

STATE OF NEW YORK
COMMISSION ON JUDICIAL CONDUCT

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

GARY M. POOLE,

STIPULATION

a Justice of the Rose Town Court,
Wayne County.

THE FOLLOWING IS HEREBY STIPULATED by and between Robert H.
Tembeckjian, Administrator and Counsel to the Commission, and the Honorable Gary M.
Poole.

1. Gary M. Poole has been a Justice of the Rose Town Court, Wayne County, since 1993. His current term expires on December 31, 2017. Judge Poole is not an attorney.
2. Judge Poole was apprised by the Commission in January 2017 that it was investigating complaints alleging that he engaged in repeated, undignified and discourteous conduct, for nine months or more, toward a woman with whom he had been involved romantically. Among other things, Judge Poole allegedly yelled demeaning and derogatory things about her and her new boyfriend in public, spuriously threatened her with prosecution, demanded the return of certain personal property he had given her and threatened to encourage her ex-husband to commence a custody battle over her children if she did not return such property.

3. Judge Poole has committed in writing to vacate judicial office as of July 1, 2017 (Exhibit A).

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

5. Judge Poole affirms that, after vacating his judicial office, he will neither seek nor accept judicial office at any time in the future.

6. Judge Poole 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 Complaints would be revived, he could be served with a Formal Written Complaint on authorization of the Commission, and the matter could proceed to a hearing before a referee.

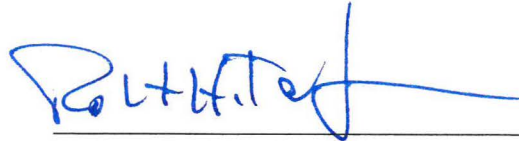
7. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation that the matter be concluded, by the terms of this Stipulation, without further proceedings.

8. Judge Poole 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: 2 June 2017


Honorable Gary M. Poole

Dated: June 6, 2017



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

Rose Town Court

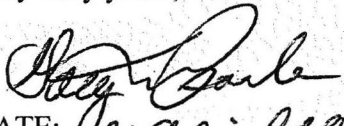
Honorable Gary
Poole

5074 North Main St.
P.O. Box 310
North Rose, NY 14516
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Fax (315) 587-2845

To Whom It May Concern:

Please accept this letter as my resignation, effective July 1st, 2017, from my position as Town Justice for the Town of Rose. I have been on the bench in excess of 20 years and now at the age of 70 when coupled with all the additional paperwork and requirements of the job of Town Justice, I think it is time to move on and enjoy my retirement.

Very truly yours,


DATE; *21 April 2017*
Gary Poole

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