

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

JORDON R. LILLEY,

DETERMINATION

a Justice of the Smithville Town Court,
Chenango County.

THE COMMISSION:

Joseph W. Belluck, Esq., Chair
Taa Grays, Esq., Vice Chair
Honorable Fernando M. Camacho
Stefano Cambareri, Esq.
Brian C. Doyle, Esq.
Honorable John A. Falk
Robin Chappelle Golston
Nina M. Moore, Ph.D.
Honorable Peter H. Moulton
Marvin Ray Raskin, Esq.

APPEARANCES:

Robert H. Tembeckjian (Cathleen S. Cenci and Shruti Joshi, Of
Counsel) for the Commission

Honorable Jordon R. Lilley, *pro se*

Respondent, Jordon R. Lilley, a Justice of the Smithville Town Court,
Chenango County, was served with a Formal Written Complaint (“Complaint”)

dated August 27, 2025 containing four charges. Charge I of the Complaint alleged that between approximately February 2024 and April 2024, respondent engaged in inappropriate *ex parte* communications with Savannah and Jordan Smith regarding property they owned and tenants who occupied it. Charge II alleged that between approximately August 2023 and March 2025, respondent engaged in improper *ex parte* communications with Jonathan Rees, a/k/a Greg Ellis, the alleged victim in *People v A.C.*, and issued an order of protection in favor of Mr. Rees without jurisdiction to do so after the *C* matter had been divested from respondent's court. Charge III alleged that on February 21, 2025, respondent gave false testimony under oath before the Commission when he testified that he had not talked to or emailed Jonathan Rees, a/k/a Greg Ellis, notwithstanding that he and Mr. Rees exchanged multiple phone calls and emails while the *C* matter was pending before respondent and when he testified that he had issued an order of protection at the request of the District Attorney's office after the *C* matter had been divested from his court. Charge IV alleged that respondent failed to cooperate with and/or attempted to impede the Commission's investigation when he deleted over 500 emails from his court email account after being told to preserve his judicial emails and when he refused to appear for additional testimony before the Commission on May 13, 2025, as required by Section 44(3) of the Judiciary Law. Respondent did not file a verified Answer.

By motion dated December 2, 2025, the Administrator of the Commission moved for summary determination pursuant to Sections 7000.6(b) and (c) of the Commission's Operating Procedures and Rules and asked that the Commission render a determination that respondent engaged in judicial misconduct and should be removed from judicial office. Other than a January 14, 2026 email indicating, *inter alia*, that he had retired from his judicial position, respondent did not submit a response to the motion.¹ On January 29, 2026, the Commission granted the Administrator's motion for summary determination. Thereafter, the Commission considered the record of the proceeding and made the following findings of fact.

1. Respondent became a Justice of the Smithville Town Court, Chenango County, in 2013. Respondent is not an attorney. His most recent term would have expired on December 31, 2028. By letter dated October 29, 2025, respondent advised the Smithville Town Board that he was retiring effective November 1, 2025.

2. At all times relevant to the Complaint, respondent, who served part-time as a judge, was also employed by the Cortland City School District.

¹ Pursuant to Judiciary Law §47, the Commission has jurisdiction to file a removal determination with the Court of Appeals "within one hundred twenty days after receipt by the chief administrator of the courts of the resignation of such judge." This section also provides, "Any determination by the court of appeals that a judge who has resigned should be removed from office shall render such judge ineligible to hold any other judicial office."

As to Charge I of the Formal Written Complaint

3. In or about February 2024, Savannah Smith and Jordan Smith (the “property owners”) purchased a mobile home located in Smithville, New York.

4. At the time of purchase, the mobile home was occupied by Stephanie Kenyon, her children, and Marcus Hamlett (the “occupants”), who had been living there at least since the previous owner had owned the mobile home. After buying the mobile home, the property owners made several failed attempts to get the occupants to sign a lease, then decided to have them vacate the premises.

5. On at least two occasions from in or about February 2024 to in or about April 2024, the property owners and Leslie Smith, another member of their family, went to the Smithville Town Court to speak to respondent about their options for terminating the occupants’ tenancy.

6. During their first conversation, respondent told the Smiths to serve the occupants with a notice to vacate, and he advised them to get a family friend or someone not directly involved in the dispute to serve the notice. Respondent also advised the Smiths to come to an agreement with the occupants on a move-out date in order to settle the matter. In response to their asking if they needed to repair an ongoing water issue at the mobile home, respondent advised the Smiths to provide water and keep receipts for its cost, but he also told them, in sum or substance, that since it was a mobile home, the occupants were not entitled to running water.

7. During their second conversation, at a time the occupants had temporarily vacated the mobile home due to a lack of running water, respondent told the Smiths, in sum or substance, that (A) since the occupants had been out of the premises for two weeks, they no longer had any rights to the property, and (B) they should change the locks to the mobile home.

8. Real Property Actions and Proceedings Law §768 makes it unlawful for any person to evict or attempt to evict an occupant of a dwelling unit who has lawfully occupied the dwelling unit for thirty consecutive days or longer, except to the extent permitted by law pursuant to a warrant of eviction or other order of a court of competent jurisdiction.

9. Acting on respondent's advice, the property owners changed the locks to the mobile home.

10. On or about April 12, 2024, the occupants came to the mobile home to retrieve some of their belongings but could not enter because the locks had been changed. The property owners then called the Chenango County Sheriff's Office, complaining of a property dispute, and Deputy Sheriff Bruce Winter and Trooper Ian Burkey were dispatched to the property.

11. Deputy Winter prepared an incident report dated April 12, 2024, memorializing the property owners' contemporaneous statements about being

advised by respondent that the “locks of the residence could be changed” and that the occupants were “not allowed back since they had left.”

As to Charge II of the Formal Written Complaint

12. On or about August 8, 2023, A.C. was arrested for Reckless Endangerment in the First Degree, Criminal Possession of a Weapon in the Fourth Degree, and Menacing in the Second Degree, in violation of New York Penal Law Sections 120.25, 265.01, and 120.14, respectively. She was arraigned in Central Arraignment Part before a judge other than respondent and was released on her own recognizance without an order of protection, for further proceedings in respondent’s court.

13. On or about August 9, 2023, at the request of the District Attorney’s office, respondent issued a six-month order of protection against Ms. C and in favor of Jonathan Rees.

14. On or about August 22, 2023, respondent presided over an appearance in *C*, stated that Ms. C’s application for a public defender had been denied, and adjourned the proceeding so that she could retain an attorney.

15. On or about September 11, 2023, respondent issued a one-year order of protection against Ms. C and in favor of Mr. Rees. At the time, the August 9th order of protection was still in effect.

16. In or about October 2023, the *C* matter was divested from respondent's court to the Chenango County Court, and Ms. C was indicted in that court on or about October 4, 2023.

17. On or about October 25, 2023, respondent received an email at his judicial email account from a Clerical Assistant at the Chenango County Supreme and County Court, requesting the divestiture forms from his court because the *C* arraignment was scheduled in County Court on November 6, 2023.

18. On or about November 8, 2023, respondent received another email at his judicial email account, this time from Kimberly S. Sitts, Chief Clerk of the Chenango Supreme and County Court, requesting the divestiture packet, including the divestiture coversheets and the charging instruments, in the *C* case.

19. Respondent did not provide the requested divestiture material. On or about April 30, 2024, respondent's court clerk, Terri Bickford, discovered the pending divestiture request and supplied the requested information to the County Court.

20. On or about May 14, 2024, respondent issued a three-year order of protection against Ms. C and in favor of Mr. Rees, notwithstanding that he knew the matter had already been divested to the County Court.

21. Respondent has the use of a cell phone provided to him by his non-judicial employer, the Cortland City School District. Email correspondence

indicated that respondent used that cell phone for matters unrelated to Cortland City School District business.

22. From in or about August 2023 to in or about March 2025, while the *C* case was pending, respondent and Jonathan Rees, a/k/a Greg Ellis, exchanged numerous phone calls and emails, including the following phone calls between respondent's school district cell phone and a device with a California area code and number associated with Mr. Rees, mostly within days of various events in the *C* case and/or the Commission's investigation into the matter:

- A. August 9, 2023: Two calls from Mr. Rees to respondent and one call from respondent to Mr. Rees, occurring the day after Ms. C's arrest and the same day that respondent issued the initial order of protection;
- B. August 12, 2023: One call from respondent to Mr. Rees, initiated four minutes before respondent forwarded Ms. C's August 10th email to Mr. Rees and ending 14 minutes later, indicating that respondent was on the phone with Mr. Rees when he sent the email;
- C. September 3, 2023: One call from Mr. Rees to respondent;
- D. September 8, 2023: Two calls from respondent to Mr. Rees;
- E. September 11, 2023: Two calls from respondent to Mr. Rees, occurring on the day respondent issued a second order of protection against Ms. C and in favor of Mr. Rees, notwithstanding that the initial order remained in effect;
- F. November 6, 2023: One call from Mr. Rees to respondent, occurring on the day Ms. C had been scheduled to be arraigned on the indictment in County Court;

- G. May 8, 2024: One call from respondent to Mr. Rees, occurring six days before respondent issued the three-year order of protection against Ms. C and in favor of Mr. Rees on May 14, 2024;
- H. September 24, 2024: One call from Mr. Rees to respondent.
- I. November 6, 2024: One call from respondent to Mr. Rees, occurring about a week after the Commission requested records for the *C* case from Smithville Town Court;
- J. November 13, 2024: One call from Mr. Rees to respondent, occurring on the same day that respondent's court staff transmitted the requested *C* records to the Commission; and
- K. March 7, 2025: Two calls from respondent to Mr. Rees, occurring about two weeks after respondent appeared before the Commission for testimony concerning his handling of the *C* case, and other matters.

23. Respondent forwarded the following emails to Mr. Rees while the *C* matter was still pending in his court:

- A. August 9, 2023: An email to respondent from the Chenango County Assigned Counsel, advising that Ms. C's application for a public defender had been denied, which respondent forwarded (with attachments such as Ms. C's application) to Mr. Rees on September 12, 2023;
- B. August 10, 2023: An email from Ms. C to respondent, which respondent forwarded to Mr. Rees on August 12, 2023; and
- C. August 22, 2023: An email from an "Angela Davis" inquiring whether "town court [is] available to listen in on remotely," an apparent reference to the *C* appearance scheduled that evening, which respondent forwarded to Mr. Rees on September 12, 2023.

As to Charge III of the Formal Written Complaint

24. Section 44, subdivision 3, of the Judiciary Law authorizes the Commission to require a judge's testimony during an investigation.

25. By letter dated January 23, 2025, the Commission notified respondent that it was investigating two complaints against him, alleging *inter alia* that (A) he caused a tenant to be illegally evicted by giving faulty, *ex parte* legal advice to the landlords in the absence of any court proceedings, and (B) he illegally issued an *ex parte* order of protection on behalf of his friend, notwithstanding that the case was no longer pending in respondent's court. The letter notified respondent that he was required to appear for testimony before the Commission on February 21, 2025.

26. Respondent appeared for testimony at the Commission's Albany office as scheduled on February 21, 2025.

27. Respondent testified under oath that he had a limited relationship with Jonathan Rees, a/k/a Greg Ellis. Respondent testified that his daughter had introduced him to Mr. Rees at a marriage ceremony a few years earlier at which respondent officiated, but that he never interacted with Mr. Rees beyond this introduction.

28. Respondent was aware Jonathan Rees and Greg Ellis were the same person because communications from the District Attorney's Office referred to him as "Greg Ellis, a/k/a Jonathan Rees or Jonathan Rees, a/k/a Greg Ellis."

29. During his testimony, respondent was shown the email of August 10, 2023, from Ms. C to respondent's judicial email account, which respondent forwarded to Mr. Rees on August 12, 2023. Respondent falsely denied forwarding this or any other email to Mr. Rees stating, "I've never emailed Greg Ellis," but he provided no other explanation as to how or by whom else this email could have been sent.

30. During his testimony at the Commission, respondent was asked if he had any contact with Jonathan Rees or Greg Ellis while issuing the orders of protection against Ms. C and in favor of Mr. Rees. Respondent acknowledged that Jonathan Rees had called his court but, notwithstanding the numerous telephone calls set forth in paragraph 22 above, he falsely testified that "as far as me talking to him physically, no."

31. At the Commission, respondent falsely testified that he issued all three orders of protection in the *C* matter at the sole request of the two prosecutors involved in *C* in Town Court and County Court – Assistant District Attorneys ("ADAs") Christine Rudy and Jeffrey Brown – including the order of protection issued on May 14, 2024, months after the matter had been divested out of his court and the County Court had its own order in effect.

32. Assistant District Attorneys Christine Rudy and Jeffrey Brown did not request additional orders of protection in September 2023 and May 2024, and they

would have had no reason to seek the September 2023 order, since the August 2023 order – which had been requested by Assistant District Attorney Rudy – was still in effect. Further, ADAs Rudy and Brown would have had no reason to request the May 2024 order from respondent’s court since the case had been divested already to County Court, which months earlier had issued an order of protection that was still in effect in May 2024.

As to Charge IV of the Formal Written Complaint

33. During his testimony at the Commission on February 21, 2025, respondent was directed not to delete any emails from his judicial email account. Respondent testified under oath that he would preserve the emails.

34. The Commission subsequently subpoenaed all sent and received emails from respondent’s judicial email account between August 1, 2023, and February 24, 2025.

35. On or about February 26, 2025, the Commission received the requested emails from respondent’s judicial email account from OCA, but there was no “Sent Items” folder. OCA’s IT staff advised the Commission that, on or about February 25, 2025, respondent deleted over 500 emails, including the entire “Sent Items” folder of his judicial email account. However, the OCA IT staff was able to recover those emails and turned them over to the Commission in response to the subpoena. Notably, February 25, 2025, was the first time respondent was

scheduled to hold court after his appearance for testimony at the Commission on February 21, 2025.

36. Contained within the emails that respondent attempted to delete were additional emails exchanged between him and Mr. Rees. One of the items among the “deleted” materials was the email of August 12, 2023, from respondent to Mr. Rees, forwarding Ms. C’s August 10th email that respondent had denied under oath having forwarded. Other emails from respondent to Mr. Rees that were recovered were:

- A. An August 9, 2023, email from the Chenango County Assigned Counsel Office advising respondent that Ms. C’s application for a public defender had been denied. Respondent forwarded this email, with attachments such as Ms. C’s application, to Mr. Rees on September 12, 2023; and
- B. An August 22, 2023, email from an “Angela Davis” inquiring about whether “town court [is] available to listen in on remotely,” an apparent reference to the C appearance scheduled that evening. Respondent forwarded this email to Mr. Rees on September 12, 2023.

37. By letter dated April 21, 2025, the Commission notified respondent that he was required to appear for additional testimony on May 13, 2025, to allow him an opportunity to explain the contradictions in his prior testimony, and to explain why he deleted emails from his judicial email account after testifying under oath that he would preserve all his emails.

38. On or about May 6, 2025, respondent advised a Commission staff attorney in a telephone conversation that he refused to appear for additional testimony, stating, in sum or substance, that he did not want to come all the way to Albany to answer, “two questions.”

39. On or about May 9, 2025, respondent’s court clerk emailed the Commission a letter from respondent, dated May 8, 2025, addressed to “Josh Shapiro, 6th District Counsel,” and “Albany Commission on Judicial Ethics,” expressing concerns about being asked to appear for in-person testimony for a second time. In the letter, respondent again refused to appear on May 13, 2025, stating that it was for “nothing more than a cell phone and ‘lost’ email.”

40. On or about May 9, 2025, the Commission sent a letter by email to respondent’s judicial email address in response to his refusal to appear. The letter explained that the notice to appear for testimony was not a “request” for respondent to accept or decline. The letter further advised respondent that his failure to appear could be considered by the Commission as failure to cooperate with a Commission investigation.

41. Respondent failed to appear on May 13, 2025, as required.

Upon the foregoing findings of fact, the Commission concludes as a matter of law that respondent violated Sections 100.1, 100.2(A), 100.3(B)(1), 100.3(B)(6) and 100.3(C)(1) of the Rules Governing Judicial Conduct (“Rules”)

and should be disciplined for cause, pursuant to Article VI, Section 22, subdivision a, of the New York State Constitution and Section 44, subdivision 1, of the Judiciary Law. Charges I through IV of the Formal Written Complaint are sustained and respondent's misconduct is established.

The Rules require judges to maintain high standards of conduct and to “act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.” (Rules, §§100.1, 100.2(A)) Judges are required to “be faithful to the law and maintain professional competence in it.” (Rules §100.3(B)(1)) The Rules, with limited exceptions not applicable here, prohibit a judge from initiating, permitting or considering *ex parte* communications about a pending or impending matter. (Rules, §100.3(B)(6)) Respondent violated these Rules when he, *inter alia*, engaged in improper *ex parte* communications with Savannah and Jordan Smith and with Jonathan Rees a/k/a Greg Ellis; issued a May 14, 2024 order of protection in the *C* matter in favor of Mr. Rees without authority to do so since the matter had been divested from his court; testified falsely that the District Attorney's Office had requested the May 14, 2024 order of protection; attempted to impede the Commission's investigation by deleting over 500 emails from his judicial email account after being told to preserve his emails; and failed to cooperate with the Commission by refusing to appear for additional testimony.

“[O]bstruct[ing] the Commission’s discharge of its lawful mandate . . . is antithetical to the role of a Judge who is sworn to uphold the law and seek the truth.” *Matter of Myers*, 67 NY2d 550, 554 (1986) (citation omitted). In serious misconduct, respondent failed to cooperate with the Commission’s investigation by deleting more than 500 emails from his judicial email account days after being told to preserve his emails and agreeing to preserve them. Judiciary Law §44(3) authorizes the Commission during an investigation to “require the appearance of the judge involved before it.” Respondent further failed to cooperate with the Commission when he refused to appear for additional testimony on May 13, 2025 as required. All judges must be attentive to their responsibility to cooperate with the Commission. *See, Matter of O’Connor*, 32 NY3d 121, 129 (2018) (“ . . . willingness to cooperate with the Commission's investigations and proceedings is not only required - it is essential.”); *Matter of Rathbun*, 2025 Ann Rep of NY Commn on Jud Conduct at 252, 272 (judge’s failure to cooperate “demonstrated his disdain for the Commission’s important function.”); *Matter of Driscoll*, 1997 Ann Rep of NY Commn on Jud Conduct at 89, 90 (citation omitted) (“The failure to cooperate with the Commission is conduct prejudicial to the administration of justice that warrants removal.”). Respondent’s attempts to impede the Commission’s investigation by deleting over 500 emails and failing to appear for

properly noticed testimony brought reproach upon the judiciary and undermined the integrity of the judiciary.

Furthermore, respondent testified falsely that the prosecution requested that he issue the May 14, 2024 order of protection in the *C* matter which he had no authority to do. He further testified falsely regarding his contact with Jonathan Rees a/k/a Greg Ellis. Such false testimony constituted additional serious misconduct. *See, Matter of Marshall*, 8 NY3d 741, 743 (2007) (“patently false” testimony to the Commission warrants removal).

In other misconduct, respondent’s *ex parte* communications with Jonathan Rees a/k/a Greg Ellis, the alleged victim in the *C* matter, and with Savannah and Jordan Smith concerning tenants at their property, violated the Rules. It is well-settled that judges are prohibited from engaging in such *ex parte* communications regarding a pending or impending matter. *See, Matter of George*, 22 NY3d 323, 326 (2013) (improper *ex parte* communications with a prospective litigant); *Matter of Edwards*, 2008 Ann Rep of NY Commn on Jud Conduct at 119, 120 (without authority, judge ordered a defendant to complete construction work and had *ex parte* communications about the work). Respondent’s improper *ex parte* communications undermined public confidence in the integrity and impartiality of the judiciary.

“[T]he purpose of judicial disciplinary proceedings is ‘not punishment but

the imposition of sanctions where necessary to safeguard the Bench from unfit incumbents’.” *Matter of Reeves*, 63 NY2d 105, 111 (1984) (citation omitted) In *Matter of Miller*, 35 NY3d 484, 490 (2020) (citation omitted), in determining that removal was the appropriate sanction, the Court of Appeals held that “[a] judge’s behavior must be considered ‘in the aggregate.’” Here, respondent failed to cooperate with the Commission by failing to appear for additional testimony, attempted to impede the Commission’s investigation by deleting over 500 emails from his judicial email account shortly after he agreed to preserve his emails; testified falsely during his investigative appearance; engaged in several improper *ex parte* communications and issued a three-year order of protection without jurisdiction to do so knowing that the matter had been divested from his court. Respondent’s misconduct renders him unfit for judicial office and warrants his removal to prevent his return to the bench.²

² This finding is consistent with New York attorney grievance proceedings in which nonresponsive attorneys are routinely disbarred. *Matter of Carlos*, 192 AD3d 170 (1st Dept. 2021); *Matter of Lovett*, 194 AD3d 39 (2nd Dept. 2021); *Matter of McCoy-Jacien*, 181 AD3d 1089 (3rd Dept. 2020); *Matter of Shaw*, 180 AD3d 1 (4th Dept. 2019).

By reason of the foregoing, the Commission determines that the appropriate disposition is removal.

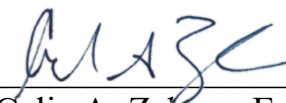
This determination is rendered pursuant to Judiciary Law §47.

Mr. Belluck, Ms. Grays, Judge Camacho, Mr. Cambareri, Mr. Doyle, Judge Falk, Ms. Golston, Ms. Moore, Judge Moulton and Mr. Raskin concur.

CERTIFICATION

It is certified that the foregoing is the determination of the State Commission on Judicial Conduct.

Dated: February 17, 2026



Celia A. Zahner, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct