When you initially contacted us, we informed you that we would carefully review any allegations of criminal conduct by members of

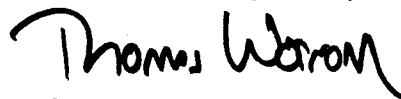
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the judiciary. I assure you that we will continue to do so.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas Wornom". The signature is written in a cursive style with a large initial "T" and a long, sweeping underline.

Thomas A. Wornom  
Assistant District Attorney  
Deputy Chief, Special Prosecutions Bureau