



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

ROBERT H. TEMBECKJIAN  
ADMINISTRATOR & COUNSEL

CORNING TOWER, SUITE 2301  
EMPIRE STATE PLAZA  
ALBANY, NEW YORK 12223

MARISA E. HARRISON  
PUBLIC INFORMATION OFFICER

518-453-4600 518-299-1757  
TELEPHONE FACSIMILE  
www.cjc.ny.gov

## NEWS RELEASE

*September 27, 2022*

**Contact:**

*Marisa E. Harrison, Public Information Officer  
(518) 453-4600*

### **Town Court Justice in Delaware County Resigns Amid Dispute with Public Defender's Office**

---

Delhi Town Court Justice Richard L. Gumo (Delaware County) has resigned after being served with formal charges by the New York State Commission on Judicial Conduct.

Judge Gumo was served with a Formal Written Complaint dated May 24, 2022, and an Amended Formal Written Complaint dated August 29, 2022, alleging that (A) he refused to appoint the Delaware County Public Defender's Office to represent indigent criminal defendants in his court because of his animosity toward the Public Defender and his concern that that the office would criticize him, and (B) he falsely claimed that the Public Defender had accused him and his court clerk of "forging" their signatures on court documents.

Judge Gumo denied the allegations.

A formal disciplinary hearing in this matter was scheduled for September 20, 2022, but Judge Gumo instead tendered his resignation effective September 30, 2022, agreeing never to seek or accept judicial office at any time in the future.

The Commission accepted a stipulation to that effect signed by the judge and the Commission's Administrator.<sup>1</sup>

Judge Gumo 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 Gumo, who is an attorney, has served as a Justice of the Delhi Town Court since 2008. He previously served as an Acting Justice of the Walton Village Court (Delaware County) from 2009 to 2015. 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).

### **Prior Discipline**

In 2014, Judge Gumo was admonished for failing to disclose that a key witness in a case was the daughter of the court clerk, permitting the court clerk to perform clerical duties in connection with the case and to be in the courtroom during the trial, and sending an inappropriate letter to the County Court Judge hearing the appeal of the case.<sup>2</sup>

### **Statement by Commission Administrator**

Commission Administrator Robert H. Tembeckjian made the following statement.

“Judges must exercise their administrative as well as adjudicative responsibilities fairly, without bias, and without fear of criticism. Public confidence in the courts is undermined when a judge's official acts are rooted in animosity or fear of being criticized.”

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

The Commission has accepted 119 such stipulations since the procedure was instituted in 2003.

---

<sup>1</sup> The Stipulation was signed on September 15, 2022. The Commission issued an order accepting it on September 22, 2022.

<sup>2</sup> <https://cjc.ny.gov/Determinations/G/Gumo.Richard.L.2014.12.30.DET.pdf>

Since 1978, the Commission has issued 280 determinations of admonition against judges in New York State, 343 determinations of censure and 178 determinations of removal.

The Court of Appeals has reviewed 101 Commission determinations. The Court accepted the Commission's sanctions in 85 cases (76 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.

### **Counsel**

Judge Gumo represented himself.

The Commission was represented by Deputy Administrator Cathleen S. Cenci, Senior Attorney S. Peter Pedrotty, and Investigator Laura Misjak.

### **Background Information on Judge Gumo**

First took office (Town of Delhi):	2008
Current term expires:	December 31, 2025
Prior Judicial Office (Village of Walton):	2009-2015
Year Admitted to the New York State Bar:	1967

### **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	Former Governor Andrew M. Cuomo	March 31, 2024
Taa Grays, Esq., Vice Chair	Senate President Pro Tem Andrea Stewart-Cousins	March 31, 2023
Hon. Fernando M. Camacho	Former Chief Judge Janet DiFiore	March 31, 2024
Jodie Corngold	Former Governor Andrew M. Cuomo	March 31, 2023
Hon. John A. Falk	Former Chief Judge Janet DiFiore	March 31, 2025
Hon. Angela M. Mazzarelli	Former Chief Judge Janet DiFiore	December 31, 2022 <sup>3</sup>
Hon. Robert J. Miller	Governor Kathy Hochul	March 31, 2026
Marvin Ray Raskin, Esq.	Assembly Speaker Carl E. Heastie	March 31, 2026
Ronald J. Rosenberg, Esq.	Former Senate Minority Leader John J. Flanagan	March 31, 2024
Graham B. Seiter, Esq.	Assembly Minority Leader William A. Barclay	March 31, 2025
Akosua Garcia Yeboah	Former Governor Andrew M. Cuomo	March 31, 2025

---

<sup>3</sup> Judge Mazzarelli's term on the Commission will end upon her retirement from judicial office on December 31, 2022.