

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

MITCHELL Q. SOULES, JR.,

STIPULATION

a Justice of the Little Falls Town Court,
Herkimer County.

IT IS HEREBY STIPULATED AND AGREED by and between Robert H. Tembeckjian, Administrator and Counsel to the Commission on Judicial Conduct, and the Honorable Mitchell Q. Soules, Jr., and his attorney, Michael E. Daley:

1. Judge Soules has been a Justice of the Little Falls Town Court, Herkimer County, since January 2022. His current term expires on December 31, 2025. Judge Soules is not an attorney.

2. In July 2023, the Commission authorized investigation of a complaint against Judge Soules based upon his having been arrested and charged with felonies for possession and sale of cocaine. In September 2023, the Commission authorized investigation of another complaint against Judge Soules, alleging that he invoked his judicial office with Herkimer police to give him a ride home from a location where he was stranded.

3. On April 17, 2024, Judge Soules pleaded guilty to one count of criminal sale of a controlled substance in the third degree, a felony.

4. Judge Soules has tendered his resignation from judicial office. A copy of his resignation letter, dated and effective April 17, 2024, is annexed as Exhibit 1.

5. Pursuant to Section 47 of the Judiciary Law, the Commission may continue with proceedings against a judge who has resigned and, if it so determines, render and file a determination that the judge should be removed from office. Pursuant to Article VI, section 22(h) of the Constitution, a judge who is removed from office “shall be ineligible to hold other judicial office.”

6. Judge Soules affirms that, having vacated his judicial office on April 17, 2024, he will neither seek nor accept judicial office at any time in the future.

7. Judge Soules 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 would be served with a Formal Written Complaint on authorization of the Commission, and the matter would proceed to a hearing before a referee.

8. Upon execution of this Stipulation by the signatories below, this Stipulation will be presented to the Commission with the joint recommendation

that the matter be concluded, by the terms of this Stipulation, without further proceedings.

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

Dated: 4/24/24



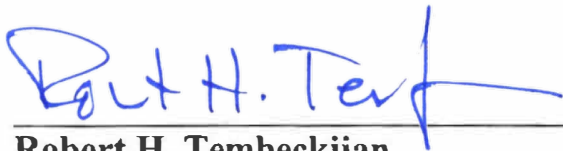
Honorable Mitchell Q. Soules, Jr.

Dated: 4/24/24



Michael E. Daley
Attorney for **Judge Soules**

Dated: April 25, 2024



Robert H. Tembeckjian
Administrator & Counsel to the Commission
(Cathleen S. Cenci, Of Counsel)

Mitchell Q. Soules Jr.
[REDACTED]
[REDACTED]

April 17, 2024

Hon. Gerard J. Neri
NYS Supreme Court Justice
5th JD Coordinating Judge, T & V Courts
401 Montgomery St., Rm 309
Syracuse NY 13202

Daniel Casler, Town Supervisor
Town of Little Falls
478 Flint Ave. Ext.
Little Falls NY 13365

Re: Justice of the Town of Little Falls Resignation

Dear Judge Neri and Supervisor Casler,

Please be advised that effective April 17, 2024 I do hereby resign my position as the Town Justice for the Town of Little Falls.

It was a pleasure and an honor to serve as Town Justice and I wish the Town Court all the best for the future.

Sincerely,


Mitchell Q. Soules Jr.

Cc: David Gideon, Esq.
Special Counsel to Judge for T&V Courts