

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

RICHARD T. DI STEFANO,

a Justice of the Colonie Town Court,
Albany County.

DECISION
AND
ORDER

BEFORE:

Lawrence S. Goldman, Esq., Chair
Alan J. Pope, Esq., Vice Chair
Colleen C. DiPirro
Richard D. Emery, Esq.
Raoul Lionel Felder, Esq.
Christina Hernandez, M.S.W.
Honorable Thomas A. Klonick
Honorable Terry Jane Ruderman

APPEARANCES:

Robert H. Tembeckjian (Cathleen S. Cenci, Of Counsel) for the
Commission

E. Stewart Jones, Jr., for the Respondent

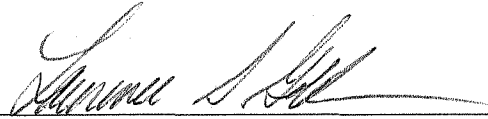
The matter having come before the Commission on November 10, 2005;
and the Commission having before it the Formal Written Complaint dated August 12,
2005, and the Stipulation dated October 17, 2005; and respondent having resigned as

Colonie Town Justice on August 17, 2005, having acknowledged that he cannot successfully defend the pending charge, 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 approved by the Commission; now, therefore, it is

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

SO ORDERED.

Dated: November 16, 2005



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