

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

ALAN L. LEBOWITZ,

a Justice of the Supreme Court, 2nd Judicial
District, Richmond County.

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
Honorable Karen K. Peters
Alan J. Pope, Esq.
Honorable Terry Jane Ruderman

APPEARANCES:

Robert H. Tembeckjian (Alan W. Friedberg, Of Counsel) for the
Commission

Jerome Karp for Respondent

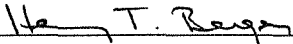
The matter having come before the Commission on October 23, 2003; and
the Commission having before it the Formal Written Complaint dated June 5, 2003,

respondent's Answer dated July 7, 2003, and the Stipulation dated October 10, 2003; and respondent, whose term of office expires on December 31, 2003, having announced that he is not seeking certification and will retire on that date; 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 case closed pursuant to the terms of the Stipulation; and it is

SO ORDERED.

Dated: October 28, 2003



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