

**Office of the Sheriff
Wayne County**

7368 Route 31
Lyons, NY 14489
Phone 315.946.9711 / Fax 315.946.5811
www.waynecosherriff.org



Sheriff Barry C. Virts
bvirts@co.wayne.ny.us

Undersheriff Richard R. House
rhouse@co.wayne.ny.us

March 26, 2010

John Murtari
34 Franklin Street
Lyons, NY 14489

Dear Mr. Murtari,

In reference to your letter of complaint against Deputy Harry Aunkst, dated March 15, 2010, an investigation into your complaint was initiated and has been completed.

You complained that at on February 18, 2010, while at your arraignment on Graffiti and Trespassing charges before Lyons Town Justice Wunder, Deputy Aunkst lied when telling Judge Wunder that he had spoken to Assistant District Attorney Chris Bokelman and obtained a bail recommendation of \$2500.00.

In a correspondence with District Attorney Richard Healy, it was confirmed that the District Attorney's Office had been contacted by Deputy Aunkst regarding a bail recommendation in your case. However, Assistant District Attorney McCormack was consulted not Assistant District Attorney Chris Bokelman. ADA McCormack does not recall the amount of the bail recommendation made to Deputy Aunkst.

Even though Deputy Aunkst cited the wrong name of the Assistant District Attorney consulted, and there is no recall of the exact amount of bail recommendation, Deputy Aunkst did in fact contact the District Attorney's Office for a bail recommendation.

Therefore, there is no information present indicating that Deputy Aunkst lied when telling Judge Wunder your bail recommendation, nor is there any indication that Deputy Aunkst was attempting to mislead the Court.

Under the General Orders of the Wayne County Sheriff's Office, your complaint against Deputy Aunkst is deemed unfounded and this matter is closed.

Protecting and Serving the People of Wayne County

Murtari page 2

Respectfully,

A handwritten signature in blue ink, appearing to read 'R. House', with a long horizontal flourish extending to the right.

Richard R. House
Undersheriff

cc: Wayne County District Attorney