

**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

BEVERLY J. LA CLAIR,

a Justice of the Constable Town Court,  
Franklin County.

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**DECISION  
AND  
ORDER**

THE COMMISSION:

Henry T. Berger, Esq., Chair  
Honorable Frances A. Ciardullo  
Stephen R. Coffey, Esq.  
Raoul Lionel Felder, Esq.  
Lawrence S. Goldman, Esq.  
Christina Hernandez, M.S.W.  
Honorable Daniel F. Luciano  
Mary Holt Moore  
Honorable Karen K. Peters  
Alan J. Pope, Esq.  
Honorable Terry Jane Ruderman

APPEARANCES:

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

Honorable Beverly J. LaClair, *pro se*

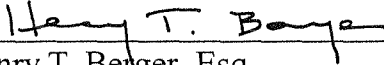
The matter having come before the Commission on September 18, 2003;  
and the Commission having before it the Superceding Formal Written Complaint dated

March 18, 2003, the undated Answer postmarked May 1, 2003, and the Stipulation dated August 26, 2003; and the Commission, by order dated May 14, 2003, having designated David M. Garber, Esq., as referee to hear and report proposed findings of fact and conclusions of law; and a hearing having commenced on August 25, 2003; and respondent having stipulated that she cannot successfully defend the charges pending against her; and respondent having resigned from judicial office effective August 26, 2003, and having affirmed that she will not seek or accept judicial office at any time in the future; and respondent having waived confidentiality as provided by Judiciary Law §45 to the extent that the Stipulation will be public if approved by the Commission; now, therefore, it is

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

SO ORDERED.

Dated: September 18, 2003

  
Henry T. Berger, Esq.  
Chair  
New York State  
Commission on Judicial Conduct