

State of New York  
COMMISSION ON JUDICIAL NOMINATION  
  
CANDIDATES NOMINATED FOR APPOINTMENT  
TO THE NEW YORK STATE COURT OF APPEALS

1979 TO PRESENT

(Names in bold represent the candidate selected by the Governor or Governor-Elect)

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**Vacancy #1**

**Chief Judge Charles D. Breitel (1979)**

1. Harold Birns, Assoc. Justice, 1st Department
2. **\*Lawrence H. Cooke, Assoc. Judge, Court of Appeals**
3. Dominick Gabrielli, Assoc. Judge, Court of Appeals
4. Louis Greenblott, Assoc. Justice, 3rd Department
5. Matthew J. Jasen, Assoc. Judge, Court of Appeals
6. Bernard S. Meyer, Former Justice, Supreme Court, 10th Jud. District
7. Richard D. Simons, Assoc. Justice, 4th Department

**Vacancy #2**

**Associate Judge Lawrence H. Cooke (1979)**

1. Harold Birns, Assoc. Justice, 1st Department
2. Mary Johnson Lowe, U.S. District Judge, SDNY
3. Joseph M. McLaughlin, Dean, Fordham Law School
4. **\*Bernard S. Meyer, Former Justice, Supreme Court, 10th Jud. District**
5. Richard D. Simons, Assoc. Justice, 4th Department

**Vacancy #3**

**Associate Judge Matthew Jasen (1981)**

1. James H. Boomer, Justice, Supreme Court, 7th Jud. District
2. **\*Matthew J. Jasen, Assoc. Judge, Court of Appeals**
3. Richard D. Simons, Assoc. Justice, 4th Department

**Vacancy #4**

**Associate Judge Dominick Gabrielli (1983)**

1. Bertram R. Gelfand, Surrogate, Bronx County
2. Joseph M. McLaughlin, U.S. District Judge, EDNY
3. **\*\*Richard D. Simons, Assoc. Justice, 4th Department**
4. Vito J. Titone, Assoc. Justice, 2nd Department

**Vacancy #5**

**Associate Judge Jacob D. Fuchsberg (1983)**

1. Betty Weinberg Ellerin, Dep. Chief Administrative Judge
2. Bertram R. Gelfand, Surrogate, Bronx County
3. Stewart F. Hancock, Assoc. Justice, 4th Department
4. **\*\*Judith S. Kaye, Attorney in private practice**
5. Leon D. Lazer, Assoc. Justice, 2nd Department
6. Abraham D. Sofaer, U.S. District Judge, SDNY
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #6**

**Chief Judge Lawrence H. Cooke (1985)**

1. Bertram R. Gelfand, Surrogate, Bronx County
2. Neal P. McCurn, U.S. District Judge, NDNY
3. E. Leo Milonas, Assoc. Justice, 1st Department
4. Milton Mollen, Presiding Justice, 2nd Department
5. Abraham D. Sofaer, U.S. District Judge, SDNY
6. Joseph P. Sullivan, Assoc. Justice, 1st Department
7. **\*\*Sol Wachtler, Assoc. Judge, Court of Appeals**

**Vacancy #7**

**Associate Judge Hugh R. Jones (1985)**

1. **\*\*Fritz W. Alexander, II, Assoc. Justice, 1st Department**
2. Richard A. Brown, Assoc. Justice, 2nd Department
3. Bertram R. Gelfand, Surrogate, Bronx County
4. Stewart F. Hancock, Assoc. Justice, 4th Department
5. William E. Hogan, Professor, NYU School of Law
6. Leon D. Lazer, Assoc. Justice, 2nd Department
7. Howard A. Levine, Assoc. Justice, 3rd Department
8. Neal P. McCurn, U.S. District Judge, NDNY
9. Joseph M. McLaughlin, U.S. District Judge, SDNY
10. Abraham D. Sofaer, U.S. District Judge, SDNY
11. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #8**

**Associate Judge Sol Wachtler (1985)**

1. Richard A. Brown, Assoc. Justice, 2nd Department
2. William E. Hogan, Professor, NYU School of Law
3. Leon D. Lazer, Assoc. Justice, 2nd Department
4. Howard A. Levine, Assoc. Justice, 3rd Department
5. Neal P. McCurn, U.S. District Judge, NDNY
6. Joseph P. Sullivan, Assoc. Justice, 1st Department
7. **\*\*Vito J. Titone, Assoc. Justice, 2nd Department**

**Vacancy #9**

**Associate Judge Matthew J. Jasen (1986)**

1. Richard J. Bartlett, Dean, Albany Law School
2. Bertram R. Gelfand, Surrogate, Bronx County
3. Carolyn Gentile, Attorney in private practice
4. **\*\*Stewart F. Hancock, Assoc. Justice, 4th Department**
5. William E. Hogan, Professor, NYU School of Law
6. Howard A. Levine, Assoc. Justice, 3rd Department
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #10**

**Associate Judge Bernard S. Meyer (1987)**

1. **\*\*Joseph W. Bellacosa, Chief Administrative Judge**
2. Richard A. Brown, Assoc. Justice, 2nd Department
3. William E. Hogan, Professor, NYU School of Law
4. Carolyn Gentile, Attorney in private practice
5. Howard A. Levine, Assoc. Justice, 3rd Department
6. Joseph M. McLaughlin, U.S. District Judge, SDNY
7. Norman Redlich, Dean, NYU School of Law

**Vacancy #11**

**Associate Judge Fritz W. Alexander, II (1992)**

1. Carmen B. Ciparick, Justice, Supreme Court, 1st Jud. District
2. Lewis L. Douglass, Judge, Court of Claims, Supreme Court, Kings County
3. William E. Hellerstein, Professor, Brooklyn Law School, and pro bono counsel to law firm
4. Lewis A. Kaplan, Attorney in private practice
5. Howard A. Levine, Assoc. Justice, 3rd Department
6. **\*\*George Bundy Smith, Assoc. Justice, 1st Department**
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #12**

**Chief Judge Sol Wachtler (1993)**

1. William E. Hellerstein, Professor, Brooklyn Law School, and pro bono counsel to law firm
2. Lewis A. Kaplan, Attorney in private practice
3. **\*\*Judith S. Kaye, Assoc. Judge, Court of Appeals**
4. Howard A. Levine, Assoc. Justice, 3rd Department
5. E. Leo Milonas, Assoc. Justice, 1st Department
6. Richard D. Simons, Assoc. Judge, Court of Appeals
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #13**

**Associate Judge Judith S. Kaye (1993)**

1. Myriam J. Altman, Justice, Supreme Court, 1st Jud. District
2. John Carro, Assoc. Justice, 1st Department
3. Samuel L. Green, Assoc. Justice, 4th Department
4. William E. Hellerstein, Professor, Brooklyn Law School, and pro bono counsel to law firm
5. **\*\*Howard A. Levine, Assoc. Justice, 3rd Department**
6. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #14**

**Associate Judge Stewart F. Hancock, Jr. (1993)**

1. Myriam J. Altman, Justice, Supreme Court, 1st Jud. District
2. **\*\*Carmen B. Ciparick, Justice, Supreme Court, 1st Jud. District**
3. Samuel L. Green, Assoc. Justice, 4th Department
4. William E. Hellerstein, Professor, Brooklyn Law School, and pro bono counsel to law firm
5. Sylvia A. Law, Professor, NYU School of Law
6. Albert M. Rosenblatt, Assoc. Justice, 2nd Department
7. Joseph P. Sullivan, Assoc. Justice, 1st Department

**Vacancy #15**

**Associate Judge Richard D. Simons (1997)**

1. Myriam J. Altman, Justice, Appellate Division, 2nd Department
2. Samuel L. Green, Assoc. Justice, 4th Department
3. Albert M. Rosenblatt, Assoc. Justice, 2nd Department
4. Guy Miller Struve, Esq., Attorney in private practice
5. Joseph P. Sullivan, Assoc. Justice, 1st Department
6. **\*\*\*Richard C. Wesley, Justice, Appellate Division, 4th Department**
7. G. Robert Witmer, Jr., Esq., Attorney in private practice

**Vacancy #16**

**Associate Judge Vito J. Titone (1998)**

1. Richard T. Andrias, Assoc. Justice, 1st Department
2. George B. Daniels, Justice, Supreme Court, NY County
3. Michael J. Hutter, Jr., Prof. of Law, Albany Law School of Union University
4. **\*\*\*Albert M. Rosenblatt, Assoc. Justice, 2nd Department**
5. Guy Miller Struve, Esq., Attorney in private practice
6. Joseph P. Sullivan, Assoc. Justice, 1st Department
7. James A. Yates, Justice, Supreme Court, NY County

**Vacancy #17**

**Associate Judge Joseph W. Bellacosa (2000)**

1. Richard T. Andrias, Assoc. Justice, 1st Department
2. Juanita Bing-Newton, Judge, Court of Claims and Deputy Chief Admin. Judge, NY County
3. Stephen G. Crane, Justice, Supreme Court, NY County
4. Steven W. Fisher, Justice, Supreme Court, NY County
5. **\*\*\*Victoria A. Graffeo, Additional Justice, Appellate Division, 3rd Department**
6. James C. Moore, Attorney in private practice
7. Susan P. Read, Presiding Judge, New York State Court of Claims

**Vacancy #18**

**Associate Judge Howard A. Levine (2002)**

1. Steven W. Fisher, Justice, Supreme Court, Queens County
2. Helen E. Freedman, Justice, Supreme Court, NY County
3. L. Priscilla Hall, Justice, Supreme Court, Kings County
4. Eugene F. Pigott, Jr., Justice, Appellate Division, Fourth Department
5. **\*\*\*Susan P. Read, Presiding Judge, New York State Court of Claims**
6. Guy Miller Struve, Esq., Attorney in private practice
7. James A. Yates, Justice, Supreme Court, NY County

**Vacancy #19**

**Associate Judge Richard Wesley (2003)**

1. Daan Braverman, Professor of Law of Syracuse University College of Law
2. Steven W. Fisher, Justice, Supreme Court, Queens County
3. Helen E. Freedman, Justice, Supreme Court, New York County
4. Steven J. Friedman, Attorney in private practice
5. Eugene F. Pigott, Jr., Presiding Justice, Appellate Division, 4th Department
6. **\*\*\*Robert S. Smith, Attorney in private practice**
7. Guy Miller Struve, Attorney in private practice

**Vacancy #20**

**Associate Judge George Bundy Smith (2006)**

1. Richard T. Andrias, Justice, Supreme Court, Nassau County
2. James M. Catterson, Justice, Appellate Division, 1st Department
3. Steven W. Fisher, Justice, Appellate Division, 2nd Department
4. Thomas E. Mercure, Justice, Appellate Division, 3rd Department
5. **\*\*\*Eugene F. Pigott, Jr., Presiding Justice, Appellate Division, 4th Department**
6. A. Gail Prudenti, Presiding Justice, Appellate Division, 2nd Department
7. George Bundy Smith, Judge, State of NY Court of Appeals

**Vacancy #21**

**Associate Judge Albert M. Rosenblatt (2006)**

1. Richard T. Andrias, Justice, Supreme Court, Nassau County
2. Juanita Bing-Newton, Judge, Court of Claims
3. George F. Carpinello, Attorney in private practice
4. Steven W. Fisher, Justice, Appellate Division, 2nd Department
5. \*\*\*\***Theodore T. Jones, Justice, Supreme Court, Kings County**
6. Thomas E. Mercure, Justice, Appellate Division, 3rd Department
7. James A. Yates, Supreme Court Justice, Supreme Court, New York County

**Vacancy #22**

**Chief Judge Judith S. Kaye (2007)**

1. Richard T. Andrias, Justice, Supreme Court, Nassau County
2. George F. Carpinello, Attorney in private practice
3. Jeh C. Johnson, Attorney in private practice
4. \*\*\*\*\***Judith S. Kaye, Chief Judge, Court of Appeals**
5. Steven C. Krane, Attorney in private practice
6. Thomas E. Mercure, Justice, App. Division, 3rd Department
7. David A. Schulz, Attorney in private practice

**Vacancy #23**

**Associate Judge Carmen Beauchamp Ciparick (2007)**

1. George F. Carpinello, Attorney in private practice
2. \*\*\*\*\***Carmen Beauchamp Ciparick, Associate Judge, Court of Appeals**
3. Jeremy G. Epstein, Attorney in private practice
4. Helen E. Freedman, Justice, Supreme Court, New York County
5. Steven C. Krane, Attorney in private practice

**Vacancy #24**

**Chief Judge Judith S. Kaye (2008)**

1. George F. Carpinello, Attorney in private practice
2. Evan A. Davis, Attorney in private practice
3. Steven W. Fisher, Justice, Appellate Division, 2nd Department
4. Theodore T. Jones, Jr., Associate Judge, Court of Appeals
5. \*\*\*\*\***Jonathan Lippman, Presiding Justice, Appellate Division, 1st Department**
6. Eugene F. Pigott, Jr., Associate Judge, Court of Appeals
7. Peter L. Zimroth, Attorney in private practice

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- \* **Appointed by Governor Hugh L. Carey**
  - \*\* **Appointed by Governor Mario M. Cuomo**
  - \*\*\* **Appointed by Governor George Pataki**
  - \*\*\*\* **Appointed by Governor-elect Eliot Spitzer**
  - \*\*\*\*\* **Appointed by Governor Eliot Spitzer**
  - \*\*\*\*\* **Appointed by Governor David Paterson**