Roger Miner sworn in as U.S. appeals judge for N.Y.’s 2nd Circuit

By Shirley Armstrong

Amid tributes to his brilliance and predictions that he may one day sit on the U.S. Supreme Court, Roger J. Miner of Hudson was sworn in Saturday as a judge of the 2nd Circuit, U.S. Court of Appeals.

Expressing belief in “strict adherence to the interpretive function of the courts” in the face of “a massive judicial gridlock occasioned by the overburdening of the federal courts,” the 51-year-old jurist took the oath of office before 800 dignitaries and invited guests in a Northern District of New York federal courtroom in Albany.

Miner, who has served as a federal judge in this district since 1981, is the first Northern District jurist appointed to the appeals court.

Less than an hour before the ceremony, Sen. Alfonse D’Amato, R-N.Y., who nominated Miner for the appointment made by President Reagan, announced at a press conference that his choice for the district judgeship vacated by Miner is State Supreme Court Justice Con G. Cholakis of Troy.

Cholakis, visibly startled when told of D’Amato’s comments as he arrived to attend the investiture, said he was “honored” and is “in the process of evaluating my options.” He said his decision “will be forthcoming shortly.”

D’Amato also was the key speaker at the swearing-in program, calling the federal appeals court “the second most prestigious” in the nation and suggesting that Miner “may someday ascend to the ultimate” position on the highest court in the land.

A similar prediction was voiced by Rep. Gerald B. Solomon, R-Queensbury, who said, “This may not be the final job” for Miner, whose career public service career has included stints as Hudson corporation counsel, Columbia County district attorney and New York State Supreme Court justice.

Both congressmen also spoke of Miner’s heritage as the grandson of an immigrant who, said Solomon, “arrived in this country penniless.” Solom