

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

MELISSA A. LOEHR,

a Judge of the County Court,
Westchester County.

**NOTICE OF
AMENDED FORMAL
WRITTEN COMPLAINT**

NOTICE is hereby given to Respondent, Melissa A. Loehr, a Judge of the County Court, Westchester County, pursuant to Section 44, subdivision 4, of the Judiciary Law, that the State Commission on Judicial Conduct has determined that cause exists to serve upon Respondent the annexed Amended Formal Written Complaint; and that, in accordance with said statute, Respondent is requested within twenty (20) days of the service of the annexed Amended Formal Written Complaint upon her to serve the Commission at its New York office, 61 Broadway, Suite 1200, New York, New York 10006, with his or her verified Answer to the specific paragraphs of the Complaint.

Dated: August 8, 2024
New York, New York

ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006
(646) 386-4800

To: Michael S. Ross, Esq.
Attorney for Respondent
One Grand Central Place
60 East 42nd Street, Forty-Seventh Floor
New York, New York 10165

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

**AMENDED FORMAL
WRITTEN COMPLAINT**

MELISSA A. LOEHR,

a Judge of the County Court,
Westchester County.

1. Article VI, Section 22, of the Constitution of the State of New York establishes a Commission on Judicial Conduct (“Commission”), and Section 44, subdivision 4, of the Judiciary Law empowers the Commission to direct that a Formal Written Complaint be drawn and served upon a judge.
2. The Commission has directed that a Formal Written Complaint be drawn and served upon Melissa A. Loehr (“Respondent”), a Judge of the County Court, Westchester County.
3. The factual allegations set forth in Charges I and II state acts of judicial misconduct by Respondent in violation of the Rules of the Chief Administrator of the Courts Governing Judicial Conduct (“Rules”).
4. Respondent was admitted to the practice of law in New York in 2002. She has been a Judge of the County Court, Westchester County, since 2020, having previously served as a Judge of the Peekskill City Court, Westchester

County, from January 1, 2017, to December 31, 2019. Respondent's term expires on December 31, 2029.

CHARGE I

5. On or about March 16, 2018, Respondent dismissed a traffic ticket issued to Ashley Johnson, the daughter of her then co-judge at Peekskill City Court, Reginald Johnson, without disclosing and notwithstanding (A) that Ms. Johnson was a friend of her daughter, Zwana Loehr and (B) that Ms. Johnson's father, Judge Johnson, had dismissed two traffic tickets for Respondent's daughter the previous year, which created at least an appearance of impropriety.

Specifications to Charge I

6. At all times relevant to the matters herein, Respondent and Reginald Johnson were judges of the Peekskill Court.

7. Zwana Loehr is Respondent's daughter, and Ashley Johnson is Judge Johnson's daughter. Zwana Loehr and Ashley Johnson were friends, having been classmates during middle and high school, having frequented each other's houses, and having lived together for a time as young adults in the home of Respondent's mother.

8. On or about March 10, 2017, Judge Johnson had *sua sponte* dismissed two traffic tickets that had been issued in Peekskill to Respondent's daughter, Zwana Loehr.

9. On or about April 6, 2017, Ashley Johnson was charged with speeding in Peekskill. On or about March 16, 2018, Respondent presided in Peekskill City Court over a scheduled appearance regarding the ticket. A prosecutor was present.

10. Respondent did not make any disclosures on the record about her daughter's relationship with Ashley Johnson.

11. During the appearance, Respondent asked if the case was on for trial. The prosecutor replied that this was supposed to be a pretrial conference. Respondent then asked if a supporting deposition had been served on the defendant. The prosecutor answered that the deposition had been served when the ticket was issued. Respondent then said, "I don't know if it was requested on the last date. All right. So this case is dismissed."

12. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public confidence

in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules, and allowed a family, social or other relationship to influence the judge's judicial conduct or judgment, in violation of Section 100.2(B) of the Rules; and failed to perform the duties of judicial office impartially and diligently, in that she failed to perform judicial duties without bias or prejudice in favor of a person, in violation of Section 100.3(B)(4) of the Rules, and failed to disqualify herself in a proceeding in which her impartiality might reasonably be questioned, in violation of Section 100.3(E)(1) of the Rules.

CHARGE II

13. On or about January 13, 2017, Respondent called the Cortlandt Town Court and spoke with Deputy Court Clerk Maria Pereira about a traffic case in which her daughter, Zwana Loehr, was the defendant. During the conversation, Respondent *inter alia* stated her name and said, "I don't know if you know, I'm the judge in Peekskill."

Specifications to Charge II

14. On or about December 6, 2015, Respondent's daughter, Zwana Loehr, received a traffic ticket for a stop sign violation in the town of Cortlandt. On or about January 13, 2017, after having missed several appearance dates, Ms. Loehr appeared in Cortlandt Town Court and was ordered to post bail.

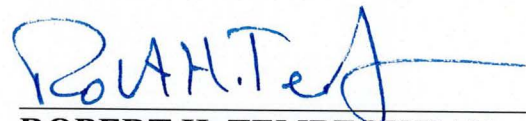
15. Ms. Loehr then called Respondent from the Cortlandt courthouse and asked for help with the bail. Respondent then called the courthouse. When Deputy Court Clerk Maria Pereira answered the phone, Respondent stated her name and explained that she was calling about her daughter's traffic case. During the conversation, Respondent stated, "I don't know if you know, I'm the judge in Peekskill."

16. By reason of the foregoing, Respondent should be disciplined for cause, pursuant to Article VI, Section 22, subdivision (a), of the Constitution and Section 44, subdivision 1, of the Judiciary Law, in that Respondent failed to uphold the integrity and independence of the judiciary by failing to maintain high standards of conduct so that the integrity and independence of the judiciary would be preserved, in violation of Section 100.1 of the Rules; failed to avoid impropriety and the appearance of impropriety, in that she failed to respect and comply with the law and failed to act in a manner that promotes public confidence in the integrity and impartiality of the judiciary, in violation of Section 100.2(A) of the Rules, allowed a family relationship to influence the judge's judicial conduct, in violation of Section 100.2(B) of the Rules, and lent the prestige of judicial office to advance her own private interest and the private interest of another, in violation of Section 100.2(C) of the Rules; and failed to perform the duties of judicial office impartially and diligently, in that she failed to be faithful

to the law and maintain professional competence in it, in violation of Section 100.3(B)(1) of the Rules.

WHEREFORE, by reason of the foregoing, the Commission should take whatever further action it deems appropriate in accordance with its powers under the Constitution and the Judiciary Law of the State of New York.

Dated: August 8, 2024
New York, New York



ROBERT H. TEMBECKJIAN
Administrator and Counsel
State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, New York 10006
(646) 386-4800

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VERIFICATION

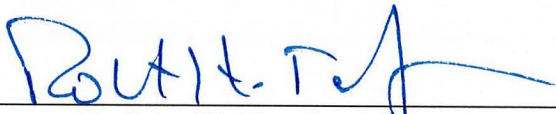
MELISSA A. LOEHR,

a Judge of the County Court,
Westchester County.

STATE OF NEW YORK)
 : ss.:
COUNTY OF NEW YORK)

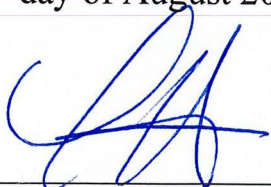
ROBERT H. TEMBECKJIAN, being duly sworn, deposes and says:

1. I am the Administrator of the State Commission on Judicial Conduct.
2. I have read the foregoing Amended Formal Written Complaint and, upon information and belief, all matters stated therein are true.
3. The basis for said information and belief is the files and records of the State Commission on Judicial Conduct.



Robert H. Tembeckjian

Sworn to before me this
8th day of August 2024



Notary Public

Laura Archilla Soto
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01AR6236502
Qualified in Bronx County
Commission Expires 2-28-27