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ROBERT H. TEMBECKJIAN
ADMINISTRATOR & COUNSEL

February 14, 2019

Ms. Elena Sassower
Center for Judicial Accountability, Inc.,
P.O. Box 8101
White Plains, New York 10602

Re: File Nos. 2018/A-0284-0287

Dear Ms. Sassower:

The Commission has asked me to respond to your letter dated January 22, 2019, concerning the disposition of your complaint.

The Commission reviewed your complaint on December 6, 2018. The entire Commission was present.

The Commission's authority derives from the New York State Constitution, Article 6, section 22, and the Judiciary Law, sections 40-48. The Commission dismissed your complaint pursuant to its authority under Judiciary Law section 44, subdivision 1, which states in pertinent part:

"Upon receipt of a complaint (a) the commission shall conduct an investigation of the complaint; or (b) the commission may dismiss the complaint if it determines that the complaint on its face lacks merit."

The Commission's exercise of discretion to determine whether to investigate or dismiss a complaint has been upheld by the courts. *See Matter of Mantell v. Comm on Jud Conduct,*

Ms. Elena Sassower

February 11, 2019

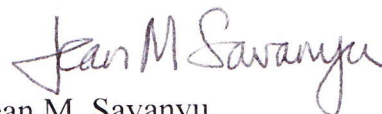
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277 AD2d 96 (1st Dept 2000); *Matter of Sassower v. Comm on Jud Conduct*, 289 AD2d 119 (1st Dept 2001).

The Commission's governing statute and rules do not provide for appeal or reconsideration of a decision by the Commission dismissing a complaint. Any additional information submitted regarding a complaint that has been dismissed will be reviewed.

Under Judiciary Law section 45, the Commission's records and proceedings are confidential with limited exceptions that do not apply to dismissed complaints. Accordingly, no additional information is available concerning the Commission's review of your complaint and its confidential deliberations.

Very truly yours,



Jean M. Savanyu