

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

WILLIAM A. WETZEL,

a Judge of the Court of Claims and
an Acting Justice of the Supreme Court,
New York County.

DECISION
AND
ORDER

THE COMMISSION:

Honorable Thomas A. Klonick, Chair
Stephen R. Coffey, Esq., Vice Chair
Honorable Rolando T. Acosta
Joseph W. Belluck, Esq.
Richard D. Emery, Esq.
Paul B. Harding, Esq.
Elizabeth B. Hubbard
Nina M. Moore
Honorable Karen K. Peters
Honorable Terry Jane Ruderman

APPEARANCES:

Robert H. Tembeckjian (Kathy Wu, Of Counsel) for the Commission

Honorable William A. Wetzel, *pro se*

The matter having come before the Commission on June 3, 2010; and the
Commission having before it the Formal Written Complaint dated April 30, 2007, the

Verified Answer dated June 15, 2007, the Second Formal Written Complaint dated August 13, 2007, the Verified Answer dated September 6, 2007, the Third Formal Written Complaint dated November 2, 2007, the Verified Answer dated December 5, 2007, and the Stipulation dated May 18, 2010; and the Commission having designated James C. Moore, Esq., as referee to hear and report proposed findings of fact and conclusions of law, and a hearing having been held on February 14 and 15, March 10 and 11, June 4 and 5 and November 12, 2008; and the Commission proceedings having been stayed during the pendency of corollary proceedings in Supreme Court, New York County, and the Appellate Division, First Department, culminating in the Appellate Division's decision on May 4, 2010, in *Matter of Morgenthau v. Commission etc. and Hon. W.*, Slip Op 03778; and respondent having reached the mandatory retirement age of 70 during calendar year 2010, as a result of which his term of office would expire on December 31, 2010; and respondent having submitted his resignation to the Office of Court Administration, to be effective no later than June 30, 2010; and the parties having stipulated that they recognize that the Commission may re-open the proceedings in the event respondent does not vacate judicial office on or before June 30 or assumes judicial office at any time in the future; now, therefore, it is

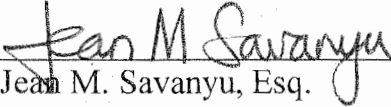
DETERMINED, on the Commission's own motion, that the Stipulation is accepted and that the pending matter is closed in view of respondent's impending resignation according to the terms of the Stipulation; and it is

SO ORDERED.

Judge Acosta and Judge Ruderman did not participate in this matter.

Judge Peters was not present.

Dated: June 3, 2010



Jean M. Savanyu, Esq.
Clerk of the Commission
New York State
Commission on Judicial Conduct