



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

ROBERT H. TEMBECKJIAN  
ADMINISTRATOR & COUNSEL

61 BROADWAY, SUITE 1200  
NEW YORK, NEW YORK 10006

MARISA E. HARRISON  
PUBLIC RECORDS OFFICER

646-386-4800 646-458-0037  
TELEPHONE FACSIMILE  
[www.cjc.ny.gov](http://www.cjc.ny.gov)

## NEWS RELEASE

*September 25, 2018*

**Contacts:**

*Robert H. Tembeckjian, Administrator  
Marisa E. Harrison, Public Records Officer  
(518) 453-4614*

### **Ontario County Town Court Justice Resigns After Pleading Guilty to Grand Larceny**

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The New York State Commission on Judicial Conduct announced that Erika A. Martin, a Justice of the Manchester Town Court, Ontario County, resigned from office and agreed never to be a judge again, after pleading guilty to grand larceny. The Commission accepted a stipulation to that effect signed by the judge, her attorney and the Commission's Administrator.<sup>1</sup>

Judge Martin was served with a Formal Written Complaint dated July 9, 2018, based on her having pleaded guilty in April 2018 to two felonies and one misdemeanor, arising from her wrongful taking of at least \$3,000 in court funds from the Town of Manchester, as well as monies to which she was not entitled from M&T Bank, Citizens Bank and ESL Federal Credit Union.

Judge Martin waived the statutory provision of confidentiality applicable to Commission proceedings, to the limited extent that the stipulation and Commission's order accepting it and closing the case would be public.

The stipulation and the Commission's order closing the case can be found on the Commission's website: [www.cjc.ny.gov](http://www.cjc.ny.gov).

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<sup>1</sup> The judge, who had vacated office on April 30, 2018, signed the Stipulation on August 14, 2018. The Commission accepted it on September 13, 2018, and thereafter closed the matter.

**Statistics Relating to Prior Commission Decisions**

The Commission has accepted 78 such stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has issued 269 determinations of admonition against judges in New York State, 322 determinations of censure and 172 determinations of removal.

The Court of Appeals has reviewed 97 Commission determinations. The Court accepted the Commission's sanctions in 81 cases (72 of which were removals, six were censures and three were admonitions). Of the remaining 16 cases, two sanctions were increased from censure to removal, and 13 were reduced: nine removal determinations were modified to censure, one removal was modified to admonition, two censures were modified to admonition, and one censure was rejected and the charges dismissed. The Court remitted one matter to the Commission for further proceedings. Two requests for review are pending.

**Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“Committing crimes is inimical to the adjudicative role of a judge. Public confidence is naturally and irredeemably lost in a judge who admits to a felony. Judge Martin understood that and appropriately agreed to vacate and never return to judicial office.”

**Counsel**

In the proceedings before the Commission, Judge Martin was represented by Robert F. Julian, Esq., 2037 Genesee Street, Suite 2, Utica, New York 13501, (315) 797-5610.

The Commission was represented by Robert H. Tembeckjian, Administrator and Counsel to the Commission; John J. Postel, Deputy Administrator in Charge of the Rochester office; and Senior Attorney M. Kathleen Martin. Investigator Betsy Sampson assisted in the investigation.

**Background Information on Judge Martin**

First took office:	2016
Term Expires:	December 13, 2019

**Members of the Commission**

The Commission members serve four-year terms. A list of members is appended.

**The Public File**

The stipulation and order are attached. They are also available for inspection during regular business hours at the Commission's three offices:

61 Broadway Suite 1200 New York, New York 10006	Corning Tower, Suite 2301 Empire State Plaza Albany, New York 12223	400 Andrews Street Suite 700 Rochester, New York 14604
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**MEMBERS OF THE STATE COMMISSION ON JUDICIAL CONDUCT**

<b>Member</b>	<b>Appointing Authority</b>	<b>Term End</b>
Joseph W. Belluck, Esq., Chair	Governor Andrew M. Cuomo	March 31, 2020
Paul B. Harding, Esq., Vice Chair	Assembly Minority Leader Brian M. Kolb	March 31, 2021
Jodie Corngold	Governor Andrew M. Cuomo	March 31, 2019
Taa Grays, Esq.	Senate Minority Leader Andrea Stewart-Cousins	March 31, 2020
Hon. John A. Falk	Chief Judge Janet DiFiore	March 31, 2021
Hon. Leslie G. Leach	Chief Judge Janet DiFiore	March 31, 2020
Hon. Angela M. Mazzaelli	Chief Judge Janet DiFiore	March 31, 2022
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2022
Richard A. Stoloff, Esq.	Former Senate President Pro Tem Dean Skelos	March 31, 2019
Akosua Garcia Yeboah	Governor Andrew M. Cuomo	March 31, 2021
Vacant	Governor Andrew M. Cuomo	March 31, 2022