

ORIGINAL

JAS
In Part _____ of the Supreme Court
of the State of New York, held in and
for the County of New York, on the
_____ day of July, 2011

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
In the Matter of the Application of
The Honorable Lee L. Holzman,

Index No. *108251/2011*

**ORDER TO SHOW
CAUSE**

Petitioner,

-against-

The Commission on Judicial Conduct,

**Oral Argument is
Requested**

Respondent.

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules

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UPON, the annexed *verified Petition* ~~affirmation~~ of David Godosky, Esq., dated July 18, 2011, and the
proceedings had herein:

Let the Respondent, The Commission on Judicial Conduct *or counsel appear and* Show Cause at ~~the~~ Part _____
of the Supreme Court, New York County, located at 60 Centre Street, New York, New York, on
the ___ day of _____ 2011, at 9:30 o'clock in the forenoon of that day, or as soon as
thereafter the matter may be heard why an Order should not be entered granting Petitioner's
application:

1. Pursuant to Article 78, directing the State Commission on Judicial Conduct to Dismiss the Complaint filed against Petitioner, without prejudice to re-file upon the conclusion of a related criminal trial or, in the alternative, directing a stay of the disciplinary proceedings against Petitioner pending the conclusion of a related criminal trial;

. } That pending the hearing and ~~determination~~ of this application, the Respondent,

The Commission on Judicial Conduct be enjoined from proceeding with the prosecution of the Petitioner;

J.S.C.

3. That the papers in this matter be sealed pursuant to §216.1 of the Uniform Rules for New York State Trial Courts and Judiciary Law §44(4).

4. For such other, further and different relief as this Court may seem just, proper and equitable; and furthermore

B
J.S.C.

relaxation
Pending the hearing of this motion, the Clerk of the Court is directed to restrict the court file to everyone except the parties, their attorneys and court personnel.

This is a special proceeding for a Writ of Mandamus and/or a Writ of Prohibition.

LET service of a copy of the Order, the Petition and Supporting documents upon which it

is granted by personal service, upon the

Commission On Judicial Conduct at 61 Broadway, New York, NY, and Eric Schneiderman, The Attorney General at 120 Broadway, New York, NY, *and the clerk of the court, N.Y. County* on or before July, 2011 be

deemed good and sufficient service. *Case is submitted as of Aug 12.*

Oral Argument Directed

JSC

[Signature]
declined
B

ENTER

BARBARA JAFFE
J.S.C.

J.S.C.

7/29/11

BARBARA JAFFE
J.S.C.