



**THE TENNESSEE
COURT OF THE JUDICIARY**

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JUDGES OF THE TENNESSEE
COURT OF THE JUDICIARY

November 29, 2010

Michael W. Catalano, Clerk
100 Supreme Court Building
401 Seventh Avenue, North
Nashville, TN 37219-1407
615-253-1470

Don R. Ash
Presiding Judge

Timothy R. Discenza
Disciplinary Counsel

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Assistant Disciplinary Counsel

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Kathy McMahan
Mary Martin Schaffner
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Jean A. Stanley
Dwight E. Stokes
D. Michael Swiney
Thomas T. Woodall

FOR PUBLIC PRESS RELEASE

The Honorable F. Lee Russell
Circuit Court Judge
P.O. Box 1005
Shelbyville, Tennessee, 37162-1005

RE: Complaint of David Reha
File No. 10-4272

Dear Judge Russell:

This shall serve as a public letter of reprimand pursuant to your agreement with the investigative panel of this court.

This reprimand relates to your handling of a complaint for damages filed by David Reha against Tennessee Farmers Mutual Insurance Company which was tried by you in a bench trial on November 12th, 1999 and taken under advisement. On March 12th, 2003, a motion to ascertain the status of the case was filed by the plaintiff's counsel. An additional motion to ascertain the status of the case was filed by plaintiff's counsel on July 23rd, 2009, and as a result of that motion, you indicated to all counsel in a letter dated August 13th, 2009 that you would enter a Memorandum opinion and order in the case on September 4th, 2009.

Upon receiving a notice of the complaint of Mr. Reha from the Disciplinary Counsel to the Tennessee Court of the Judiciary, you promptly responded, admitted the facts of the complaint, accepted responsibility, and entered a proper memorandum opinion and order on October 12th, 2010, 10 years and 11 months after the bench trial.

Russell Public Reprimand
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The excessive delay in this case is a violation of Canon 3B(8) which requires a judge to “to dispose of all matters promptly, efficiently, and fairly.” Accordingly this letter constitutes a public reprimand for your actions. In the future, you are to follow the Code of Judicial Conduct and to decide promptly the cases submitted to you.

Sincerely yours,

A handwritten signature in black ink, appearing to be "Don R. Ash", with a long horizontal line extending to the right.

Don. R. Ash
Presiding Judge

DRA/mpm
cc: Disciplinary Counsel
Investigative Panel