

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

**MICHELLE R. MILLER,**

**STIPULATION**

A Justice of the Leon Town Court,  
Cattaraugus County.

---

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Esq., Administrator and Counsel to the Commission, and the Honorable Michelle R. Miller ("respondent"), as follows.

1. Respondent has served as a Justice of the Leon Town Court, Cattaraugus County, since January 2007. She is not an attorney. Her current term of office expires on December 31, 2012 .
2. Respondent was served by the Commission with a Formal Written Complaint dated April 30, 2012, containing five charges, which alleged *inter alia* that:
  - A. From in or about January 2011 through in or about August 2011, respondent failed to make timely reports to the State Comptroller with regard to the collection of fines and penalties, and failed to remit fines and penalties to the State Comptroller and the Town of Leon in a timely manner, contrary to the requirements of Section 1803 of the Vehicle and Traffic Law, Section 27(1) of the town Law and Section 99-a of the Finance Law;
  - B. Since May 19, 2008, respondent has failed to notify the Commissioner of Motor Vehicles, pursuant to Section 514(3) of the Vehicle and Traffic Law, to order the suspension of the drivers' licenses of certain defendants who failed to answer charges pending against them;

- C. Since 2008, respondent has failed to notify the Commission of Motor Vehicles, pursuant to Section 514(3) of the Vehicle and Traffic Law, to order the suspension of the drivers' licenses of certain defendants who failed to pay fines and surcharges imposed by the court;
  - D. Since September 26, 2011, respondent has failed to deposit into the court account within 72 hours of receipt, as required by Section 214.9 of the Uniform Rules for the Justice Courts, a \$175 money order paid by a defendant in connection with his Speeding conviction; and,
  - E. Respondent failed to cooperate with the Commission's investigation of the matters set forth in Charges I through IV of the Formal Written Complaint, in that she failed to respond to two letters of inquiry from the Commission staff and failed to appear on two scheduled occasions to give testimony. The Formal Written Complaint is appended hereto as Exhibit 1.
3. Respondent has not filed a verified Answer in response to the Formal Written Complaint.
4. There is no evidence that respondent converted any court funds for her or anyone else's personal use.
5. Respondent tendered her resignation from judicial office effective June 19, 2012. A copy of respondent's resignation letter is appended hereto as Exhibit 2.
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. Respondent affirms that she will neither seek nor accept judicial office in the future.

8. Respondent understands that, should she abrogate the terms of this Stipulation and hold any judicial position at any time, the present proceedings before the Commission will be revived and the matter will proceed to a hearing before a referee.

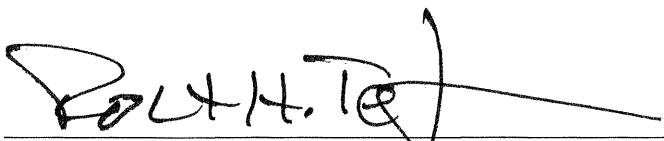
9. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

10. Respondent 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: July 3, 2012

  
**Honorable Michelle R. Miller**  
Respondent

Dated: July 6, 2012

  
**Robert H. Tembeckjian, Esq.**  
Administrator & Counsel to the Commission  
(John J. Postel, Of Counsel)

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

**MICHELLE R. MILLER,**

a Justice of the Leon Town Court,  
Cattaraugus County.

---

**NOTICE OF FORMAL  
WRITTEN COMPLAINT**

NOTICE is hereby given to respondent, Michelle R. Miller, a Justice of the Leon Town Court, Cattaraugus County, pursuant to Section 44, subdivision 4, of the Judiciary Law, that the State Commission on Judicial Conduct has determined that cause exists to serve upon respondent the annexed Formal Written Complaint; and that, in accordance with said statute, respondent is requested within twenty (20) days of the service of the annexed Formal Written Complaint upon her to serve the Commission at its Rochester office, 400 Andrews Street, Suite 700, Rochester, New York 14604, with her verified Answer to the specific paragraphs of the Complaint.

Dated: April 30, 2012  
New York, New York

**ROBERT H. TEMBECKJIAN**  
Administrator and Counsel  
State Commission on Judicial Conduct  
61 Broadway, Suite 1200  
New York, New York 10006  
(646) 386-4800

To: Honorable Michelle R. Miller  
Leon Town Justice  
Leon Town Court  
Town Hall  
P.O. Box 17  
Leon, New York 14751-0017

**EXHIBIT 1**

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

**MICHELLE R. MILLER,**

a Justice of the Leon Town Court,  
Cattaraugus County.

---

**FORMAL  
WRITTEN COMPLAINT**

1. Article 6, Section 22, of the Constitution of the State of New York establishes a Commission on Judicial Conduct ("Commission"), and Section 44, subdivision 4, of the Judiciary Law empowers the Commission to direct that a Formal Written Complaint be drawn and served upon a judge.
2. The Commission has directed that a Formal Written Complaint be drawn and served upon Michelle R. Miller ("respondent"), a Justice of the Leon Town Court, Cattaraugus County.
3. The factual allegations set forth in Charges I through V state acts of judicial misconduct by respondent in violation of the Rules of the Chief Administrator of the Courts Governing Judicial Conduct ("Rules").
4. Respondent is not an attorney. She has been a Justice of the Leon Town Court, Cattaraugus County, since November 7, 2007. Respondent's current term expires December 31, 2012.

## **CHARGE I**

5. From in or about January 2011 through in or about August 2011, respondent failed to make timely reports to the State Comptroller with regard to the collection of fines and penalties, and failed to remit fines and penalties to the State Comptroller and the Town of Leon in a timely manner, contrary to the requirements of Section 1803 of the Vehicle and Traffic Law, Section 27(1) of the Town Law and Section 99-a of the Finance Law.

### **Specifications to Charge I**

6. From in or about January 2011 through in or about August 2011, as set forth on the annexed Schedule A, respondent failed to report the collection of fines and penalties in a timely fashion to the State Comptroller, as required by Section 1803 of the Vehicle and Traffic Law and Section 27(1) of the Town Law.

7. From in or about January 2011 through in or about August 2011, as set forth on the annexed Schedule B, respondent failed to remit to the State Comptroller or the Chief Fiscal Officer of the Town of Leon, within ten days of the month succeeding their collection, fines and penalties totaling \$1,215, as required by Section 1803 of the Vehicle and Traffic Law, Section 27(1) of the Town Law and Section 99-a of the State Finance Law.

8. Respondent's failure to timely report and remit any funds for the months of April, May and June 2011, resulted in the State Comptroller's office giving notice to the Town of Leon, by letter dated August 12, 2011, that respondent's judicial salary should be withheld. A copy of the letter is annexed as Exhibit 1.

9. By reason of the foregoing, respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to perform the duties of judicial office impartially and diligently, in that she failed to be faithful to the law and maintain professional competence in it, in violation of Section 100.3(B)(1) of the Rules, and failed to diligently discharge her administrative responsibilities and maintain professional competence in judicial administration, in violation of Section 100.3(C)(1) of the Rules.

## **CHARGE II**

10. From on or about May 19, 2008, to the present, respondent failed to notify the Commissioner of Motor Vehicles, pursuant to Section 514(3) of the Vehicle and Traffic Law, to order the suspension of the drivers' licenses of certain defendants who failed to answer charges pending against them.

### **Specifications to Charge II**

11. On or about April 22, 2008, Dana Conklin was charged with Uninspected Motor Vehicle in a simplified traffic information returnable in the Leon

Town Court on May 19, 2008. She failed to appear on the return date or any subsequent date to answer the charge.

12. On or about March 16, 2011, Dana Conklin was charged with No Seatbelt for a Passenger Less than Four Years Old in a simplified traffic information returnable in the Leon Town Court on April 4, 2011. She failed to appear on the return date or any subsequent date to answer the charge.

13. On or about May 13, 2011, Aubrey Vogel was charged with Inadequate Muffler in a simplified traffic information returnable in the Leon Town Court on June 13, 2011. He failed to appear on the return date or any subsequent date to answer the charge.

14. Respondent failed to notify the Commissioner of Motor Vehicles, pursuant to Section 514(3) of the Vehicle and Traffic Law, to order the suspension of the drivers' licenses of Ms. Conklin and Mr. Vogel, pursuant to Section 514(3) of the Vehicle and Traffic Law.

15. By reason of the foregoing, respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary,



in violation of Section 100.2(A) of the Rules; and failed to perform the duties of judicial office impartially and diligently, in that she failed to be faithful to the law and maintain professional competence in it, in violation of Section 100.3(B)(1) of the Rules, and failed to diligently discharge her administrative responsibilities and maintain professional competence in judicial administration, in violation of Section 100.3(C)(1) of the Rules.

### **CHARGE III**

16. From in or about 2008 to the present, respondent has failed to notify the Commissioner of Motor Vehicles, pursuant to Section 514(3) of the Vehicle and Traffic Law, to order the suspension of the drivers' licenses of certain defendants who failed to pay fines and surcharges imposed by the court.

#### **Specifications to Charge III**

17. On or about October 28, 2007, Robin Janik was charged with Speeding. On or about November 28, 2007, Ms. Janik pled guilty in the Leon Town Court and was ordered to pay a fine of \$155. She never paid the fine.

18. On or about December 27, 2009, Jason Eganski was charged with Driving While Intoxicated and other charges. On or about March 22, 2010, the Leon Town Court accepted Mr. Eganski's guilty plea and ordered him to pay \$600 in fines and a surcharge of \$125. He failed to pay the full amount and \$365 remains outstanding.

19. On or about January 22, 2011, Hakim Nelthrope was charged with various traffic offenses. Following his guilty plea in the Leon Town Court, he was ordered to pay a fine of \$435 by August 1, 2011. He never paid the fine.

20. On or about June 23, 2011, Brianna Harvey was charged with Disobeying a Traffic Control Device. Upon her conviction in the Leon Town Court, she was ordered to pay a fine of \$125, which remains unpaid.

21. Respondent failed to notify the Commissioner of Motor Vehicles, pursuant to Section 514(3) of the Vehicle and Traffic Law, to order the suspension of the drivers' licenses of Ms. Janik, Mr. Eganski, Mr. Nelthrope and Ms. Harvey.

22. By reason of the foregoing, respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to perform the duties of judicial office impartially and diligently, in that she failed to be faithful to the law and maintain professional competence in it, in violation of Section 100.3(B)(1) of the Rules, and failed to diligently discharge her administrative responsibilities and maintain professional competence in judicial administration, in violation of Section 100.3(C)(1) of the Rules.

#### **CHARGE IV**

23. From on or about September 26, 2011, to the present, respondent has failed to deposit into the court account within 72 hours of receipt, as required by Section

214.9 of the Uniform Rules for the Justice Courts, a \$175 money order paid by Norman Austin in connection with his Speeding conviction.

24. By reason of the foregoing, respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to perform the duties of judicial office impartially and diligently, in that she failed to be faithful to the law and maintain professional competence in it, in violation of Section 100.3(B)(1) of the Rules, and failed to diligently discharge her administrative responsibilities and maintain professional competence in judicial administration, in violation of Section 100.3(C)(1) of the Rules.

#### **CHARGE V**

25. Respondent failed to cooperate with the Commission's investigation of the matters set forth in Charges I through IV above, in that she failed to respond to two letters of inquiry from the Commission staff and failed to appear on two scheduled occasions to give testimony.

**Specifications to Charge V**

26. By letter dated August 22, 2011, a copy of which is annexed as Exhibit 2, the Commission informed respondent of the allegations that she failed to file reports and remit funds, enclosed a copy of the Comptroller's letter dated August 12, 2011, advising the town to stop paying her salary (Exhibit 1). The Commission's letter also requested respondent's response to the allegations. Respondent failed to respond to the Commission's letter.

27. By letter dated September 26, 2011, a copy of which is annexed as Exhibit 3, the Commission sent to respondent a copy of its letter dated August 22, 2011, and the enclosures therewith, and again requested respondent's response to the allegations. Respondent failed to respond to the Commission's letter.

28. By letter dated January 20, 2012, a copy of which is annexed as Exhibit 4, the Commission gave notice to respondent pursuant to Judiciary Law Section 44(3) to appear for testimony with respect to the matters herein on February 16, 2012, at the Commission's Rochester office. On or about February 15, 2012, in a telephone call to the Commission's Rochester office, respondent advised the Commission that she would not be present. Respondent was advised by a Commission attorney that she was required to appear and would be notified of a new appearance date.

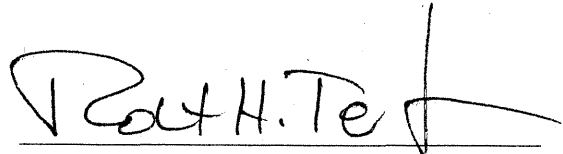
29. By letter dated February 21, 2012, a copy of which is annexed as Exhibit 5, the Commission gave notice to respondent pursuant to Judiciary Law Section 44(3) to appear for testimony with respect to the matters herein on March 7, 2012, at the

Commission's Rochester office. Respondent failed to appear on March 7, 2012, or on any other date. Respondent offered no explanation for her failure to appear.

30. By reason of the foregoing, respondent should be disciplined for cause, pursuant to Article 6, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act at all times in a manner that promotes public confidence in the integrity of the judiciary, in violation of Section 100.2(A) of the Rules; and failed to perform the duties of judicial office impartially and diligently, in that she failed to give her judicial duties precedence over all her other activities, in violation of Section 100.3(A) of the Rules, and failed to be faithful to the law and maintain professional competence in it, in violation of Section 100.3(B)(1) of the Rules.

**WHEREFORE**, by reason of the foregoing, the Commission should take whatever further action it deems appropriate in accordance with its powers under the Constitution and the Judiciary Law of the State of New York.

Dated: April 30, 2012  
New York, New York

A handwritten signature in black ink, appearing to read "Robert H. Tembeckjian", written over a horizontal line.

**ROBERT H. TEMBECKJIAN**  
Administrator and Counsel  
State Commission on Judicial Conduct  
61 Broadway  
Suite 1200  
New York, New York 10006  
(646) 386-4800

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

**VERIFICATION**

**MICHELLE R. MILLER,**

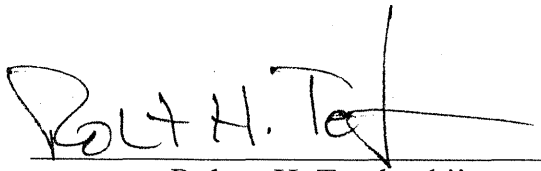
a Justice of the Leon Town Court,  
Cattaraugus County.

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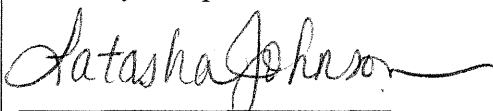
STATE OF NEW YORK            )  
  : ss.:  
COUNTY OF NEW YORK        )

ROBERT H. TEMBECKJIAN, being duly sworn, deposes and says:

1. I am the Administrator of the State Commission on Judicial Conduct.
2. I have read the foregoing Formal Written Complaint and, upon information and belief, all matters stated therein are true.
3. The basis for said information and belief is the files and records of the State Commission on Judicial Conduct.

  
Robert H. Tembeckjian

Sworn to before me this  
30<sup>th</sup> day of April, 2012

  
Notary Public

**LATASHA Y. JOHNSON**  
Notary Public, State of New York  
No. 01JO6235579  
Qualified in New York County  
Commission Expires February 14, 2015

**Honorable Michelle R. Miller  
Leon Town Court Justice  
Cattaraugus County**

**Schedule A**

<b>Month/Year of Report</b>	<b>Date Received by Audit &amp; Control</b>	<b>Number of Days Late</b>
January 2011	03/14/11	32
February 2011	03/29/11	19
March 2011	04/04/11	0
April 2011	08/29/11	111
May 2011	08/29/11	80
June 2011	08/29/11	50
July 2011	09/19/11	40
August 2011	09/19/11	9



**Honorable Michelle R. Miller  
Leon Town Court Justice  
Cattaraugus County**

**Schedule B**

	<b>Case</b>	<b>Fine/Surcharge Amount</b>	<b>Disposition Date</b>	<b>Date Reported</b>	<b>Days Late</b>
1	Stacey Redeye	\$160.00	06/13/11	08/29/11	50
2	Kyle Samuelson	\$225.00	04/04/11	08/29/11	111
3	Lindsey Brown	\$135.00	06/06/11	08/29/11	50
4	Keith Weilacher	\$120.00	05/23/11	08/29/11	80
5	Taylor Meacham	\$175.00	07/11/11	09/19/11	40
6	Taylor Meacham	\$0.00	07/11/11	09/19/11	40
7	Joshua Steward	\$135.00	07/11/11	09/19/11	40
8	Brian Dustin	\$265.00	07/25/11	09/19/11	40
9	Brian Dustin	\$0.00	07/25/11	09/19/11	40
10	Brian Dustin	\$0.00	02/25/11	09/19/11	193



THOMAS P. DINAPOLI  
COMPTROLLER

STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER  
110 STATE STREET  
ALBANY, NEW YORK 12236

STEVEN J. HANCOX  
DEPUTY COMPTROLLER  
DIVISION OF LOCAL GOVERNMENT  
AND SCHOOL ACCOUNTABILITY  
Tel: (518) 474-4037 Fax: (518) 486-6479

August 12, 2011

Richard Moffit  
Supervisor  
Town of Leon  
12195 Leon New Albion Rd Town  
Conewango Valley NY 14719

Re: Justice ID # 0434580576M  
Honorable Michelle R. Miller

Dear Supervisor Moffit

This is official notification that the above referenced justice has not properly reported to the State Comptroller for the following month(s):

April 2011 May 2011 June 2011

Pursuant to section 27 of the Town Law and Section 4-410 of the Village Law, every town and village justice must file a report monthly with the State Comptroller. The report, certification, or remittance if any, is due by the tenth of the month following the report month (e.g. the April report by the tenth of May). A report must be sent to us even if it is to indicate that no activity occurred in that month. In the event that a justice fails to properly account for any moneys received by such justice, the chief fiscal officer will be notified. Upon receipt of such notice from the State Comptroller, it shall be unlawful for the town or village to make any further payment of compensation to such justice until receipt of a notice from the Comptroller that a proper accounting has been made.

No further compensation should be made to this justice until further notice from this office. Please sign the attached copy of this notification and return it to:

Office of the State Comptroller  
Justice Court Fund  
110 State Street  
Albany, NY 12236

Sincerely,

*Sue Motter*  
Sue Motter  
Manager  
Justice Court Fund

cc: Honorable Michelle R. Miller  
Buffalo Regional Office, Office of the State Comptroller  
Diane Schilling, Office of Court Administration  
Honorable William M Boller, 8th Judicial District  
Chief Council, Commission on Judicial Conduct

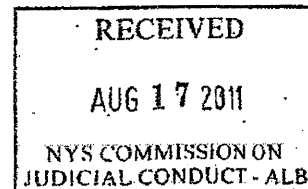


EXHIBIT 1



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

HON. THOMAS A. KLONICK, CHAIR  
HON. TERRY JANE RUDERMAN, VICE CHAIR  
HON. ROLANDO T. ACOSTA  
JOSEPH W. BELLUCK  
JOEL COHEN  
RICHARD D. EMERY  
PAUL B. HARDING  
NINA M. MOORE  
HON. KAREN K. PETERS  
RICHARD A. STOLOFF  
MEMBERS  
JEAN M. SAVANYU, CLERK

400 ANDREWS STREET  
ROCHESTER, NEW YORK 14604  
585-784-4141 585-232-7834  
TELEPHONE FACSIMILE  
www.cjc.ny.gov

ROBERT H. TEMBECKJIAN  
ADMINISTRATOR & COUNSEL  
JOHN J. POSTEL  
DEPUTY ADMINISTRATOR  
M. KATHLEEN MARTIN  
DAVID M. DUGUAY  
SENIOR ATTORNEYS  
STEPHANIE A. FIX  
STAFF ATTORNEY

**CONFIDENTIAL**

August 22, 2011

Honorable Michelle R. Miller  
Leon Town Justice  
Leon Town Court  
Town Hall  
P.O. Box 17  
Leon, New York 14751-0017

Re: File No. 2011/R-0286

Dear Judge Miller:

The State Commission on Judicial Conduct is conducting an initial review and inquiry of allegations that you failed to file reports or remit funds to the Office of the State Comptroller in the time required by law, for the months of April 2011, May 2011, and June 2011, and that your salary was stopped on August 12, 2011. A copy of the stop-salary notice is enclosed.

In connection with this matter, the Commission requests that you respond to the following questions, in writing, within two weeks of your receipt of this letter. The Commission requests that you personally respond to each question, even if you have already submitted your overdue reports.

1. Did you fail to file reports to the State Comptroller in the time required by Section 27 of the Town Law, as indicated in the attached stop-salary notice? If so, please state why you failed to file the reports as required.

EXHIBIT 2

Honorable Michelle R. Miller

Page Two

August 22, 2011

2. Did you dispose of cases during the period of April 2011, May 2011, and June, 2011? If so, please provide the Commission with a list of completed cases which you failed to report to the State Comptroller and a statement as to the amount of money collected for each case.

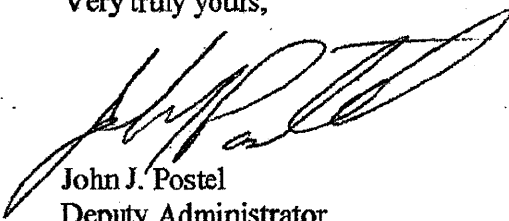
3. During the above period, did you receive fines or other funds that must be remitted to the State Comptroller? If so, please provide the Commission with a copy of your cashbook for the months of April 2011, May 2011, and June 2011, and with copies of receipts and deposit slips or bank statements indicating when the above funds were received, and when the funds were deposited into your court account.

Please number each answer to correspond to the question you are answering. Feel free to include any information that you may believe is relevant.

For your information, I am enclosing a copy of the Commission's Operating Procedures and Rules.

Thank you for your attention to this matter.

Very truly yours,



John J. Postel  
Deputy Administrator

JJP:lp  
Enclosures

CERTIFIED MAIL #14911978  
RETURN RECEIPT REQUESTED



THOMAS P. DINAPOLI  
COMPTROLLER

STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER  
110 STATE STREET  
ALBANY, NEW YORK 12236

STEVEN J. HANCOX  
DEPUTY COMPTROLLER  
DIVISION OF LOCAL GOVERNMENT  
AND SCHOOL ACCOUNTABILITY  
Tel: (518) 474-4037 Fax: (518) 486-6479

August 12, 2011

Richard Moffit  
Supervisor  
Town of Leon  
12195 Leon New Albion Rd Town  
Conewango Valley NY 14719

Re: Justice ID # 0434580576M  
Honorable Michelle R. Miller

Dear Supervisor Moffit

This is official notification that the above referenced justice has not properly reported to the State Comptroller for the following month(s):

April 2011 May 2011 June 2011

Pursuant to section 27 of the Town Law and Section 4-410 of the Village Law, every town and village justice must file a report monthly with the State Comptroller. The report, certification, or remittance if any, is due by the tenth of the month following the report month (e.g. the April report by the tenth of May). A report must be sent to us even if it is to indicate that no activity occurred in that month. In the event that a justice fails to properly account for any moneys received by such justice, the chief fiscal officer will be notified. Upon receipt of such notice from the State Comptroller, it shall be unlawful for the town or village to make any further payment of compensation to such justice until receipt of a notice from the Comptroller that a proper accounting has been made.

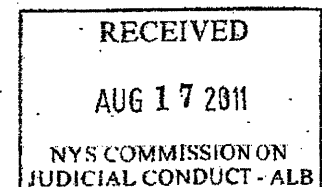
No further compensation should be made to this justice until further notice from this office. Please sign the attached copy of this notification and return it to:

Office of the State Comptroller  
Justice Court Fund  
110 State Street  
Albany, NY 12236

Sincerely,

*Sue Motter*  
Sue Motter  
Manager  
Justice Court Fund

cc: Honorable Michelle R. Miller  
Buffalo Regional Office, Office of the State Comptroller  
Diane Schilling, Office of Court Administration  
Honorable William M Boller, 8th Judicial District  
Chief Council, Commission on Judicial Conduct



## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Hon. Michelle R. Miller  
Leon Town Justice  
Leon Town Court  
PO Box 17  
Leon, NY 14751-0017

## 2. Article Number

(Transfer from service label)

#1491 1978

PS Form 3811, February 2004

Domestic Return Receipt

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

x *Buddy + 2 Kwon* ☐ Agent ☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

9-1-11

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

## 3. Service Type

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☒ Yes

U.S. Postal Service  
CERTIFIED MAIL RECEIPT  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

## OFFICIAL USE

Postage \$ .88  
Certified Fee 2.85  
Return Receipt Fee (Endorsement Required) 2.30  
Restricted Delivery Fee (Endorsement Required)  
Total Postage & Fees \$6.03

Postmark Here

822-11

Sent To Hon. Michelle R. Miller  
Street, Apt. No., or PO Box No. PO Box 17  
City, State, ZIP+4 Leon, NY 14751-0017

PS Form 3800, August 2003

See Reverse for Instructions

7005 0500 0000 1491 1978



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

HON. THOMAS A. KLONICK, CHAIR  
HON. TERRY JANE RUDERMAN, VICE CHAIR  
HON. ROLANDO T. ACOSTA  
JOSEPH W. BELLUCK  
JOEL COHEN  
RICHARD D. EMERY  
PAUL B. HARDING  
NINA M. MOORE  
HON. KAREN K. PETERS  
RICHARD A. STOLOFF  
MEMBERS  
JEAN M. SAVANYU, CLERK

400 ANDREWS STREET  
ROCHESTER, NEW YORK 14604  
585-784-4141 585-232-7834  
TELEPHONE FACSIMILE  
www.cjc.ny.gov

ROBERT H. TEMBECKJIAN  
ADMINISTRATOR & COUNSEL  
JOHN J. POSTEL  
DEPUTY ADMINISTRATOR  
M. KATHLEEN MARTIN  
DAVID M. DUGUAY  
SENIOR ATTORNEYS  
STEPHANIE A. FIX  
STAFF ATTORNEY

**CONFIDENTIAL**

September 26, 2011

Honorable Michelle R. Miller  
Leon Town Justice  
Leon Town Court  
Town Hall  
P.O. Box 17  
Leon, New York 14751-0017

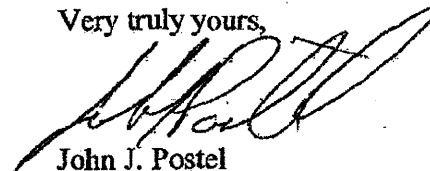
Re: File No. 2011/R-0286

Dear Judge Miller:

On August 22, 2011, the State Commission on Judicial Conduct wrote to you requesting your reply to certain matters. Enclosed is a copy of the Commission's letter.

We would appreciate a reply to the letter. Thank you for your anticipated cooperation.

Very truly yours,



John J. Postel  
Deputy Administrator

JJP:lp  
Enclosure  
CERTIFIED MAIL #14912043  
RETURN RECEIPT REQUESTED

**EXHIBIT<sup>3</sup>**



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

HON. THOMAS A. KLONICK, CHAIR  
HON. TERRY JANE RUDERMAN, VICE CHAIR  
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[www.cjc.ny.gov](http://www.cjc.ny.gov)

**CONFIDENTIAL**

August 22, 2011

ROBERT H. TEMBECKIAN  
ADMINISTRATOR & COUNSEL  
JOHN J. POSTEL  
DEPUTY ADMINISTRATOR  
M. KATHLEEN MARTIN  
DAVID M. DUGUAY  
SENIOR ATTORNEYS  
STEPHANIE A. FIX  
STAFF ATTORNEY

Honorable Michelle R. Miller  
Leon Town Justice  
Leon Town Court  
Town Hall  
P.O. Box 17  
Leon, New York 14751-0017

Re: File No. 2011/R-0286

Dear Judge Miller:

The State Commission on Judicial Conduct is conducting an initial review and inquiry of allegations that you failed to file reports or remit funds to the Office of the State Comptroller in the time required by law, for the months of April 2011, May 2011, and June 2011, and that your salary was stopped on August 12, 2011. A copy of the stop-salary notice is enclosed.

In connection with this matter, the Commission requests that you respond to the following questions, in writing, within two weeks of your receipt of this letter. The Commission requests that you personally respond to each question, even if you have already submitted your overdue reports.

1. Did you fail to file reports to the State Comptroller in the time required by Section 27 of the Town Law, as indicated in the attached stop-salary notice? If so, please state why you failed to file the reports as required.



Honorable Michelle R. Miller  
Page Two  
August 22, 2011

2. Did you dispose of cases during the period of April 2011, May 2011, and June, 2011? If so, please provide the Commission with a list of completed cases which you failed to report to the State Comptroller and a statement as to the amount of money collected for each case.

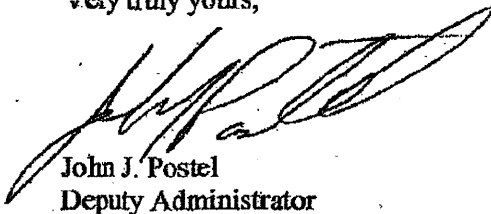
3. During the above period, did you receive fines or other funds that must be remitted to the State Comptroller? If so, please provide the Commission with a copy of your cashbook for the months of April 2011, May 2011, and June 2011, and with copies of receipts and deposit slips or bank statements indicating when the above funds were received, and when the funds were deposited into your court account.

Please number each answer to correspond to the question you are answering. Feel free to include any information that you may believe is relevant.

For your information, I am enclosing a copy of the Commission's Operating Procedures and Rules.

Thank you for your attention to this matter.

Very truly yours,



John J. Postel  
Deputy Administrator

JJP:lp  
Enclosures

CERTIFIED MAIL #14911978  
RETURN RECEIPT REQUESTED



THOMAS P. DINAPOLI  
COMPTROLLER

STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER  
110 STATE STREET  
ALBANY, NEW YORK 12236

STEVEN J. HANCOX  
DEPUTY COMPTROLLER  
DIVISION OF LOCAL GOVERNMENT  
AND SCHOOL ACCOUNTABILITY  
Tel: (518) 474-4037 Fax: (518) 486-6479

August 12, 2011

Richard Moffit  
Supervisor  
Town of Leon  
12195 Leon New Albion Rd Town  
Conewango Valley NY 14719

Re: Justice ID # 0434580576M  
Honorable Michelle R. Miller

Dear Supervisor Moffit

This is official notification that the above referenced justice has not properly reported to the State Comptroller for the following month(s):

April 2011 May 2011 June 2011

Pursuant to section 27 of the Town Law and Section 4-410 of the Village Law, every town and village justice must file a report monthly with the State Comptroller. The report, certification, or remittance if any, is due by the tenth of the month following the report month (e.g. the April report by the tenth of May). A report must be sent to us even if it is to indicate that no activity occurred in that month. In the event that a justice fails to properly account for any moneys received by such justice, the chief fiscal officer will be notified. Upon receipt of such notice from the State Comptroller, it shall be unlawful for the town or village to make any further payment of compensation to such justice until receipt of a notice from the Comptroller that a proper accounting has been made.

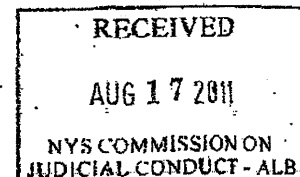
No further compensation should be made to this justice until further notice from this office. Please sign the attached copy of this notification and return it to:

Office of the State Comptroller  
Justice Court Fund  
110 State Street  
Albany, NY 12236

Sincerely,

*Sue Motter*  
Sue Motter  
Manager  
Justice Court Fund

cc: Honorable Michelle R. Miller  
Buffalo Regional Office, Office of the State Comptroller  
Diane Schilling, Office of Court Administration  
Honorable William M Boller, 8th Judicial District  
Chief Council, Commission on Judicial Conduct



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
**Hon. Michelle R. Miller**  
**Leon Town Court**  
**Town Hall**  
**PO Box 17**  
**Leon, NY 14751-0017**

2. Article Number  
 (Transfer from service label)

**#1491 2043**

PS Form 3811, February 2004

Domestic Return Receipt

©2005-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *Budget 2 Runford* ☒ Agent ☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery  
**9-28-11**

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No

**3. Service Type**

☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

**U.S. Postal Service<sup>®</sup>**  
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**OFFICIAL USE**

Postage	<b>1.44</b>
Certified Fee	<b>2.85</b>
Return Receipt Fee (Endorsement Required)	<b>2.30</b>
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	<b>\$5.59</b>

Postmark  
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**9-26-11**

Sent to **Hon Michelle R Miller**  
 Street Apt. No. or PO Box No. **PO Box 17**  
 City, State, ZIP+4<sup>®</sup> **Leon, NY 14751-0017**

PS Form 3800, August 2003

See Package for Instructions

7006 0500 0000 1491 2043



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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STEPHANIE A. FITZ  
STAFF ATTORNEY

**CONFIDENTIAL**

January 20, 2012

Honorable Michelle R. Miller  
Leon Town Justice  
Leon Town Court  
Town Hall  
P.O. Box 17  
Leon, New York 14751-0017

Re: File No. 2011/R-0286

Dear Judge Miller:

Pursuant to Article 2-A of the Judiciary Law, the Commission on Judicial Conduct is investigating allegations that you have failed to properly perform your administrative and financial duties.

Specifically, it is alleged that:

- 1) In three traffic cases, as set forth in the annexed Schedule A, you have failed to notify the Commissioner of Motor Vehicles, pursuant to Section 514(3) of the Vehicle and Traffic Law, to suspend the defendants' driver's licenses for failure to respond to their traffic tickets;
- 2) In four traffic cases, as set forth in the annexed Schedule B, you have failed to notify the Commissioner of Motor Vehicles, pursuant to Section 514(3) of the Vehicle and Traffic Law, to suspend the defendants' driver's licenses for failure to pay fines;

**EXHIBIT 4**

NEW YORK STATE COMMISSION ON JUDICIAL CONDUCT

*Honorable Michelle R. Miller*

*January 20, 2012*

*Page 2*

- 3) In seven traffic cases, as set forth in the annexed Schedule C, you have failed to take any action to schedule the matters for disposition; and,
- 4) You have failed to deposit into your court account, a \$175.00 money order received in September 2011 in connection with the fine and surcharge in *People v. Norman Austin*.

At your appearance, you will also be questioned about your failure to respond to letters from the Commission, dated August 22, 2011, and September 26, 2011 (copies are enclosed).

Enclosed are copies of the complaint and the Commission's Operating Procedures and Rules.

In connection with this investigation, the Commission requests that you appear to give testimony on Thursday, February 16, 2012, at 10:30 A.M., at the Commission's office in Rochester at 400 Andrews Street, Suite 700 (map enclosed).

Your appearance is requested in accordance with Section 44, subdivision 3, of the Judiciary Law. This is not a hearing as provided by Section 44, subdivision 4, of the Judiciary Law. Your testimony will be sworn and tape-recorded, and a copy of the transcription thereof will be provided to you at no cost. You have the right to be represented by counsel and to present material relevant to the complaint.

At your appearance, you may make opening and/or closing statements. After being questioned by Commission counsel, you may be questioned by your own lawyer, subject to further questioning by Commission counsel.

NEW YORK STATE COMMISSION ON JUDICIAL CONDUCT

*Honorable Michelle R. Miller*

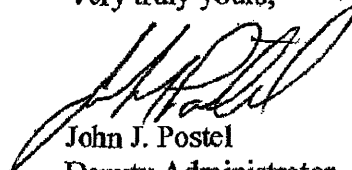
*January 20, 2012*

*Page 3*

**Please provide confirmation of your scheduled appearance by February 3, 2012, either by letter or phone call at (585) 784-4141. Please feel free to have your attorney call me with any questions.**

**Thank you for your prompt attention to this matter.**

Very truly yours,



John J. Postel  
Deputy Administrator

**Enclosures**

**Certified Mail #14912159**

**Return Receipt Requested**

**Honorable Michelle Miller  
Leon Town Court Justice  
Cattaraugus County**

**Schedule A**

**Pending Vehicle and Traffic Cases Not Scoffed For Defendants' Failure to Appear**

	<b>Defendant</b>	<b>Offense</b>	<b>Court Appearance Date</b>
1	Dana Conklin	Uninspected MV	05/19/08
2	Dana Conklin	No Seatbelt	04/04/11
3	Aubrey Vogel	Inadequate Muffler	06/13/11

**Honorable Michelle Miller  
Leon Town Court Justice  
Cattaraugus County**

**Schedule B**

**Pending Vehicle and Traffic Cases Not Scoffed for Defendants' Failure to Pay Fine**

	<b>Defendant</b>	<b>Conviction</b>	<b>Fine Notice/Fine Due</b>	<b>Total Fine and Surcharge</b>
1	Robyn Janik	Speeding	07/07/08	\$155.00
2	Jason Eganski	DWI	08/16/10	\$365.00
3	Brianna Harvey	Disobeyed Traffic Control Device	07/25/11	\$125.00
4	Hakim Nelthrope	AUO 3rd; Operating W/O Insurance	08/01/11	\$435.00
				<b>\$1,080.00</b>



**Honorable Michelle Miller  
Leon Town Court Justice  
Cattaraugus County**

**Schedule C**

**Pending Vehicle and Traffic Cases Lacking Action**

	<b>Defendant</b>	<b>Offense</b>	<b>Date of Offense</b>	<b>Last Indicated Date</b>
1	Gayla Smith	Disobeyed Traffic Control Device	09/30/08	03/26/09
2	Melissa Shea	Operating MV-Cell Phone	09/28/10	01/03/11
3	Lashanna James	No Distinctive Plate	11/03/10	12/13/10
4	John Warner	Speeding	11/13/10	12/08/10
5	Raynalyn Card	Failed to Stop at Stop Sign	11/20/10	12/08/10
6	Melinda McBride	Speeding	05/14/11	06/04/11
7	Moses Miller	Speeding	06/27/11	07/25/11



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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ROCHESTER, NEW YORK 14604

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TELEPHONE FACSIMILE  
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**CONFIDENTIAL**

August 22, 2011

ROBERT H. TEMBECKIAN  
ADMINISTRATOR & COUNSEL

JOHN J. POSTEL  
DEPUTY ADMINISTRATOR

M. KATHLEEN MARTIN  
DAVID M. DUGUAY  
SENIOR ATTORNEYS

STEPHANIE A. FIX  
STAFF ATTORNEY

Honorable Michelle R. Miller  
Leon Town Justice  
Leon Town Court  
Town Hall  
P.O. Box 17  
Leon, New York 14751-0017

Re: File No. 2011/R-0286

Dear Judge Miller:

The State Commission on Judicial Conduct is conducting an initial review and inquiry of allegations that you failed to file reports or remit funds to the Office of the State Comptroller in the time required by law, for the months of April 2011, May 2011, and June 2011, and that your salary was stopped on August 12, 2011. A copy of the stop-salary notice is enclosed.

In connection with this matter, the Commission requests that you respond to the following questions, in writing, within two weeks of your receipt of this letter. The Commission requests that you personally respond to each question, even if you have already submitted your overdue reports.

1. Did you fail to file reports to the State Comptroller in the time required by Section 27 of the Town Law, as indicated in the attached stop-salary notice? If so, please state why you failed to file the reports as required.

Honorable Michelle R. Miller

Page Two

August 22, 2011

2. Did you dispose of cases during the period of April 2011, May 2011, and June, 2011? If so, please provide the Commission with a list of completed cases which you failed to report to the State Comptroller and a statement as to the amount of money collected for each case.

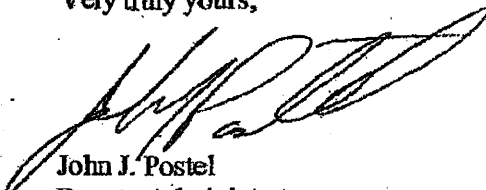
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Please number each answer to correspond to the question you are answering. Feel free to include any information that you may believe is relevant.

For your information, I am enclosing a copy of the Commission's Operating Procedures and Rules.

Thank you for your attention to this matter.

Very truly yours,



John J. Postel  
Deputy Administrator

JJP:lp  
Enclosures

CERTIFIED MAIL #14911978  
RETURN RECEIPT REQUESTED



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

HON. THOMAS A. KLONICK, CHAIR  
HON. TERRY JANE RUDERMAN, VICE CHAIR  
HON. ROLANDO T. ACOSTA  
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DAVID M. DUGUAY  
SENIOR ATTORNEYS

STEPHANIE A. FIX  
STAFF ATTORNEY

**CONFIDENTIAL**

September 26, 2011

Honorable Michelle R. Miller  
Leon Town Justice  
Leon Town Court  
Town Hall  
P.O. Box 17  
Leon, New York 14751-0017

Re: File No. 2011/R-0286

Dear Judge Miller:

On August 22, 2011, the State Commission on Judicial Conduct wrote to you requesting your reply to certain matters. Enclosed is a copy of the Commission's letter.

We would appreciate a reply to the letter. Thank you for your anticipated cooperation.

Very truly yours,

John J. Postel  
Deputy Administrator

JJP:lp  
Enclosure  
CERTIFIED MAIL #14912043  
RETURN RECEIPT REQUESTED



THOMAS P. DINAPOLI  
COMPTROLLER

STATE OF NEW YORK  
OFFICE OF THE STATE COMPTROLLER  
110 STATE STREET  
ALBANY, NEW YORK 12236

STEVEN J. HANCOX  
DEPUTY COMPTROLLER  
DIVISION OF LOCAL GOVERNMENT  
AND SCHOOL ACCOUNTABILITY  
Tel: (518) 474-4037 Fax: (518) 486-6479

August 12, 2011

Richard Moffit  
Supervisor  
Town of Leon  
12195 Leon New Albion Rd Town  
Conewango Valley NY 14719

Re: Justice ID # 0434580576M  
Honorable Michelle R. Miller

Dear Supervisor Moffit

This is official notification that the above referenced justice has not properly reported to the State Comptroller for the following month(s):

April 2011 May 2011 June 2011

Pursuant to section 27 of the Town Law and Section 4-410 of the Village Law, every town and village justice must file a report monthly with the State Comptroller. The report, certification, or remittance if any, is due by the tenth of the month following the report month (e.g. the April report by the tenth of May). A report must be sent to us even if it is to indicate that no activity occurred in that month. In the event that a justice fails to properly account for any moneys received by such justice, the chief fiscal officer will be notified. Upon receipt of such notice from the State Comptroller, it shall be unlawful for the town or village to make any further payment of compensation to such justice until receipt of a notice from the Comptroller that a proper accounting has been made.

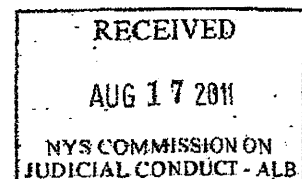
No further compensation should be made to this justice until further notice from this office. Please sign the attached copy of this notification and return it to:

Office of the State Comptroller  
Justice Court Fund  
110 State Street  
Albany, NY 12236

Sincerely,

*Sue Motler*  
Sue Motler  
Manager  
Justice Court Fund

cc: Honorable Michelle R. Miller  
Buffalo Regional Office, Office of the State Comptroller  
Diane Schilling, Office of Court Administration  
Honorable William M Boller, 8th Judicial District  
Chief Council, Commission on Judicial Conduct



## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

Hon. Michelle R. Miller  
Leon Town Court  
PO Box 17  
Leon, NY 14751-0017

## 2. Article Number

(Transfer from service label)

#1491 2159

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

\*Budget Alusghedi

☐ Agent☐ Addressee

## B. Received by (Printed Name)

## C. Date of Delivery

1-26-12

## D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

## 3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service

## CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

## OFFICIAL USE

Postage

\$ 1.88

Certified Fee

2.80

Return Receipt Fee

(Endorsement Required)

2.30

Restricted Delivery Fee

(Endorsement Required)

Total Postage &amp; Fees

\$ 6.03

Postmark  
Here1-20-12  
RP

Sent To

Hon Michelle R Miller

Street, Apt. No.,  
or PO Box No.

PO Box 17

City, State, ZIP+4

LEON, NY 14751-0017

PS Form 3800, August 2006

See Reverse for Instructions

6572 0500 0000 1491 2159



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

HON. THOMAS A. KLONICK, CHAIR  
HON. TERRY JANE RUDERMAN, VICE CHAIR  
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DAVID M. DUGUAY  
SENIOR ATTORNEYS  
STEPHANIE A. FIX  
STAFF ATTORNEY

**CONFIDENTIAL**

February 21, 2012


Honorable Michelle R. Miller  
Leon Town Justice  
Leon Town Court  
Town Hall  
P.O. Box 17  
Leon, New York 14751-0017

Re: File No. 2011/R-0286

Dear Judge Miller:

Please be advised that your appearance to give testimony has been re-scheduled for Wednesday, March 7, 2012, at 10:30 A.M.

Very truly yours,

  
John J. Postel  
Deputy Administrator

JJP:lp

Certified Mail # 14912173  
Return Receipt Requested

EXHIBIT 5

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
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## 1. Article Addressed to:

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Leon Town Justice  
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PO Box 17  
Leon, NY 14751-0017

## 2. Article Number

(Transfer from service label)

#1491 2173

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-1

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature

x *Bridget Ruskowski*☐ Agent☐ Addressee

## B. Received by (Printed Name)

Bridget Ruskowski

## C. Date of Delivery

2-23-12

## D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

## 3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

U.S. Postal Service

## CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

## OFFICIAL USE

Postage

\$ .45

Certified Fee

2.95

Return Receipt Fee  
(Endorsement Required)

2.35

Restricted Delivery Fee  
(Endorsement Required)

Total Postage &amp; Fees

\$5.75

Postmark  
Here2-21-12  
RP

Sent To

Hon Michelle R Miller

Street, Apt. No.,  
or PO Box No.

PO Box 17

City, State, ZIP+4

Leon, NY 14751-0017

PS Form 3800, August 2005

See Reverse for Instructions

7008 0500 0000 1491 2173



received  
6-12-12

June 11, 2012

Town of Leon  
Attn: Town Board  
12195 Leon Road  
Conewango Valley, New York 14726

Re: Town Justice Resignation

Dear Town Board:

Due to a new job opportunity I will no longer be Town Justice effective June 19, 2012. I strongly recommend Ashley E. Milliman, Esq. be appointed to fulfill my term. She is willing and is well-qualified to be the town justice. I have informed my supervising judge. Please accept this as my formal resignation as stated above.

Thank you.

Very truly,

*Michelle R Miller*

Michelle R. Miller  
MRM/mrm

cc M. William Boller, Supervising Justice

**EXHIBIT 2**