

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

MARIAN R. SHELTON,

a Judge of the New York City Family Court,
Bronx County.

**NOTICE OF FORMAL
WRITTEN COMPLAINT**

NOTICE is hereby given to respondent, Marian R. Shelton, a Judge of the New York City Family Court, Bronx 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 New York office, 61 Broadway, New York, New York 10006, with her verified Answer to the specific paragraphs of the Complaint.

Dated: June 1, 2007
New York, New York

ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway
New York, New York 10006
(212) 809-0566

To: Dean G. Yuzek, Esq.
Ingram Yuzek Gainen Carroll & Bertolotti
250 Park Avenue
New York, New York 10177

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In the Matter of the Proceeding
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a Judge of the New York City Family Court,
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**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 Marian R. Shelton (“respondent”), a Judge of the New York City Family Court, Bronx County.

3. The factual allegations set forth in Charges I – XIII state acts of judicial misconduct by respondent in violation of the Rules of the Chief Administrator of the Courts Governing Judicial Conduct (“Rules”), the Rules of the Appellate Division, First Department and the Judiciary Law.

4. Respondent was admitted to the practice of law in New York in 1985 and has been a Judge of the New York City Family Court, Bronx County, since July 1, 1998.

CHARGE I

5. On or about Friday, December 10, 2004, respondent ordered Michelle Nusser handcuffed, placed in a holding cell and detained until the following Monday, without abiding by any lawful contempt procedure and without cause.

Specifications to Charge I

6. Michelle Nusser is the wife of Ben Nusser, who is the Intake Clerk in respondent's court.

7. On or about December 10, 2004, Ms. Nusser entered the spectator section of respondent's courtroom at approximately 6:30 PM.

8. At approximately 6:45 PM, after the last litigant had left and respondent was at the bench signing various papers, Ms. Nusser stood up and motioned to her husband, whereupon respondent screamed at her to leave the courtroom.

9. Ms. Nusser turned to leave, and while departing allegedly said the word "asshole."

10. Respondent thereafter ordered a court officer to return Ms. Nusser to the courtroom. When Ms. Nusser was brought back into the courtroom, respondent stated that Ms. Nusser was in summary contempt, had her handcuffed, told her to "shut up," "shut your mouth" and "be quiet" and directed that she be placed in a holding cell and returned to court on Monday morning.

11. After spending several minutes in a holding cell and indicating she would apologize if given the opportunity, Ms. Nusser was brought back to court, where

respondent told her "You will never enter my courtroom again for any reason." Ms. Nusser apologized and respondent purged the contempt.

12. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to be faithful to the law, in violation of Section 100.3(B)(1) of the Rules, and failed to be patient, dignified and courteous to litigants, lawyers and others with whom the judge deals in an official capacity, in violation of Section 100.3(B)(3) of the Rules; and failed to provide the accused with a reasonable opportunity to make a statement in her defense or in extenuation of her conduct, in violation of Section 604.2(a)(3) of the Rules of the Appellate Division, First Department, failed to warn and admonish the accused prior to adjudicating her in contempt, in violation of Section 604.2(c) of the Rules of the Appellate Division, First Department, failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of

the Appellate Division, First Department, and failed to properly exercise the summary contempt power, in violation of Section 604.2 of the Rules of the Appellate Division, First Department and Section 755 of the Judiciary Law.

CHARGE II

13. On or about October 20, 2005, while presiding over *Matter of Russina McDuffie*, respondent engaged in the following conduct.

- A. Respondent told Ms. McDuffie to “shut up.”
- B. Respondent said, “You’d better be sorry” when Ms. McDuffie apologized.
- C. Respondent said to Ms. McDuffie, “Your presentation here indicates to me, ma’am, that you are dysfunctional. It indicates to me that you don’t operate in the world, okay? You don’t have a home or a job. You don’t have an education. The way you speak indicates to me you have some emotional or mental disability.”

14. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation

of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to litigants appearing in court, in violation of Section 100.3(B)(3) of the Rules, and failed to perform judicial duties without bias or prejudice against another person, in that, by words or conduct, she manifested bias or prejudice in violation of Section 100.3(B)(4) of the Rules; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE III

15. On or about October 20, 2005, while presiding over *Matter of Patricia Howard*, respondent engaged in the following conduct.

A. Respondent yelled “[s]hut up” to Ms. MacFarlane, the law guardian in the case, when Ms. MacFarlane raised an objection.

B. When Ms. MacFarlane apologized, respondent stated, “How dare you. Don’t be sorry. You don’t mutter under [your] breath when you’re in my courtroom.”

C. Respondent directed Ms. MacFarlane to “Go to the Appellate Division” and “Go to therapy, but don’t act out in my courtroom.”

16. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to an attorney appearing in court, in violation of Section 100.3(B)(3) of the Rules, and failed to perform judicial duties without bias or prejudice against another person, in that, by words or conduct, she manifested bias or prejudice in violation of Section 100.3(B)(4) of the Rules; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE IV

17. On or about January 31, 2006, while on the bench, respondent was impatient, undignified and discourteous toward a court officer, in that she yelled in words or substance, "Get me a supervisor, I have an officer here who doesn't know what she is doing," and further stated, "I don't work for you" and "Get out there and find some attorneys."

18. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, and failed to be patient, dignified and courteous to court staff, in violation of Section 100.3(B)(3) of the Rules; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE V

19. On or about March 7, 2006, while presiding over *Matter of Dramane Coulibaly*, respondent engaged in the following conduct.

A. Respondent told attorney Mariana Toledo-Hermina to get her hands out of her pocket, speak clearly, and enunciate.

B. After Ms. Toledo-Hermina left the courtroom, respondent mocked her accent and said in words or substance, “where is she from,” “how can she be understood,” and “how is Toledo-Hermina an attorney when you cannot understand what she is saying?”

20. On or about March 7, 2006, when attorney Mariana Toledo-Hermina appeared again before respondent in another matter, respondent directed Ms. Toledo-Hermina to leave the courtroom because her clothing was, in words or substance, “inappropriate” for her courtroom when Ms. Toledo-Hermina was professionally attired.

21. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to an attorney appearing before her, in violation of Section 100.3(B)(3) of the Rules, and failed to perform judicial duties without bias or prejudice against another person, in that, by words or conduct, she manifested bias or prejudice in violation of Section 100.3(B)(4)

of the Rules; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE VI

22. On or about April 29, 2005, after learning during a recess that an attorney in proceedings before her had gone to respondent's courtroom, New York City Civil Court Judge Monica Drinane entered respondent's courtroom and asked to see respondent, who directed Judge Drinane to, in words or substance, "step out of my courtroom, please," and directed a court officer to shut the door on Judge Drinane. When Judge Drinane said, in words or substance, "Judge, may I speak to you," respondent stated in words or substance, "Monica, you are literally over the top," and again directed the court officer to shut the door on Judge Drinane.

23. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; failed to perform the duties of judicial office

impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to another judge in the courthouse, in violation of Section 100.3(B)(3) of the Rules, and failed to diligently discharge her administrative responsibilities and maintain professional competence in judicial administration, in that she failed to cooperate with another judge in the administration of court business; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE VII

24. In or around October 2004, after a discussion between respondent and Family Court Judge Alma Cordova about a case file, respondent entered Judge Cordova's courtroom while Judge Cordova was presiding over a matter, slammed the case file on a table and left.

25. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation

of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to another judge in the courthouse, in violation of Section 100.3(B)(3) of the Rules, and failed to diligently discharge her administrative responsibilities and maintain professional competence in judicial administration, in that she failed to cooperate with another judge in the administration of court business; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE VIII

26. On or about May 24, 2005, while presiding over *Matter of Dean Kirk Smith*, respondent said to Mr. Smith, who is from the Caribbean and had multi-colored bands in his hair, that he looked “bizarre... [and] like someone I would not give my pet mouse to,” and that he should “take those stupid things out of your hair when you come back into my courtroom.”

27. From on or about September 7, 2005 to on or about September 15, 2005, while presiding over further proceedings in *Matter of Dean Kirk Smith*, respondent said to Mr. Smith, “you look like hell,” “you’re a total mess,” “if you walked into a Caribbean court like this... they wouldn’t let you through the front door,” and that he had “mental health issues.”

28. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to a litigant, in violation of Section 100.3(B)(3) of the Rules, and failed to perform judicial duties without bias or prejudice against another person, in that, by words or conduct, she manifested bias or prejudice in violation of Section 100.3(B)(4) of the Rules; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE IX

29. On or about June 7, 2006, while presiding over *Matter of Felicia Barnes*, respondent said to Felicia Barnes that it was “hogwash” to refer to her child’s

father as a “fiancé,” and stated that “they” call “their paramour or the father of your child” a fiancé. Respondent also said, “Don’t call him a fiancé. Because it isn’t real.”

30. On or about June 10, 2005, while presiding over further proceedings in *Matter of Felicia Barnes*, respondent accused Ms. Barnes of setting up a “game” and said, “this is your fault. You had a relationship with him. You had a baby with him. You decide today to live your life as a lie and pretend it didn’t happen.”

31. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to a litigant, in violation of Section 100.3(B)(3) of the Rules, and failed to perform judicial duties without bias or prejudice against another person, in that, by words or conduct, she manifested bias or prejudice in violation of Section 100.3(B)(4) of the Rules; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the

exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE X

32. On or about February 1, 2006, after a particular court officer was reassigned from respondent's court to another judge's court, respondent refused to preside over the intake part to which she had been assigned, notwithstanding a directive from her administrative judge Clark V. Richardson, the Supervising Judge of the Bronx Family Court. Respondent told Judge Richardson in words or substance that he "could deal with intake," that she was "going home" and that she would not resume the bench until the court officer was reassigned to her court.

33. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in violation of Section 100.3(A) of the Rules, and failed to diligently discharge her administrative responsibilities and maintain professional competence in judicial administration, in that she failed to cooperate with court officials

in the administration of court business; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE XI

34. On or about October 25, 2005, while presiding over *Matter of Jonathan Solomon*, respondent ejected Jonathan Solomon from her courtroom when he asked if he may speak; screamed at his attorney Sandra Prowley, saying she was “more likely to throw you in jail since you know better” than to interrupt respondent; referred in open court to a personal legal matter Ms. Prowley had before another judge; and said to and about Ms. Prowley that “I tend not to put into jail people that are mentally ill.” Respondent ordered Ms. Prowley out of the courtroom and directed Mr. Solomon’s return, whereupon respondent said to Mr. Solomon, “I think your lawyer has mental health issues.”

35. 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 act in a manner promoting public confidence in the integrity and impartiality of the judiciary, in violation

of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to litigants and attorneys appearing before her, in violation of Section 100.3(B)(3) of the Rules, and failed to perform judicial duties without bias or prejudice against another person, in that, by words or conduct, she manifested bias or prejudice in violation of Section 100.3(B)(4) of the Rules; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE XII

36. On or about February 6, 2006, while presiding over *Matter of Liz Ruiz v. Donald Washington*, respondent stated to Mr. Washington that he had not been allowed to see his child “because you are a pig” and “because you beat the [child’s] mother,” and he looked “like dirt” and was “scum.”

37. 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 act in a manner

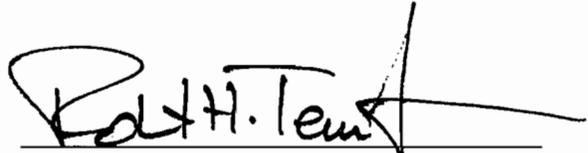
promoting public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules; failed to perform the duties of judicial office impartially and diligently, in that she failed to maintain decorum during proceedings, in violation of Section 100.3(B)(2) of the Rules, failed to be patient, dignified and courteous to litigants appearing before her, in violation of Section 100.3(B)(3) of the Rules, and failed to perform judicial duties without bias or prejudice against another person, in that, by words or conduct, she manifested bias or prejudice in violation of Section 100.3(B)(4) of the Rules; and failed to be dignified, courteous and considerate in violation of Section 604.1(e)(1) of the Rules of the Appellate Division, First Department, and failed to be the exemplar of dignity and impartiality, in violation of Section 604.1(e)(5) of the Rules of the Appellate Division, First Department.

CHARGE XIII

38. By virtue of the conduct charged in Charges I through XII above, or any portions thereof, respondent has demonstrated “habitual intemperance” and “conduct prejudicial to the administration of justice,” in violation of Article 6, section 22, subdivision (a), of the Constitution of the State of New York and Section 44, subdivision 1, of the Judiciary Law of the State of New York.

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: June 1, 2007
New York, New York

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

ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway
New York, New York 10006
212-809-0566

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

MARIAN R. SHELTON,

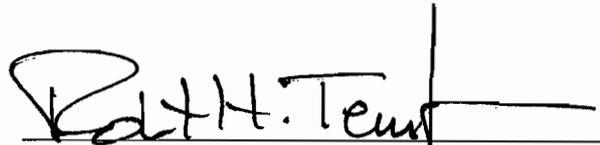
VERIFICATION

a Judge of the New York City Family Court,
Bronx County.

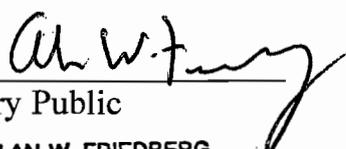
STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

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
1st day of June 2007


Notary Public

ALAN W. FRIEDBERG
NOTARY PUBLIC, State of New York
No. 31-4511070
Qualified in New York County
Commission Expires Aug. 9, 2009

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

MARIAN R. SHELTON,

a Judge of the New York City Family Court,
Bronx County.

**REQUEST AND AUTHORIZATION BY JUDGE OR JUSTICE FOR
NOTIFICATION TO ATTORNEY OF COMMISSION DETERMINATION**

In the event that a determination of the Commission on Judicial Conduct is made affecting me and requiring transmittal to the Chief Judge and service upon me in accordance with Section 44, subdivision 7, of the Judiciary Law, the undersigned judge or justice:

- (1) requests and authorizes that the Commission transmit the request to the Chief Judge together with the other required papers and
- (2) requests and authorizes the Chief Judge to cause a copy of my notification letter from her and a copy of the determination to be sent to my attorney(s) by mail.

(Name, Address, Tel. No.)

This request and authorization shall remain in force unless and until a revocation in writing by the undersigned judge or justice is received by the Commission.

Dated:

Judge or Justice

Acknowledgment

Attorney(s) for Judge or Justice