

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Investigation of Complaints
Pursuant to Section 44, subdivision 1 and 2,
of the Judiciary Law in Relation to

DAVID P. DANIELS,

STIPULATION

A Justice of the Guilford Town Court,
Chenango County.

THE FOLLOWING IS HEREBY STIPULATED AND AGREED by and between
Robert H. Tembeckjian, Administrator and Counsel to the Commission, and the
Honorable David P. Daniels:

1. David P. Daniels has been a Justice of the Guilford Town Court, Chenango County, since 1995. His current term expires on December 31, 2017. He is not an attorney.
2. Judge Daniels was apprised by the Commission in August 2015 that it was investigating a complaint filed by its Administrator pursuant to Section 44(2) of the Judiciary Law, alleging that in various traffic cases and eviction proceedings, Judge Daniels exhibited impatience and intemperance toward participants, made comments suggesting that he had prejudged the cases, failed to make proper audio recordings of court proceedings as required, engaged in unauthorized *ex parte* communications and, in one case involving his former attorney, presided without disclosing the relationship to the parties.

3. Judge Daniels tendered his resignation as Guilford Town Justice by letter dated October 21, 2015. A copy of his resignation letter is annexed as Exhibit 1.

4. Judge Daniels affirms that, upon vacating his judicial office, he will neither seek nor accept judicial office at any time in the future.

5. Judge Daniels understands that, should he seek to withdraw from this Stipulation at any time, or rescind his letter of resignation, or remain in office beyond October 31, 2015, or otherwise abrogate the terms of this Stipulation, the Commission's investigation of the complaint will be revived.

6. Pursuant to Section 47 of the Judiciary Law, the Commission has 120 days from the date of a judge's resignation to complete proceedings, and if the Commission determines that the judge should be removed from office, file a determination with the Court of Appeals.

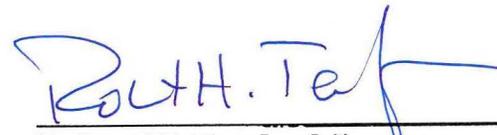
7. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

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

Dated: 11-19-15


Honorable David P. Daniels

Dated: 11-24-15


Robert H. Tembeckjian
Administrator and Counsel to the Commission
(Thea Hoeth, Of Counsel)

October 21, 2015

David Daniels
416 Whites Hill Road
Guilford, New York 13780

George Seneck, Supervisor
Guilford Town Board
223 Marble Road
Guilford, New York 13780

Dear Board Members:

I herewith tender my resignation as Guilford Town Justice.

It has been a pleasure to serve the people of Guilford for these many years. I have appreciated the assistance and many courtesies extended to me by the Board. As I enter my retirement phase, I am certain we will meet again.

Thank you.

Sincerely,

David Daniels

David Daniels

cc: Office of Court Administration

