



STATE OF NEW YORK
STATE COMMISSION ON JUDICIAL CONDUCT

801 SECOND AVENUE
NEW YORK, N. Y. 10017

(212) 949-8860

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December 5, 1977

John Moss
Town Attorney
Town of Spafford, New York
8-12 Main Street
Marcellus, New York 13108

Re: Spafford Town Justice John W. Tracy

Dear Mr. Moss:

The State Commission on Judicial Conduct has made a determination that Spafford Town Justice John W. Tracy be suspended without pay from judicial office for a period of six months. No other sanction was considered in view of the fact that Justice Tracy's term of office expires on December 31, 1977.

The Commission's determination was made on September 27, 1977, following the service of charges on Justice Tracy. The judge did not contest the charges. The Commission's determination was sent to Chief Judge Charles D. Breitell on October 4, 1977, pursuant to Article 2-A, Section 43, subdivision 7, of the Judiciary Law. Chief Judge Breitell forwarded to Justice Tracy a copy of the Commission's determination. Justice Tracy has not requested the convening of the Court on the Judiciary for a new hearing within the time provided by law. The determination of the Commission is therefore final.

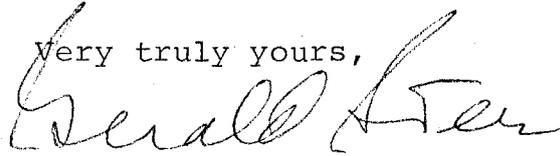
The Commission's determination to suspend Justice Tracy is based on its conclusion that, by failing to complete an advanced course of training within one year of entering a new term of office on January 1, 1975, as required of justices not admitted to the bar of the State of New York, Justice Tracy was in violation of Article VI, Section 20(c), of the Constitution of the State of New York, and Section 30.6(b) of the Rules of the Administrative Board of the Judicial Conference.

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The suspension without pay is determined by the Commission pursuant to Article 2-A, Section 43, subdivision 7, of the Judiciary Law, in accordance with its findings on file in its offices.

Thank you for your attention to this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Gerald Stern".

Gerald Stern
Administrator

GS/sd

cc: John W. Tracy