

January 27 , 1997

Honorable Jerry Patterson
Municipal Court Judge
5 East Nome Street
P.O. Drawer 620
Marshall, Arkansas 72650

RE: Case 94-253

Dear Judge Patterson:

At a Probable Cause Hearing on January 17, 1997, the Judicial Discipline and Disability Commission reviewed a Statement of Allegations, your response to that Statement of Allegations, the results of its investigation, and your sworn testimony before the Commission. This letter concerns the allegations that April 14, 1994 in your judicial capacity as the part-time Marshall Municipal Court Judge, you reviewed an affidavit of a Jack Wyatt, and authorized the arrest of a William Tidmore for battery. On April 20, 1994, in your private attorney capacity, you began to represent Jack Wyatt in his claim for damages against Tidmore. At the time, you knew you had acted in a related matter in your judicial capacity.

You continued your representation of Wyatt against Tidmore through at least December 1994. On August 24, 1994, in your judicial capacity, you accepted Tidmore's plea of not guilty of the battery which arose from his assault of your client in April 1994. On October 3, 1994, in your judicial capacity, you signed an order for Tidmore to appear and show cause why he should not be held in contempt for his failure to appear before you in court on September 28, 1994. In your judicial capacity, you directed the municipal court clerk to mail your order to Tidmore.

The Commission found that under the circumstances of this case as described above, your actions denigrated the public confidence of the judiciary, was inconsistent with maintaining the high standards of

conduct essential in preserving the integrity of the judiciary and created the appearance of an impropriety. This constitutes a violation of Canons 1, 2A, 3C(1), and the application section of the Code of Judicial Conduct concerning actions of a continuing part-time judge. It is the judgment of the Commission that you be and are hereby admonished.

This public admonition constitutes adequate discipline and no further action is warranted. The Commission indulges in the expectation that this conduct will not be repeated.

This Commission action is public information.

BY DIRECTION OF THE COMMISSION:

James A. Badami
Executive Director

cc: Attorney Jack Lassiter
cc: Mr. & Mrs. William Tidmore