

State of New York
Court of Appeals

Reason for Recusal (Judiciary Law § 9)

APL-2024-76

Andrew M. Cuomo,

Respondent,

v.

New York State Commission on

Ethics and Lobbying in Government,

Appellant.

I hereby recuse myself in the above-entitled proceeding. In accordance with section 9 of the Judiciary Law (check as appropriate):

- I decline to provide a reason for this recusal because: (i) pursuant to the exception prescribed in section 9, provision of a reason may result in embarrassment, or is of a personal nature, affecting me or a person related to me within the sixth degree by consanguinity or affinity; or (ii) pursuant to statute or caselaw, the reason for my recusal must be kept confidential.

- I am recusing myself because:
 - A. I wish to avoid any potential appearance of impropriety that my impartiality might be questioned because:
 - _____.
 - I participated as a judge or justice of another court in that court's consideration of this or a related proceeding.
 - I have or had a close professional or personal relationship with a party or lawyer involved in this matter.
 - B. I have a personal bias or prejudice concerning a party to the proceeding.
 - C. I have personal knowledge of disputed evidentiary facts concerning the proceeding.
 - D. I served as a lawyer in the matter in controversy in this proceeding.
 - E. A lawyer with whom I previously practiced law served, during my association with him or her, as a lawyer concerning the matter in controversy in this proceeding.

- F. I have been a material witness concerning the matter in controversy in this proceeding.
- G. I (or my spouse or minor child residing in my household) may have an economic interest in the subject matter in controversy in this proceeding or in a party to the proceeding, or I may have any other interest that could be substantially affected by the proceeding.
- H. I (or my spouse or a person I know to be within the sixth degree of relationship of either myself or my spouse or the spouse of such person) am a party in this proceeding.
- I. I (or my spouse or a person I know to be within the sixth degree of relationship of either myself or my spouse or the spouse of such person) am an officer, director, or trustee of a party in this proceeding.
- J. I (or my spouse or a person I know to be within the sixth degree of relationship of either myself or my spouse or the spouse of such person) have an interest that could be substantially affected by the proceeding.
- K. I (or my spouse or a person I know to be within the fourth degree of relationship of either myself or my spouse or the spouse of such person) am acting as a lawyer in this proceeding or am likely to be a material witness in this proceeding.
- L. While a candidate for judicial office, I made a pledge or promise of conduct in office that is inconsistent with the impartial performance of the adjudicative duties of the office or, at any time, I have made a public statement not in my adjudicative capacity that commits me with respect to an issue in the proceeding or to the parties or controversy in the proceeding.
- M. I am otherwise required by law (identify statute _____) to recuse myself.
- N. I am recusing myself for a reason other than one listed in B through L hereof of the basis of an advisory opinion issued to me by the Advisory Committee on Judicial Ethics pursuant to section 212(2)(1) of the Judiciary Law.



Hon. Anthony Cannataro, Associate Judge

1/8/2025

Date