

IN THE TENNESSEE COURT OF THE JUDICIARY

FILED

IN RE: THE HONORABLE JOHN A. BELL
JUDGE, GENERAL SESSIONS COURT
COCKE COUNTY, TENNESSEE

2010 JUN 17 AM 8:16

APPELLATE COURT CLERK
NASHVILLE

Docket No. M2009-02115-CJ-CJ-CJ

COMPLAINT OF DAVID PLEAU
FILE NO. 08-3508

MOTION TO ALTER OR AMEND A JUDGMENT

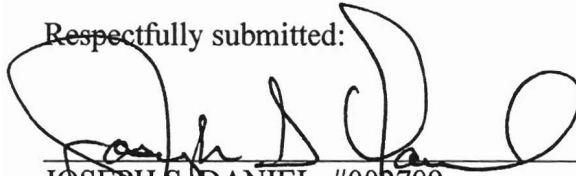
COMES NOW Joseph S. Daniel, Disciplinary Counsel for the Tennessee Court of the Judiciary, pursuant to Rule 59.04, Tennessee Rules of Civil Procedure, and would move this court to alter and amend its judgment of sanctions in the above-styled case.

The Court and hearing panel of the Tennessee Court of the Judiciary found that Judge John A. Bell was guilty of having violated the Code of Judicial Conduct under each of the three enumerated counts. In the Court's order as to sanctions, the Court imposed a combination of suspensions as well as required ethical education over the next three years. In this order, the Court did not deal with the cost of implementing these sanctions.

Although Judge Bell may not have his compensation diminished during the term of office, it would be inequitable, unfair and unjust for the State of Tennessee or the citizens of Cocke County to be required to pay for a substitute judge to hold the normal business of Cocke County General Sessions Court during the period of the term of suspension. It is anticipated that Judge Bell will seek to either have the Administrative Office of the Courts to obtain and fund a substitute judge or to require the citizens of Cocke County to fund a substitute judge during his suspension. Those expenses should be borne by Judge Bell and not be at the expense of either the State or the citizens of Cocke County.

We ask that upon a hearing of this motion that the Court and panel alter and amend its judgment as to sanctions to address these cost issues.

Respectfully submitted:



JOSEPH S. DANIEL, #002799

Disciplinary Counsel

PATRICK J. McHALE, #004643

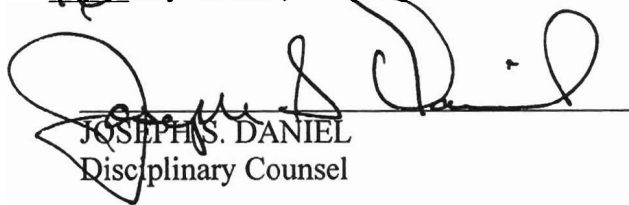
Assistant Disciplinary Counsel

503 North Maple Street

Murfreesboro, TN 37130

CERTIFICATE OF SERVICE

I certify that a true and exact copy of the foregoing has been mailed, delivered, and/or transmitted by facsimile to Mr. Gordon Ball, BALL & SCOTT Law Offices, Attorneys at Law, Attorney for the Honorable John A. Bell, 550 W. Main Street, Suite 601, Knoxville, TN 37902, on this 16 day of June, 2010.



JOSEPH S. DANIEL

Disciplinary Counsel