

January 26, 2001

*Honorable Fred D. Davis, III
Circuit Court Judge Eleventh Judicial District
P.O. Box 9140
Pine Bluff, AR 71611-9140*

*RE: Letter of Admonishment
Case #00-129*

Dear Judge Davis,

During the January 19, 2001 meeting, the Judicial Discipline and Disability Commission decided to issue a Letter of Admonishment to you in complaint number 00-129. In that complaint, the Commission found you violated the Code of Judicial Conduct.

The complainant, the Arkansas Supreme Court issued a writ of mandamus directing you to enter an order in a pending case. An inmate in the Arkansas Department of Corrections, Larry Ladwig, filed a petition in August of 1997 seeking post-trial review of his sentence. You failed to rule on the petition until February of 2000, when the Supreme Court issued a writ of mandamus directing you to act.

In the opinion dated February 17, 2000, the Supreme Court stated that they were unable to communicate with you. The court sent two letters and made telephone calls to your office. Those letters and calls went unanswered. When the Supreme Court was unable to obtain a response to their communications, the court concluded that there was no good reason for the delay and issued the writ of mandamus directing you to enter an order on Ladwig's petition.

At the Probable Cause Hearing on this matter held on January 19, 2001, you provided testimony to the Commission that you had not been told of the letters from the Supreme Court staff attorney nor had you ever been told of the phone calls by your case coordinator. And that

subsequent to this matter coming to the Commission's attention, you terminated the employment of your case coordinator.

The Code of Judicial Conduct requires that a judge dispose of all judicial matters promptly, efficiently and fairly, and that a judge diligently discharge the judge's administrative responsibilities. Your delay in ruling on the Ladwig petition and failure to properly supervise your staff violates the Code.

For your conduct in violating these two provisions of the Code of Judicial Conduct, it is the decision of the Commission that you be admonished. This public admonition constitutes adequate discipline and no further action is warranted. This Commission's action is public information.

Sincerely,

*James A. Badami
Executive Director*

cc: Clerk of the Arkansas Supreme Court

JAB/eld