

CALHOUN & LAWRENCE, LLP  
ATTORNEYS AT LAW  
81 MAIN STREET  
SUITE 450  
WHITE PLAINS, NEW YORK 10601

CLINTON W. CALHOUN, III\*  
KERRY A. LAWRENCE\*\*  
ANDREW D. KAIZER \*\*\*

(914) 946-5900  
FAX (914) 946-5906

\*ALSO ADMITTED IN VA & DC  
\*\*ALSO ADMITTED IN CT  
\*\*\*ALSO ADMITTED IN MA

July 20, 2017

Hon. John P. Asiello  
Chief Clerk and Legal Counsel  
Court of Appeals  
20 Eagle Street  
Albany, NY 12207-1095

**Re: Matter of Hon. Lurlyn A. Winchester**

Dear Mr. Asiello:

I represent Hon. Lurlyn A. Winchester, who received a letter dated June 27, 2017, from the Court advising that, as a result of a federal criminal complaint against her, the Court had ordered her suspended with pay from her position as Justice of the Monroe Town Court in Orange County. The letter invited Justice Winchester to state her position as to the continuation of the suspension and, if continued, whether the suspension should be with or without pay.

Justice Winchester will not contest the continuation of the suspension with pay during the pendency of the criminal matter against her. Because the allegations have not been proven and the matter not resolved, it is submitted that fairness dictates her continued suspension be with pay and I understand from Mr. Tembeckjian's July 13 letter that, under such circumstances, a "with pay" suspension is customary. Justice Winchester has maintained her innocence and will continue to do so and, respectfully, should not be penalized financially at this point of the proceedings.

We are grateful to the Court for the opportunity to state Justice Winchester's position and trust we will be notified if any additional information or submission would be helpful.

Respectfully submitted,



Clinton W. Calhoun, III

**RECEIVED**

JUL 24 2017

CWC/jlr

cc: Robert H. Tembeckjian, Esq.  
NYS Commission on Judicial Conduct

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JUDICIAL CONDUCT - NYC