



State of New York
Saratoga County Supreme Court

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Daniel J. Kopach
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April C. McNab
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James E. Walsh
Supreme Court Justice

September 19, 2023

Hon. Felix J. Catena
District Administrative Judge
Fourth Judicial District
Montgomery County Courthouse
58 Broadway – P.O. Box 1500
Fonda, New York 12068

Re: Amedure, et al v. State of New York, et al
Index No: 20232399

Dear Judge Catena:

The Court is in receipt of a letter motion from Respondents New York State Board of Elections seeking my recusal in this matter. Respondents assert that during my prior career as an attorney specializing in Election Law, I represented several of the Petitioners, as well as several of the Respondents, with such representation ending years ago. In fact, the most recent representation is alleged to have occurred in 2018.

Further, Respondents assert that during my campaign for my current position, I received support from one of more of Petitioners, who constitute political entities. Taking Respondents' argument to its logical conclusion, any elected judges would similarly be disqualified from presiding over any challenges of this nature, as virtually all elected judges have been supported either by proponents or opponents of this litigation. Further, transferring this action to an appointed judicial officer would not relieve the conflict, as such officer was likely appointed or nominated by an elected Executive officer, who would carry similar conflicts.

While I am confident that I could decide this matter fairly and impartially and based on my prior expertise in the field of Election Law, I am particularly well suited to handle this matter, upon the entry of a firm with whom I am currently disqualified from presiding over and in order to avoid any appearance of impropriety, I am writing to advise that I will recuse on this matter pursuant to Judiciary Law § 9.

I request that another Judge be assigned to the above matter and will accept any re-assignment to correct the imbalance created by my recusal. The appearance scheduled for **Wednesday, September 20, 2023 at 2:30 p.m.** will be adjourned to permit the newly assigned Judge to schedule this matter in conjunction with his or her calendar.

Very truly yours,

A handwritten signature in black ink, appearing to read "James E. Walsh", written over a horizontal line.

James E. Walsh
Supreme Court Justice

cc: Dennis Bruce, Chief Clerk