## STATE OF NEW YORK COMMISSION ON JUDICIAL CONDUCT

In the Matter of the Proceeding Pursuant to Section 44, subdivision 4, of the Judiciary Law in Relation to

DANIEL J. McCULLOUGH,

DECISION AND ORDER

a Judge of the Court of Claims and an Acting Justice of the Supreme Court, 1<sup>st</sup> Judicial District, New York County.

## THE COMMISSION:

Joseph W. Belluck, Esq., Chair Paul B. Harding, Esq., Vice Chair Honorable Rolando T. Acosta Joel Cohen, Esq. Jodie Corngold Honorable John A. Falk Taa Grays, Esq. Honorable Leslie G. Leach Richard A. Stoloff, Esq. Honorable David A. Weinstein Akosua Garcia Yeboah

## **APPEARANCES:**

Robert H. Tembeckjian (Mark Levine and Brenda Correa, Of Counsel) for the Commission

Roger Bennet Adler for the respondent

The matter having come before the Commission on June 14, 2017; and the Commission having before it the Stipulation dated May 15, 2017; and respondent having

been served on May 9, 2017, with a Formal Written Complaint dated May 4, 2017, having filed for retirement on May 5, 2017, effective May 29, 2017, and having affirmed that he will vacate judicial office on May 29, 2017 and will neither seek nor accept judicial office at any time in the future; and respondent having waived confidentiality as provided by Judiciary Law Section 45 to the extent that the Stipulation will become public upon being signed by the signatories and that the Commission's Decision and Order thereto will become public; now, therefore, it is

DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is concluded, by the terms of the Stipulation, subject to being revived according to the terms of the Stipulation; and it is

SO ORDERED.

Dated: June 16, 2017

Jean M. Savanyu, Esq.

Clerk of the Commission

New York State

Commission on Judicial Conduct