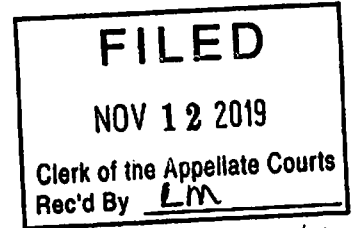




**THE TENNESSEE  
BOARD OF JUDICIAL CONDUCT**



Abm2019-00010

511 Union Street  
Suite 600  
Nashville, TN 37219

**MEMBERS OF THE TENNESSEE  
BOARD OF JUDICIAL CONDUCT**

Dee David Gay  
Board Chair

Andrew G. Brigham  
Vice Chair

Shane Hutton  
Interim Disciplinary Counsel

Jeffrey M. Atherton  
H. Allen Bray  
Andrew G. Brigham  
Robert Carter, Jr.  
Edwena L. Crowe  
Rita Ellison  
William C. Koch, Jr.  
Camille R. McMullen  
Albert Mosley  
Benjamin Purser, Jr.  
Richard Rogers  
Dan Springer  
Terica Smith  
John Whitworth  
Robert W. Wilkinson

November 12th, 2019

Judiciary Committee of the Senate  
Senator Mike Bell  
716 Cordell Hull Building  
Nashville, TN 37243

Dear Senator Bell:

Please find enclosed the statistical report of the Board of Judicial Conduct covering filings and dispositions for the month of October, 2019, as mandated by Tenn. Code Ann. § 17-5-202.

If you have any questions or concerns, please contact me.

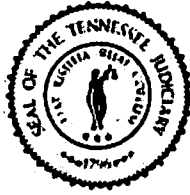
Sincerely,

A handwritten signature in black ink, appearing to read "Dee Gay".

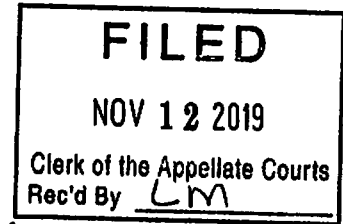
Dee Gay  
Board Chair

DDG/sp  
Enclosure

James M. Hivner, Clerk  
100 Supreme Court Building  
401 Seventh Avenue, North  
Nashville, TN 37219-1407  
615-253-1470



**THE TENNESSEE  
BOARD OF JUDICIAL CONDUCT**



Adm2019-00010

511 Union Street  
Suite 600  
Nashville, TN 37219

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John Whitworth  
Robert W. Wilkinson

November 12th, 2019

**Judiciary Committee of the House  
Representative Michael Curcio  
630 Cordell Hull Building  
Nashville, TN 37243**

Dear Representative Curcio:

Please find enclosed the statistical report of the Board of Judicial Conduct covering filings and dispositions for the month of October, 2019, as mandated by Tenn. Code Ann. § 17-5-202.

If you have any questions or concerns, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "Dee Gay".

Dee Gay  
Board Chair

DDG/sp  
Enclosure

James M. Hivner, Clerk  
100 Supreme Court Building  
401 Seventh Avenue, North  
Nashville, TN 37219-1407  
615-253-1470

**BOARD OF JUDICIAL CONDUCT  
MONTHLY REPORT FOR OCTOBER 2019**

**FILED**  
NOV 12 2019  
Clerk of the Appellate Courts  
Rec'd By *lm*

*ADM2019-00010*

The number and category of complaints OPENED<sup>1</sup>:

	<u>THIS MONTH</u>	<u>YEAR-TO-DATE</u>
A) Failure to comply with law: -----	35	102
B) Bias, prejudice and unfairness: -----	9	29
C) Discourtesy: -----	1	3
D) Abuse of office: -----	1	2
E) Delay: -----	0	5
F) Ex parte communications: -----	1	1
G) Disability: -----	1	1
H) Political violation: -----	0	1
I) Recusal: -----	0	2
J) Miscellaneous: -----	4	9
TOTAL	52	155

The number and category of complaints CLOSED:

	<u>THIS MONTH</u>	<u>YEAR-TO-DATE</u>
A) Failure to comply with law: -----	33	101
B) Bias, prejudice and unfairness: -----	9	28
C) Discourtesy: -----	1	3
D) Abuse of office: -----	1	2
E) Delay: -----	1	6
F) Ex parte communications: -----	0	0
G) Disability: -----	0	0
H) Political violation: -----	0	1
I) Recusal: -----	3	6
J) Miscellaneous: -----	2	5
TOTAL	34	152

1. A single complaint naming several judges is counted as a separate complaint against each judge. A complaint whose allegations encompass more than one category is listed under the most serious category alleged.

**DISPOSITION of the complaints closed by CATEGORY:**

	<u>THIS MONTH</u>	<u>YEAR-TO-DATE</u>
<b>A) Failure to comply with law</b>		
Dismissed, complaint about court ruling----	17	62
Dismissed, no jurisdiction -----	3	5
Dismissed, inadequate factual basis -----	13	33
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	1
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	33	101

	<u>THIS MONTH</u>	<u>YEAR-TO-DATE</u>
<b>B) Bias, prejudice and unfairness:</b>		
Dismissed, complaint about court ruling----	5	11
Dismissed, no jurisdiction -----	1	5
Dismissed, inadequate factual basis -----	3	12
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	0
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	9	28

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
<b>C) Discourtesy:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	1	2
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	0
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	1	2

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
<b>D) Abuse of office:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	1
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	1	1
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office ---	<u>0</u>	<u>0</u>
TOTAL	1	2

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
<b>E) Delay:</b>		
Dismissed, complaint about court ruling----	1	1
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	5
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	0
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	1	6

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
<b>F) Ex parte communications:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	0
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	0
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	0

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
<b>G) Disability:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	0
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	0
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	0

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
<b>H) Political violation:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	0	1
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	0
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	1

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
<b>I) Recusal:</b>		
Dismissed, complaint about court ruling----	2	4
Dismissed, no jurisdiction -----	0	0
Dismissed, inadequate factual basis -----	1	2
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	0
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	3	6

	<u>THIS</u> <u>MONTH</u>	<u>YEAR-TO-DATE</u>
<b>J) Miscellaneous:</b>		
Dismissed, complaint about court ruling----	0	0
Dismissed, no jurisdiction -----	0	5
Dismissed, inadequate factual basis -----	0	0
Dismissal with warning -----	0	0
Dismissal after full investigation -----	0	0
Deferred discipline agreement -----	0	0
Private reprimand -----	0	0
Private censure -----	0	0
Public reprimand -----	0	0
Public censure -----	0	0
Other -----	0	0
Retired complaint, no longer a judge -----	0	0
Suspension -----	0	0
Recommendation of removal from office --	<u>0</u>	<u>0</u>
TOTAL	0	5