



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

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## NEWS RELEASE

*May 6, 2024*

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### **Town Justice in Herkimer County Resigns After Being Charged With Drug Felonies**

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Mitchell Q. Soules, Jr., a Justice of the Little Falls Town Court, Herkimer County, resigned while under investigation by the New York State Commission on Judicial Conduct after being arrested and charged with felonies for possession and sale of cocaine.

On June 28, 2023, Judge Soules was arrested and charged with third-degree criminal possession of a controlled substance, criminal possession of a controlled substance with intent to sell and fourth-degree criminal possession of a controlled substance. The criminal case was handled by Oneida County Assistant District Attorney Travis Yoxall.

The Commission authorized an investigation based on the felony arrest, and in September 2023 authorized investigation of a second complaint, alleging that the judge invoked his judicial office in trying to get the Herkimer police to drive him home from a location where he was stranded.

On April 17, 2024, the judge pleaded guilty to criminal sale of a controlled substance in the third degree, a felony.

Judge Soules has now resigned from office, and in a stipulation with the Commission's Administrator, agreed never to seek or accept judicial office in the

future. The Commission accepted the stipulation, which was also signed by the judge's attorney.<sup>1</sup>

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

Judge Soules, who is not an attorney, has been a Justice of the Little Falls Town Court since 2022. His current term would have expired on December 31, 2025.

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

### **Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“Public confidence is irretrievably lost in a judge who engages in the criminal sale of drugs, and the resulting damage to the integrity of the court system is immeasurable. But it is also reassuring that our law-enforcement and ethics-enforcement entities hold them accountable and protect the public by removing them from positions of trust.”

### **Statistics Relating to Prior Commission Decisions**

The Commission has accepted 133 such permanent resignation stipulations since the procedure was instituted in 2003.

Since 1978, the Commission has also issued 283 determinations of admonition against judges in New York State, 351 determinations of censure and 183 determinations of removal.

The Court of Appeals has reviewed 102 Commission determinations. The Court accepted the Commission's sanctions in 86 cases (77 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

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<sup>1</sup> The Stipulation was signed on April 25, 2024. The Commission issued an order accepting it on May 2, 2024.

rejected and the charges dismissed. The Court remitted one matter to the Commission for further proceedings.

**Counsel**

Judge Soules was represented by Michael E. Daley, Esq., (315) 868-1721.

The Commission was represented by Deputy Administrator Cathleen S. Cenci and Senior Investigator Ryan Fitzpatrick.

**Background Information on Judge Soules**

First took office:	2022
Current term expires:	December 31, 2025

**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.

**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 Kathy Hochul	March 31, 2028
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2027
Hon. Fernando M. Camacho	Chief Judge Rowan Wilson	March 31, 2028
Brian C. Doyle, Esq.	Senate Minority Leader Robert G. Ort	March 31, 2028
Hon. John A. Falk	Former Chief Judge Janet DiFiore	March 31, 2025
Hon. Robert J. Miller	Governor Kathy Hochul	March 31, 2026
Nina M. Moore	Governor Kathy Hochul	March 31, 2027
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2026
Graham B. Seiter, Esq.	Assembly Minority Leader William A. Barclay	March 31, 2025
Hon. Anil C. Singh	Chief Judge Rowan Wilson	March 31, 2026
Akosua Garcia Yeboah	Former Governor Andrew M. Cuomo	March 31, 2025