

CERIO LAW OFFICES, PLLC

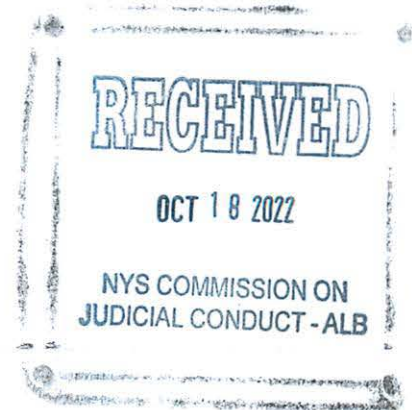
THOMAS J. CERIO* DAVID W. HERKALA MICHAEL D. ROOT NATHANIEL V. RILEY†† ISAAC J. SIGNORELLI§
*ALSO ADMITTED IN WASHINGTON, D.C. †ALSO ADMITTED IN MICHIGAN †ALSO ADMITTED IN ILLINOIS §ADMITTED IN NEW JERSEY

OUR INTEGRITY IS YOUR SECURITY

October 7, 2022

VIA FEDERAL EXPRESS:

Court of Appeals
Clerk's Office
20 Eagle Street
Albany, NY 12207



Re: *Matter of Hon. Robert J. Putorti*

Dear Clerk of the Court:

Enclosed please find a letter by Hon. Robert J. Putorti with enclosures and an affidavit of service, to be filed by October 12, 2022, per the Court's instructions. If you would do me the kindness of filing the enclosed, it would be greatly appreciated. Please file stamp the two additional copies enclosed and return to me in the pre-paid self-addressed envelope.

Should you have any questions, or require anything additional, please do not hesitate to call me. Thank you for the courtesies.

Very truly yours,
Cerio Law Offices

Michael D. Root, Esq.

Enclosures

Cc: Robert H. Tembeckjian, Esq.

October 7, 2022

New York State Court of Appeals
Attn: Clerk's office
20 Eagle Street
Albany, New York 12207

Re: **Matter of Hon. Robert J. Putorti**

Dear Chief Judge Anthony Cannataro:

I, Hon. Robert J. Putorti, Jr., submit this letter respectfully requesting that I be allowed to remain on the bench while an appeal of my case is heard.

I have always put my community and my responsibility as a judge first. I am married to my wonderful wife Pamela for eighteen years, who is a teacher in the Whitehall Central School District for thirty-one years. My two daughters, Brittney and Rebecca, are both registered nurses and work at local hospitals. My daughter Brittney recently blessed my wife and I with a grandson. I want nothing more than to make them all proud. My family and I are all very active in our community. I have been a resident of Whitehall my entire life, an employee of the Town of Whitehall Highway Department for thirty years, volunteering and helping in the community and communities around me with whatever I could. This deep involvement and appreciation for my community is what led me to run for Justice, and to continue to support the Town and Village of Whitehall.

I was first elected to the position of Whitehall Town Justice in 2014, and later in 2014, I was appointed as associate village Justice. Since this time, I have fulfilled my duties to the best of my ability. My memberships to several groups include Washington County Magistrate's Association (president several different years and received an outstanding performance award from my fellow Judges in 2021), Whitehall Elks Lodge #1491 moving through the ranks to the highest honor of Exalted Ruler, Whitehall RailRiders Snowmobile Club (president for eight years, and currently vice-president), Washington County Snowmobile Association (president for four years), New York State Snowmobile Association (board of directors 2012-2014), Whitehall Fish & Game Club (lifetime member and a member of the Board of Directors), and a member of the Skenesborough Skeet Club. As you see, I am very involved in the great things my community has to offer.

In the case involving Mr. Wood, there was a judicial conference three years later which I attended. It was at this magistrate's meeting where we were discussing courtroom security, I asked my supervising judge, Judge Hobbs, how to handle a past situation. My question was asked in an educational classroom type setting, and not the click-bait headline grabbing narrative of me "bragging" that is being alleged. Several days later, another judge who overheard the question about what had occurred, contacted Judge Hobbs and, upon information and belief, suggested a further inquiry. Subsequently, Judge Hobbs advised that we needed to meet to discuss what had happened in more detail. Shortly thereafter, Judge Hobbs and I met, explained all of the rules of the court pertaining to a weapon, and signed a counseling memorandum. Judge Hobbs stated he was satisfied that it was an isolated one-time incident, which it completely was.

Notably, I've sat on the bench since 2015 without incident, as I have never had a complaint lodged against me for my actions at the bench by a defendant or any person. The only reason the incident at issue was ever even discussed was, not for the defendant or anyone in the courtroom making a complaint, but because I sought advice on how to handle a particular situation to better myself as a Judge.

I am hopeful to continue serving my community on the bench while the appeal is considered. My love for the bench is directly tied to my love of my community and the ability to give back to my community. The citizens of my community re-elected me into office for two Town Justice terms in 2017 and again in 2021, and for two Village Justice terms in 2018 and 2022. It has been nearly seven years since the incident and the community continues to put their faith in me to preside over our local cases.

Thank you for your time and consideration of this matter, and I sincerely wish to continue my work on the bench.

Respectfully,



Hon. Robert J. Putorti, Jr.

Enclosure

Cc: Robert H. Tembeckjian, Esq.



*State of New York
Court of Appeals*

*Lisa LeCours
Chief Clerk and
Legal Counsel to the Court*

*Clerk's Office
20 Eagle Street
Albany, New York 12207-1095*

September 22, 2022

Hon. Robert J. Putorti
[REDACTED]
[REDACTED]

Re: Matter of Hon. Robert J. Putorti

Dear Hon. Putorti:

Pursuant to New York State Constitution Article VI, § 22, and further pursuant to Judiciary Law § 44 (8), this Court has directed me to give notice that it may consider, on its own motion, your suspension from the exercise of the powers of the office of Justice of the Whitehall Town Court and the Whitehall Village Court, Washington County.

You may present to the Court in writing your reasons or arguments why you should not be suspended and whether any suspension should be with or without pay. You should file your submission by October 12, 2022. "Filed" means received by the Clerk's Office. Subject to the same filing date and receipt of a copy of this letter, the Commission on Judicial Conduct is also authorized to present its views, if any, with respect to suspension. All papers shall be filed with proof of service of one copy of the paper on opposing parties.

IMPORTANT: Your response to this inquiry does not excuse the need to file, separately and timely, the written request required by Judiciary Law § 44 (7), if review of the Commission on Judicial Conduct's determination is sought.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lisa LeCours".

Lisa LeCours

LL/MNW/jvw

cc: Robert H. Tembeckjian, Esq.
Hon. Lawrence Marks
Michael Root, Esq.

26 May 2020

To the NYS Office of Court Administration

To whom it may concern,

My name is Frank Hunt and I am currently an Investigator with the Whitehall Police Department in Whitehall, NY. I have served with three Washington County Law Enforcement Agencies over the last 32 years with assignments that included the following; Patrolman, Deputy, Detective, Narcotics Investigator, Crime Scene & Evidence Technician and Drug Abuse Resistance Education Instructor to name a few.

I am aware that our local Judge, Robert Putorti has been before the administration regards to his actions in the courtroom concerning a previous defendant, Brandon Wood. As a friend and colleague, I provide this letter on Judge Robert "Bobby" Putorti's behalf with sincere belief that any allegations of wrongdoing is highly contrary to his character, ethics and total disposition in life.

I have known Bobby since I began working for Whitehall P.D. in July 2009. I first met Bobby because he is a member of the Local Elks Lodge and is completely loyal to bettering the Communities for which he serves, especially when it comes to our youth. He was the biggest reason why I became a member of the Whitehall Elks and I was recently honored when he asked me to chair the Local Drug Awareness Program. He sees first hand from cases that come across his bench the horrible effects of substance abuse and it energizes him to make a difference. As Exalted Ruler of the Whitehall Lodge he recognizes that he is in a position to make that difference and do everything he can to educate the youth of his community. He is well regarded among everyone in the Elks community as a person of high integrity and honesty.

While serving with the Whitehall Police Department I've had a lot of professional contact with Judge Putorti and no matter the situation he has always conducted himself Professionally and with common sense. I can confirm that he is careful, considerate, efficient and dedicated to the well-being of others. I wish to express that Judge Putorti is the most dependable Judge I've worked with in my 32 year career. No matter time of day or night he always answers his phone and comes to the court room to render whatever assistance is needed. Prior to Washington County CAP, there would be times that Judge Putorti was frequently doing other surrounding town arraignments because law enforcement needed a judge and he was the only Judge answering his phone after 9:00pm. He didn't mind a bit because that's the kind of guy he is, always willing to help out.

I understand the severity of the allegations but I also know Brandon Wood and have been involved in many investigations personally concerning his crimes. Brandon Wood has no respect for Authority and especially for any Law Enforcement or Justice officials. I know first-hand the standoffish and disrespectful demeanor that Brandon displays each and every time he is in contact with Law Enforcement. I also know the violence he is capable of inflicting and investigated cases involving those acts. Its without a shadow of doubt, that whatever the circumstances were that Bobby was facing that day, I trust that his decisions were reasonable and necessary in order to maintain a safe and secure court.

I hope this letter will give you an idea of Bobby's good character and help with allowing a good person and outstanding Judge to remain on the bench. Our Community needs him there. Thank you for taking the time to read this letter.

Respectfully,


Frank Hunt

STATE OF NEW YORK
COURT OF APPEALS

MATTER OF
HON. ROBERT J. PUTORTI


AFFIDAVIT OF SERVICE
BY MAILING

KRISTIN WALDAU, being duly sworn, deposes and states:

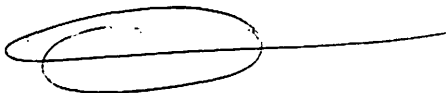
1. I am over 18 years of age, not a party to this action, and am an employee at Cerio Law Offices, 407 S. Warren Street, 5th Floor, Syracuse, NY 13202.
2. That on October 7, 2022, I mailed (1) a letter signed by Hon. Robert J. Putorti, Jr., dated October 7, 2022, setting forth the reasons why he should not be suspended in response to the Court's September 22, 2022 letter, (2) a copy of the Court's September 22, 2022 letter, and (3) a copy of a letter from Frank Hunt, dated May 26, 2020, in connection with the above captioned action by Certified Mail Return Receipt Requested under the exclusive care and custody of the United States Postal Service to the following:

New York State Commission on Judicial Conduct
Attn: Robert H. Tembeckjian, Esq.
Corning Tower, Suite 2301 Empire State Plaza
Albany, New York 12223

3. Attached hereto are copies of the items mailed referenced above.


KRISTIN WALDAU

Sworn to before me this
7th day of October, 2022.



Notary Public

