

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

DAVID J. EVANS,

a Justice of the Norwich Town Court,
Chenango County.

DECISION
AND
ORDER

THE COMMISSION:

Honorable Thomas A. Klonick, Chair
Stephen R. Coffey, Esq., Vice Chair
Honorable Rolando T. Acosta
Joseph W. Belluck, Esq.
Joel Cohen, Esq.
Richard D. Emery, Esq.
Paul B. Harding, Esq.
Elizabeth B. Hubbard
Nina M. Moore
Honorable Karen K. Peters
Honorable Terry Jane Ruderman

APPEARANCES:

Robert H. Tembeckjian (Charles F. Farcher, Of Counsel) for the
Commission

David E. Sonn for the Respondent

The matter having come before the Commission on January 26, 2011; and
the Commission having before it the Formal Written Complaint dated February 11, 2010,

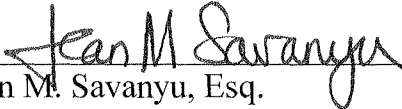
the Answer dated April 7, 2010, and the Stipulation dated January 19, 2011, with appended exhibits; and the Commission, by order dated April 29, 2010, having designated Honorable Frank J. Barbaro as referee to hear and report proposed findings of fact and conclusions of law, a hearing having been held in Albany on July 19, 2010, and the referee having filed a report dated December 13, 2010; and respondent having resigned from judicial office by letter dated January 19, 2011, effective April 1, 2011, 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 Stipulation is accepted and that the pending proceeding be discontinued and the matter closed pursuant to the terms of the Stipulation; and it is

SO ORDERED.

Ms. Moore was not present.

Dated: March 8, 2011



Jean M. Savanyu, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct