

When Judge Dawson acting with impropriety, bias and prejudice falsely stated on the bench on 9/16/2005 that the motion was timely served and later Justice Dawson acknowledged the motion as untimely served in his letter of 12/27/2005. (Exhibit D - p.1 Dawson's letter; p.2 Clerk's Minutes; p. 3 excerpt from transcript)

When Judge Dawson with impropriety, bias, prejudice and low standards ignored medical evidence and endangered the life and health of Terence Finnan to act without jurisdiction. (Exhibit 9 page2- letter of Dr. Smith. In Exhibit A -exhibit a of an affidavit - a letter of Dr. DeMuro)

When Judge Dawson with impropriety, bias, prejudice and low standards was aware that the plaintiff, Marsha Finnan's Net Worth Statements were perjured and they contained no disclosure of her various attorney fees nor their contracts and Judge Dawson did nothing. (Exhibit A -part VI #2 and 3; and Exhibit E- part II)

When Judge Dawson with impropriety, bias, prejudice and low standards accepted an affidavit of Marsha Finnan dated 4/15/2004 which Judge Dawson knew was perjured because it was shown false by the documentation presented and because Marsha Finnan had earlier sworn the opposite in her prior affidavit dated 7/10/2003. Judge Dawson used this perjured affidavit to give the plaintiff more than **\$111,000.00 of marital money before trial and without a hearing** denied equal protection to the defendant as required by the NY State Constitution. (Exhibit A - part VII #1 and 2)

When Judge Dawson with impropriety, bias, prejudice and low standards was aware of extensive perjury by the plaintiff, Marsha Finnan, and failed to hold a hearing for her contempt and for relief of the Terence Finnan. (Exhibit A -part II, III, IV, VI and VII)

When Judge Dawson with impropriety, bias, prejudice and low standards was aware of the criminal acts of Marsha Finnan (perjury, fraud, tax fraud, assault and battery, attempt to cause the death of Terence Finnan, all with racial motivation) and he rewarded some of these acts and ignored others. This was not equal protection for Terence Finnan required by the constitution. (Exhibit E - parts II, IV, V and VII - Plaintiff's Health #6 and 7)

- Part 2 -

Judge Dawson violated **Canon 3 (E) of Judicial Conduct** when he did not recluse himself as required by judicial ethics when his impartiality was not only questionable but plainly not extant. (Distributing \$111,000.00 of marital assets to Marsha Finnan without hearing or trial and by the acceptance of perjury and fraud by Marsha Finnan as described in part above)

- Part 3 -

Judge Dawson violated **Canon 3 (D) (1) and (2) of Judicial Conduct** when A. Judge Dawson on 4/21/2004 allowed Ara Asadourian to fraudulently claim in court that his client had filed a Net Worth Statement, when Judge Dawson could not find in the filed papers

May 18, 2006

To State Commission on Judicial Conduct

RE: COMPLAINT AGAINST JUDGE JAMES P. DAWSON OF SUPREME COURT OF ESSEX COUNTY

Dear Commission,

I, Terence Finnan, make this complaint against Judge James P. Dawson. I am the defendant in an action, *Finnan v Finnan*, in the Supreme Court in Essex County NY with Index #403-03 and RJI # 15-1-03-0167 which was assigned to Justice James P. Dawson.

- Part 1 -

Judge Dawson acted in violation of

- A. The **Canon 1 of Judicial Conduct** when he failed *to maintain and enforce high standards of conduct and to personally observe those standards.*
- B. The **Canon 2 of Judicial Conduct** when he failed *to avoid impropriety and the appearance of impropriety and when he failed to respect and comply with the law and act in a manner promoting public confidence in the integrity and impartiality of the judiciary.*
- C. The **Canon 3 of Judicial Conduct** when he failed *his adjudicative responsibility to be faithful to the law, to perform his judicial duties without bias or prejudice in favor of any person, to accord me the right to be heard according to the law and when he initiated and/or permitted ex parte communications outside of my presence which had nothing to do with scheduling or administrative duties.*

When Judge Dawson on March 18, 2005 had the Bailiff remove Terence Finnan from the court so that he could **ex parte** meet with Marsha Finnan, the plaintiff, and her attorney, Ara Asadourian. (Exhibit A, affidavit part VII #7A to E).

When Judge Dawson in December 2005 allowed his staff **ex parte** to communicate with Ara Asadourian without notifying Terence Finnan, about the failure of Ara Asadourian to submit an order within 60 days. (Exhibit B - a letter of Administrative Judge's Law Clerk.)

When Judge Dawson failed to respect and comply with the law and the NY Constitution and without jurisdiction heard a motion in September 2005 by Ara Asadourian which was untimely served and in violation of the rules for his court published by the Administrative Judge for his court. (Exhibit C - Published rules for motions)

When Judge Dawson with impropriety did not respect nor comply with the rules and the law in above motion and failed to issue an order as required in 60 days. [CPRL 202.48(b)]

When Judge Dawson **sua sponte** without respect for the law and with impropriety granted an extension of the statutory 60 day period to submit an order by more than two months to Ara Asadourian without application by Asadourian. (Exhibit D - page 1, a letter of Dawson)

before him a Net Worth Statement for his client. (Exhibit E - part VII #3)

B. After 4/21/2004, Judge Dawson allowed the plaintiff, Marsha Finnan, to file a Net Worth Statement that Judge Dawson knew as a fraud and a year late. (Exhibit E - part II)

C. Judge Dawson accepted oral argument on September 16, 2005 from Ara Asadourian which Judge Dawson learned was fraudulent and Justice Dawson did nothing. (Exhibit F - affidavits sent to Justice Dawson)

D Judge Dawson was aware of the unethical and criminal actions (perjury and fraud) of Ara Asadourian and failed to do his duty as required by judicial ethics (Exhibit E -part VII).

E. Judge Dawson allowed my former attorney, David E. Rudgers, to unethically disclose privileged attorney/client communications without my consent and Judge Dawson took no disciplinary action. (Exhibit E -part III)

F. Judge Dawson accepted the fraud in Asadourian's letter dated 1/9/2006 wherein Asadourian claims to have had sent Terence Finnan a copy on or before 1/9/2006. This was shown false in the affidavit of Terence Finnan dated 1/13/2006 which includes the waybill of FedEx which shows that a copy was sent on 1/12/2006 and not before on or before 1/9/2006 as fraudulently claimed by Asadourian and this was after I complained to the clerk of the court who contacted Dawson's chambers and a copy was sent to me. (Exhibit G)

More extensive documentation is available. Also, other unethical conduct by Judge Dawson occurred.

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