

**MISSISSIPPI COMMISSION  
ON  
JUDICIAL PERFORMANCE**

**2019 ANNUAL REPORT**



**660 North Street, Suite 104  
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**MISSISSIPPI COMMISSION ON JUDICIAL PERFORMANCE**

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**COMMISSION MEMBERS**

JUDGE KENT MCDANIEL, CHAIRMAN  
CORNELIA GAYDEN, VICE-CHAIRMAN  
JUDGE VICKI R. BARNES  
JUDGE JAMES L. ROBERTS, JR. (JANUARY-JUNE)  
JUDGE JOHN H. EMFINGER (JULY-DECEMBER)  
JUDGE JIMMY MORTON  
COL. (RET.) SILVANUS JOHNSON  
ROY CAMPBELL, III, ESQ.

**ALTERNATE COMMISSION MEMBERS**

JUDGE JOHN H. EMFINGER (JANUARY-JUNE)  
JUDGE CHRISTOPHER A. COLLINS (JULY-DECEMBER)  
JUDGE CYNTHIA BREWER  
JUDGE RICHELLE LUMPKIN  
JUDGE EDWIN WOODS, JR.  
JEFFERY M. ADCOCK  
ROBERT GRAVES  
KAREN K. SAWYER, ESQ.

**EXECUTIVE DIRECTOR**

DARLENE D. BALLARD

**COMMISSION OFFICES**

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## **COMMISSIONER BIOGRAPHIES**

### **Judge Kent McDaniel, Chairman**

From 1989 to 1995, Judge McDaniel served as First Assistant United States Attorney for the Southern District of Mississippi, prosecuting white-collar crimes and drug cases. He returned to the private practice of law in 1995, forming his own law firm. He was first appointed to a judicial position in November, 1995 when he became Municipal Judge in Flowood, Mississippi. In September, 1997, Judge McDaniel was appointed as Rankin County Court Judge by then governor, Kirk Fordice. He has since been elected to five full terms. Judge McDaniel served with the 20th Special Forces Group (MSANG) from 1968-1973 and with the 112th MP Battalion (MSANG) from 1973-1978 leaving the service with the rank of First Lieutenant. He served as an adjunct faculty member at the Mississippi College School of Law for 25 years teaching trial practice. In 2013, he earned a Doctor of Laws degree from Mississippi College School of Law. Judge McDaniel is the County Court member for the Commission.

### **Cornelia Gayden, Vice-Chairman**

Ms. Gayden is an alternate lay member. She is employed by the McComb School District as a Community Engagement and Communications Coordinator. Ms. Gayden is a graduate of Louisiana State University where she played basketball. After graduation, she played professional basketball in the United States, Europe and the Middle East. Ms. Gayden also played in the USA Basketball Select Team World University Games in Fuoka, Japan in 1995. She is a three time recipient of the Madeline Doucet Alumni Award awarded to the outstanding alumni of the year. She was also named Southeastern Conference Great in 2003, Women's Basketball News Service All American in 2000, Kodak Regional All American in 1994. She is the 3rd all time leading scorer in the Southeastern Conference and the NCAA all time leader in 3 point goals (337). Ms. Gayden is very active in her community serving on the advisory board for the McComb School District, the mayor's Youth Council Committee, fundraiser committee chair for the Pine Grove Community Center. Ms. Gayden founded the Rainin' Three Leadership Academy and Rainin' Three Hoop School. She has also been a member of the Kiwanis Club, the Pike County Arts Council, the Southwest Medical Foundation, and the Pike County Chamber of Commerce.

### **Judge Vicki R. Barnes**

Judge Barnes earned her Juris Doctorate from the University of Mississippi School of Law. After law school, she was a solo practitioner and also served as the Municipal Court Judge for the City of Vicksburg. In 1994 Judge Barnes was elected as a Chancery Court Judge and has been re-elected each subsequent term. She is the recipient of the Judge Constance Baker Motley award. She is a fellow of the Mississippi Bar Foundation and a former Trustee of the Mississippi Bar Foundation. She is a member of the Mississippi Conference of Judges, Magnolia Bar Foundation, Mississippi Bar Association, American Bar Association and the NAACP. Judge Barnes currently serves on the YMCA Board of Directors and was a former president of that organization. She is the Senior Chancellor for the 9th Chancery Court District. Judge Barnes serves as the Chancery Court member for the Commission.

### **Judge James L. Roberts, Jr.**

Judge James L. Roberts, Jr. earned his Juris Doctorate in 1971 from the University of Mississippi School of Law. He was in private practice from 1971 to 1984 and during this time also served as Pontotoc County Prosecuting Attorney. From 1984 to 1988 Judge Roberts served as Mississippi Commissioner of Public Safety under the administration of Governor Bill Allain. In January, 1988, he was appointed to the Chancery Court bench where he served until 1992, when he took the oath of office as a Justice of the Mississippi Supreme Court. Judge Roberts voluntarily relinquished his seat on the Supreme Court in 1999 to pursue other opportunities. Judge Roberts taught at the University of Southern Mississippi and engaged in arbitration and mediation practice. He was chairman of the Governor's Commission on Juvenile Justice, a member of the Board of Governors of the Mississippi Judicial College and the Mississippi Bar Foundation. In 2012, Judge Roberts received the Lifetime Achievement Award from the Mississippi Bar Association and was the 2014 recipient of the Distinguished Jurist Award at Mississippi State University. He is currently serving as Circuit Court Judge in the 1<sup>st</sup> Circuit Court District. Judge Roberts was the Circuit Court Judge member for the Commission through June, 2019. Due to health issues, Judge Roberts has resigned from the Circuit bench effective February 29, 2020.

### **Judge Jimmy Morton**

Judge Morton served the Commission as the Justice Court member. He was first elected Justice Court Judge in 2008 for Hinds County, Mississippi, District 4. He also was the Municipal Court Judge for the city of Raymond, Mississippi and the Municipal Judge Pro Tempore for Byram, Mississippi. Judge Morton is a graduate of Hinds Community College and Mississippi State University. Prior to holding judicial office, he was the owner/operator of a popular eatery while serving as a deputy with the Hinds County Sheriff Department. Judge Morton is currently a Mississippi Licensed Auctioneer and Personal Property Appraiser, a member of the Mississippi Cattlemen's Association and a

member of Grace Bible Church on the Parkway, Ridgeland, Mississippi.

**Col. (R) Silvanus Johnson**

Col. Johnson is a retired Medical Services Officer, Special Education and Biology learning strategy teacher at Mendenhall High School, Mendenhall, Mississippi. He earned the Mississippi Meritorious Service Award and was named teacher of the year for the 2013-2014 school year. He is a graduate of Jackson State University and was the Senior Assistant Professor of the Military Science Department there. Col. Johnson was the first African American, enlisted soldier, to enter the Mississippi Army National Guard. In addition, he is the first and only African American member of the Board of Directors for the Mississippi Military Museum at Camp Shelby, being appointed to that post by Mississippi's first African American Adjutant General, Gen. Augustus Leon Collins. Col. Johnson is a life member of the Phi Beta Sigma Fraternity, Inc. being selected as the Brother of the Year, obtaining the Outstanding Achievement Award, and many more honorable awards. He is married and the father of two adult daughters and serves as a deacon and treasurer for the Sylvarena Missionary Baptist Church. He currently serves the Commission as an alternate lay member.

**Roy Campbell**

Roy D. Campbell, III, is a partner in the Jackson office of Bradley Arant Boult Cummings LLP, a firm of 500 lawyers in the Southeast. He focuses his practice on commercial litigation and product liability. Roy was born and grew up in Greenville, Mississippi, graduated from Greenville High School in 1968, from Davidson College in 1972, and from The University of Mississippi School of Law in 1975. He is a Fellow of the American College of Trial Lawyers and a member of the American Board of Trial Advocates. Since 2005 he has been listed in Chambers USA and The Best Lawyers in America. He is a past president of The Mississippi Bar, past president of the Capital Area Bar Association and past president of the Board of Trustees of the Mississippi Museum of Art. He is a recipient of The Mississippi Bar's Distinguished Service Award and the Capital Area Bar Association's Outstanding Service Award. Mr. Campbell serves the Commission as the attorney member.

**ALTERNATE COMMISSIONER**  
**BIOGRAPHIES**

**Judge John H. Emfinger**

Judge Emfinger obtained his Juris Doctorate from Mississippi College School of Law in 1980 and earned his M.B.A in 1981. Prior to his judicial election in 2010, Judge Emfinger served for 14 years as an assistant district attorney in the 20th Circuit Court

District. For almost 10 years he worked as a special assistant attorney general for the State of Mississippi. In addition, Judge Emfinger was in private practice for seven years. He was first elected as a Circuit Judge for the 20th Judicial District of Mississippi in 2010 and has since been re-elected. Judge Emfinger is the Vice Chair of the Mississippi Conference of Circuit Judges and serves on the Committee on Uniform Criminal Code. He served as the alternate Circuit Judge member on the Commission January until June 2019. Judge Emfinger effective July 1, 2019.

### **Judge Christopher A. Collins**

Judge Christopher A. Collins received his juris doctorate from the Mississippi College School of Law in 1992. In 2016, Judge Collins was appointed to the Circuit Court bench by Governor Phil Bryant. Prior to that time, he served 17 years as civil court judge and domestic violence judge for the Mississippi Band of Choctaw Indians. In addition, Judge Collins maintained a private practice while serving as Municipal Court prosecutor, felony indigent counsel and as a charter member of the Eighth Circuit Court District's Drug Court. After the resignation of Judge James R. Roberts, Judge Collins was appointed as the alternate Circuit Court member on the Commission serving from July 1, 2019 through December, 2019.

### **Judge Cynthia L. Brewer**

Judge Brewer obtained her Juris Doctorate from Mississippi College School of Law in 1985. She was in private practice for several years. During that time she served as Municipal Court Prosecutor for the City of Jackson, Mississippi and County Prosecutor for Hinds County, Mississippi, as well as serving as an adjunct professor at the Mississippi College School of Law. Judge Brewer was first elected as County Court Judge in Madison County, Mississippi in 2002. She was later elected as judge in the Chancery Court of Madison County, Mississippi in 2006 and was re-elected to that position in 2010 and 2014. Judge Brewer is in the Judicial Studies Masters Program through the University of Nevada at Reno, National Judicial College where she also serves as an instructor. Judge Brewer serves the Commission as the alternate Chancery Court member.

### **Judge Richelle Lumpkin**

Judge Lumpkin obtained her Juris Doctorate from Mississippi College School of Law in 1990. She was in private practice for 20 years focusing her practice in the areas of criminal defense, family law, personal injury, real estate and general litigation. During this time she also served as Youth Court Referee and Municipal Court Judge. In November of 2010 she was elected as the first County Court Judge of Pearl River County. She was subsequently re-elected in 2014. Judge Lumpkin is a member of the Mississippi Bar Association, the Pearl River Bar Association and a past member of the Mississippi Board of Bar Commissioners. Judge Lumpkin serves as the alternate County

Court member for the Commission.

**Judge Edwin Woods, Jr.**

Judge Woods is a native of and currently resides in Vicksburg, Mississippi. He is the managing partner of Bond, Botes and Woods, P.C. in Jackson, Mississippi. He received his Doctor of Jurisprudence degree from the Mississippi College School of Law in Jackson, Mississippi and was admitted to the Mississippi Bar in 1991. Ed currently concentrates his law practice in representing consumers in financial crisis before the United States Bankruptcy Court. He also represents clients in consumer rights and debt collection abuse cases. Since 2004, Ed has served as a Justice Court Judge elected from the Northern District of Warren County. He periodically serves as a lecturer at continuing judicial education seminars for justice court judges statewide and has served as a member of the Mississippi Code of Judicial Conduct Study Committee. He is a former President of the Warren County Bar Association and is a past Secretary/Treasurer of that organization. Judge Woods currently serves the Commission as the alternate Justice Court Judge.

**Jeff Adcock**

Jeffery Adcock is a native of Biloxi, Mississippi and graduated from Mississippi State University with a Bachelors of Science Degree in Business Administration. After earning a Masters of Business Administration, he moved to Jackson, Mississippi. After a career in state government that included a variety of positions and responsibilities in several different agencies, he became the Director of Administration for the State Auditor's Office. After serving in this position under four different State Auditors, Mr. Adcock retired from state government in 2009. After retirement from state government, Mr. Adcock has been involved in real estate management and investment. Mr. Adcock serves the Commission as a lay member.

**Robert (Bob) Graves**

Bob graduated from Winona High School, Mississippi State University, and Mississippi College School of Law. He was a Senior Vice President with Merrill Lynch in the Jackson office and retired in 2002. He currently serves as an Arbitrator of Disputes for the Financial Industry Regulatory Authority (FINRA). In addition, Bob raises Angus cattle on his farm in Carroll County. As a Rotarian he is recognized as a multiple Paul Harris Fellow, a Paul Harris Society Member, a Major Donor, and a Rotary Foundation Benefactor. He is a member of the Winona Rotary Club. He served as District Governor in 2011-12. He is a veteran and has been a member of American Legion Post 52 since 1969. He is a member of the Post Oratorical Committee and the Boys State Committee. He serves as an alternate member of the Mississippi Commission on Judicial Performance. Bob is married to the former Carole Watts. They are members of the First Baptist Church of Winona.

## **Karen K. Sawyer**

Ms. Sawyer is an honor graduate from the University of Texas with a Baccalaureate Degree in Nursing. She received her Juris Doctorate cum laude from Tulane Law School in 1992. She is a shareholder at Copeland, Cook, Taylor and Bush, P.A. (Gulf Coast Office) where her practice is primarily civil litigation with a focus on medical malpractice, general liability and insurance coverage matters. She is also a certified mediator. Ms. Sawyer is a member of the Harrison County Bar, the Mississippi Bar and the American Bar Association. She volunteers as a facilitator in the annual James O. Dukes Professionalism Task Force Program. Ms. Sawyer served as past chair of the Women in the Profession Committee and is a member of the Mississippi Women's Lawyer's Association. Currently she serves on the Bench Bar Committee and is a Bar Commissioner for the Second Judicial District, Post 1. Ms. Sawyer was admitted as a Fellow of the Mississippi Bar Foundation in 2003 where she served as Trustee and President. She is also a member of the Russell-Blass-Walker Chapter of the American Inns of Court. She has twice been appointed to serve on a Merit Selection Panel which submits recommendations for the position of United States Magistrate Judge for the Southern District of Mississippi. Ms. Sawyer has received the Alonzo Westbrook Public Service Award in 2008, was named one of the Women Trailblazers by the Women in the Profession Committee in 2012 and received the Mississippi Bar's Distinguished Service Award for 2012-2013. In July, 2015, she was named the Susie Blue Buchanan Award winner by the Women in the Profession. In addition, she serves on the Board of Directors of the South Mississippi Aids Task Force, the League of Women Voters, Mississippi Medical Alliance, and the Great Southern Club. She is currently serving on the Commission as the alternate attorney member.

## **OUR MISSION**

The Mississippi Commission on Judicial Performance was created in 1979 by the Mississippi Legislature and the voters of the State of Mississippi by constitutional amendment. The Commission enforces standards of judicial conduct, inquires into judicial disability and conduct, protects the public from judicial misconduct and disabled judges, and protects the judiciary from unfounded allegations. Our purpose is to be rehabilitative and educational as well as disciplinary.

The Commission oversees the conduct of the Mississippi Supreme Court, the Court of Appeals, Circuit Judges, Chancery Judges, County Court Judges, Municipal Court Judges, Justice Court Judges and any other officer of any judicial system who performs judicial functions.



## **TYPES OF COMPLAINTS THE COMMISSION MAY CONSIDER**

### **1. MISCONDUCT**

The Code of Judicial Conduct is intended to establish standards for ethical conduct of judges. It governs the activities of judges both on and off the bench. It consists of Canons which contain sections. These Canons and sections are considered authoritative and rules of reason. The text of the Canons and sections govern the conduct of judges, however, not every instance of non-compliance results in disciplinary action. Judicial misconduct can be divided into several categories.

#### **(A) Improper Courtroom Behavior**

Allegations of improper courtroom behavior may include: demeanor; improper treatment of attorneys, parties, witnesses and others involved in the court process; improper physical conduct; or persistent failure to dispose of court business promptly and responsibly. Examples may include: racist or sexist comments, sleeping on the bench, inattentiveness, or substance abuse. Judges may also be disciplined for administrative missteps such as taking cases under advisement and not ruling in a timely manner.

#### **(B) Improper or Illegal Influence**

Judges should not be swayed by any factor outside of the evidence presented in a trial or hearing that would affect their ability to be fair and impartial. Canon 2B prohibits a judge from letting family, social or political relationships influence their rulings. Canon 3E also prohibits a judge from hearing matters in which he or a family member has an interest in the outcome of a case. Examples of improper influence would include, but not be limited to, the receipt of gifts, bribes, loans or favors. Also included in this category would be ex parte communications that are prohibited under Canon 3B(7). This occurs when a judge talks to one party without the other party being present or aware of the communication.

#### **(C) Improper Conduct Away from the Bench**

The Commentary to Canon 2A reinforces the authority of the Commission to inquire into issues that may occur in the professional and/or personal lives of judges. This can include a wide variety of offenses. Examples may include criminal activity, improper speech or associations, lewdness, or any other activity that would tend to erode public confidence in the integrity of the judicial office.

#### **(D) Other Offenses**

This category could include a wide range of offenses. Some common complaints are:

interference with the attorney/client relationship, bias or prejudice, improper campaign activity, making public comments regarding a pending or impending case, disqualification issues or lending the prestige of his office to advance the private interests of others.

## **2. PHYSICAL OR MENTAL DISABILITY**

The Commission also is tasked with reviewing allegations that a judge has become disabled due to physical or mental disabilities, i.e. alcohol or substance abuse, debilitating physical illness, mental illness or dementia. The Commission has the authority to have the judge submit to an examination by licensed physician(s) chosen by the Commission.

## **3. COMPLAINTS OUTSIDE OF THE COMMISSION'S SCOPE**

The Commission frequently receives complaints from litigants who are unhappy with a judge's ruling. The Commission has no authority to settle questions of law or to reverse judicial decisions. That role is strictly within the purview of the appellate courts. In addition, the Commission does not determine whether or not a judge should recuse in a case. That is also up to the appellate courts. Finally, the Commission does not have the authority to entertain complaints against federal judges.

### **THE COMPLAINT PROCESS**

#### **The Complaint**

- MSCOJP receives a written complaint about a judge.
- Complaint Forms are provided by MSCOJP via mail, fax or email
- Complaint Forms can also be found on the Commission's website, [www.judicialperformance.ms.gov](http://www.judicialperformance.ms.gov)

#### **The Initial Review**

- A staff member reviews the Complaint Form to determine that the allegations are against a sitting state court judge.
- A case number is assigned to the complaint.
- A letter is sent to the complainant acknowledging receipt of the complaint, providing the case number and the date the Commission will review the complaint.
- Before the Commission meeting, the complaints are mailed to the Commission members for their review.

#### **The Commission Meeting**

- Commission considers the complaints at its regularly scheduled Commission meeting.
- The Commission may dismiss the complaint due to lack of evidence, because it is a

matter for appellate review, or for lack of jurisdiction.

- If the Commission determines there is a possibility of misconduct, an investigation is ordered.

### **The Investigation**

- Witnesses are interviewed, documents are obtained and reviewed and an investigative file is compiled.
- Investigator has 2 months to investigate the allegations found in the complaint and then report back to the commission at its next meeting.

### **The Commission Meeting**

- Commission dismisses the complaint for the reasons cited above.
- Commission dismisses the complaint but sends a letter of instruction to the judge.
- Commission finds probable cause to file a Formal Complaint

### **The Formal Complaint**

- Judge is served with the Formal Complaint and has a right to an attorney and 30 days to answer the Formal Complaint.
- Judge and MSCOJP begin settlement negotiations or schedule hearing.
- A Formal Hearing may be held wherein the judge has the opportunity to present evidence and have 2 character witnesses present.
- A three commission member / alternate panel either finds that the judge committed misconduct or dismisses the case.
- If the panel finds the judge has committed misconduct, then the Commission sends its recommendation of appropriate sanction and all pleadings, transcripts, and evidence to the Mississippi Supreme Court
- Mississippi Supreme Court reviews the Commission's findings and either accepts as presented or imposes a greater sanction, lower sanction, or dismisses the case.
- Sanctions Available
  - Memorandum of Understanding
  - Private Admonishment
  - Public Reprimand
  - Suspension
  - Fine
  - Removal

## **SUMMARY OF COMPLAINTS REVIEWED BY THE COMMISSION**

In calendar year 2019, the Commission received 243 new complaints against Mississippi judges. The Commission meets every other month. 211 of the 243 new complaints were considered by the Commission during the 2019 calendar year. Of that 211, 99 complaints required an investigation, and in 2 cases formal proceedings were initiated. The remaining 32 pending new complaints received in 2019 will be considered during the 2020 calendar year.

In addition, several hundred telephone calls and inquiries were fielded by the staff concerning the judicial system, interpretation of the Code of Judicial Conduct, how to file a complaint and the status of complaints filed.

The Commission employs a staff of five including:

Executive Director-Darlene Ballard

Senior Staff Atty. - Rachel Michel

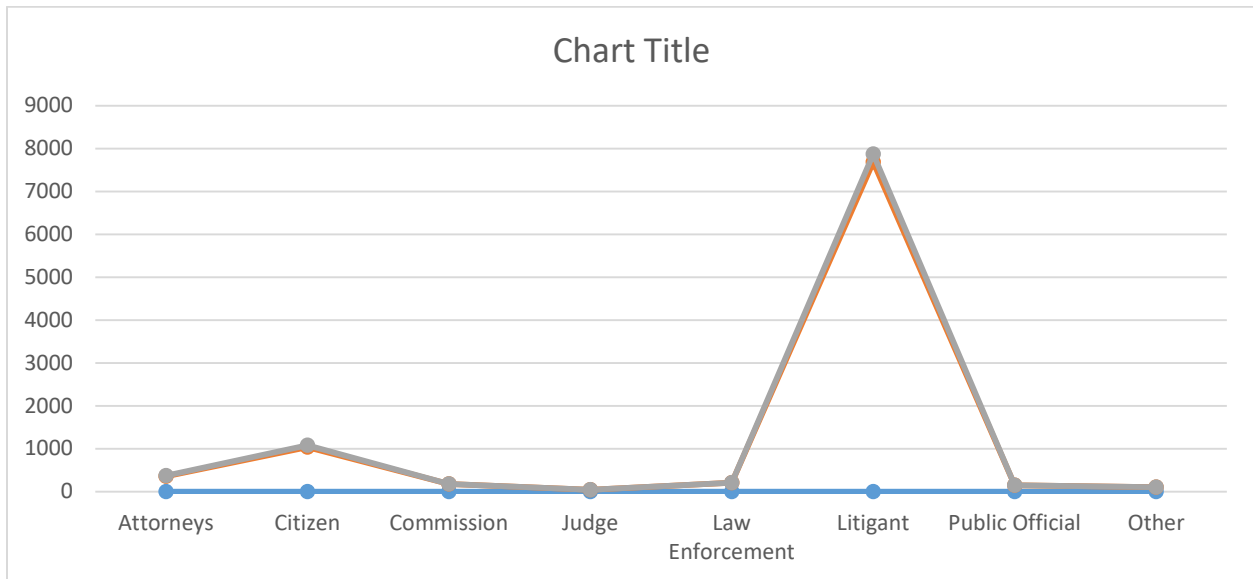
Staff Atty. - Meagan Brittain

Investigator - Danny Perry

Office Manager – Sharon Tew

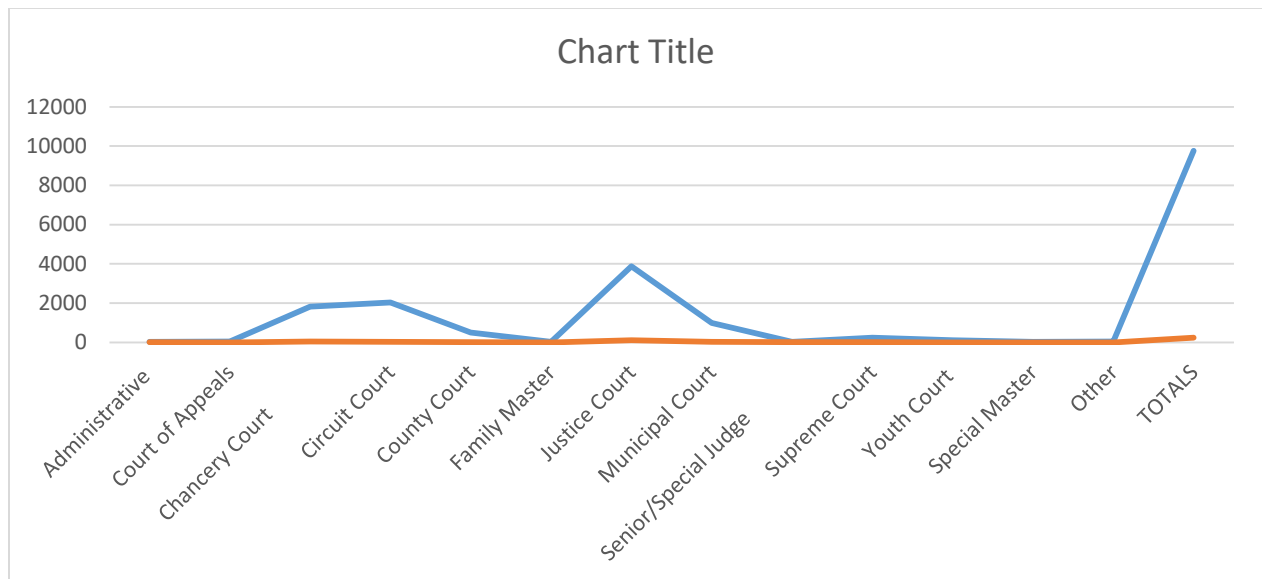
## SOURCE OF THE COMPLAINTS

	Prior Years-Cumulative	2019
Attorneys	360	12
Citizen	1036	44
Commission	180	0
Judge	45	0
Law Enforcement	208	2
Litigant	7686	183
Public Official	146	2
Other	101	0
<b>TOTALS</b>	<b>9762</b>	<b>243</b>



**TYPES OF JUDGES RECEIVING COMPLAINTS**

	<b>Prior Years-Cumulative</b>	<b>2019</b>
Administrative	29	5
Court of Appeals	43	2
Chancery Court	1818	45
Circuit Court	2033	30
County Court	507	16
Family Master	30	1
Justice Court	3872	101
Municipal Court	986	24
Senior/Special Judge	32	3
Supreme Court	232	12
Youth Court	115	2
Special Master	25	2
Other	40	0
<b>TOTALS</b>	<b>9762</b>	<b>243</b>



**DISPOSITION OF COMPLAINTS**

	<b>Prior Years-Cumulative</b>	<b>2019</b>
<b><u>Complaints Dismissed</u></b>		
Dismissed:		
Appellate Review	3512	60
Lack of Evidence	4748	105
Lack of Jurisdiction	89	4
<b><u>Complaints Currently Pending at Commission</u></b>		
Formal Complaint Pending	0	4
Pending Investigation	0	15
New Complaints Pending	0	32
<b><u>Sanctions Imposed</u></b>		
Informal Commission Action	639	16
Memorandum of Understanding	398	3
Resigned/Retired	125	0
Inactive Status	36	0
Private Admonishment	70	2
Public Reprimands/Suspension	117	2
Removed	24	0
Dismissed	4	0
Currently Pending at Supreme Court	0	0
<b>TOTALS</b>	<b>9762</b>	<b>243</b>

## **DISCIPLINARY RECOMMENDATIONS**

In 2019, the Commission received 243 complaints and dismissed 169 at the initial stage as shown above. In addition to disciplinary action, the Commission is charged with educating and rehabilitating judges and in accordance with that mission issued 16 cautionary/instructional letters and 3 Memoranda of Understanding. In addition, staff participated as presenters at judges' conferences regarding judicial ethics. At the end of 2019, the Commission had 15 cases pending before the Commission that were still under investigation. There were also 32 new complaints yet to be considered by the Commission.

Also during 2019, the Commission filed two (2) recommendations for discipline with the Mississippi Supreme Court. The Court has ruled on both 2019 cases as well as two (2) cases that were pending at the end of 2018. These cases are matters of public record and are reported here without violating the constitutionally required confidentiality.

## **DECISIONS RENDERED BY THE MISSISSIPPI SUPREME COURT DURING THE 2019 CALENDAR YEAR**

### **Miss. Comm'n on Judicial Performance v. McGee, 266 So.3d 1003 (Miss. 2019)**

The Commission alleged and the Respondent agreed that he established a pattern of taking cases under advisement and then not issuing rulings in those cases. The Commission found 28 instances. In addition, Respondent set aside default judgments without proper motion and granted a judgment without holding a hearing on the merits. The Commission recommended and the Respondent agreed that Respondent be publicly reprimanded and fined \$1,683.34, the equivalent of 2 weeks of salary. The Supreme Court agreed that the recommendation was proper.

### **Miss. Comm'n on Judicial Performance v. Burton, 268 So.3d 565 (Miss. 2019)**

The Commission recommended that a Justice Court Judge (Respondent) be publicly reprimanded and fined \$500.00. The Supreme Court found that the Respondent filed an affidavit alleging that his former girlfriend stole some items from him. Based upon that affidavit, another Justice Court Judge signed a warrant for the girlfriend's arrest. Before the warrant was served, Respondent changed his mind and told the clerk to rescind the warrant and change her name to Jane Doe. The Respondent agreed to the facts and the proposed sanction and the Supreme Court agreed with the recommendation.

### **Miss. Comm'n on Judicial Performance v. Sutton, 275 So.3d 1062 (Miss. 2019)**

In a two (2) count complaint, the Commission charged Respondent with calling an arresting officer and asking if the officer would "help out" a defendant, charged with prostitution. When the officer refused, Respondent *sua sponte* and without a hearing,



remanded the charge to the file. In addition, Respondent called an officer on behalf of a member of his church congregation to inquire about the amount of marijuana, felony or misdemeanor, confiscated during an arrest of the parishioner's son. The Commission and Respondent agreed to the facts in the case and recommended to the Supreme Court that the proper sanction should be a public reprimand and a \$500.00 fine. The Supreme Court disagreed and imposed a public reprimand, a \$500.00 fine and a 30 day suspension without pay.

**Miss. Comm'n on Judicial Performance v. Williams, 2019-JP-01009-SCT**

The Commission, on June 20, 2019 recommended to the Supreme Court that Respondent, a Justice Court Judge, be suspended on an interim basis pending the outcome of the Formal Complaint. The Commission alleged that Respondent engaged in a physical altercation with two (2) Justice Court deputy clerks and was impatient with and rude to witnesses, litigants, attorneys and court staff. On December 12, 2019, the Supreme Court agreed that an interim suspension was appropriate and entered its order.