

STATE OF NEW YORK  
COMMISSION ON JUDICIAL CONDUCT

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In the Matter of the Investigation of Complaints  
Pursuant to Section 44, subdivisions 1 and 2,  
of the Judiciary Law in Relation to

**MICHAEL RALPH MILLER,**

**STIPULATION**

a Justice of the Arcadia Town Court and  
a Justice of the Newark Village Court,  
Wayne County.

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THE FOLLOWING IS HEREBY STIPULATED by and between Robert H.  
Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct  
("Commission"), and the Honorable Michael Ralph Miller and his attorney, Robert W.  
Zimmerman, of Zimmerman and Tyo.

1. Michael Ralph Miller has been a Justice of both the Arcadia Town Court and the Newark Village Court, Wayne County, since January 1, 2010. Both terms expire on December 31, 2022. Judge Miller is an attorney.
2. On June 23, 2020, the Commission authorized an investigation of a complaint alleging that Judge Miller had been charged with criminal contempt in the first degree, a felony, and stalking in the fourth degree, a misdemeanor, for violating a stay-away order of protection held by a former girlfriend.
3. On October 23, 2020, Judge Miller pled guilty to criminal contempt in the second degree, a misdemeanor under Section 215.50(3) of the Penal Law, in satisfaction of the first-degree contempt and fourth-degree stalking charges. On March 5, 2021, he

was sentenced to three years' probation. The sentence included a five-year, no-contact, final order of protection for the victim, a waiver of appeal, a requirement that he attend domestic violence and mental health counseling, and a mandated payment of both the DNA Data Bank Registration Fee (\$50.00) and the mandatory surcharge/Crime Victim Assistance Fee (\$200.00).

4. Judge Miller has tendered his resignations to both judicial offices by letter dated April 1, 2021, a copy of which is annexed as Exhibit A. Judge Miller affirms that he will vacate his judicial offices as of April 16, 2021.

5. Pursuant to Section 47 of the Judiciary Law, the Commission has 120 days from a judge's resignation to complete proceedings and, if it so determines, render and file a determination that the judge should be removed from office.

6. Judge Miller affirms that, having vacated his judicial offices, he will neither seek nor accept judicial office at any time in the future.

7. Judge Miller understands that, should he abrogate the terms of this Stipulation and hold any judicial position at any time in the future, the Commission's investigation of the complaint would be revived, he would be served with a Formal Written Complaint on authorization of the Commission, and the matter would proceed to a hearing before a referee.

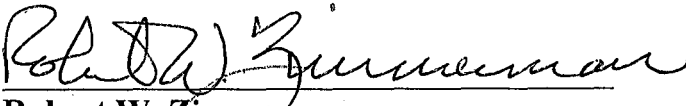
8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

9. Judge Miller waives confidentiality as provided by Section 45 of the Judiciary Law, to the extent that (1) this Stipulation will become public upon being signed by the signatories below, and (2) the Commission's Decision and Order regarding this Stipulation will become public.


Dated: 3/31/21

  
Honorable Michael Ralph Miller

Dated: 3/31/2021

  
Robert W. Zimmerman  
Zimmerman and Tyo  
Attorney for Judge Miller

Dated: April 5, 2021

  
Robert H. Tembeckjian  
Administrator and Counsel to the Commission  
(John J. Postel and M. Kathleen Martin, Of  
Counsel)

# EXHIBIT A

April <sup>1</sup>7, 2021

Jonathan Taylor  
Mayor, Village of Newark  
Village of Newark Office  
100 East Miller Street  
Newark, New York 14513

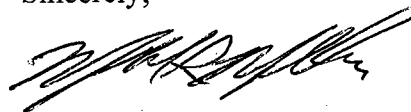
Jon "Chuck" Verkey  
Town Supervisor, Arcadia  
Arcadia Town Office  
100 East Miller Street  
Newark, New York 14513

Dear Mayor Taylor and Supervisor Verkey:

I am writing to inform you that I am resigning from the positions of Newark Village Justice and Arcadia Town Justice effective Friday, April 16, 2021.

It has been my privilege to serve as Justice in your respective jurisdictions. Thank you for the opportunity to serve my community.

Sincerely,



Hon. Michael R. Miller

cc: (2)  
Hon. Lawrence K. Marks  
Chief Administrative Judge  
New York State Unified Court System  
25 Beaver Street  
New York, New York 10004

Hon. Craig J. Doran  
Administrative Judge  
Seventh Judicial District  
Hall of Justice  
99 Exchange Boulevard  
Rochester, New York 14614