

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding
Pursuant to Section 44, subdivision 4,
of the Judiciary Law in Relation to

JAMES E. BROOKS,

a Justice of the Moriah Town Court,
Essex County.

DECISION
AND
ORDER

THE COMMISSION:

Lawrence S. Goldman, Esq., Chair
Alan J. Pope, Esq., Vice Chair
Stephen R. Coffey, Esq.
Colleen C. DiPirro
Richard D. Emery, Esq.
Raoul Lionel Felder, Esq.
Christina Hernandez, M.S.W.
Honorable Thomas A. Klonick
Honorable Daniel F. Luciano
Honorable Karen K. Peters
Honorable Terry Jane Ruderman

APPEARANCES:

Robert H. Tembeckjian (Kathryn J. Blake, Of Counsel) for the Commission

Brennan & White LLP (by Joseph R. Brennan) for Respondent

The matter having come before the Commission on December 1, 2005; and
the Commission having before it the Superseding Formal Written Complaint dated

February 1, 2005, respondent's Verified Answer dated February 22, 2005, the Supplemental Formal Written Complaint dated May 6, 2005, respondent's Verified Answer dated June 10, 2005, and the Stipulation dated October 19, 2005; and the Commission, by order dated June 24, 2005, having designated Paul A. Feigenbaum, Esq., as referee to hear and report proposed findings of fact and conclusions of law; and a hearing been scheduled to commence in October 2005; and respondent having resigned from judicial office by letter dated October 3, 2005, effective December 31, 2005, and having affirmed that he will neither seek nor accept judicial office at any time in the future; and respondent having waived confidentiality as provided by Judiciary Law §45 to the limited extent that the Stipulation will be made public if accepted by the Commission; now, therefore, it is

DETERMINED, on the Commission's own motion, that the pending proceeding be discontinued and the case closed pursuant to the terms of the Stipulation; and it is

SO ORDERED.

Dated: December 6, 2005


Lawrence S. Goldman, Esq.
Chair
New York State
Commission on Judicial Conduct