STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

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In the Matter of the Proceeding Pursuant to Section 44, subdivision 4, of the Judiciary Law, in Relation to	:	
		STIPULATION
ROBERT HAMLEY,	:	
A Justice of the Hunter Village Court, Greene County.	:	

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IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Esq., Administrator and Counsel to the Commission on Judicial Conduct ("Commission"), and Honorable Robert Hamley ("respondent"), who is represented in these proceedings by Sean Doolan, Esq., as follows:

1. This Stipulation is presented to the Commission in connection with a formal proceeding pending against respondent.

2. Respondent, who is not an attorney, is 50 years old and has served as a Justice of the Hunter Village Court since 1997. His current term of office expires in March 2005. His judicial salary is approximately $4,500 per year.

3. Respondent was served with a Formal Written Complaint, dated July 17, 2003, containing two charges.

(A) Charge I alleges *inter alia* that (i) respondent improperly assumed jurisdiction of two traffic charges, *i.e.* Speeding and Uninspected Motor Vehicle, that were before another court, against a defendant who was doing work for the Village of Hunter, (ii) made improper *ex parte* calls to the judges of the other court in an unsuccessful attempt to get the case transferred to him, (iii) had improper *ex parte* communications with the mayor of Hunter and the defendant, (iv) improperly dismissed the Speeding charge without notice to or the consent of the prosecution as required by law, over the objection of the arresting officer, notwithstanding that respondent did not have jurisdiction to dispose of the case and (v) improperly accepted the defendant's guilty plea and imposed a fine as to the Uninsured Motor Vehicle charge, notwithstanding that he did not have jurisdiction to dispose of the case.

(B) Charge II alleges that respondent made improper statements abut the victims of domestic violence, *i.e.* a statement in court to one alleged victim that all domestic cases are "dragged out" and are a "waste of the court's time," and a statement to a trooper that most women enjoy being abused and that they ask to get "smacked around."

4. Respondent submitted an Answer, in which he admitted, in part, and denied, in part, the allegations of the charges, and the Commission designated Joseph Barrette, Esq., as referee to hear and report to the Commission. The referee scheduled a hearing to be held on November 18 and 19, 2003.

5. Respondent tenders his resignation on November 17, 2003, the date of this Stipulation, effective immediately. Respondent's resignation will be submitted to the Hunter Village Clerk and the Office of Court Administration today, November 17, 2003. A copy of respondent's letter of resignation is appended to this Stipulation.

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

7. The parties to this Stipulation respectfully request that the Commission close the pending matter based on respondent's acknowledgement, by this Stipulation, that he cannot successfully defend the charges.

8. Respondent affirms that he will neither seek nor accept judicial office at any time in the future.

9. Respondent waives confidentiality as provided by Section 45 of the Judiciary Law to the limited extent that this Stipulation will be made public if approved by the Commission. All parties to this Stipulation agree that under the present circumstances, this resolution of the pending matter is in the best interest of the respondent and the public.

Dated: 11/17/03

Honorable Robert Hamley
Respondent

Dated: 11/17/03

Sean Doolan, Esq.
Attorney for Respondent

Dated: 11/17/03

Robert H. Tembeckjian, Esq.
Administrator & Counsel to the Commission
(Cathleen S. Cenci, Esq., Of Counsel)

LAW OFFICES

SEAN J. DOOLAN

ATTORNEY AT LAW

Monica M. Agosto
Certified Paralegal

Maureen M. Anshanslin
Certified Paralegal

• Service by facsimile not accepted.

November 17, 2003

Village of Hunter Board
Village Hall
Main Street
Hunter, NY 12442

Dear Board Members:

Effective immediately, for personal reasons, I am submitting my resignation as Justice of the Village Court in Hunter, NY.

Thank you. Your courtesies are appreciated.

Sincerely,

Honorable Robert J. Hamley

P.O. Box 298 • 5428 Main Street • Windham • NY 12496 • Phone 518.734.4788 • Fax 518.734.6917
Email: SJDoolan@aol.com • www.sjd4justice.com