

STATE OF NEW YORK  
COMMISSION ON JUDICIAL CONDUCT

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In the Matter of the Proceeding  
Pursuant to Section 44, subdivisions 1 and 2,  
of the Judiciary Law in Relation to

**ROBERT CICALE,**

**STIPULATION**

a Judge of the District Court,  
Suffolk County.

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THE FOLLOWING IS HEREBY STIPULATED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Robert Cicale and his attorney, Vincent J. Messina, of Sinnreich Kosakoff & Messina, LLP.

1. Robert Cicale has been a Judge of the District Court, Suffolk County, since 2016. His current term expires on December 31, 2020.
2. Judge Cicale was apprised by the Commission on February 14, 2020, that it would commence a removal proceeding against him because he had not resigned or otherwise vacated his judicial office after pleading guilty to a felony on November 15, 2019.
3. On March 12, 2020, the Commission authorized a Formal Written Complaint against Judge Cicale, arising from his guilty plea on November 15, 2019, to Attempted Burglary in the Second Degree in violation of Penal Law §§ 110 and 140.25.

4. On March 17, 2020, the Commission received a copy of Judge Cicale's resignation letter dated March 16, 2020, a copy of which is annexed as Exhibit 1. Judge Cicale affirms that he vacated judicial office as of March 16, 2020.

5. Pursuant to Section 47 of the Judiciary Law, the Commission has 120 days from a judge's resignation to complete proceedings and, if it so determines, render and file a determination that the judge should be removed from office.

6. Judge Cicale affirms that, having vacated his judicial office, he will neither seek nor accept judicial office at any time in the future.

7. Judge Cicale understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the present proceedings before the Commission would be revived, and the matter would proceed to a hearing before a referee.

8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

9. Judge Cicale waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (1) this Stipulation will become public upon being signed by the signatories below, and (2) the Commission's Decision and Order regarding this Stipulation will become public.

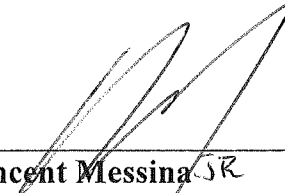
Dated: 3/31/20



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**Honorable Robert Cicale**

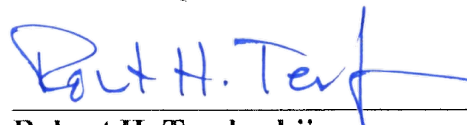
Dated: 3/31/20



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**Vincent Messina** JR  
Sinnreich Kosakoff & Messina, LLP  
Attorney for Robert Cicale

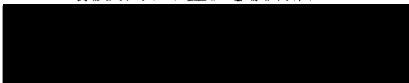
Dated: March 31, 2020



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**Robert H. Tembeckjian**  
Administrator and Counsel to the Commission  
(Mark Levine and Brenda Correa, Of Counsel)

Robert L. Cicale



March 16, 2020

Hon. Lawrence K. Marks  
Chief Administrative Judge of the Courts of New York State  
NYS Unified Court System - NYC Office  
Office of Court Administration  
25 Beaver Street - Rm. 852  
New York, New York 10004

Dear Judge Marks:

Please be advised that I hereby resign from my office as Suffolk County District Court Judge, 5<sup>th</sup> District, effective immediately.

Very truly yours,

A handwritten signature in black ink, appearing to be 'R. Cicale', written over a faint circular stamp.

Robert L. Cicale

**EXHIBIT 1**