

ORIGINAL

IN THE SUPREME COURT OF OHIO

14-1905

DISCIPLINARY COUNSEL,

CASE NO.

Relator,

Matter Related to the
Practice of Law Authorized by
S.Ct. Prac. R. Section 13

v.

ANGELA ROCHELLE STOKES,

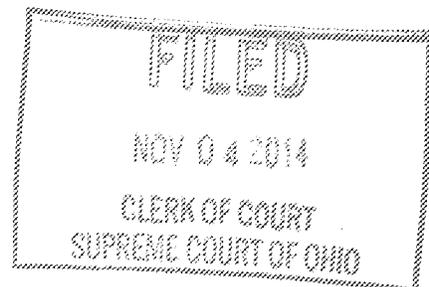
Respondent.

RELATOR'S MOTION FOR AN IMMEDIATE INTERIM REMEDIAL SUSPENSION
UNDER GOV. BAR R. V(5a)

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HON. ANGELA ROCHELLE STOKES
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Cleveland Municipal Court
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Respondent

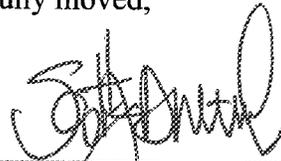
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RELATOR'S MOTION FOR IMMEDIATE INTERIM REMEDIAL SUSPENSION
UNDER GOV. BAR R. V(5a)

Pursuant to Rule V(5a) of the Supreme Court Rules for the Government of the Bar of Ohio, relator, Disciplinary Counsel, moves the Court for an immediate interim remedial suspension. Respondent has engaged in conduct that violates the Ohio Code of Professional Responsibility, the Ohio Rules of Professional Conduct, and the Ohio Code of Judicial Conduct. This misconduct has caused serious public harm and poses a substantial additional and continuing threat of serious harm to the public and the administration of justice. In light of this fact, respondent should be immediately suspended from her judicial duties and the practice of law pending final disposition of the pending disciplinary proceedings against her. The interests of justice warrant immediate consideration pursuant to Gov. Bar. R. V, Section 5a(A)(1)(b) and S.Ct.Prac.R. 4.01(C). The grounds for this motion are set forth more fully in the following Memorandum in Support.

Respectfully moved,



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MEMORANDUM IN SUPPORT

A. Background Facts

Respondent, Angela R. Stokes, was admitted to the practice of law in the state of Ohio on October 29, 1984. She was first elected as a judge of the Cleveland Municipal Court in December 1995. Most recently, she was elected for a six-year term beginning January 2, 2012 and expiring January 1, 2018. Since taking the bench in 1995, hundreds of formal and informal complaints have been communicated to court officials regarding respondent's conduct – exponentially more than any other judge of the Cleveland Municipal Court. See, Affidavit of Michael Negray, attached hereto as Exhibit 1, ¶ 10; Affidavit of Judge Ronald Bruce Adrine, attached hereto as Exhibit 2, ¶ 10.

1. Summary of Misconduct

a. Complaints to the Court

The complaints communicated to court officials “include mistreatment of participants in criminal hearings, including defendants, witnesses, police officers, prosecutors, private defense counsel, public defenders, court personnel, and other members of the general public.” Ex. 2, Adrine Aff., ¶ 8. Specifically, defendants, attorneys, and members of the general public have felt restrained by respondent's “policies of ingress to and egress from her courtroom,” such as her policy that all individuals entering her courtroom sign in and provide identifying information. See, Id. at ¶ 8-9a and Answer of Respondent to Relator's Complaint, attached hereto as Exhibit 3, ¶ 135.

Moreover, the court has received numerous complaints from security bailiffs regarding treatment received in respondent's courtroom, such as being publicly reprimanded or banished from the courtroom “for performing their duties.” Ex. 2, Adrine Aff., ¶ 9b. And, personal

bailiffs assigned to respondent have repeatedly resigned due to the treatment received from respondent. *Id.* at ¶¶ 9b, 13. Upon information and belief, respondent is no longer assigned a personal bailiff.

In addition, respondent regularly speaks to defendants and members of the general public “in an excessively rude and demeaning matter.” *Id.* at ¶9b. Examples of respondent’s misconduct are detailed more specifically below.

Furthermore, respondent has grossly misused the court’s human and material resources. *Id.* at ¶ 8. In fact, every department of the Cleveland Municipal Court has been negatively impacted by respondent’s grossly disproportionate use of human and material resources as compared to other judges of the court. *Id.*

For instance, respondent regularly continues cases, requiring defendants and their attorneys (both private and public) to make multiple appearances in her courtroom. *Id.* at ¶ 16. She takes an inordinate amount of time to handle cases on her docket, which oftentimes results in prosecuting attorneys and public defenders having to work hours past their scheduled shifts, sometimes as late as 8:00 pm, and on rare occasions even later. *Id.* at ¶¶ 9a, 16. It is not uncommon for a case on respondent’s morning docket (8:30 or 9:00 am) to be called in the mid or late afternoon or sometimes not at all thus requiring defendants (and their attorneys) to return and appear the following day. *Id.* Due to the extraordinary amount of time it takes to handle a case in respondent’s courtroom, it has been difficult for the Cleveland Municipal Court to find private attorneys who will accept a court appointment when the Public Defender has a conflict. Ex. 2, *Adrine Aff.*, ¶ 11; Ex. 1, *Negray Aff.*, ¶ 12.

In addition, court personnel have been frequently summoned for immediate appearance in respondent’s courtroom, only to wait for up to 60 minutes or more while respondent tended to

other matters. Ex. 2, Adrine Aff., ¶ 9a. Furthermore, respondent's conduct requires an inordinate amount of time to be expended by the Probation Department and Psychiatric Clinic, including "limitless requests for probation updates, pre-sentencing reports, post sentencing reports and psychiatric evaluations." Id. at 9c.

As for material resources, respondent exhausts court-allotted funds for drug and alcohol testing earlier than any other judge on the court. Id.

b. Complaints to the Public Defender

The Cuyahoga County Public Defender has also received many complaints regarding respondent. See, Affidavit of Robert L. Tobik, attached hereto as Exhibit 4, ¶ 7. The majority of those complaints focused on long hours spent in respondent's courtroom due to the mismanagement of her docket; repeated continuances; and rude and demeaning treatment of attorneys when they tried to place an objection on the record or discouraged their clients from accepting a plea offered by the prosecutor. Id. at ¶ 7. Many employees of the Public Defender's Office "have been yelled at, publicly humiliated and/or threatened with contempt for no valid reason." Id. at ¶ 8. As a result of respondent's conduct, defendants are concerned about being treated fairly in her courtroom. Id. at ¶ 23.

2. Specific Examples of Misconduct

The following are just some examples of respondent's misconduct. Additional examples can be found in the First Amended Complaint, filed by relator in April 2014 and attached hereto as Exhibit 5. Moreover, at the hearing in the formal disciplinary proceeding, relator intends to introduce numerous other examples of respondent's misconduct, which are not detailed in the amended complaint, but that follow the general pattern of conduct alleged in the complaint, i.e. rude and demeaning conduct, abuse of court resources, etc.

- Respondent required one defendant to appear in her courtroom on 19 separate occasions during his three years of probation after a second DUI conviction during his lifetime. Ex. 2, Adrine Aff., ¶ 30a.
- Another defendant, after being convicted of DUI for the first time, was terminated from her nursing school program because respondent required her to make multiple eight-hour courtroom appearances in connection with her effort to have her driving privileges restored. Id. at ¶ 30d. That defendant was required to wear a continuous alcohol monitoring device “even though an alcohol assessment indicated that she had no alcohol problems.” Id.
- Along the same lines, a third defendant was required to undergo weekly urinalysis and alcohol assessments after being found guilty of petty theft even though there was no indication that alcohol was a factor in his offense or that there existed a significant alcohol problem. Id. at ¶ 30b.
- Respondent ordered one defendant to undergo grief counseling after losing her fiancé in an accident that was unrelated to her conviction for physical control of her vehicle. Id. at ¶ 30c.
- Another defendant was required to undergo a psychiatric evaluation, serve 44 days in jail, and undergo intensive outpatient treatment after being convicted on charges for not having a driver’s license and failing to stop after an accident. Id. at ¶ 30e. Respondent required that defendant to appear in her courtroom on nine separate occasions. Id. at ¶ 30e.
- On August 29, 2011, Denise Pederson came before respondent on an open container charge. Pederson pled no contest to the charge. Respondent imposed a \$20 fine and inquired whether Pederson could pay it within 24 hours. Pederson or her attorney stated that she was unable to pay the fine within 24 hours because she was on disability and would not receive her next check until September 3, 2011. Respondent then inquired into Pederson’s specific disability. Upon learning the Pederson had schizophrenia, respondent placed Pederson on one-year of active probation, decided that Pederson needed to be evaluated, and took her into custody for a psychiatric evaluation. See Ex. 6, DVD attached hereto, Audio 1 & 2; See also, Complaint, attached hereto as Exhibit 7, ¶¶ 212-219 and Ex. 3, Ans. of Resp’t to Relator’s Compl., ¶¶ 212 & 214-216.
- On March 5, 2013, respondent ordered that James Johnson, a defendant, Jasmine Edwards, another defendant, and Lisa Barbee, a member of the public, be placed in the holding cell without giving them any warning or opportunity to explain their conduct. Johnson had made a noise or statement in the courtroom and respondent believed that it was Edwards who had made the noise or statement. When Johnson, Edwards, and Barbee attempted to correct respondent as to who made the noise or statement, respondent ordered all three of them confined in the holding cell. See Ex. 6, Video 1 at 11:47; See also, Ex. 7, Compl., ¶ 123-132.

- On June 25, 2013, respondent ordered that a non-incarcerated defendant to use the restroom in the holding cell instead of permitting him to leave the courtroom to use the public bathroom. See, Ex. 6, Video 2.
- On August 13, 2013, Tabbatha Toon appeared before respondent on charges of license required to operate and right of way when turning left. The matter was continued so that Ms. Toon could retain counsel. As Ms. Toon was leaving the courtroom, she allegedly pushed too hard on the courtroom door. Respondent immediately ordered that Ms. Toon be brought back into the courtroom and confined in the holding cell. Respondent did not tell Ms. Toon why she was being held in contempt, nor did she give Ms. Toon an opportunity to speak, much less explain her conduct. See, Ex. 6, Video 3.
- On March 21, 2013, respondent ordered that all cell phones in the courtroom be confiscated due to the fact that two individuals were using their cell phones in the courtroom. See Ex. 6, Video 4.
- On August 19, 2010, respondent threatened Attorney Michael Winston with contempt and confinement in the holding cell due to Winston's attempt to place an objection on the record on behalf of a client.¹ See, Ex. 6, Video 5; See also, Ex. 7, Compl., ¶¶ 39-44 and Ex. 3, Ans. of Resp't to Relator's Compl., ¶¶ 39-44.
- On June 16, 2011, respondent repeatedly yelled at Assistant Public Defender Scott Malbasa, ordered him to "shut his mouth" and threatened to hold him in contempt when he attempted to place an objection on the record. See, Ex. 6, Video 6.
- On May 16, 2013, respondent ordered Malbasa to be confined to the holding cell for advocating on behalf of his client in another case. See Ex. 6, Video 7; and Ex. 4, Tobik Aff., ¶ 9.
- On September 25, 2012, respondent told defense attorney Henry Hilow that he was "out of order" and that he needed to "watch [his] conduct" in her courtroom. See, Ex. 6, Video 8; See also, Ex. 7, Compl., ¶ 71 and Ex. 3, Ans. of Resp't to Relator's Compl., ¶ 71. After waiting over three hours for his client's case to be called, Hilow had simply asked whether it was appropriate to request a later appearance time for a future pre-trial since it appeared that respondent called cases involving police officers first. See, Ex. 6, Video 8; See also, Compl., ¶ 65-71 and Ans. of Resp't to Relator's Compl., ¶¶ 65-71.

¹ Respondent claims that this incident is not a proper subject of the instant complaint because it was previously reviewed and dismissed by relator. See, Ex. 9, Ans. of Resp't to Relator's Compl., ¶ 245. However, at the time it was dismissed, relator was not aware of the other instances of misconduct committed by respondent. Moreover, relator did not have the benefit of reviewing the video of this incident at that time.

- On October 23, 2013, respondent sentenced a defendant to three days in jail for driving without a legal right to do so. Respondent ordered the defendant to serve her sentence immediately. Assistant Public Defender Gus Rini attempted to inform respondent that the defendant had a four-year old child for whom she needed to make child care arrangements during her incarceration. Respondent refused to listen to Rini's comments or give any consideration to the defendant's circumstances. She then told Rini that he was "out of order" and implied that it was Rini's fault that the docket had continued past 5:00 pm that day. See, Ex. 6, Video 9 at 5:23:50; See also, Ex. 5, First Amd. Compl., ¶¶ 263-266 and Answer of Respondent to Relator's First Amended Complaint, attached hereto as Exhibit 9, ¶¶ 263-266.
- On September 24, 2008, respondent repeatedly criticized a Court Psychiatric Clinic employee, Dr. Arcangela Wood, in open court. Among other things, respondent stated that a risk assessment performed by Dr. Wood was "flawed" and "unbalanced." Respondent made her public comments even after she had privately discussed her concerns at sidebar and directly with Dr. Wood and her supervisor. See Ex. 6, Video 10.
- On November 27, 2012, respondent publicly berated a pro-se defendant for not understanding court procedures and the flow of cases. The defendant filed a motion to dismiss but the prosecutor had not yet responded. Although it was the prosecution that required extra time, respondent continued the matter "at the defendant's request." When the defendant attempted to address some other outstanding issues, respondent yelled at him: "That's why you need to hire an attorney because you don't have a clue as to what you are doing in a courtroom." Respondent ordered him escorted out of the courtroom and threatened him with time in jail if he said "another word." See Ex. 6, Video 11; See also, Ex. 7, Compl., ¶¶ 117-122 and Ex. 3, Ans. of Resp't to Relator's Compl., ¶¶ 117-121.
- On August 9, 2013 at 5:25 pm, Carl Collins appeared before respondent on a driving under the influence charge. Collins had previously stated that he would retain counsel, but ultimately decided that he wanted to represent himself. Since the prosecutor had already left for the day, the matter was continued. See, Ex. 6, Video 12. On October 23, 2013 at 5:58 pm, Collins appeared before respondent again. Collins requested a jury trial because he had been unable to reach any type of resolution with the prosecutor. Respondent again questioned Collins' decision to represent himself and continued the matter until November 7, 2013. See, Ex. 6, Video 13; See also, Ex. 5, First Amd. Compl., ¶¶ 279-282 and Ex. 9, Ans. of Resp't to Relator's First Amd. Compl., ¶¶ 279-282. When Collins appeared on November 7, 2013, he was unrepresented. Since Collins did not reach a resolution of his case with the prosecutor, he requested a jury trial. Respondent immediately requested that the parties approach sidebar. At sidebar, respondent again questioned Collins' decision to represent himself and ordered Collins to undergo a psychiatric evaluation for the purpose of determining whether he was

competent to represent himself. See, Ex. 6, Video 14. Ultimately, Collins was declared competent to represent himself; however, due to the number of appearances before respondent, the prosecutor was forced to dismiss the charges on speedy trial grounds. See, Docket for Case No. 2013 TRC 039690, attached hereto as Exhibit 8.

- On November 26, 2013, Cynthia George appeared before respondent on four different traffic charges – a license required to operate charge, a max speed/assured clear distance charge, a driver seatbelt required charge, and a passenger seatbelt required charge. George had previously pled not guilty to the charges because she had a valid license on the date of the offense, but did not have it with her at the time of the offense. See Ex. 6, Video 15; See also, Ex. 5, First Amd. Compl., ¶¶ 325-329 and Ex. 9, Ans. of Resp't to Relator's First Amd. Compl., ¶¶ 325-329. Although George's case was scheduled for 8:30 am, respondent did not call George's case for the first time until approximately 1:45 pm. See Ex. 6, Video 15; See also, First Amd. Compl., ¶¶ 326 and Ans. of Resp't to Relator's First Amd. Compl., ¶¶ 326. At that time, George stated that she wanted to represent herself. Respondent informed George that she needed to speak to the prosecutor about her case when he returned from lunch in about 25 minutes. Respondent did not recall George's case until 3:42 pm. See Ex. 6, Video 15; See also, First Amd. Compl., ¶¶ 328-331 and Ans. of Resp't to Relator's First Amd. Compl., ¶¶ 328, 330, 331. When respondent recalled George's case, George stated that she wanted the matter set for trial. Respondent questioned George's decision to represent herself and again made George wait while she handled other cases. See Ex. 6, Video 16; See also, First Amd. Compl., ¶¶ 337-341 and Ans. of Resp't to Relator's First Amd. Compl., ¶¶ 337-341. At 4:04 pm, respondent recalled George's case for the third time and George reiterated that she wanted to represent herself. See Ex. 6, Video 17; See also, First Amd. Compl., ¶¶ 337, 340 and Ans. of Resp't to Relator's First Amd. Compl., ¶¶ 337, 340. After berating George for her decision, respondent directed a public defender to assist her. See Ex. 6, Video 17.

3. Attempts to Address Respondent's Misconduct

Judge Ronald B. Adrine, the current administrative and presiding judge of the Cleveland Municipal Court, and Judge Larry A. Jones, the preceding administrative and presiding judge, have attempted to address respondent's conduct since at least 2004. Ex. 2, Adrine Aff., ¶ 3-4.

At first, they met with respondent in private to discuss her actions. *Id.* at ¶ 13. When it became apparent that these private discussions were not having an effect on respondent's conduct, Judge Adrine and Judge Jones began issuing multiple administrative orders and policy

changes. *Id.* at ¶ 13-14. Although these directives applied equally to all court staff, they were instituted for the sole purpose of addressing respondent's conduct. *Id.* In addition, several other agencies or offices affiliated with the court, such as the Public Defender's Office, began issuing rule and/or policy changes in response to respondent's conduct. Ex. 2, *Adrine Aff.*, ¶¶ 15, 16; Ex. 4, *Tobik Aff.*, ¶ 10-12.

Respondent thwarted these curative efforts. *Adrine Aff.*, ¶ 16. By way of illustration, after the implementation of a rule requiring all public defenders and other court personnel to leave respondent's courtroom by 5:00 pm daily, respondent "merely began carrying cases over to the following day, which required defendants to appear for a second day, and sometimes, a third day in order to have their cases heard." *Id.* The number of complaints regarding respondent's conduct increased as a result. *Id.*

In November 2011, Judge *Adrine* filed a grievance against respondent with the Office of Disciplinary Counsel. *Id.* at ¶ 19. In early 2012, respondent became aware that she was being investigated by relator as a result of Judge *Adrine's* grievance and another grievance, which was filed by an individual who had appeared before her. Still, respondent persisted in her conduct. *Id.* at ¶ 20.

In July 2013, relator served respondent with a Notice of Intent to file a certified complaint. Despite notice that Disciplinary Counsel believed her conduct violated the ethical rules and canons, respondent's misconduct continued unabated. As a result, the Cleveland Municipal Court continued to receive complaints "from employees, defense attorneys, prosecuting attorneys, police officers, outside agencies, and the general public about the manner in which her courtroom operated." *Id.*

On September 25, 2013, relator submitted a complaint against respondent to the Board of Commissioners on Grievances and Discipline (“Board”). See, Ex. 7, Compl. Relator’s complaint details multiple ethical violations ranging from abuse of court resources, court personnel, lawyers, defendants, and the public, to abuses of constitutional freedoms and the commission of abusive and egregious legal errors. *Id.*

On October 14, 2013, a probable cause panel certified the complaint to the Board. On or about December 6, 2013, respondent answered relator’s formal complaint. Although respondent admitted many of relator’s factual assertions, she denied that her conduct was inappropriate to any degree or in any respect, making it clear that she neither understands nor appreciates the gravity of her misconduct. See, Ex. 3, Ans. of Resp’t to Relator’s Compl.

Despite the filing of the formal complaint, respondent’s conduct “continued unchanged.” *Adrine Aff.*, ¶ 22. The court continued to receive complaints about respondent’s conduct and administration of her duties by court employees, attorneys, police officers, outside agencies and the general public. *Id.* at ¶ 26. On average, the court received approximately one formal complaint filed against respondent every week and informal complaints on a daily basis. *Id.*

In response to respondent’s ongoing misconduct, relator filed its First Amended Complaint on April 25, 2014. See, Ex. 5, First Amd. Compl. Respondent filed her answer on or about July 21, 2014 and, like her previous answer, denied that she had committed any violation of the ethical rules. See, Ex. 9, Ans. of Resp’t to Relator’s First Amd. Compl.

Just prior to the filing of the First Amended Complaint, in March 2014, the Cuyahoga County Public Defender filed a motion to have respondent’s criminal cases involving a 4th degree misdemeanor or higher transferred to other judges on the Cleveland Municipal Court and

to stop further assignment of those cases to respondent's docket. Ex. 2, Adrine Aff., ¶ 23; Ex. 4, Tobik Aff., ¶ 19.

Upon receipt of the Public Defender's motion, Judge Adrine "recognized the necessity of pursuing stronger actions than those undertaken before." Ex. 2, Adrine Aff., ¶ 27. Since all of the complaints arose from respondent's handling of her criminal docket, Judge Adrine issued a number of administrative orders reassigning her criminal caseload. Id. at ¶ 28. He balanced her caseload by increasing the number of civil cases assigned to her. Id. These changes were not meant to be any form of discipline, but were a "last resort" to prevent the continuation of what Judge Adrine believed was an "unacceptably dysfunctional courtroom that compromised the operations of the entire Cleveland Municipal Court." Id. at ¶ 31.

After respondent was relieved of handling criminal cases, no new complaints were received except for one instance in which respondent sought a psychological assessment of a civil litigant. Id. at ¶¶ 30f, 32. Moreover, the managers of all court departments reported that morale and productivity of the court's staff has considerably improved. Id. at ¶¶ 33, 36. Thus, there was no need for relator to seek an interim remedial suspension at that time.

On March 26, 2014, respondent filed a complaint for writs of quo warranto, mandamus and prohibition to overturn the administrative orders issued by Judge Adrine that reassigned her criminal docket. On September 3, 2014, this Court dismissed, sua sponte, the writs of quo warranto and mandamus. At the same time, it issued an alternative writ of prohibition and set a briefing schedule. Judge Adrine issued an administrative order on September 17, 2014 that stayed the further reassignment of respondent's criminal docket but delayed implementation of that order pending this court's action, if any, on his motion for clarification. Although the matter is still pending and a Motion for Clarification of Respondent's Obligations Pursuant to the

Court's Alternative Writ has been filed, it appears that respondent's criminal docket might soon be restored. Therefore, it has now become necessary to file the instant motion to prevent the substantial harm to the public that is likely to occur if respondent is permitted to resume presiding over criminal cases.

B. Law and Argument

"[A] litigant who is subjected to rude and insensitive treatment is left without recourse. Whether the litigant wins or loses, the end result is an irreparable loss of respect for the system that tolerates such behavior." *Disciplinary Counsel v. O'Neill*, 103 Ohio St.3d 204, 2004-Ohio-4704, 815 N.E.2d 286, ¶38. Deborah P. O'Neill was suspended from the practice of law due to several findings of judicial misconduct, including a pattern of rude and discourteous treatment of court staff, attorneys, law enforcement officers and other individuals.

Respondent has exhibited a pattern of rude, undignified and unprofessional conduct. Like O'Neill, respondent's behavior includes abusive verbal outbursts, unjustified expulsions from the courtroom, and berating or humiliating persons in the presence of others. She has created a hostile work and courtroom environment in which court personnel are constantly on edge and individuals appearing before her are frightened and intimidated because of her volatile and unpredictable personality. She refuses to listen to the concerns of attorneys advocating for their clients and of individuals appearing before her who are advocating for themselves. Not only is her conduct worthy of significant disciplinary action, it unquestionably poses a substantial threat of serious harm to the public.

In addition to abuse of court personnel, lawyers, defendants, and the public, respondent has engaged in misconduct which can only be categorized as the abuse of court resources, abuse of constitutional freedoms, and the commission abusive legal errors. Consistent with the

background facts set forth above and the detailed allegations contained in the Complaint and First Amended Complaint, relator's case-in-chief during the disciplinary proceedings will include multiple additional examples of every category of misconduct.

An interim remedial suspension is appropriate when there exists "substantial, credible evidence demonstrating that a Justice, judge or attorney has committed a violation of the Code of Judicial Conduct or Ohio Rules of Professional Conduct and poses a substantial threat of serious harm to the public." Gov. Bar. R. V(5a)(A)(1). It is notable that relator's complaint has already been reviewed by a probable cause panel of the Board of Commissioners on Grievances and Discipline and that the panel concluded that probable cause existed to file the complaint. See, Entry dated Oct. 14, 2013, attached hereto as Exhibit 10. In certifying the complaint, the Board has already determined the existence of substantial, credible evidence of respondent's misconduct. Furthermore, respondent has admitted to many of the facts alleged in the Complaint and First Amended Complaint. See, Ex. 3, Ans. of Resp't to Relator's Compl. and Ex. 9, Ans. of Resp't to Relator's First Amd. Compl.

The threat of serious harm to the public is substantial in this case because, despite all of the attention to respondent's behavior, she has refused to alter her conduct in any way. Her refusal to admit any wrongdoing demonstrates that she has no appreciation for the gravity of her actions or their effect on the integrity and the operation of both her courtroom and the Cleveland Municipal Court as a whole. Moreover, Judge Adrine believes that if respondent's criminal docket is restored, respondent "will feel empowered and emboldened and that her conduct is likely to become even more stringent." Ex. 2, Adrine Aff., ¶ 36. Similarly, the Cuyahoga County Public Defender, Mr. Tobik, also believes that there will be no change in respondent's

future conduct, and if her criminal docket is restored, he intends to renew his motion to transfer criminal cases from her docket. Ex. 4, Tobik Aff., ¶ 5, 22.

Like Judge Adrine and Mr. Tobik, relator also believes that respondent will resume her pattern of misconduct if her criminal docket is restored. Clearly, respondent's conduct has had a profoundly negative effect on the Cleveland Municipal Court, and there is no reason to believe that her conduct will be any different if her criminal docket is restored. This contention is supported by the fact that respondent has repeatedly rejected informal counseling/advice from Judge Jones and Judge Adrine, has failed to understand or appreciate the multiple administrative changes that have been made in response to her conduct, and has refused to reform, alter, or adjust her conduct in any way in response to the disciplinary complaints that have been filed against her.

Respondent's conduct is not only inappropriate and inexcusable under any circumstance; it has also "diminished the way that the public views the court, as a result of routinely negative portrayals of her conduct in the local newspapers and on broadcast and internet media." Ex. 2, Adrine Aff., ¶ 11. In the interests of justice, to prevent continued serious harm to the public, the Court should enter an immediate interim remedial suspension pending final disposition of the disciplinary proceedings.

C. Proposed Findings of Fact and Conclusions of Law

Pursuant to Gov. Bar R. V(5a)(A)(1)(b), relator proposes the following findings of fact and conclusions of law:

1. Respondent is currently licensed to practice law in the State of Ohio and is subject to the Rules for the Government of the Bar, the Ohio Code of Professional Responsibility, the Ohio Rules of Professional Conduct and the Ohio Code of Judicial Conduct.

2. Respondent is presently the subject of a pending Motion for Immediate Interim Remedial Suspension filed by relator pursuant to Gov. Bar R. V(5a).

3. Relator has provided substantial, credible evidence that respondent has failed to uphold and promote the independence, integrity and impartiality of the judiciary, avoid impropriety and the appearance of impropriety in violation of the Canon 1 rules of the Ohio Code of Judicial Conduct by mismanaging and disproportionately using the court's human and material resources; mistreating court personnel; and abusing constitutional freedoms.

4. Relator has provided substantial, credible evidence that respondent has failed to act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and avoid impropriety and the appearance of impropriety, in violation of Rule 1.2 of the Ohio Code of Judicial Conduct by mismanaging and disproportionately using the court's human and material resources; mistreating court personnel, lawyers, defendants and the public; abusing constitutional freedoms; and making abusive legal errors including hasty decisions, placing burdensome conditions on defendants, increasing bonds for defendants who request a trial and improperly revoking probation.

5. Relator has provided substantial, credible evidence that respondent has failed to perform the duties of judicial office impartially, competently, and diligently in violation of the Canon 2 rules of the Ohio Code of Judicial Conduct by mismanaging and disproportionately using the court's human and material resources; mistreating court personnel; and abusing constitutional freedoms.

6. Relator has provided substantial, credible evidence that respondent has failed to uphold and apply the law and perform all duties of judicial office fairly and impartially in violation of Rule 2.2 of the Ohio Code of Judicial Conduct by abusing constitutional freedoms.

7. Relator has provided substantial, credible evidence that respondent has failed to perform judicial and administrative duties competently and diligently and to comply with guidelines set forth in the Rules of Superintendence for the Courts of Ohio in violation of Rule 2.5 of the Ohio Code of Judicial Conduct by mismanaging and disproportionately using the court's human and material resources;

8. Relator has provided substantial, credible evidence that respondent has failed to accord to every person who has a legal interest in a proceeding the right to be heard according to law in violation of Rule 2.6 of the Ohio Code of Judicial Conduct by mistreating defendants and the public.

9. Relator has provided substantial, credible evidence that respondent has failed to be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom she deals in an official capacity in violation of Rule 2.8 of the Ohio Code of Judicial Conduct by mistreating court personnel, lawyers, defendants and the public.

10. Relator has provided substantial, credible evidence that respondent has failed to be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity in violation of Canon 3(B)(4) of the Ohio Code of Judicial Conduct by mistreating court personnel, lawyers, defendants and the public.²

11. Relator has provided substantial, credible evidence that respondent has failed to diligently discharge her administrative duties without bias or prejudice, maintain professional competence in judicial administration, and cooperate with other judges and court officials in the administration of court justice in violation of Canon 3(C)(1) of the Ohio Code of Judicial

Conduct by failing to competently perform judicial and administrative duties; and mismanaging and disproportionately using the court's human and material resources.

12. Relator has provided substantial, credible evidence that respondent has engaged in conduct that is prejudicial to the administration of justice in violation of Disciplinary Rule 1-102(A)(5) of the Ohio Code of Professional Responsibility and Rule 8.4(d) of the Ohio Rules of Professional Conduct by mismanaging and disproportionately using the court's human and material resources; mistreating lawyers; and abusing constitutional freedoms.

13. Relator has provided substantial, credible evidence that respondent has engaged in conduct that adversely reflects on the lawyer's fitness to practice law, in violation of Disciplinary Rule 1-102(A)(6) of the Ohio Code of Professional Responsibility and Rule 8.4(h) of the Ohio Rules of Professional Conduct by mistreating court personnel, defendants and the public.

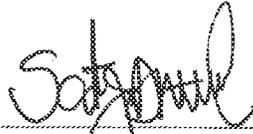
14. Respondent should be suspended from her judicial duties and from the practice of law pursuant to Gov. Bar R. V(5a).

D. Conclusion

Relator has presented substantial, credible evidence that respondent has committed numerous violations of the Ohio Code of Professional Responsibility, the Ohio Rules of Professional Conduct, and the Ohio Code of Judicial Conduct while a sitting judge of the Cleveland Municipal Court. In the event that respondent's criminal docket is restored, there is no reason to believe that respondent's conduct will be any different. As such, in order to prevent a substantial and continuing threat of serious harm to the public, this Court should impose an immediate interim remedial suspension pursuant to Gov. Bar R. V(5a).

² Portions of respondent's misconduct occurred before the March 1, 2009 amendments to the Ohio Code of Judicial Conduct.

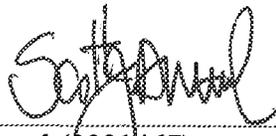
Respectfully submitted,



Scott J. Drexel (0091467)
Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411
614.461.0256
614.461.7205 (Facsimile)
scott.drexel@sc.ohio.gov
Relator

CERTIFICATE OF COMPLIANCE

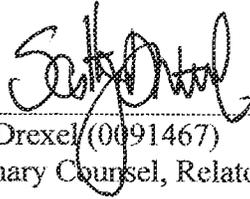
Pursuant to the notice provision of Gov. Bar R. V(5a)(A)(1)(a), Disciplinary Counsel informed respondent's counsel, Richard C. Alkire, by telephone on October 27, 2014 that relator intended to file the instant motion on or before November 4, 2014. Also on October 27, 2014, in response to a later inquiry from respondent's counsel, relator sent correspondence to respondent's counsel explaining the grounds for the motion. See, Exhibit 11, attached hereto.



Scott J. Drexel (0091467)
Disciplinary Counsel, Relator

CERTIFICATE OF SERVICE

A copy of the foregoing Motion for Immediate Interim Remedial Suspension has been served upon respondent's counsel, Richard C. Alkire and Dean C. Nieding at 250 Spectrum Office Building, 6060 Rockside Woods Blvd., Independence, OH 44131-7300 (rick@alkirelawyer.com; dean@alkirelawyer.com) via regular U.S. mail and electronic mail, postage prepaid, this 4th day of November 2014.



Scott J. Drexel (0091467)
Disciplinary Counsel, Relator

EXHIBIT 1

STATE OF OHIO)
) ss:
COUNTY OF CUYAHOGA)

AFFIDAVIT OF MICHAEL NEGRAY

I, Michael Negray, having been duly cautioned and sworn under oath, do hereby state as follows:

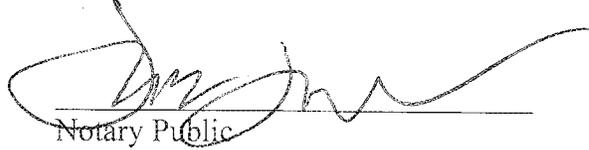
1. I have personal knowledge of the information set forth in this affidavit, and I am competent to testify to the matters stated herein.
2. I am at least 18 years of age.
3. I am currently employed as a Deputy Court Administrator for the Cleveland Municipal Court.
4. I have served in this position since March 4, 2013. Prior to becoming a Deputy Court Administrator, I was a Case Flow Coordinator, Criminal Case Manager and Special Projects Officer.
5. As a Deputy Court Administrator and a __ prior position __, one of my responsibilities is/was to receive and review formal and informal complaints against judges or court personnel.
6. In fact, the court administration office has created specific forms for use when a member of the public and/or employee of the court wishes to lodge a complaint against a judge or another employee of the Cleveland Municipal Court.
7. Attached to this affidavit as Exhibits A and B are true and accurate copies of the two complaint forms that the court administration office has created.
8. In addition to receiving complaints on the above-mentioned forms, which we consider to be “formal” complaints, the court administration office also receives “informal” complaints from members of the public and court staff. These complaints can be in the form of a written letter to the Cleveland Municipal Court and/or a verbal complaint that is lodged in person or over the phone.
9. During my tenure as Deputy Court Administrator and prior positions as Case Flow Coordinator, Criminal Case Manager and Special Projects Officer, the court administration office has received literally hundreds of complaints (both formal and informal) against Judge Angela R. Stokes.

10. The number of complaints against Judge Stokes is exponentially higher than the amount of complaints received against any other judge.
11. As Deputy Court Administrator, another one of my responsibilities is to find appointed counsel to represent indigent defendants when the Public Defender's Office indicates there is a conflict of interest.
12. It was become increasingly hard to find private attorneys to accept a court appointed assignments due to the extraordinary amount of time necessary to complete cases in her Courtroom. The maximum fee for misdemeanor cases is \$150.00. In other courtrooms the \$150.00 fee is acceptable.

AFFIANT FURTHER SAYETH NAUGHT.


Michael Negray

SWORN TO OR AFFIRMED BEFORE ME AND SUBSCRIBED IN MY PRESENCE IN THE CITY OF CLEVELAND, THE COUNTY OF CUYAHOGA, THE STATE OF OHIO, ON THIS 27 DAY OF OCTOBER 2014.


Notary Public

My commission expires: _____

**MICHAEL E. MURMAN, Atty
Notary Public, State of Ohio
My Comm. Has No Expiration Date
Section 147.03 R.C.**



**CLEVELAND MUNICIPAL COURT
PUBLIC INCIDENT/COMPLAINT FORM
ADMINISTRATIVE SERVICES
1200 Ontario Street-Justice Center
P.O. Box 94894
Cleveland, Ohio 44101-4894
(216) 664-4701**

Complainant Name _____

Address _____ City _____ State _____

Contact Phone () _____

Location of Incident _____

Date of Incident _____ Time of Incident _____

Complainant Statement
(Use additional pages if necessary)

List any witnesses

Name _____ Contact Phone _____

Name _____ Contact Phone _____

Name _____ Contact Phone _____

Complainant Signature _____ Date _____

EX. B



CLEVELAND MUNICIPAL COURT ADMINISTRATIVE SERVICES INCIDENT REPORT FORM

Type of Incident	Date 6/24/09
Incident/Complaint	
Employee Name	Date of Incident
Location of Incident	Time of Incident
Witness's Name	Department

Details of incident: State fully all circumstances and facts of this incident, who, what, where, why, how. Please include any requests for resolution.

Employee Signature

Date

Comments/Recommendations of Supervisor

Supervisor Signature

Date

EXHIBIT 2

STATE OF OHIO)
) ss:
COUNTY OF CUYAHOGA)

AFFIDAVIT OF RONALD BRUCE ADRINE

I, Ronald Bruce Adrine, having been duly cautioned and sworn under oath, do hereby state as follows:

1. I have personal knowledge of the information set forth in this affidavit, and I am competent to testify to the matters stated herein.
2. I have been licensed to practice law in the State of Ohio since 1973.
3. I was first elected to serve as a judge of the Cleveland Municipal Court in 1981 and have been re-elected five times since then. Since 2008, I have also served as the Administrative and Presiding Judge (APJ) of the court.
4. Upon becoming the APJ in 2008, I had several conversations with Judge Larry A. Jones, who was the APJ before me, about Judge Angela R. Stokes and the way in which she conducted her courtroom.
5. Having served with Judge Stokes on the court since 1995, I was aware of much of Judge Stokes' conduct prior to becoming the APJ; however, after speaking with Judge Jones, I had a greater appreciation for how Judge Stokes' conduct reflected on the Cleveland Municipal Court as a whole.
6. Judge Jones informed me that, at first, he had personally tried to address Judge Stokes' conduct by meeting with her in private; however, his personal conversations did not have the desired effect on Judge Stokes' actions. Accordingly, he began issuing "court-wide" policy changes that affected all judges and court personnel even though the rules were meant to specifically address conduct by Judge Stokes.
7. After becoming the APJ, I too found myself having to address issues arising from Judge Stokes' conduct. During my tenure as APJ, my staff and I have received literally hundreds of complaints (formal and informal) from defendants, public defenders, private attorneys, the public, and court staff concerning the work flow and courtroom practices of Judge Stokes relating to her criminal docket.
8. These complaints include mistreatment of participants in criminal hearings, including defendants, witnesses, police officers, prosecutors, private defense counsel, public defenders, court personnel, and other members of the general public. In addition, every department of the court

was negatively impacted by Judge Stokes' grossly disproportionate use of human and material resources as compared to other judges of the court.

9. I have personally reviewed complaints and/or spoken to individuals about:
 - a. the long hours that they spent in Judge Stokes' courtroom, whether it be as a defendant or witness waiting for a case to be called, prosecuting attorneys or public defenders who were required to work past their scheduled shifts, members of the general public and of the private defense bar who literally felt as though they were held hostage by the judge's policies of ingress to and egress from her courtroom, or members of the court's personnel who upon being summoned to appear immediately by Judge Stokes for a specific reason, were required to wait for 30 to 60 minutes or more while Judge Stokes gave attention to other matters;
 - b. the treatment that individuals reported receiving in Judge Stokes' courtroom, for example: bailiffs publicly reprimanded or thrown out of the courtroom for performing their duties, defendants or members of the general public who complained that they were spoken to in an excessively rude and demeaning manner, and attorneys who accused Judge Stokes of threatening them with contempt when they attempted to advocate on behalf of their clients; and
 - c. the excessive percentage of court resources that Judge Stokes uses, ranging from the early exhaustion of court-allotted funds for drug and alcohol testing, to the excessive amount of time expended by the Probation Department, to the inordinate amount of time that the court Psychiatric Clinic must spend on Judge Stokes' cases resulting from requirements that she places on defendants that appear before her and/or her limitless requests for probation updates, pre-sentencing reports, post-sentencing reports, and psychiatric evaluations.
10. The exponentially higher number of complaints received against Judge Stokes than against any other judge currently serving on the Cleveland Municipal Court.
11. Moreover, Judge Stokes is notorious in the community and has diminished the way that the public views the court, as a result of routinely negative portrayals of her conduct in the local newspapers and on broadcast and internet media. The dysfunction of Judge Stokes' courtroom, conduct and actions have become so well-known that it is oftentimes hard for the court to find appointed counsel willing to represent indigent defendants in her courtroom when the Public Defender's office is prevented from doing so due to a conflict of interest.

12. For the first three years of my tenure as APJ, I agonized over the appropriate actions to take to address the ongoing disruptions to the orderly administration of justice occasioned by Judge Stokes' mishandling of her criminal docket and the administrative conundrums that those disruptions created.
13. At first, like Judge Jones before me, I tried to meet with Judge Stokes in private about her actions. Particularly, I spoke to her about the repeated resignations of her personal bailiffs. Like Judge Jones, my attempts at guidance did not have any impact on Judge Stokes' actions.
14. Like Judge Jones before me, I then attempted to work around the problems by crafting administrative solutions – frequently with the concurrence of the majority of the bench. Although these administrative remedies, such as requiring personnel to abandon their posts no later than one hour after the court's closing hour or prohibiting the Probation Department from conducting substance abuse screens on individuals charged with driving under suspension, no driver's license, hit-skip, or escalated moving violations unless the charge was also accompanied by a charge involving alcohol and drugs, affected the entire bench, they were created in direct response to conduct by Judge Stokes, who was the only jurist who engaged in such practices.
15. In addition to the changes that both Judge Jones and I initiated on our own, we also authorized policy, procedural, and rule change requests from virtually every department of the court. These requests allowed the management of those departments to address disruptions resulting from unreasonable and excessive demands placed on their resources by Judge Stokes' conduct.
16. The impact that these changes had upon Judge Stokes' behavior and/or conduct has been negligible. Regardless of the changes that were made, Judge Stokes persisted in her conduct and/or created new ways to subvert the initiatives undertaken to correct problems that her actions caused. For instance, in 2009, in response to a court-enacted rule requiring that all court business be concluded no later than 5:00 PM daily, the Public Defender's office issued a rule of its own requiring all public defenders to leave Judge Stokes' courtroom by no later than 5:00 PM. Prior to the issuance of this rule, public defenders and other court personnel were routinely required to remain at their posts in Judge Stokes' courtroom as late as 8:00 PM, and on rare occasions even later. After the implementation of the 5:00 PM rule, Judge Stokes merely began carrying cases over to the following day, which required defendants to appear for a second day, and sometimes, a third day in order to have their cases heard. This, of course, increased the amount of complaints that the court received

against Judge Stokes, which as noted above, was exponentially higher than any other judge on the court.

17. Because Judge Stokes was not amenable to steps taken to ameliorate her behavior and because the complaints from court staff, the Clerk, the prosecuting attorney, the public defender, private counsel, and outside agencies, defendants, witnesses, the news media, and members of the general public continued unabated, I determined that I had to do something more than attempt to privately counsel Judge Stokes and/or create "court-wide" rules.
18. In 2011, I began collating collected information regarding incidents involving Judge Stokes, and I began to ask that all individuals with new complaints against Judge Stokes recap their experiences and present them to me in writing, since virtually none of the complainants were willing to pursue their complaints formally for fear of repercussions.
19. By November of 2011, I became convinced that it was inappropriate to retain the materials assembled and I provided all of the information that I had collected to the Office of Disciplinary Counsel. Shortly thereafter, a disciplinary investigation was initiated against Judge Stokes.
20. Despite the pending disciplinary investigation, Judge Stokes did not modify any of her court room practices, and I continued to field complaints from employees, defense attorneys, prosecuting attorneys, police officers, outside agencies, and the general public about the manner in which her courtroom operated. As before, those making these complaints did not want to challenge Judge Stokes publically or officially, but merely wanted their complaints registered.
21. These additional complaints were also forwarded to the Office of Disciplinary Counsel for its consideration during the disciplinary investigation.
22. In October 2013, Disciplinary Counsel filed a formal complaint against Judge Stokes. Despite the filing of this complaint and the inherent notice provided to Judge Stokes that Disciplinary Counsel believed her conduct to be in violation of the Code of Judicial Conduct and Rules of Professional Conduct, Judge Stokes' conduct continued unchanged.
23. Shortly after the complaint was filed, on October 28, 2013, I received a letter from Robert L. Tobik, the Cuyahoga County Public Defender, requesting that I re-assign all cases currently pending before Judge Stokes in which the public defender was representing a defendant against a 4th degree misdemeanor charge or higher and to refrain from assigning Judge

Stokes any future cases in which the defendant was charged with a 4th degree misdemeanor or higher.

24. This letter specifically stated that due to the fact that current and former public defenders were listed as victims of and/or witnesses to Judge Stokes' conduct in the complaint filed by Disciplinary Counsel, neither defendants, nor the public at large could feel any confidence that Judge Stokes would be impartial or that the public defender could be an effective advocate in her courtroom.
25. At the time that I received the letter from Mr. Tobik, I decided to take no action with respect to the letter in favor of seeing whether the pending disciplinary complaint had any effect on Judge Stokes' conduct. It did not.
26. In fact, my staff continued to receive informal complaints about Judge Stokes on a nearly daily basis. Moreover, we received a written complaint about Judge Stokes' conduct at the rate of approximately one per week, although, again individuals were unwilling to pursue even those written complaints further than filing.
27. In March 2014, I received a formal motion from Mr. Tobik requesting the same action as in his October 2013 letter. Following receipt of this motion, I recognized the necessity of pursuing stronger actions than those undertaken before.
28. After some research, on March 14, 2014, I issued a series of administrative orders that resulted in the transfer of all of Judge Stokes' criminal cases to my personal docket. In addition, the administrative orders prohibited the assignment of any new criminal cases to Judge Stokes pending the outcome of the disciplinary matter. In exchange, I increased her civil case assignments.
29. True and accurate copies of the administrative orders that I issued in March 2014 are attached to this affidavit as Exhibit A.
30. Upon reviewing the cases reassigned from Judge Stokes' docket to my own, I obtained a much more expansive understanding of the impact her action had on those who were required to participate in her irregular processes. I offer the following small sample, gleaned from the cases reviewed, to provide some flavor of the variety of issues confronted:
 - a. Frederick Philhower, case #2012TRC30161, appeared before Judge Stokes charged with DUI. It was his second offense in a lifetime. During his 3-year probationary period, he was required to appear in court on 19 separate occasions.

- b. Ariel Reidenbach, case #2013CRB32808, was found guilty of Petty Theft before Judge Stokes. During her probationary period, she was required to undergo weekly urinalysis, as well as alcohol assessments, even though alcohol was not implicated in the offense and there was no indication of a significant alcohol problem.
 - c. Isabelle Bucsanyi, case #2014TRC2967, was convicted on an amended charge of Physical Control. Judge Stokes mandated that the defendant undergo grief counseling because of the fact that she had lost her fiancé in an accident which occurred on Lake Erie.
 - d. Michelle Nester, case #2013TRC23649, appeared before Judge Stokes and was convicted of first offense DUI. She was enrolled in nursing school but was almost terminated from the program due to multiple 8-hour courtroom appearances she was required to make in an attempt to obtain driving privileges. She was also required to wear a continuous alcohol monitoring device even though an alcohol assessment indicated that she had no alcohol problems at the time.
 - e. Matthew Lewandowski, case #2013TRD2588, was charged with No Driver's License and Failure to Stop after an Accident. He was required to undergo a psychiatric evaluation, sentenced to 180 days in jail, required to serve 44 of those days, placed on intensive outpatient treatment and appeared before the court on 9 separate occasions.
 - f. Donells Davis, case #2014CVF001342, appeared before the court as a defendant in a civil matter. Judge Stokes referred the defendant to the Psychiatric Clinic for an evaluation.
31. I did not intend my actions to be any form of discipline against Judge Stokes. Rather, my actions were taken as a last resort to prevent the continuation of what I came to believe was an unacceptably dysfunctional courtroom that compromised the operations of the entire Cleveland Municipal Court. I believed and still believe that my actions were necessary to ensure and buttress the timely and orderly administration of justice.
32. Since Judge Stokes' criminal docket was temporarily transferred, no additional complaints have been levied against Judge Stokes' arising from the disposition of her civil caseload except one incident in which it was reported that she sought to have a civil litigant evaluated by the court's psychiatric clinic.
33. More importantly, managers of all court departments have reported to me that morale and productivity have increased since the removal of Judge Stokes from criminal case responsibilities.

34. Shortly after they were issued, Judge Stokes challenged my administrative orders by filing a Complaint requesting that the Supreme Court of Ohio issue extraordinary writs of Quo Warranto, Mandamus, and Prohibition to enjoin implementation of the orders that temporarily transferred her criminal case adjudication responsibilities.
35. That complaint seeking a Writ of Prohibition is still pending. As a result, if it is granted, I will be required to restore Judge Stokes to her criminal caseload. Through counsel, I have filed a Motion for Clarification regarding my obligation and am currently awaiting a ruling.
36. I have seen major improvements in morale and productivity across all platforms at the court since criminal caseload responsibilities were temporarily transferred from Judge Stokes, pending the outcome of the disciplinary complaint against her. The restoration of Judge Stokes to criminal caseload responsibilities will reverse those improvements, both as it relates to the public's perception of the court and in the efficient, effective, timely and professional administration of justice. Based upon prior experience, there is no reason to believe that Judge Stokes will modify her behavior if criminal caseload responsibilities are restored, and in fact, I believe that if her complaint for a Writ of Prohibition is granted, she will feel empowered and emboldened and that her conduct is likely to become even more stringent.

AFFIANT FURTHER SAYETH NAUGHT.


Ronald Bruce Adrine

SWORN TO OR AFFIRMED BEFORE ME AND SUBSCRIBED IN MY PRESENCE IN THE CITY OF CLEVELAND, THE COUNTY OF CUYAHOGA, THE STATE OF OHIO, ON THIS 28th DAY OF OCTOBER 2014.


Notary Public

My commission expires: 11-17-15

Laura Williams
Notary Public
Cuyahoga County
State of Ohio

Commission Expires 11-17-15

1000

1000

IN THE CLEVELAND MUNICIPAL COURT
FILED

STATE OF OHIO)
CUYAHOGA COUNTY)
)
)
)
)

ADMINISTRATIVE ORDER
NO. 2014-003
MAR 14 P 4:10
CLERK OF COURT
#4

IN RE: Temporary Transfer and Reassignment of all Pending Criminal Misdemeanor, Criminal Minor Misdemeanor and Traffic Matters Currently Assigned to the Honorable Angela R. Stokes

Responsibility for all criminal misdemeanor, criminal minor misdemeanor and traffic matters currently assigned to the personal docket of the Honorable Angela R. Stokes is hereby transferred to the Administrative Judge of the Cleveland Municipal Court, for review and/or pending temporary reassignment. Any such transfers and temporary reassignments will be in effect only during the pendency of the certified complaint filed against Judge Stokes with the Supreme Court's Board of Commissioners on Grievances and Discipline on October 14, 2013, unless the transferred case is otherwise resolved in the interim. The transfers are made pursuant to authority granted under Sup. R. 4(B) and Sup. R. 4(B)(1), and in order to maintain and enhance public confidence in the legal system (Paragraph 1, Preamble, Code of Judicial Conduct).

The transfers are justified for the following reasons:

- A certified complaint pending against Judge Stokes before the Ohio Supreme Court's Board of Commissioners on Grievances and Discipline was gleaned from approximately 337 alleged violations of the Code of Judicial Conduct presented to the Cleveland Municipal Court.
- All of those allegations concerned her mishandling of criminal matters and mistreatment of participants in criminal hearings, including defendants, witnesses, police officers, prosecutors, private defense counsel, public defenders, court personnel and other members of the general public.
- Since the original complaint was presented to the Disciplinary Counsel, and continuing through and after the complaint's certification by the Board, nearly 100 additional written incident reports have been received by this office alleging similar problems involving the Judge's handling of her personal criminal docket.
- The court continues to average one to two new ethics complaints against Judge Stokes per week.

Pending resolution of the certified complaint, no additional criminal misdemeanor, minor misdemeanor or traffic matters are to be assigned to Judge Stokes.

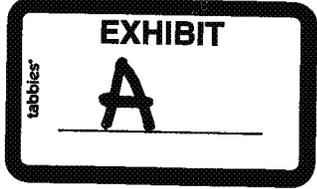
IT IS SO ORDERED.

Date: 3/14/2014

Ronald B. Adrine
Ronald B. Adrine
Administrative & Presiding Judge

Exhibit A

JOURNAL 416 PAGE 429



IN THE CLEVELAND MUNICIPAL COURT

FILED

STATE OF OHIO)
CUYAHOGA COUNTY)

ADMINISTRATIVE ORDER P 4:10

NO. 2014-004 CLEVELAND MUNICIPAL COURT
EARL C. TURNER
CLERK OF COURT
#4

IN RE: Temporary Transfer and Status Review of all Probation Matters on the Personal Docket of the Honorable Angela R. Stokes

Responsibility for the supervision of all criminal defendants currently maintained on probation on the personal docket of the Honorable Angela R. Stokes is hereby transferred to the Administrative Judge of the Cleveland Municipal Court, for status review and/or possible temporary reassignment. Said transfer and temporary reassignments will only be in effect during the pendency of the certified complaint filed against Judge Stokes with the Supreme Court's Board of Commissioners on Grievances and Discipline on October 14, 2013, unless a case is otherwise resolved in the interim. The transfer is made pursuant to authority granted under Sup. R. 4(B) and Sup. R. 4(B)(1), and in order to maintain and enhance public confidence in the legal system (Paragraph 1, Preamble, Code of Judicial Conduct).

The transfer is justified for the following reasons:

- A certified complaint pending against Judge Stokes before the Ohio Supreme Court's Board of Commissioners on Grievances and Discipline was gleaned from approximately 337 alleged violations of the Code of Judicial Conduct presented to the Cleveland Municipal Court.
- All of those allegations concerned her mishandling of criminal matters and mistreatment of participants in criminal hearings, including defendants, witnesses, police officers, prosecutors, private defense counsel, public defenders, court personnel and other members of the general public.
- Since the original complaint was presented to the Disciplinary Counsel, and continuing through and after the complaint's certification by the Board, nearly 100 additional written incident reports have been received by this office alleging similar problems involving the Judge's handling of her personal criminal docket.
- The court continues to average one to two new ethics complaints against Judge Stokes per week.

Pending resolution of the certified complaint, no probation matters shall be assigned to Judge Stokes for supervision.

IT IS SO ORDERED.

Date: 3/14/2014

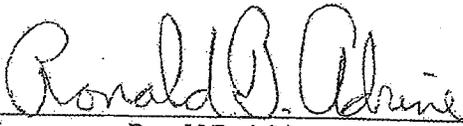

Ronald B. Adrine
Administrative & Presiding Judge

Exhibit B

IN THE CLEVELAND MUNICIPAL COURT

FILED

STATE OF OHIO)
CUYAHOGA COUNTY)

ADMINISTRATIVE ORDER 14 P 4: 10
NO. 2014-005

CLEVELAND MUNICIPAL COURT
EARLE S. TURNER
CLERK OF COURT
#4

**IN RE: Temporary Transfer of Responsibility for Status Review of Individuals
Sentenced to Incarceration by the Honorable Angela R. Stokes**

Responsibility for status review of all criminal defendants sentenced to a period of incarceration by the Honorable Angela R. Stokes is hereby temporarily transferred to the Administrative Judge of the Cleveland Municipal Court. Said transfer will be in effect only during the pendency of the certified complaint filed against Judge Stokes with the Supreme Court's Board of Commissioners on Grievances and Discipline on October 14, 2013, unless the case is otherwise resolved in the interim. The transfer is made pursuant to authority granted under Sup. R. 4(B) and Sup. R. 4(B)(1), and in order to maintain and enhance public confidence in the legal system (Paragraph 1, Preamble, Code of Judicial Conduct).

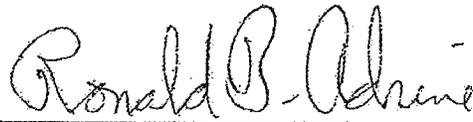
The transfer is justified for the following reasons:

- A certified complaint pending against Judge Stokes before the Ohio Supreme Court's Board of Commissioners on Grievances and Discipline was gleaned from approximately 337 alleged violations of the Code of Judicial Conduct presented to the Cleveland Municipal Court.
- All of those allegations concerned her mishandling of criminal matters and mistreatment of participants in criminal hearings, including defendants, witnesses, police officers, prosecutors, private defense counsel, public defenders, court personnel and other members of the general public.
- Since the original complaint was presented to the Disciplinary Counsel, and continuing through and after the complaint's certification by the Board, nearly 100 additional written incident reports have been received by this office alleging similar problems involving the Judge's handling of her personal criminal docket.
- The court continues to average one to two new ethics complaints against Judge Stokes per week.

Pending resolution of the certified complaint, no incarceration status reviews shall be conducted by Judge Stokes.

IT IS SO ORDERED.

Date: 3/14/2014



Ronald B. Adrine
Administrative & Presiding Judge

Exhibit C

IN THE CLEVELAND MUNICIPAL COURT

FILED

STATE OF OHIO)
CUYAHOGA COUNTY)

ADMINISTRATIVE ORDER
NO. 2014-006

MAR 14 P 4:10
CLEVELAND MUNICIPAL COURT
EARLE B. TURNER
CLERK OF COURT
#4

IN RE: TEMPORARY INCREASE IN CIVIL CASE ASSIGNMENTS TO THE
PERSONAL DOCKET OF THE HONORABLE ANGELA R. STOKES

Due to the temporary transfer of all criminal matters assigned to the personal docket of the Honorable Angela R. Stokes, Central Scheduling is hereby ordered to adjust the random draw of case assignments as follows:

1. Pursuant to Administrative Order 2014-003, and until further administrative order, Judge Stokes is ordered removed from the court's random draw of criminal misdemeanor, minor misdemeanor and traffic cases.
2. Due to the temporary transfer of all criminal, quasi-criminal and traffic matters from Judge Stokes' personal docket, central scheduling is ordered to adjust the civil random draw to increase the percentage of civil cases assigned to Judge Stokes, until further administrative order.

In addition, Judge Stokes is continually assigned to Particular Session One as follows: two weeks on, followed by one week off, beginning the week of March 24, 2014, while the certified complaint filed with the Board of Commissioners on Grievances and Discipline is pending against her in the Ohio Supreme Court.

IT IS SO ORDERED.

Date: 3/14/2014



Ronald B. Adrine
Administrative & Presiding Judge

Exhibit D

EXHIBIT 3

BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

In re:

Complaint against

Angela Rochelle Stokes (0025650),

Respondent,

Disciplinary Counsel,

Relator.

Case No. 2013-057

ANSWER OF RESPONDENT TO
RELATOR'S COMPLAINT AND
CERTIFICATE

Respondent, The Honorable Angela Rochelle Stokes, hereby provides her Answer to the Complaint and Certificate of Relator, Disciplinary Counsel. By way of general denial, Respondent denies and objects to the characterizations of the paragraphs contained within Counts One, Two, Three, Four, Five and Six as being argumentative and not supported by the paragraphs following each of the titles of those Counts. Further, Respondent answers as follows:

1. Respondent admits the allegations made and contained in Paragraph 1 of the Complaint.
2. Respondent admits the allegations made and contained in Paragraph 2 of the Complaint.

3. Respondent admits the allegations made and contained in Paragraph 3 of the Complaint.

COUNT ONE

4. Respondent denies the allegations made and contained in Paragraph 4 of the Complaint.

5. Respondent denies the allegations made and contained in Paragraph 5 of the Complaint and in respect to each of its subparagraphs (a) through (m), inclusive.

6. Respondent denies the allegations made and contained in Paragraph 6 of the Complaint.

7. Respondent denies the allegations made and contained in Paragraph 7 of the Complaint.

8. Respondent denies the allegations made and contained in Paragraph 8 of the Complaint.

9. Respondent denies the allegations made and contained in Paragraph 9 of the Complaint and in respect to each of its subparagraphs (a) through (f), inclusive.

10. Respondent denies the allegations made and contained in Paragraph 10 of the Complaint and in respect to each of its subparagraphs (a) through (c), inclusive.

11. Respondent denies the allegations made and contained in Paragraph 11 of the Complaint.

12. Respondent denies the allegations made and contained in Paragraph 12 of the Complaint.

13. Respondent denies the allegations made and contained in Paragraph 13 of the Complaint.

14. Respondent denies the allegations made and contained in Paragraph 14 of the Complaint.

15. Respondent is unable to admit or deny the allegations made and contained in Paragraph 15 of the Complaint and in respect to each of its subparagraphs (a) through (d), inclusive, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averments made and contained in Paragraph 15 and its subparagraphs (a) through (d).

16. Respondent denies the allegations made and contained in Paragraph 16 of the Complaint.

17. Respondent denies the allegations made and contained in Paragraph 17 of the Complaint.

COUNT TWO

18. No response required to Paragraph 18 of the Complaint.

19. Respondent denies the allegations made and contained in Paragraph 19 of the Complaint and in respect to each of its subparagraphs (a) through (c), inclusive.

20. Respondent denies the allegations made and contained in Paragraph 20 of the Complaint.

21. Respondent denies the allegations made and contained in Paragraph 21 of the Complaint and in respect to each of its subparagraphs (a) through (d), inclusive.

22. Respondent denies the allegations made and contained in Paragraph 22 of the Complaint and in respect to each of its subparagraphs (a) through (f), inclusive.

23. Respondent denies the allegations made and contained in Paragraph 23 of the Complaint.

24. Respondent denies the allegations made and contained in Paragraph 24 of the Complaint.

25. Respondent denies the allegations made and contained in Paragraph 25 of the Complaint.

26. Respondent admits in part and denies in part the allegations made and contained in Paragraph 26 of the Complaint. Respondent admits that the court has decided not to provide her with a personal bailiff, but denies the remaining facts and statements made and contained in Paragraph 26.

27. Respondent denies the allegations made and contained in Paragraph 27 of the Complaint.

COUNT THREE

28. No response required to Paragraph 28 of the Complaint.

29. Respondent denies the allegations made and contained in Paragraph 29 of the Complaint.

30. Respondent admits the allegations made and contained in Paragraph 30 of the Complaint.

31. Respondent admits the allegations made and contained in Paragraph 31 of the Complaint.

32. Respondent admits the allegations made and contained in Paragraph 32 of the Complaint.

33. Respondent admits the allegations made and contained in Paragraph 33 of the Complaint.

34. Respondent admits the allegations made and contained in Paragraph 34 of the Complaint.

35. Respondent admits the allegations made and contained in Paragraph 35 of the Complaint.

36. Respondent admits the allegations made and contained in Paragraph 36 of the Complaint.

37. Respondent denies the allegations made and contained in Paragraph 37 of the Complaint.

38. Respondent admits the allegations made and contained in Paragraph 38 of the Complaint.

Michael Winston

39. Respondent admits the allegations made and contained in Paragraph 39 of the Complaint.

40. Respondent admits the allegations made and contained in Paragraph 40 of the Complaint.

41. Respondent admits the allegations made and contained in Paragraph 41 of the Complaint.

42. Respondent admits the allegations made and contained in Paragraph 42 of the Complaint.

43. Respondent admits the allegations made and contained in Paragraph 43 of the Complaint.

44. Respondent admits in part and denies in part the allegations made and contained in Paragraph 44 of the Complaint. Respondent specifically denies holding him in contempt because he objected.

Tina Tricarichi

45. Respondent admits the allegations made and contained in Paragraph 45 of the Complaint.

46. Respondent is unable to admit or deny the allegations made and contained in Paragraph 46 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averments made and contained in Paragraph 46.

47. Respondent denies the allegations made and contained in Paragraph 47 of the Complaint.

48. Respondent admits the allegations made and contained in Paragraph 48 of the Complaint.

49. Respondent admits the allegations made and contained in Paragraph 49 of the Complaint.

50. Respondent denies the allegations made and contained in Paragraph 50 of the Complaint.

51. Respondent admits in part and denies in part the allegations made and contained in Paragraph 51 of the Complaint. Respondent admits that which is contained within quotation marks and denies the characterizations and assertions made in addition to the quoted remarks in Paragraph 51.

52. Respondent admits the allegations made and contained in Paragraph 52 of the Complaint.

53. Respondent admits the allegations made and contained in Paragraph 53 of the Complaint.

Angela Rodriguez

54. Respondent is unable to admit or deny the allegations made and contained within Paragraph 54 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 54.

55. Respondent is unable to admit or deny the allegations made and contained within Paragraph 55 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 55.

56. Respondent is unable to admit or deny the allegations made and contained within Paragraph 56 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 56.

57. Respondent is unable to admit or deny the allegations made and contained within Paragraph 57 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 57.

Scott Malbasa

58. Respondent is unable to admit or deny the allegations made and contained within Paragraph 58 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 58.

59. Respondent is unable to admit or deny the allegations made and contained within Paragraph 59 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 59.

60. Respondent is unable to admit or deny the allegations made and contained within Paragraph 60 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 60.

61. Respondent is unable to admit or deny the allegations made and contained within Paragraph 61 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 61.

62. Respondent is unable to admit or deny the allegations made and contained within Paragraph 62 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 62.

63. Respondent is unable to admit or deny the allegations made and contained within Paragraph 63 of the Complaint, as Respondent is without knowledge

or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 63.

64. Respondent is unable to admit or deny the allegations made and contained within Paragraph 64 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 64.

Henry Hilow

65. Respondent admits the allegations made and contained in Paragraph 65 of the Complaint.

66. Respondent admits in part and denies in part the allegations made and contained in Paragraph 66 of the Complaint. Respondent cannot admit that Hilow and Petrucci both checked in at approximately 8:30 a.m. Respondent can admit that the case was not called until approximately 11:40 a.m. The reason for this is because it was one of 50 cases set for 9:00 a.m.

67. Respondent admits the allegations made and contained in Paragraph 67 of the Complaint.

68. Respondent admits the allegations made and contained in Paragraph 68 of the Complaint.

69. Respondent admits the allegations made and contained in Paragraph 69 of the Complaint.

70. Respondent admits the allegations made and contained in Paragraph 70 of the Complaint.

71. Respondent admits the allegations made and contained in Paragraph 71 of the Complaint.

Ashley Jones/Joanna Lopez

72. Respondent admits the allegations made and contained in Paragraph 72 of the Complaint.

73. Respondent admits the allegations made and contained in Paragraph 73 of the Complaint.

74. Respondent is unable to admit or deny the allegations made and contained within Paragraph 74 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 74.

75. Respondent is unable to admit or deny the allegations made and contained within Paragraph 75 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 75.

76. Respondent denies the allegations made and contained in Paragraph 76 of the Complaint.

77. Respondent is unable to admit or deny the allegations made and contained within Paragraph 77 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 77.

78. Respondent denies the allegations made and contained in Paragraph 78 of the Complaint.

79. Respondent denies the allegations made and contained in Paragraph 79 of the Complaint.

COUNT FOUR

80. No response required to Paragraph 80 of the Complaint.

81. Respondent is unable to admit or deny the allegations made and contained within Paragraph 81 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 81.

82. Respondent denies the allegations made and contained in Paragraph 82 of the Complaint.

83. Respondent denies the allegations made and contained in Paragraph 83 of the Complaint.

84. Respondent denies the allegations made and contained in Paragraph 84 of the Complaint.

85. Respondent denies the allegations made and contained in Paragraph 85 of the Complaint.

86. Respondent is unable to admit or deny the allegations made and contained within Paragraph 86 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 86.

87. Respondent is unable to admit or deny the allegations made and contained within Paragraph 87 of the Complaint, as Respondent is without knowledge

or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 87.

88. Respondent is unable to admit or deny the allegations made and contained within Paragraph 88 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 88.

89. Respondent denies the allegations made and contained in Paragraph 89 of the Complaint.

90. Respondent denies the allegations made and contained in Paragraph 90 of the Complaint.

Novella Black

91. Respondent admits the allegations made and contained in Paragraph 91 of the Complaint.

92. Respondent admits the allegations made and contained in Paragraph 92 of the Complaint.

93. Respondent admits the allegations made and contained in Paragraph 93 of the Complaint.

94. Respondent admits the allegations made and contained in Paragraph 94 of the Complaint.

95. Respondent admits the allegations made and contained in Paragraph 95 of the Complaint.

96. Respondent admits the allegations made and contained in Paragraph 96 of the Complaint.

97. Respondent denies the allegations made and contained in Paragraph 97 of the Complaint.

98. Respondent is unable to admit or deny the allegations made and contained within Paragraph 98 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 98.

99. Respondent is unable to admit or deny the allegations made and contained within Paragraph 99 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 99.

100. Respondent admits the allegations made and contained in Paragraph 100 of the Complaint.

101. Respondent admits the substance of the allegations made and contained in Paragraph 101 of the Complaint. The word "offered" does not appear in the transcript.

102. Respondent admits the allegations made and contained in Paragraph 102 of the Complaint.

Charlotte Shutes

103. Respondent admits the allegations made and contained in Paragraph 103 of the Complaint.

104. Respondent is unable to admit or deny the allegations made and contained within Paragraph 104 of the Complaint, as Respondent is without knowledge

or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 104.

105. Respondent is unable to admit or deny the allegations made and contained within Paragraph 105 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 105.

106. Respondent is unable to admit or deny the allegations made and contained within Paragraph 106 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 106.

Shatauna Moore

107. Respondent admits the allegations made and contained in Paragraph 107 of the Complaint.

108. Respondent admits the allegations made and contained in Paragraph 108 of the Complaint.

109. Respondent is unable to admit or deny the allegations made and contained within Paragraph 109 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 109.

110. Respondent admits the allegations made and contained in Paragraph 110 of the Complaint.

111. Respondent admits the allegations made and contained in Paragraph 111 of the Complaint.

112. Respondent admits the allegations made and contained in Paragraph 112 of the Complaint.

113. Respondent admits the allegations made and contained in Paragraph 113 of the Complaint.

114. Respondent admits the allegations made and contained in Paragraph 114 of the Complaint.

115. Respondent admits the allegations made and contained in Paragraph 115 of the Complaint.

116. Respondent denies the allegations made and contained in Paragraph 116 of the Complaint.

Kenneth Taylor

117. Respondent admits the allegations made and contained in Paragraph 117 of the Complaint.

118. Respondent admits the allegations made and contained in Paragraph 118 of the Complaint.

119. Respondent admits the allegations made and contained in Paragraph 119 of the Complaint.

120. Respondent admits the allegations made and contained in Paragraph 120 of the Complaint.

121. Respondent admits in part and denies in part the allegations made and contained in Paragraph 121 of the Complaint. Respondent denies as to the characterization of the Court's manner of speaking.

122. Respondent denies the allegations made and contained in Paragraph 122 of the Complaint.

James Johnson, Jasmine Edwards, and Lisa Barbee

123. Respondent admits the allegations made and contained in Paragraph 123 of the Complaint.

124. Respondent admits the allegations made and contained in Paragraph 124 of the Complaint.

125. Respondent is unable to admit or deny the allegations made and contained within Paragraph 125 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 125.

126. Respondent is unable to admit or deny the allegations made and contained within Paragraph 126 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 126.

127. Respondent denies the allegations made and contained in Paragraph 127 of the Complaint.

128. Respondent denies the allegations made and contained in Paragraph 128 of the Complaint.

129. Respondent denies the allegations made and contained in Paragraph 129 of the Complaint.

130. Respondent is unable to admit or deny the allegations made and contained within Paragraph 130 of the Complaint, as Respondent is without knowledge

or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 130.

131. Respondent is unable to admit or deny the allegations made and contained within Paragraph 131 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 131.

132. Respondent is unable to admit or deny the allegations made and contained within Paragraph 132 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 132.

133. Respondent denies the allegations made and contained in Paragraph 133 of the Complaint.

COUNT FIVE

134. No response required to Paragraph 134 of the Complaint.

135. Respondent admits that all individuals entering her courtroom are required to sign in and provide their identifying information. Respondent denies that she prohibits individuals from leaving the courtroom for purposes of using the restroom. In terms of any other assertions contained within Paragraph 135 not specially addressed, Respondent is unable to admit or deny those assertions.

136. Respondent denies the allegations made and contained in Paragraph 136 of the Complaint.

137. Respondent admits in part and denies in part the allegations made and contained in Paragraph 137 of the Complaint. Specifically, Respondent admits that on

at least one occasion, a member of Respondent's church presented Project Hope participants with a scarf that had a cross on it. The other statements and allegations made and contained in Paragraph 137 are denied.

138. Respondent denies the allegations made and contained in Paragraph 138 of the Complaint.

Carolyn Massengale-Hasan

139. Respondent admits the allegations made and contained in Paragraph 139 of the Complaint.

140. Respondent admits the allegations made and contained in Paragraph 140 of the Complaint.

141. Respondent admits the allegations made and contained in Paragraph 141 of the Complaint.

142. Respondent admits the allegations made and contained in Paragraph 142 of the Complaint.

143. Respondent admits the allegations made and contained in Paragraph 143 of the Complaint.

144. Respondent admits the allegations made and contained in Paragraph 144 of the Complaint.

145. Respondent admits the allegations made and contained in Paragraph 145 of the Complaint.

146. Respondent admits the allegations made and contained in Paragraph 146 of the Complaint.

147. Respondent admits the allegations made and contained in Paragraph 147 of the Complaint.

Dezi Walker

148. Respondent admits the allegations made and contained in Paragraph 148 of the Complaint.

149. Respondent admits the allegations made and contained in Paragraph 149 of the Complaint.

150. Respondent admits the allegations made and contained in Paragraph 150 of the Complaint.

151. Respondent denies the allegations made and contained in Paragraph 151 of the Complaint.

152. Respondent is unable to admit or deny the allegations made and contained within Paragraph 152 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 152.

153. Respondent admits the allegations made and contained in Paragraph 153 of the Complaint.

154. Respondent admits the allegations made and contained in Paragraph 154 of the Complaint.

155. Respondent is unable to admit or deny the allegations made and contained within Paragraph 155 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 155.

156. Respondent admits the allegations made and contained in Paragraph 156 of the Complaint.

157. Respondent is unable to admit or deny the allegations made and contained within Paragraph 157 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 157.

158. Respondent denies the allegations made and contained in Paragraph 158 of the Complaint.

159. Respondent admits the allegations made and contained in Paragraph 159 of the Complaint.

160. Respondent admits the allegations made and contained in Paragraph 160 of the Complaint.

Fernando Taylor

161. Respondent admits the allegations made and contained in Paragraph 161 of the Complaint.

162. Respondent is unable to admit or deny the allegations made and contained within Paragraph 162 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 162.

163. Respondent admits the allegations made and contained in Paragraph 163 of the Complaint.

164. Respondent admits in part and denies in part the allegations made and contained in Paragraph 164 of the Complaint. While the Respondent did tell Taylor to "sit down" and "think about this," she did not mumble anything under her breath.

165. Respondent is unable to admit or deny the allegations made and contained within Paragraph 165 of the Complaint.

166. Respondent admits the allegations made and contained in Paragraph 166 of the Complaint.

167. Respondent denies the allegations made and contained in Paragraph 167 of the Complaint.

COUNT SIX

168. No response required to Paragraph 168 of the Complaint.

169. Respondent denies the allegations made and contained in Paragraph 169 of the Complaint.

170. Respondent denies the allegations made and contained in Paragraph 170 of the Complaint.

171. Respondent denies the allegations made and contained in Paragraph 171 of the Complaint.

James Luster

172. Respondent admits the allegations made and contained in Paragraph 172 of the Complaint.

173. Respondent denies the allegations made and contained in Paragraph 173 of the Complaint. Luster had been to court on January 9, 2002 and January 30, 2002 for sentencing. However, both times Luster's sentencing had been continued. On

January 9, 2002, sentencing was continued so that the victim could be present and so that the PSI officer could advise the Court concerning open suspensions and whether an update was needed. On January 30, 2002, the Luster matter was continued due to the Court's large docket that day.

174. Respondent denies the allegations made and contained in Paragraph 174 of the Complaint.

175. Respondent admits the allegations made and contained in Paragraph 175 of the Complaint.

176. Respondent denies the allegations made and contained in Paragraph 176 of the Complaint.

177. Respondent admits the allegations made and contained in Paragraph 177 of the Complaint.

178. Respondent admits the allegations made and contained in Paragraph 178 of the Complaint.

179. Respondent admits that the court of appeals dismissed Luster's appeal as moot on November 27, 2002. Respondent denies Relator's characterization of the reasons because they are incomplete as asserted in Paragraph 179.

Gabriel Matthew

180. Respondent responds to Paragraph 180 by reasserting and incorporating herein by reference each of the responses set forth in Paragraphs 30 through 38, inclusive, of this Answer.

Daniel O'Reilly

181. Respondent admits the allegations made and contained in Paragraph 181 of the Complaint.

182. Respondent admits the allegations made and contained in Paragraph 182 of the Complaint.

183. Respondent denies the allegations made and contained in Paragraph 183 of the Complaint.

184. Respondent admits the allegations made and contained in Paragraph 184 of the Complaint.

185. Respondent admits the allegations made and contained in Paragraph 185 of the Complaint.

186. Respondent admits the allegations made and contained in Paragraph 186 of the Complaint.

187. Respondent admits the allegations made and contained in Paragraph 187 of the Complaint.

188. Respondent is unable to admit or deny the allegations made and contained within Paragraph 188 of the Complaint, as Respondent is without knowledge or information sufficient to form a belief as to the truth of the averment made and contained in Paragraph 188.

189. Respondent admits the allegations made and contained in Paragraph 189 of the Complaint.

190. Respondent admits the allegations made and contained in Paragraph 190 of the Complaint.

191. Respondent admits the allegations made and contained in Paragraph 191 of the Complaint.

192. Respondent admits the allegations made and contained in Paragraph 192 of the Complaint.

193. Respondent admits the allegations made and contained in Paragraph 193 of the Complaint.

194. Respondent admits the allegations made and contained in Paragraph 194 of the Complaint.

195. Respondent admits the allegations made and contained in Paragraph 195 of the Complaint.

196. Respondent admits the allegations made and contained in Paragraph 196 of the Complaint.

197. Respondent admits the allegations made and contained in Paragraph 197 of the Complaint.

198. Respondent admits the allegations made and contained in Paragraph 198 of the Complaint.

199. Respondent admits the allegations made and contained in Paragraph 199 of the Complaint.

200. Respondent admits the allegations made and contained in Paragraph 200 of the Complaint.

201. Respondent admits the allegations made and contained in Paragraph 201 of the Complaint.

Melvin Cary

Continuous Alcohol Monitoring device. Because Respondent received a full alcohol and drug assessment report on March 9, 2011, which confirmed the diagnosis of alcohol abuse and cannabis abuse and the recommendation for outpatient treatment, she advanced the hearing from March 9, 2011 to March 15, 2011.

210. Respondent denies the allegations made and contained in Paragraph 210 of the Complaint. On March 15, 2011, the case had been continued from March 9, 2011 at Mr. Cary's request. At that time, on March 15, 2011, Mr. Cary agreed to wear and pay for the Continuous Alcohol Monitoring device. Thus, Respondent mitigated Mr. Cary's sentence by giving him credit for 55 days served and suspended 125 days. Mr. Cary remained on two years of active probation with the following conditions: Not to drive until valid and have insurance; complete Outpatient Treatment with Random Breathalyzer and Urinalysis Testing; and to wear a Continuous Alcohol Monitoring Device. Mr. Cary was given time to pay his fine and court costs until August 13, 2011, given the cost of the Continuous Alcohol Monitoring Device.

211. Respondent admits the allegations made and contained in Paragraph 211 of the Complaint.

Denise Pederson

212. Respondent admits the allegations made and contained in Paragraph 212 of the Complaint.

213. Respondent denies the allegations made and contained in Paragraph 213 of the Complaint.

202. Respondent admits the allegations made and contained in Paragraph 202 of the Complaint.

203. Respondent admits the allegations made and contained in Paragraph 203 of the Complaint.

204. Respondent admits in part and denies in part the allegations made and contained in Paragraph 204 of the Complaint. Respondent admits that on January 19, 2011, Cary appeared with Kraus for sentencing but denies the remaining facts and statements made and contained within Paragraph 204.

205. Respondent denies any intimation that all that Respondent relied upon, in connection with the sentence imposed, were the facts and statements made and contained in Paragraph 204 of the Complaint. The March 8, 2011 hearing was rescheduled because the probation department had not scheduled Mr. Cary's alcohol and drug abuse assessment, claiming that they had not received a copy of Respondent's January 19, 2011 Journal Entry.

206. Respondent admits the allegations made and contained in Paragraph 206 of the Complaint.

207. Respondent admits the allegations made and contained in Paragraph 207 of the Complaint.

208. Respondent admits the allegations made and contained in Paragraph 208 of the Complaint.

209. Respondent denies the allegations made and contained in Paragraph 209 of the Complaint. The matter was continued until March 15, 2011 in order to obtain the Full Assessment and to verify Mr. Cary's employment and willingness to pay for the

214. Respondent denies the allegations made and contained in Paragraph 214 of the Complaint, but admits that Pederson would not receive her next disability check until September 3, 2011.

215. Respondent admits in part and denies in part the allegations made and contained in Paragraph 215 of the Complaint. Respondent admits that she asked Pederson to "quietly tell attorney Malbasa her mental health disability" and he was to tell Respondent "quietly" and privately said information. Instead, Mr. Malbasa stated in open court, "schizophrenia," after which statement the Court inquired as to why Pederson was consuming alcohol with her psychotropic medications. Pederson denied taking medications or that she was required to do so.

216. Respondent admits in part and denies in part the allegations made and contained in Paragraph 216 of the Complaint. Based upon that which is averred in Paragraph 215 and set forth above in Respondent's response to Paragraph 215, Respondent placed Pederson on one year of Active Probation and made a referral to the Court's Psychiatric Clinic for Pederson to have a psychiatric evaluation to determine if she would be eligible to have her case placed on the Cleveland Municipal Court's Mental Health Docket.

217. Respondent admits the allegations made and contained in Paragraph 217 of the Complaint.

218. Respondent admits the allegations made and contained in Paragraph 218 of the Complaint.

219. Respondent denies the allegations made and contained in Paragraph 219 of the Complaint. Pederson was taken into custody based upon a No-Bond/Clinic

Mittimus Order entered by Respondent for the following reasons: (1) the improper conduct of Pederson, which included cursing Respondent and the Deputy Bailiffs, the hostility and the lack of cooperation displayed by Pederson which appeared to be related to her mental health diagnosis; (2) the address on the Citation listed at a P.O. Box in Buffalo, NY; (3) Pederson was uncooperative and unable to communicate and provide a local Cleveland address; (4) Pederson displayed a lack of comprehension with respect to some of the court proceedings; and (5) Pederson was uncooperative and unable to communicate information regarding her mental healthcare provider, and it appeared that she needed to be evaluated for psychiatric care and possibly medication in view of her conduct.

220. Respondent denies the allegations made and contained in Paragraph 220 of the Complaint.

Project Hope

221. Respondent admits in part and denies in part the allegations made and contained in Paragraph 221 of the Complaint. Project Hope's mission is to use the criminal justice system not only to stop the commission of certain sex-related misdemeanor crimes associated with prostitution, which includes women and men, but also to see the offenders as victims in need of serious life changes to reduce recidivism. Project Hope is a court-managed intervention program for criminal defendants using a holistic approach to address the defendant's mental, emotional, physical, educational, housing, vocational and financial needs. If defendants are eligible and show commitment to change through dedicated self-help efforts, court supervision and compliance with the curriculum and individually designed conditions, any potential jail

time that could be imposed may be avoided or significantly decreased. With potential penalties of six months in jail and a \$1,000 fine, participation in Project Hope is a constructive option for defendants. The participants of Project Hope have two years to successfully complete the curriculum in their individually tailored conditions. There is no fee to participate in Project Hope. Participants are required to participate in monthly compliance dockets, meeting in Courtroom 15-C of the Justice Center.

222. Respondent denies the allegations made and contained in Paragraph 222 of the Complaint. In 1998, Respondent and former Cleveland Municipal Court Judge Mary Eileen Kilbane established Project Hope. Currently, Respondent co-chairs Project Hope with Judge Pinkey S. Carr and Judge Pauline H. Tarver.

223. Respondent denies the allegations made and contained in Paragraph 223 of the Complaint as to any characterization of the review performed by Professors Dana J. Hubbard and Wendy C. Regoeczi as "comprehensive." Further, each and every subparagraph, (a) through (e), of Paragraph 223 of the Complaint is denied.

224. Respondent admits in part and denies in part the allegations made and contained in Paragraph 224 of the Complaint. On November 17, 2009, Lawson-Dennis was represented by Public Defender Gus Rini. Based upon a plea agreement, the Soliciting Rides from Roadway charge and the Open Container and Public Intoxication charges were nolleed or dismissed. Lawson-Dennis withdrew her pleas of not guilty, entering pleas of no contest, and consented to a finding of guilty to the charges of Soliciting Rides from Roadway (see Citation dated January 15, 2008, Case No. 2008 TRD 003752); Open Container Prohibited and Public Intoxication. Lawson-Dennis was sentenced on the Open Container and Public Intoxication charges at that time.

Respondent imposed a \$25 fine on the Public Intoxication charge which was suspended. On the open Container Prohibited charge, Respondent suspended the \$250 fine, gave Lawson-Dennis credit for eight days served, suspended 22 days, and suspended the court costs due to her indigent status. In addition, Respondent placed Lawson-Dennis on one year of active probation to attend a formal alcohol/substance abuse assessment with treatment/counsel if warranted based on the assessment recommendations. Respondent also ordered Breathalyzer testing. In connection with the Soliciting Rides charge, Respondent gave Lawson-Dennis credit for the eight days that she had served in jail; suspended 22 days; suspended the entire \$250 fine, and suspended the court cost based on her indigent status. In addition, Respondent placed Lawson-Dennis on two years of active probation with the following conditions: to participate in Project Hope. At the time of sentencing, Respondent explained that the conditions of active probation included no solicitation; a referral for an alcohol-drug abuse assessment, with treatment/counseling if warranted based upon the assessment recommendations; random Breathalyzer testing; a referral for a vocation skills assessment in order to obtain legitimate, gainful employment. Thereafter, the case was continued to November 23, 2009.

On November 23, 2009, Lawson-Dennis appeared at the Project Hope Docket and informed Respondent that she was on a bipolar high, not due to alcohol or drugs, and that she was giddy and "bouncing all over the place," that she suffered from a bipolar disorder, that she used to get mental health care from Murtis Taylor Agency, but no longer, due to her lack of insurance, that she had not slept in over 48 hours due to being charged, happy and giddy. Thereafter, the Court completed a Court

Psychiatric Clinic Referral form, continuing the Lawson-Dennis' case to December 21, 2009.

Indeed, Lawson-Dennis continued to make progress with respect to her conditions of probation duly noted at the Project Hope Compliance Dockets. It was not until April 25, 2011 that Lawson-Dennis displayed improper conduct toward Respondent and the Deputy Bailiffs. At that time, she was held in contempt and 22 days of the sentence was ordered to be served. Respondent then set a date for a mitigation hearing on April 28, 2010. At the time of that hearing, Respondent allowed Lawson-Dennis to purge her contempt, whereupon she apologized for her rude and improper conduct, stating: "I would like to say, Your Honor, that I apologize to you for not having my emotions in check, and apologize to your bailiffs and stuff because I was truly wrong and I disrespected the courtroom and I apologize for that." Thereupon, her sentence was mitigated.

At the May 2011 Project Hope Docket, Lawson-Dennis was set for a probation violation hearing because she had missed probation appointments. For the last 60 days, Respondent had requested Lawson-Dennis to verify her attendance at grief counseling classes so that she would not divert to destructive and illegal behavior. Not being able to do so, Respondent found Lawson-Dennis to be in violation of probation because she had missed probation appointments without proper notification to her probation officer and had missed the required Breathalyzer and urinalysis testing.

On August 22, 2011, Lawson-Dennis' case was set for a probation violation hearing because she missed her August 2, 2011 court date and for a hearing on Defendant's Request for termination for Community Control Sanction or order of

original sentence into execution. At the time of this hearing, Attorney Young stated on the record that Lawson-Dennis "has a change of heart" and indicated that she has only two months to be in the program and feels like it's doing some good, so she wants to withdraw that Motion and remain in the (Project Hope) program if it is-" Thereafter, Lawson-Dennis waived the probation violation hearing and was not found in violation of probation regarding the missed August 2, 2011 court date. Further, she completed her conditions of probation, which expired on November 17, 2011. Lawson-Dennis attended her Project Hope graduation which was held on October 24, 2011.

225. Respondent admits the allegations made and contained in Paragraph 225 of the Complaint.

226. Respondent admits the allegations made and contained in Paragraph 226 of the Complaint.

227. Respondent denies the allegations made and contained in Paragraph 227 of the Complaint.

Bobbi Williams

228. Respondent admits the allegations made and contained in Paragraph 226 of the Complaint.

229. Respondent admits in part and denies in part the allegations made and contained in Paragraph 228 of the Complaint. Respondent admits that Williams' boyfriend Freddie Johnson had operated the vehicle. Respondent denies that he was charged with License Required to Operate.

230. Respondent admits in part and denies in part the allegations made and contained in Paragraph 230 of the Complaint. Respondent denies that Johnson

appeared in court on February 14 and pled not guilty to the charges against him. Respondent admits the remaining facts and statements made and contained within Paragraph 230.

231. Respondent admits in part and denies in part the allegations made and contained in Paragraph 231 of the Complaint. Respondent admits that on February 21, 2013, Williams appeared in court and pled no contest to the misdemeanor charge against her. Respondent denies that during the sentencing portion of Williams' case, Respondent became aware that a capias had been issued for Johnson. Instead, Attorney Berman indicated that he "guessed" that a capias had been issued for Johnson.

232. Respondent denies the allegations made and contained in Paragraph 232 of the Complaint.

233. Respondent admits the allegations made and contained in Paragraph 233 of the Complaint.

234. Respondent denies the allegations made and contained in Paragraph 234 of the Complaint.

235. Respondent denies that she increases bonds for defendants who request a trial in all cases. Her responses to the specific subparagraphs are as follows:

(a) Respondent admits in part and denies in part the facts and statements made and contained in Paragraph 235(a). There were three cases which came before her on June 30, 2009 involving Maurice Tucker. In addition to the two set forth in subparagraph (a), a third one came before her, a Noise in

Motor Vehicle charge which was a companion to the 2009 Driving Under Suspension charge, 2009 CRB 020513.

(b) Respondent admits that Tucker was represented by Attorney David Eidenmiller on all three matters on June 30, 2009.

(c) Respondent admits in part and denies in part the allegations contained in Paragraph 235(c) of the Complaint. Respondent admits that a \$1,500 bond had been imposed in respect to the DUS charge, out of the arraignment room, not by Respondent. Further, personal bonds apply to both the minor misdemeanor 2008 charge (One Way Street) and the Fourth Degree Misdemeanor charge (Noise in Car).

(d) Respondent admits the allegations made and contained in Paragraph 235(d) of the Complaint.

(e) Respondent admits in part and denies in part the allegations contained in Paragraph 235(e) of the Complaint. When Eidenmiller was asked if he wanted to set the DUS and Noise in Car for trial, he indicated "yes." Respondent admits inquiring whether Tucker would be able to pay the \$1,500 bond on the DUS charge.

(f) Respondent admits the allegations made and contained in Paragraph 235(f) of the Complaint.

(g) Respondent denies the allegations made and contained in Paragraph 235(g) of the Complaint.

(h) Respondent admits the allegations made and contained in Paragraph 235(h) of the Complaint.

(i) Respondent denies the allegations made and contained in Paragraph 235(i) of the Complaint.

236. Respondent admits in part and denies in part the allegations made and contained in Paragraph 236 of the Complaint. Respondent denies that she improperly revoked defendant's probation because of rude and disrespectful conduct which was displayed in her presence.

(a) The facts and statements made and contained in Paragraph 236(a) are admitted.

(b) The facts and statements made and contained in Paragraph 236(b) are admitted.

(c) The facts and statements made and contained in Paragraph 236(c) are admitted.

(d) Respondent admits in part and denies in part the allegations made and contained in Paragraph 236(d) of the Complaint. Respondent admits that the door slammed, but denies that it slammed because Beckwith's hands were full. Further, Respondent admits that she asked her bailiff to bring Beckwith back into the courtroom, whereupon she informed Beckwith that she was being held in contempt.

(e) Respondent denies the allegation made and contained within Paragraph 236(e).

(f) Respondent admits in part and denies in part the allegations made and contained in Paragraph 236(f) of the Complaint. At the time Respondent ordered the 180 days of Beckwith's sentence into execution, she simultaneous

set a motion to mitigate the sentence hearing for two days hence, on December 19, 2012, noting in the Journal Entry that on December 19, 2012, Beckwith was to return to court with her personal clothes and belongings.

(g) Respondent admits in part and denies in part the allegations made and contained in Paragraph 236(g) of the Complaint. At the time of the mitigation of sentence hearing on December 19, 2012, Beckwith's sentence was mitigated to five days, giving her credit for three days served and requiring her to serve an additional two days. Her active probation was continued until March 8, 2014. Respondent denies that Beckwith was ordered to be held in custody for five additional days at the December 19, 2012 hearing. Respondent admits that she suspending the remaining 172 days of Beckwith's sentence.

237. Respondent denies the allegations made and contained in Paragraph 237 of the Complaint.

238. Respondent denies the allegations made and contained in Paragraph 238 of the Complaint.

COUNT SEVEN

239. No response required to Paragraph 239 of the Complaint.

240. Respondent denies the allegations made and contained in Paragraph 240 of the Complaint.

241. Respondent denies the allegations made and contained in Paragraph 241 of the Complaint.

242. Respondent denies the allegations made and contained in Paragraph 242 of the Complaint.

243. Respondent denies the allegations made and contained in Paragraph 243 of the Complaint.

AFFIRMATIVE DEFENSES

244. Relator's Complaint fails to state a claim for upon relief can be granted.

245. Paragraphs 39 through 44 of Relator's Complaint raise facts which have already been reviewed in connection with Ohio Disciplinary Counsel Case No. B0-2588J which was dismissed by Assistant Disciplinary Counsel Stacey Solochek Beckman's letter of April 7, 2011 (attached hereto as Ex. A), and therefore, is not a proper subject of the instant Complaint, having already been dismissed once, and not appealed by grievant.

246. Attorney Ashley Jones, on behalf of her client Robert W. Downing, filed an Affidavit of Disqualification, pursuant to R.C. 2701.031, against Respondent arising out of the same facts and circumstances alleged in Paragraph 72 through 78, inclusive. Presiding/Administrative Judge Nancy A. Fuerst, after reviewing all the evidence, found "that the record fails to demonstrate bias and prejudice against Robert W. Downing or his counsel." As a result, the request for disqualification of Respondent was denied on August 13, 2013. As such this aspect of Relator's Complaint should be dismissed as well.

247. The facts and statements alleged in Paragraph 236 and its subparts (a) through (g), inclusive, are presently the subject of a letter of inquiry B3-0109J presently pending in Disciplinary Counsel's office. This letter of inquiry has been fully responded to by way of a response of February 12, 2013 and a supplemental response of February 13, 2013.

248. Laches. Many of allegations contained in the Complaint arise from facts and circumstances greater than four years previous, and some of which involved alleged conduct beginning when Respondent first assumed the bench. As such, based upon principles of equity, these allegations of misconduct should be dismissed.

WHEREFORE, having fully and completely answered the allegations in the Complaint, Respondent, Angela Rochelle Stokes, requests that each and every allegation of misconduct be dismissed.

Respectfully submitted,



Richard C. Alkire (#0024816)
Dean Nieding (#0003532)

Richard C. Alkire Co., L.P.A.
250 Spectrum Office Building
6060 Rockside Woods Boulevard
Independence, Ohio 44131-2335
216-674-0550 / Fax: 216-674-0104
rick@alkirelawyer.com
dean@alkirelawyer.com

Attorneys for Respondent

Disciplinary Counsel
THE SUPREME COURT OF OHIO

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1-800-589-5256

ASSISTANT DISCIPLINARY COUNSEL
STACY SOLOCHEK BECKMAN
CAROL A. COSTA
HEATHER L. HISSOM
PHILIP A. KING
KAREN H. OSMOND
AMY C. STONE

April 7, 2011

PERSONAL AND CONFIDENTIAL

Michael D. Winston, Esq.
P.O. Box 27112
Columbus, OH 43227-0112

Re: Hon. Angela Rochelle Stokes
Our File No. B0-2588J

Dear Mr. Winston:

After investigation and careful consideration of your complaint against Judge Angela R. Stokes, we have determined that further disciplinary action is not warranted. As we are certain you are aware, the authority of this office is limited to investigating alleged violations of the Code of Professional Responsibility, the Ohio Rules of Professional Conduct and the Code of Judicial Conduct. In order to pursue a matter beyond the investigative stage, we must find probable cause (defined as substantial, credible evidence) of misconduct by an attorney or judge. After review of the materials submitted to our office, including the transcript of the August 19, 2010 hearing that gave rise to your grievance, we did not find substantial, credible evidence of misconduct by Judge Stokes.

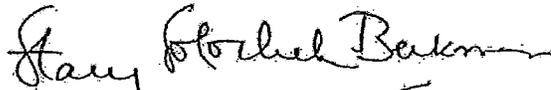
Your grievance arose out of what you believed was unprofessional and unwarranted conduct by Judge Stokes in the case *City of Cleveland v. Keynan Williams*. You indicated that in response to your advocacy on Mr. Williams' behalf, Judge Stokes became visibly upset with you, berated and embarrassed you and acted in a retaliatory manner towards Mr. Williams. In her response to the allegations, Judge Stokes explained the circumstances surrounding Mr. Williams' case, including his prior history and the concerns that she had with, what she believed to be, Mr. Williams' drug abuse problem. She explained that she became upset with you during the hearing when you objected to the exact sentence that you had negotiated and agreed to on Mr. Williams' behalf. Judge Stokes further acknowledged and regretted raising her voice in response to your actions. She denied acting in retaliation towards Mr. Williams, or you, and indicated that she called Mr. Williams back into the courtroom not to change his sentence, but to confirm that your actions were what

Michael D. Winston, Esq.
April 7, 2011
Page 2

your client desired. The transcript of the proceeding supports Judge Stokes' recollection. We do not believe that substantial, credible evidence exists to suggest that Judge Stokes acted in a manner contrary to the Ohio Rules of Professional Conduct of the Code of Judicial Conduct in her handling of Mr. Williams' case.

As previously set forth, in accordance with our authority, the disposition of your complaint is limited solely to the question of whether Judge Stokes committed a violation of the Ohio Rules of Professional Conduct or the Code of Judicial Conduct. Accordingly, because our investigation did not reveal substantial, credible evidence of misconduct by Judge Stokes, we are dismissing your complaint and closing our file on this matter.

Sincerely,



Stacy Solochek Beckman *SSB*
Assistant Disciplinary Counsel

SSB/mlr

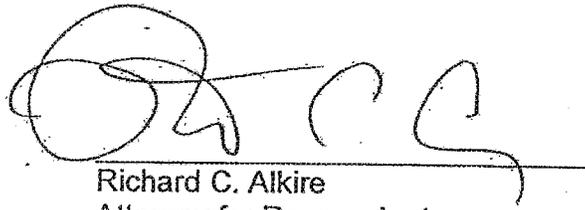
cc: George D. Jonson, Esq.
Kimberly V. Riley, Esq.

CERTIFICATE OF SERVICE

A copy of the foregoing Answer of Respondent has been emailed and mailed,
postage prepaid, this 4th day of December, 2013 to:

Michael E. Murman, Esq.
14701 Detroit Avenue, Suite 555
Lakewood, OH 44107

Counsel for Relator



Richard C. Alkire
Attorney for Respondent

EXHIBIT 4

STATE OF OHIO)
) ss:
COUNTY OF CUYAHOGA)

AFFIDAVIT OF ROBERT L. TOBIK

I, Robert L. Tobik, having been duly cautioned and sworn under oath, do hereby state as follows:

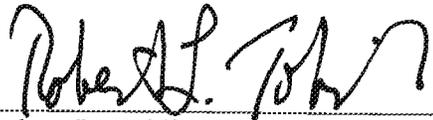
1. I have personal knowledge of the information set forth in this affidavit, and I am competent to testify to the matters stated herein.
2. I have been licensed to practice law in the State of Ohio since 1970.
3. I currently serve as the Cuyahoga County Public Defender and have served in this position since 2002.
4. It has recently come to my attention that Judge Adrian may be required to restore Judge Stokes' criminal docket to her.
5. If this occurs, I fully intend to renew the motion that was filed on March 10, 2014 to transfer criminal cases from Judge Stokes docket.
6. During my tenure as the Cuyahoga County Public Defender, either I or the supervisors in my office have fielded complaints from a number of the attorneys in my office regarding the working conditions in Judge Angela Stokes' courtroom.
7. A majority of the complaints focus on:
 - a. The long hours spent in Judge Stokes' courtroom because of how she conducts her docket;
 - b. The repeated continuances of clients matters because of the inability to resolve any days docket on the scheduled day;
 - c. The rude and demeaning treatment that they receive in Judge Stokes' courtroom when they try to place an objection on the record, advocate on behalf of a client, or discourage their clients from accepting a plea offered by the prosecutor.
8. Many of my employees have been yelled at, publicly humiliated, and/or threatened with contempt for no valid reason.
9. A number of my employees have been threatened with time in the holding cell with their clients, and in May 2013, Judge Stokes actually ordered one of my

employees (Scott Malbasa) to be placed in the holding cell for advocating on behalf of his client.

10. Over the years, I and my supervisors have tried to address the working conditions in Judge Stokes' courtroom.
11. Beginning during the period of the Legal Aid Society representing indigent criminal defendants in Judge Stokes courtroom, a policy was instituted whereby public defenders only serve a two-month rotation in Judge Stokes' courtroom whereas they serve a four month rotation in other courtrooms. Moreover, at the completion of a rotation in Judge Stokes' courtroom, the public defender is permitted to choose the courtroom in which they would like to serve the next four month rotation.
12. A number of years ago we attempted to institute a policy whereby the Public Defender assigned to Judge Stokes' courtroom would leave when the other court employees assigned to her courtroom left. (i.e. 5:00 p.m. at the direction of the Presiding Judge) The Public Defenders assigned to that room were reluctant to leave a because the Judge continued on with her docket
13. In October 2013, the Office of Disciplinary Counsel filed a formal disciplinary complaint against Judge Stokes. This complaint detailed several cases/situations involving current and former public defenders in my office.
14. On October 28, 2013, shortly after the disciplinary complaint was filed, I wrote a letter to Judge Ronald Adrine, the administrative and presiding judge of the Cleveland Municipal Court, requesting that he reassign all of Judge Stokes' cases in which a public defender represented a defendant against (4th degree misdemeanor charge or higher) to a different judge.
15. A true and accurate copy of my October 28, 2013 letter is attached as Exhibit A.
16. I sent this letter because I did not believe that the defendants, nor the public at large, could or would feel any confidence that Judge Stokes would be fair and impartial in their cases or that the Public Defender could be an effective advocate in her courtroom.
17. For the same reason, I requested in my letter that Judge Adrine refrain from assigning any new cases to Judge Stokes in which a defendant was charged with a 4th degree misdemeanor or higher since the Public Defender represents the overwhelming majority of indigent criminal defendants charged with these offenses in Judge Stokes' courtroom.
18. Judge Adrine did not take any action in response to my October 28, 2013 letter.

19. In March 2014, I again renewed my request that Judge Adrine transfer all of Judge Stokes' cases in which the public defender was involved to a different judge and that he not assign any further cases to Judge Stokes' in which a defendant was charged with 4th degree misdemeanor or higher. This time, however, I made my request in a formal motion that was filed with the court.
20. A true and accurate copy of my motion is attached as Exhibit B.
21. Shortly after my motion was filed, Judge Adrine issued a series of administrative orders, which effectively removed Judge Stokes' criminal docket from her. Judge Adrine then denied my motion as moot.
22. Because my past efforts, as well as the pending of a disciplinary investigation and the issuance of a complaint did not have an effect on Judge Stokes' conduct in the past I have no reason to expect any change in her future conduct, should her criminal docket be reinstated.
23. In sum, the combination of continued abusive treatment and the public appearance that this Office is at odds with Judge Stokes because of the Complaint's allegations potentially causes indigent defendants in her courtroom to be lacking in confidence that they can be effectively represented by this Office. In that Judge Stokes' conduct has caused both attorneys and litigants to be concerned about being treated fairly, I believe it best that Judge Stokes remain apart from her criminal docket until the disciplinary process runs its course.

AFFIANT FURTHER SAYETH NAUGHT.

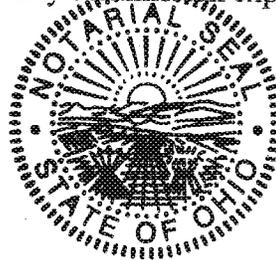


Robert L. Tobik

SWORN TO OR AFFIRMED BEFORE ME AND SUBSCRIBED IN MY PRESENCE IN THE CITY OF CLEVELAND, THE COUNTY OF CUYAHOGA, THE STATE OF OHIO, ON THIS 28th DAY OF OCTOBER 2014.


Notary Public

My commission expires: _____



MARIA POLLMAN
NOTARY PUBLIC
STATE OF OHIO
Recorded in
Cuyahoga County
My Comm. Exp. 12/7/15

1000





CUYAHOGA COUNTY PUBLIC DEFENDER

Robert L. Tobik
Public Defender

October 28, 2013

Hon. Ronald Adrine
Administrative and Presiding Judge
Cleveland Municipal Court
Room 15-A, Justice Center
1200 Ontario Street
Cleveland, Ohio 44113
Hand Delivered

RE: Removal of criminal cases (M-4 and above) from docket of
Hon. Angela R. Stokes, Cleveland Municipal Court

Dear Judge Adrine,

As Cuyahoga County Public Defender, I formally and respectfully request that, in
the exercise of your supervisory powers, you

- (1) Reassign all cases currently pending before Judge Angela Stokes in which the
defendant is not represented by private counsel and is charged with a fourth-
degree misdemeanor or more serious offense; and
- (2) Refrain from assigning to Judge Stokes any future cases in which the
defendant is charged with a fourth-degree misdemeanor or more serious offense.

The reasons for this request are set forth below.

I. Background

By Entry filed October 14, 2013, a probable cause panel of the Ohio Board of
Commissioners on Grievances and Discipline made a finding of probable cause regarding
a formal, Complaint against the Honorable Angela R. Stokes, Judge of the Cleveland

310 Lakeside Avenue Suite 200, Cleveland, OH 44113
(216) 443-7223 Felony • (216) 443-7583 Appeals • (216) 443-2190 Municipal
Fax (216) 443-6911 Felony • Fax (216) 443-3632 Appeals •
Fax (216) 698-3233 Municipal Division

EXHIBIT

A

tabbles

Municipal Court. The Complaint (copy attached as Exhibit A) alleges that Judge Stokes (1) abused court resources, (2) abused court personnel, (3) abused lawyers, (4) abused defendants and the public, (5) abused constitutional freedoms, and (6) committed abusive legal errors. In these various acts, she is alleged to have violated Cannons 1, 2, and 3(B)(4) of the Code of Judicial Conduct; Judicial Rules 1.2, 2.2, 2.6, and 2.8; Disciplinary Rules 1-102(A)(5) and 1-102(A)(6), and Professional Conduct Rules 8.4(d) and 8.4(h).

Among the specific allegations of the Complaint are several in which Judge Stokes is alleged to have engaged in abusive behavior against present and former employees of the office of the Cuyahoga County Public Defender.

Count Three, captioned "Abuse of Lawyers," includes the following allegations referencing Assistant Public Defenders David Eidenmiller and Tina Tricarichi and former Assistant Public Defender Scott Malbasa:

29. Prosecutors, public defenders, and private defense counsel that appear before respondent are prohibited from asking questions about courtroom procedure or requesting further clarification of respondent's rulings. If they do so, they are told that they are "out of order" and threatened with contempt or referral to a disciplinary authority. The following are some examples of the confrontations that respondent has had with prosecutors, public defenders, and private defense counsel in her courtroom.

David Eidenmiller

30. On May 21, 2009, Matthew Gabriel appeared before respondent with his attorney, David Eidenmiller, for sentencing on a Driving Under Suspension (DUS) charge. (Case No. 2008 TRD 07151.) Gabriel's license had been suspended due to a DUI conviction.

31. The maximum penalty for DUS is 180- days in jail and a \$1,000 fine.

32. Gabriel had already spent two days in jail. Respondent sentenced Gabriel to an additional three days in jail and a \$300 fine. She suspended the remaining 175 days.

33. Respondent requested the location of Gabriel's vehicle so that she could have it immobilized.

34. Gabriel informed respondent that he had sold the vehicle in January 2009, but that he did not have proof of the sale with him in court.

35. Respondent noted that the probation report indicated that as of April 21, 2009, Gabriel still appeared to be the titled owner of the vehicle.

36. Based on this information, respondent ordered the full 178 days into execution, but set the matter for a mitigation hearing on May 27, 2009.

37. When Eidenmiller tried to advocate on behalf of his client and explain that the probation report only reflects the last person who registered the vehicle, respondent threatened to hold Eidenmiller in contempt and place him in the holding cell with Gabriel.

38. The following day, Gabriel's family was able to provide proof that the vehicle had been sold, and respondent reduced Gabriel's sentence to the original three days.

...

Tina Tricarichi

45. On October 28, 2010, Tina Tricarichi was in respondent's courtroom with her client, Darius Andrews, for sentencing on several cases. (Case nos. 2010 CRB 040350, 2010 CRB 008032, 2010 TRD 001047.)

46. During the sentencing, Tricarichi did not hear one of the conditions imposed on Andrews because Andrews was talking to her.

47. Tricarichi said "Pardon," and repeated what she believed was the condition to ensure that she had heard it correctly.

48. Respondent stated that Tricarichi was correct, but that she should have been listening to the court in the first place. Respondent further stated that it was "outrageous" that she had to repeat herself "three or four times" during a sentencing.

49. After the sentencing was complete, Andrews stated "Thank you, your Honor."

50. Respondent continued to berate Tricarichi by stating, "He [the defendant] understands. He knows. She [Tricarichi] doesn't understand what the court is saying." [*sic.*]

51. Respondent accused Tricarichi of talking during the sentencing, but when Tricarichi attempted to explain herself, respondent stated that she was "tired of going through this for the past two months" and that she was not "going to tolerate it."

52. Respondent then stated – in open court – that she had already spoken to Tricarichi's supervisors about Tricarichi.

53. The confrontation ended with respondent threatening to hold Tricarichi in contempt and placing her in the holding cell if she said "one other word."

...

Scott Malbasa

58. On June 16, 2011, Attorney Scott Malbasa was representing a defendant in a trial before respondent.

59. One of the defense witnesses was being cross-examined by the prosecutor; however, the individual was not seated in the witness stand. He was standing at the podium with Malbasa.

60. At one point during the prosecutor's questioning, the witness began talking at the same time as the prosecutor.

61. Respondent interrupted the trial and instructed the witness not to speak at the same time as the prosecutor.

62. Respondent then stated that it would be better for the individual to sit in the witness stand because he was "out of control in this courtroom" and she was "not going to permit it."

63. At that point, Malbasa attempted to place an objection on the record.

64. Respondent would not permit Malbasa to make his objection, and the situation quickly deteriorated into a shouting match between Malbasa and respondent with respondent telling Malbasa to "shut your mouth" and threatening to hold him in contempt.

Count Four of the Complaint, captioned "Abuse of Defendants and the Public," includes an allegation regarding Shatauna Moore. Count Six, captioned "Abusive Legal Errors," includes allegations regarding James Luster, Gabriel Matthew, and Daniel O'Reilly. The Complaint specifically mentions that Ms. Moore and Mr. Luster were represented by Margaret Walsh, an Assistant Public Defender, and that Mr. O'Reilly was represented by Assistant Public Defender Eidenmiller. The allegation regarding Mr. Matthew is a repeat of the allegation in Count Two regarding Eidenmiller. Both Eidenmiller and Walsh are, necessarily, likely witnesses against Judge Stokes.

Shatauna Moore

107. On November 20, 2012, Shatauna Moore was in court with her attorney, Margaret Walsh, for a probation violation hearing. (Case No. 2012 TRD 007856.)
108. Moore had also been charged with a felony that was set for a pre-trial on the following day, November 21, 2012.
109. Walsh requested a continuance of the probation violation hearing due to the fact that the felony was still pending.
110. In deciding whether or not to grant the continuance, respondent began reviewing Moore's file.
111. Respondent inquired into whether Moore had taken a urinalysis test recently. Moore stated that she had approximately two weeks earlier through Key Decisions Treatment Center.
112. Respondent informed Moore that she needed to take a urinalysis test through the probation department and that she needed to do it before she would grant a continuance of the probation violation hearing.
113. Walsh advised respondent that Moore did not have the \$9 to pay for the urinalysis test that day, but that she could have it the following day.
114. Respondent told Moore that she was not going to place the matter on her docket for tomorrow and that Moore needed to figure out how she was going to pay for the urinalysis test that day.
115. Moore responded by rolling her eyes.

116. At first, respondent stated that if Moore rolled her eyes one more time, she was going to take Moore into custody; however respondent quickly changed her mind and decided to take Moore into custody immediately for rolling her eyes.

James Luster

172. On January 31, 2002, James Luster appeared before respondent with his attorney, Margaret Walsh, for sentencing on a License Required to Operate Charge. (Case No. 2001 TRD 108484.)

173. Luster had previously been in court on January 7, 2002 and January 30, 2002 for sentencing; however both times, Luster's sentencing had been continued.

174. On January 31, 2002, respondent sentenced Luster to 180 days in jail, with 150 days suspended, an alcohol assessment, and substance abuse counseling. She also fined Luster \$100.

175. Following the sentencing order, Walsh challenged the court's imposition of an alcohol assessment and substance abuse counseling because they were not reasonably related to the charge against Luster. Walsh also requested that Luster be given credit for time served for the two days that Luster spent in respondent's courtroom waiting for his sentencing hearing.

176. Respondent denied Walsh's request and instead decided to suspend only 120 days of the Luster's sentence thereby doubling Luster's actual time in jail to 60 days.

177. On February 15, 2002, Luster filed a Notice of Appeal with the eighth District Court of Appeals.

178. On March 15, 2002, respondent suspended all fines against Luster and gave him credit for the 34 days of jail time that he had already served. She suspended the remaining 146 days of Luster's sentence.

179. On November 27, 2002, the Court of Appeals dismissed Luster's appeal as moot because Luster had already served his time in jail; however, the court noted that "a trial court abuses its discretion when it imposes a sentence based upon the conduct of the defense attorney."

Gabriel Matthew

180. See Paragraphs 30 through 38 of Count Two for facts regarding Gabriel Matthew.

Daniel O'Reilly

181. On June 3, 2009, Daniel O'Reilly appeared before respondent on charges of aggravated trespass and aggravated menacing. (Case NO. 2009 CRB 014228.) He was not represented by counsel.
182. O'Reilly politely asked respondent for permission to say something on his own behalf, but respondent would not permit him to speak without legal counsel present. At that point, Attorney David Eidenmiller (public defender) agreed to assist O'Reilly with his case.
183. O'Reilly's file indicated that O'Reilly had some kind of mental illness. Accordingly, respondent asked O'Reilly whether he was taking his medication.
184. O'Reilly responded that he was not taking his medication and that he had not taken his medication for over 30 days due to a number of reasons involving medicate, Social Security, etc.
185. Respondent then requested a sidebar on the record; however, halfway through the sidebar, respondent muted all microphones in the courtroom.
186. During the sidebar, O'Reilly agreed to speak with Jerome Saunders, a court psychiatric employee, regarding his mental health condition and lack of medication.
187. Thereafter, O'Reilly met with Saunders.
188. O'Reilly's case was recalled approximately two hours later.
189. When the case was recalled, respondent asked Saunders to place his findings on the record as to whether O'Reilly was suicidal, homicidal, or needed emergency psychiatric hospitalization.
190. Saunders testified that O'Reilly was not suicidal or homicidal and that he did not require emergency psychiatric hospitalization. Saunders stated, however, that O'Reilly needed to obtain and take his medication.
191. Based on Saunder's testimony, respondent continued the matter until June 9, 2009 (six days later). She allowed O'Reilly's personal bond to remain in effect on condition that he not go to Tower City Mall, not have any contact with his alleged victim, and go immediately to Lakewood Hospital to obtain his medication. O'Reilly confirmed that the understood the court's orders and that he would abide by them.

192. As everyone was preparing to leave the courtroom or move on to the next case, respondent told Saunders that O'Reilly takes four Tylenol PM per night, which was against the dosage recommendation on the box.

193. Saunders stated that O'Reilly had not told him this information during their conversation, but that he still believed that O'Reilly was willing and able to obtain his medication as previously indicated.

194. Respondent then commented that if O'Reilly overdoses on the Tylenol PM, it will be "on all our consciences for the rest of our lives."

195. Respondent then ordered that O'Reilly appear in her courtroom on June 4, 2009, rather than June 9, 2009, with proof that he had gone to Lakewood Hospital to obtain his medication.

196. Thereafter, respondent changed her mind again because she did not have "peace" with the situation.

197. Respondent ordered O'Reilly to be taken into custody immediately and transported to St. Vincent's Charity Hospital. She stated that "it is not going to be on my conscience. It is not going to be on my conscience." She then continued O'Reilly's case until June 5, 2009. (Emphasis added.)

198. On June 5, 2009, O'Reilly appeared in court with Attorney Eidenmiller.

199. Eidenmiller informed the court that O'Reilly had been seen by the court's psychiatric clinic and by St. Vincent's, and both had released him without providing him with any medications.

200. Based on this information, respondent initially stated that she was not going to release O'Reilly from custody because she believed that he was harm to himself and other. She stated, "If I don't have peace, he won't be released."

201. However, respondent later changed her mind and gave O'Reilly a personal bond on condition that he obtain his medication immediately.

II. The Appearance of Impropriety and Bias

The Office of the Cuyahoga County Public Defender, through its assistant public defenders, represents the overwhelming majority of the indigent criminal defendants who are represented by counsel in the Cleveland Municipal Court. Those defendants, like all litigants and like the public itself, are entitled to be tried in a courtroom where the judge

has no bias which will work to their disadvantage *and* where it appears that the judge has no such bias. As Chief Justice Moyer explained in *In re Disqualification of Lewis*, 117 Ohio St.3d 1227, 2004-Ohio-7359,

A judge should step aside or be removed if a reasonable and objective observer would harbor serious doubts about the judge's impartiality. Canon 3(E)(1) of the Code of Judicial Conduct ("A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned").

Id. at ¶ 8.

Under the circumstances, where current and former assistant public defenders are specifically named as victims of and witnesses to Judge Stokes' alleged misconduct, neither defendants represented by the Cuyahoga County Public Defender nor the public at large can feel any confidence that the judge can be impartial or that the Public Defender can be an effective advocate in her courtroom. No one, after all, would voluntarily choose to be represented by a lawyer who has publicly accused a judge of misconduct in the course of the judge's duty – and indigent defendants deserve the same quality of legal representation that they would choose if they had the funds to hire counsel.

Moreover, because indigent defendants cannot be confident that, if they were to desire counsel, they would be effectively represented before Judge Stokes by the Public Defender, the determination of whether to waive counsel cannot be understood to be knowing, intelligent, and voluntary as the Sixth Amendment requires.

Accordingly, all persons charged with misdemeanors of the fourth degree or above should have their cases assigned to a different courtroom.

III. The Remedy

Rule 1.02 of the Local Rules of this Court provides in pertinent part, that “the authority of the administrative judge shall extend . . . to those matters relating to docket and case control.” Rule 1.03(A), setting forth the duties and authority of the presiding judge, says that

The enforcement of all administrative orders of the court, as well as the enforcement of compliance with these rules, shall be the responsibility of the presiding judge, except as set forth in Rule 1.02. Subject to the approval of a majority of the court, he or she shall have the authority to issue or modify any procedural order of court to obtain conformity with such orders and/or rules. *Any other action taken by the presiding judge may be disapproved and rescinded by a majority of the members of this court.*

(Italics added.)

The broad authority embodied in those rules provides the Administrative and Presiding Judge the power to control the docket of this Court for its efficient operation and, implicitly, so that the Court will serve the very interests of justice which are its underlying purpose.

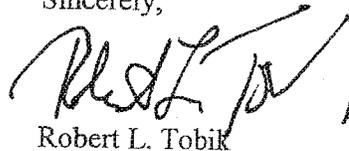
Under the circumstances, that purpose, and the requirements of justice, fundamental fairness, due process, and the Code of Judicial Conduct, can only be served by the recusal of Judge Stokes from all criminal cases involving fourth-degree misdemeanors and above, current and future, as to which the Cuyahoga County Public Defender is counsel for the defendant. Indeed, it would be proper for all criminal cases to be removed from her docket at least until the disciplinary process is resolved.

Conclusion

Accordingly, I ask that you exercise your supervisory powers, to (1) reassign all cases currently pending before Judge Angela Stokes in which the defendant is not

represented by private counsel and is charged with a fourth-degree misdemeanor or above; and (2) refrain from assigning to Judge Stokes any future cases in which the defendant is charged with a fourth-degree misdemeanor or above.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert L. Tobik", written in a cursive style.

Robert L. Tobik

cc: Hon. Angela R. Stokes (Hand Delivered)

Victor R. Perez, Esq.
Chief Assistant Prosecutor
City of Cleveland (Hand Delivered)

Exhibit A

The Supreme Court of Ohio

RECEIVED

OCT 16 2013

Disciplinary Counsel
Supreme Court of Ohio

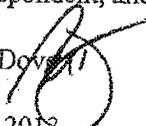
BOARD OF COMMISSIONERS ON GRIEVANCES & DISCIPLINE
65 SOUTH FRONT STREET, 5TH FLOOR, COLUMBUS, OH 43215-3431

RICHARD A. DOVE
SECRETARY

Telephone: 614.387.9370
Fax: 614.387.9379
www.supremecourt.ohio.gov

MICHELLE A. HALL
SENIOR COUNSEL

TO: Relator, Respondent, and Counsel of Record

FROM: Richard A. Dove 

DATE: October 11, 2013

SUBJECT: Disciplinary Counsel v. Angela Rochelle Stokes, Case No. 2013-057

On this date, a probable cause panel of the Board of Commissioners on Grievances and Discipline certified the above-referenced matter to the Board.

Enclosed please find the certification entry and formal notice of filing.

RAD/ni
Enclosure

BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

RECEIVED

OCT 16 2013

Disciplinary Counsel
Supreme Court of Ohio

In re:
Complaint against

Angela Rochelle Stokes (0025650)
1200 Ontario, P O Box 94894
Cleveland, OH 44113

Case No. 2013-057

RESPONDENT

**NOTICE TO RESPONDENT OF
FILING OF COMPLAINT**

Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, OH 43215

FILED

OCT 14 2013

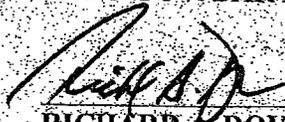
BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

RELATOR

Respondent will take notice that:

- (1) Attached hereto is a copy of the Complaint made against you by the Relator and certified to this Board by a probable cause panel.
- (2) You are required to file six (6) copies of your written answer to this Complaint within twenty (20) days after the 17th day of October, 2013 and serve copies of the answer upon counsel of record named in the Complaint.

FAILURE TO FILE A TIMELY ANSWER TO THIS COMPLAINT MAY RESULT IN YOUR IMMEDIATE SUSPENSION FROM THE PRACTICE OF LAW BY THE SUPREME COURT OF OHIO PURSUANT TO GOV. BAR R. V, SECTION 6a.



RICHARD A. DOVE, Secretary

BEFORE A PROBABLE CAUSE PANEL
OF
THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

RECEIVED

OCT 16 2013

Disciplinary Counsel
Supreme Court of Ohio

In re: :
Complaint against : Case No. 2013-057
Angela Rochelle Stokes :
Attorney Reg. No. (0025650) :
Respondent :
Disciplinary Counsel :
Relator :

FILED

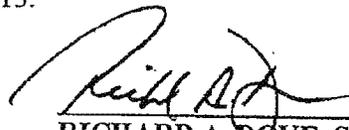
OCT 14 2013

BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

ENTRY

The Secretary of the Board of Commissioners on Grievances and Discipline, having received a complaint from Relator that alleges misconduct, as defined in Gov. Bar R. V, Section 6(A)(1), on the part of Respondent and that appears to satisfy the applicable requirements of Gov. Bar R. V, Section 4(I)(6), (7), and (8), has assigned the complaint to a duly constituted probable cause panel of the Board pursuant to Gov. Bar R. V, Section 6(D)(1). Upon review of the summary of investigation and formal complaint filed by Relator against Respondent, the probable cause panel hereby finds that probable cause exists for the filing of a formal complaint and certifies the complaint to the Board of Commissioners. It is hereby ordered that the complaint be accepted for filing and that notice of the filing be served forthwith by mail to Respondent at 1200 Ontario, P O Box 94894, Cleveland, OH 44113.

This entry is dated this 14th day of October, 2013.


RICHARD A. DOVE, Secretary

**COPY OF RELATOR'S
COMPLAINT AND CERTIFICATE
FILED SEPTEMBER 25, 2013
OMITTED**

**SEE EXHIBIT 7 TO RELATOR'S
MOTION**

and 2.8; Disciplinary Rules 1-102(A)(5) and 1-102(A)(6), and Professional Conduct Rules 8.4(d) and 8.4(h).

Among the specific allegations of the Complaint are several in which Judge Stokes is alleged to have engaged in abusive behavior against present and former employees of the office of the Cuyahoga County Public Defender.

Count Three, captioned "Abuse of Lawyers," includes the following allegations referencing Assistant Public Defenders David Eidenmiller and Tina Tricarichi and former Assistant Public Defender Scott Malbasa:

29. Prosecutors, public defenders, and private defense counsel that appear before respondent are prohibited from asking questions about courtroom procedure or requesting further clarification of respondent's rulings. If they do so, they are told that they are "out of order" and threatened with contempt or referral to a disciplinary authority. The following are some examples of the confrontations that respondent has had with prosecutors, public defenders, and private defense counsel in her courtroom.

David Eidenmiller

30. On May 21, 2009, Matthew Gabriel appeared before respondent with his attorney, David Eidenmiller, for sentencing on a Driving Under Suspension (DUS) charge. (Case No. 2008 TRD 07151.) Gabriel's license had been suspended due to a DUI conviction.

31. The maximum penalty for DUS is 180- days in jail and a \$1,000 fine.

32. Gabriel had already spent two days in jail. Respondent sentenced Gabriel to an additional three days in jail and a \$300 fine. She suspended the remaining 175 days.

33. Respondent requested the location of Gabriel's vehicle so that she could have it immobilized.

34. Gabriel informed respondent that he had sold the vehicle in January 2009, but that he did not have proof of the sale with him in court.

35. Respondent noted that the probation report indicated that as of April 21, 2009, Gabriel still appeared to be the titled owner of the vehicle.

36. Based on this information, respondent ordered the full 178 days into execution, but set the matter for a mitigation hearing on May 27, 2009.

37. When Eidenmiller tried to advocate on behalf of his client and explain that the probation report only reflects the last person who registered the vehicle, respondent threatened to hold Eidenmiller in contempt and place him in the holding cell with Gabriel.

38. The following day, Gabriel's family was able to provide proof that the vehicle had been sold, and respondent reduced Gabriel's sentence to the original three days.

Tina Tricarichi

45. On October 28, 2010, Tina Tricarichi was in respondent's courtroom with her client, Darius Andrews, for sentencing on several cases. (Case nos. 2010 CRB 040350, 2010 CRB 008032, 2010 TRD 001047.)

46. During the sentencing, Tricarichi did not hear one of the conditions imposed on Andrews because Andrews was talking to her.

47. Tricarichi said "Pardon," and repeated what she believed was the condition to ensure that she had heard it correctly.

48. Respondent stated that Tricarichi was correct, but that she should have been listening to the court in the first place. Respondent further stated that it was "outrageous" that she had to repeat herself "three or four times" during a sentencing.

49. After the sentencing was complete, Andrews stated "Thank you, your Honor."

50. Respondent continued to berate Tricarichi by stating, "He [the defendant] understands. He knows. She [Tricarichi] doesn't understand what the court is saying." [*sic.*]

51. Respondent accused Tricarichi of talking during the sentencing, but when Tricarichi attempted to explain herself, respondent stated that she was "tired of going through this for the past two months" and that she was not "going to tolerate it."

52. Respondent then stated – in open court – that she had already spoken to Tricarichi's supervisors about Tricarichi.

53. The confrontation ended with respondent threatening to hold Tricarichi in contempt and placing her in the holding cell if she said "one other word."

Scott Malbasa

58. On June 16, 2011, Attorney Scott Malbasa was representing a defendant in a trial before respondent.

59. One of the defense witnesses was being cross-examined by the prosecutor; however, the individual was not seated in the witness stand. He was standing at the podium with Malbasa.

60. At one point during the prosecutor's questioning, the witness began talking at the same time as the prosecutor.

61. Respondent interrupted the trial and instructed the witness not to speak at the same time as the prosecutor.

62. Respondent then stated that it would be better for the individual to sit in the witness stand because he was "out of control in this courtroom" and she was "not going to permit it."

63. At that point, Malbasa attempted to place an objection on the record.

64. Respondent would not permit Malbasa to make his objection, and the situation quickly deteriorated into a shouting match between Malbasa and respondent with respondent telling Malbasa to "shut your mouth" and threatening to hold him in contempt.

Count Four of the Complaint, captioned "Abuse of Defendants and the Public," includes an allegation regarding Shatauna Moore. Count Six, captioned "Abusive Legal Errors," includes allegations regarding James Luster, Gabriel Matthew, and Daniel O'Reilly. The Complaint specifically mentions that Ms. Moore and Mr. Luster were represented by Margaret Walsh, an Assistant Public Defender, and that Mr. O'Reilly was represented by Assistant Public Defender Eidenmiller. The allegation regarding Mr. Matthew is a repeat of the allegation in Count Two regarding Eidenmiller. Both Eidenmiller and Walsh are, necessarily, likely witnesses against Judge Stokes.

Shatauna Moore

107. On November 20, 2012, Shatauna Moore was in court with her attorney, Margaret Walsh, for a probation violation hearing. (Case No. 2012 TRD 007856.)
108. Moore had also been charged with a felony that was set for a pre-trial on the following day, November 21, 2012.
109. Walsh requested a continuance of the probation violation hearing due to the fact that the felony was still pending.
110. In deciding whether or not to grant the continuance, respondent began reviewing Moore's file.
111. Respondent inquired into whether Moore had taken a urinalysis test recently. Moore stated that she had approximately two weeks earlier through Key Decisions Treatment Center.
112. Respondent informed Moore that she needed to take a urinalysis test through the probation department and that she needed to do it before she would grant a continuance of the probation violation hearing.
113. Walsh advised respondent that Moore did not have the \$9 to pay for the urinalysis test that day, but that she could have it the following day.
114. Respondent told Moore that she was not going to place the matter on her docket for tomorrow and that Moore needed to figure out how she was going to pay for the urinalysis test that day.
115. Moore responded by rolling her eyes.
116. At first, respondent stated that if Moore rolled her eyes one more time, she was going to take Moore into custody; however respondent quickly changed her mind and decided to take Moore into custody immediately for rolling her eyes.

...

James Luster

172. On January 31, 2002, James Luster appeared before respondent with his attorney, Margaret Walsh, for sentencing on a License Required to Operate Charge. (Case No. 2001 TRD 108484.)

173. Luster had previously been in court on January 7, 2002 and January 30, 2002 for sentencing; however both times, Luster's sentencing had been continued.

174. On January 31, 2002, respondent sentenced Luster to 180 days in jail, with 150 days suspended, an alcohol assessment, and substance abuse counseling. She also fined Luster \$100.

175. Following the sentencing order, Walsh challenged the court's imposition of an alcohol assessment and substance abuse counseling because they were not reasonably related to the charge against Luster. Walsh also requested that Luster be given credit for time served for the two days that Luster spent in respondent's courtroom waiting for his sentencing hearing.

176. Respondent denied Walsh's request and instead decided to suspend only 120 days of the Luster's sentence thereby doubling Luster's actual time in jail to 60 days.

177. On February 15, 2002, Luster filed a Notice of Appeal with the eighth District Court of Appeals.

178. On March 15, 2002, respondent suspended all fines against Luster and gave him credit for the 34 days of jail time that he had already served. She suspended the remaining 146 days of Luster's sentence.

179. On November 27, 2002, the Court of Appeals dismissed Luster's appeal as moot because Luster had already served his time in jail; however, the court noted that "a trial court abuses its discretion when it imposes a sentence based upon the conduct of the defense attorney."

Gabriel Matthew

180. See Paragraphs 30 through 38 of Count Two for facts regarding Gabriel Matthew.

Daniel O'Reilly

181. On June 3, 2009, Daniel O'Reilly appeared before respondent on charges of aggravated trespass and aggravated menacing. (Case NO. 2009 CRB 014228.) He was not represented by counsel.

182. O'Reilly politely asked respondent for permission to say something on his own behalf, but respondent would not permit him to speak without legal counsel present. At that point, Attorney David Eidenmiller (public defender) agreed to assist O'Reilly with his case.

183. O'Reilly's file indicated that O'Reilly had some kind of mental illness. Accordingly, respondent asked O'Reilly whether he was taking his medication.

184. O'Reilly responded that he was not taking his medication and that he had not taken his medication for over 30 days due to a number of reasons involving medicate, Social Security, etc.
185. Respondent then requested a sidebar on the record; however, halfway through the sidebar, respondent muted all microphones in the courtroom.
186. During the sidebar, O'Reilly agreed to speak with Jerome Saunders, a court psychiatric employee, regarding his mental health condition and lack of medication.
187. Thereafter, O'Reilly met with Saunders.
188. O'Reilly's case was recalled approximately two hours later.
189. When the case was recalled, respondent asked Saunders to place his findings on the record as to whether O'Reilly was suicidal, homicidal, or needed emergency psychiatric hospitalization.
190. Saunders testified that O'Reilly was not suicidal or homicidal and that he did not require emergency psychiatric hospitalization. Saunders stated, however, that O'Reilly needed to obtain and take his medication.
191. Based on Saunder's testimony, respondent continued the matter until June 9, 2009 (six days later). She allowed O'Reilly's personal bond to remain in effect on condition that he not go to Tower City Mall, not have any contact with his alleged victim, and go immediately to Lakewood Hospital to obtain his medication. O'Reilly confirmed that the understood the court's orders and that he would abide by them.
192. As everyone was preparing to leave the courtroom or move on to the next case, respondent told Saunders that O'Reilly takes four Tylenol PM per night, which was against the dosage recommendation on the box.
193. Saunders stated that O'Reilly had not told him this information during their conversation, but that he still believed that O'Reilly was willing and able to obtain his medication as previously indicated.
194. Respondent then commented that if O'Reilly overdoses on the Tylenol PM, it will be "on all our consciences for the rest of our lives."
195. Respondent then ordered that O'Reilly appear in her courtroom on June 4, 2009, rather than June 9, 2009, with proof that he had gone to Lakewood Hospital to obtain his medication.
196. Thereafter, respondent changed her mind again because she did not have "peace" with the situation.

197. Respondent ordered O'Reilly to be taken into custody immediately and transported to St. Vincent's Charity Hospital. She stated that "it is not going to be on my conscience. It is not going to be on my conscience." She then continued O'Reilly's case until June 5, 2009. (Emphasis added.)

198. On June 5, 2009, O'Reilly appeared in court with Attorney Eidenmiller.

199. Eidenmiller informed the court that O'Reilly had been seen by the court's psychiatric clinic and by St. Vincent's, and both had released him without providing him with any medications.

200. Based on this information, respondent initially stated that she was not going to release O'Reilly from custody because she believed that he was harm to himself and other. She stated, "If I don't have peace, he won't be released."

201. However, respondent later changed her mind and gave O'Reilly a personal bond on condition that he obtain his medication immediately.

II. The Appearance of Impropriety and Bias

The Office of the Cuyahoga County Public Defender, through its assistant public defenders, represents the overwhelming majority of the indigent criminal defendants who are represented by counsel in the Cleveland Municipal Court. Those defendants, like all litigants and like the public itself, are entitled to be tried in a courtroom where the judge has no bias which will work to their disadvantage *and* where it appears that the judge has no such bias. As Chief Justice Moyer explained in *In re Disqualification of Lewis*, 117 Ohio St.3d 1227, 2004-Ohio-7359, which was decided under the prior Code of Judicial Conduct (hence, the citation to Canon 3(E) as opposed to Jud.Cond.R. 2.11):

A judge should step aside or be removed if a reasonable and objective observer would harbor serious doubts about the judge's impartiality. Canon 3(E)(1) of the Code of Judicial Conduct ("A judge shall disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned").

Id. at ¶ 8.

Under the circumstances, where current and former assistant public defenders are specifically named as victims of and witnesses to Judge Stokes' alleged misconduct, neither

defendants represented by the Cuyahoga County Public Defender nor the public at large can feel any confidence that the judge can be impartial or that the Public Defender can be an effective advocate in her courtroom. No one, after all, would voluntarily choose to be represented by a lawyer who has publicly accused a judge of misconduct in the course of the judge's duty -- and indigent defendants deserve the same quality of legal representation that they would choose if they had the funds to hire counsel.

Moreover, because indigent defendants cannot be confident that, if they were to desire counsel, they would be effectively represented before Judge Stokes by the Public Defender, the determination of whether to waive counsel cannot be understood to be knowing, intelligent, and voluntary as the Sixth Amendment requires.

In circumstances such as this, the law is unequivocal that it is the judge -- not the lawyer -- that must be recused.

(A) A judge shall disqualify himself or herself in any proceeding in which the judge's *impartiality* might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal *knowledge* of facts that are in dispute in the proceeding.

Jud. Cond.R. 2.11 (emphasis in original).

Since the probable-cause determination against Judge Stokes, the Ohio Supreme Court has had occasion to examine Jud. Cond.R. 2.11. In *Ohio State Bar Association v. Evans*, 137 Ohio St.3d 441, 2013-Ohio-4992, the Ohio Supreme Court recognized the judge's responsibility to disqualify himself to prevent judge-attorney conflicts. Judge Evans believed there was a conflict between himself and the assistant public representing approximately 60 defendants on the judge's docket. Instead of disqualifying himself, the judge removed the assistant public

defender from any case on the judge's docket. The Ohio Supreme Court held that this decision by Judge Evans violated Jud.Cond.R. 2.11.

Accordingly, all persons charged with misdemeanors of the fourth degree or above on Judge Stokes' present docket should have their cases assigned to a different courtroom. And all new cases involving a fourth-degree misdemeanor or more serious offense should be assigned to a judge other than Judge Stokes.

III. The Remedy

Rule 1.02 of the Local Rules of this Court provides in pertinent part, that "the authority of the administrative judge shall extend . . . to those matters relating to docket and case control."

Rule 1.03(A), setting forth the duties and authority of the presiding judge, says that

The enforcement of all administrative orders of the court, as well as the enforcement of compliance with these rules, shall be the responsibility of the presiding judge, except as set forth in Rule 1.02. Subject to the approval of a majority of the court, he or she shall have the authority to issue or modify any procedural order of court to obtain conformity with such orders and/or rules. *Any other action taken by the presiding judge may be disapproved and rescinded by a majority of the members of this court.*

(Italics added.)

The broad authority embodied in those rules provides the Administrative and Presiding Judge the power to control the docket of this Court for its efficient operation and, implicitly, so that the Court will serve the very interests of justice which are its underlying purpose.

Under the circumstances, that purpose, and the requirements of justice, fundamental fairness, due process, and the Code of Judicial Conduct, can only be served by the recusal of Judge Stokes from all criminal cases involving fourth-degree misdemeanors and above, current and future, as to which the Cuyahoga County Public Defender is counsel for the defendant. Indeed, it would be proper for all criminal cases to be removed from her docket at least until the disciplinary process is resolved.

Conclusion

Wherefore, pursuant to the powers bestowed upon and reserved by the Presiding and Administrative Judge, this Court should

(1) reassign all cases currently pending before Judge Angela Stokes in which the defendant is not represented by private counsel and is charged with a fourth-degree misdemeanor or above; and

(2) refrain from assigning to Judge Stokes any future cases in which the defendant is charged with a fourth-degree misdemeanor or above.

Respectfully submitted



ROBERT L. TOBIK (0029286)
CUYAHOGA COUNTY PUBLIC DEFENDER
310 Lakeside Avenue, Suite 400
Cleveland, Ohio 44113

SERVICE

I hereby certify that one true copy of the foregoing has been hand delivered to Hon. Angela Stokes, 15th Floor, Justice Center, 1200 Ontario Street, Cleveland, Ohio and to Victor Perez, City Prosecutor, 10th Floor, Justice Center, 1200 Ontario Street, Cleveland, Ohio on this 10th day of March, 2014.



ROBERT L. TOBIK (0029286)

EXHIBIT 5

BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE OF
THE SUPREME COURT OF OHIO

FILED

APR 24 2014

BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

In re:

Complaint against

Hon. Angela Rochelle Stokes
Cleveland Municipal Court
1200 Ontario St.
P.O. Box 94894
Cleveland, OH 44113

No. _____

RECEIVED
13-057
APR 28 2014
KHO-50-6can
Disciplinary Counsel
Supreme Court of Ohio

Attorney Registration No. (0025650)

Respondent,

FIRST AMENDED
COMPLAINT AND CERTIFICATE

(Rule V of the Supreme Court Rules for
the Government of the Bar of Ohio.)

Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411

Relator.

Now comes relator, Disciplinary Counsel, and alleges that respondent, Angela Rochelle Stokes, an attorney at law, duly admitted to the practice of law in the state of Ohio, is guilty of the following misconduct:

1. Respondent was admitted to the practice of law in the state of Ohio on October 29, 1984.
2. Respondent was elected to the Cleveland Municipal Court in November 1995 and has served as a judge of that court since that time. She is currently one of 13 judges on the court.
3. As an attorney and a judicial officer, respondent is subject to the Code of Professional Responsibility, the Ohio Rules of Professional Conduct, and the Ohio Code of Judicial Conduct.

Count One – Abuse of Court Resources

4. Since taking the bench in 1995, respondent has consumed a disproportionate amount of the court's human and material resources due to her inability to administer her docket in a timely manner, her lack of organization, and her unreasonable expectation that all court employees be at her beck and call.
5. Starting in or around 2000, the Cleveland Municipal Court began enacting several "court-wide" rules in an attempt to address respondent's inordinate consumption of court resources. In addition, each department within the court has revised its policies and procedures to address issues created by respondent's behavior, actions, and demands.

For example:

- a. The court enacted a rule requiring the bailiff department to transport all prisoners back to the workhouse by 4:00 P.M. The rule was later amended to require the bailiff department to collect all prisoners at 12:45 P.M. for return to the workhouse.
- b. The court enacted a rule requiring that the Cleveland House of Corrections be in charge of coordinating all transportation to and from psychiatric treatment facilities.
- c. The court enacted mandatory lunch breaks for employees.
- d. The court enacted a "10-minute" rule requiring probation officers, case managers, psychiatric clinic employees, and interpreters to return to their assigned workstations if not utilized within ten minutes of arrival in a courtroom to which they have been summoned.
- e. The court enacted a rule that no judge can occupy more than 10% of any court administrative staff's time. Additionally, each administrative staff member is limited to spending 30 minutes in any given judge's courtroom, after which the employee is to return to their workplace.
- f. The court enacted a rule giving the head of the probation department the authority to question referrals or conditions of probation when he/she does not believe that the referral or condition is appropriately related to the offense. In such cases, the head of the probation department is to contact the referring judge, the presiding judge, and the court administrator whereupon a

conference will be held to determine what should be done with the case as it relates to probation.

- g. The court enacted a rule requesting that all official courtroom business end by 5:00 P.M. and permitting employees to leave the courtroom if the timeline is not adhered to.
 - h. The court enacted a rule ordering that no probation officer or case manager be called to a courtroom after 3:45 P.M. unless the individual would be able to leave the courtroom by 4:00 P.M.
 - i. The bailiff department and probation department scheduled some employees to work four 10-hour days rather than five 8-hour days to accommodate respondent's late courtroom hours.
 - j. The court enacted a rule limiting the request for second psychiatric evaluation requests to two per quarter.
 - k. The court enacted a rule ordering the probation department not to conduct any substance abuse screens and/or assessments on individuals charged with driving under suspension, no driver's license, hit-skip, or escalated moving violations unless the charge is also accompanied by a charge involving alcohol, drugs, or other mind-altering substances.
 - l. The court enacted a rule requiring psychiatric clinic staff to interview victims and/or witnesses only if they deemed it to be appropriate in their professional clinical judgment regardless of what may be stated on the referral form.
 - m. The court enacted a rule requiring judges to contact probation officers assigned to a specific case if assistance is needed. If the probation officer assigned to a case is not available, then the following individuals should be contacted in order listed: the probation officer's supervisor; the supervisor of the day, the deputy chief probation officer, and the chief probation officer.
6. In addition to the above rules, several agencies, as well as departments within the court, have reduced rotations in respondent's courtroom to avoid staff burnout. For example, security bailiffs are only assigned to four-hour shifts in respondent's courtroom, whereas they are assigned to eight-hour shifts in all other courtrooms. Public defenders only serve a two-month rotation in respondent's courtroom, whereas they serve a three-month rotation in other courtrooms. Moreover, after completing a two-month rotation in

- respondent's courtroom, public defenders are permitted to pick the courtroom that they would like to serve their next three-month rotation in as a "reward."
7. Similarly, the probation department assigns cases from respondent's courtroom to a specific set of probation officers. This is in large part due to respondent's difficult-to-decipher referral forms, the inordinate amount of requirements that respondent places on defendants, and the fact that respondent does not provide the probation department with relevant information in a timely manner making it difficult for respondent's probation cases to be monitored.
 8. As alleged in Count Two, respondent treats security bailiffs in her courtroom in a rude, demeaning, and unprofessional manner. In an attempt to limit the confrontations that may occur from respondent's erratic treatment of security bailiffs in her courtroom, the bailiff department has created a list of "restricted assignment" bailiffs. Bailiffs on this list are prohibited from serving in respondent's courtroom for a restricted period of time ranging from a few weeks to indefinitely. There are currently 14 bailiffs on this list. The "restricted assignment" list only applies to respondent's courtroom – no other courtroom has need for a "restricted assignment" list because in no other courtroom are bailiffs subjected to the treatment they receive from respondent.
 9. Prior to the enactment of the above mentioned rules and/or policy changes, it would not have been unusual:
 - a. For respondent to be holding court until 7:00 P.M. or even 8:00 P.M. when other judges on the court had typically completed their dockets by 3:00 P.M.;
 - b. For six to eight prisoners to be held for several hours – in a holding cell designed for two prisoners – while waiting for respondent to call their cases;
 - c. For city employees and attorneys, such as prosecutors, public defenders, bailiffs, probation officers, and staff support, to work well beyond their

- scheduled hours incurring excessive amounts of overtime or compensatory time;
- d. For bailiffs to transport defendants assigned to respondent's docket to local hospitals and wait for several hours while the prisoner's evaluation was being completed;
 - e. For respondent to request that a second psychiatric evaluation be performed when she was not satisfied with the results of the first examination; and
 - f. For court personnel who respondent summoned to her courtroom to wait in excess of 30 minutes before being utilized.
10. Even after the enactment of the above-mentioned rules, respondent has persisted in conduct that led to the imposition of the rules in the first place. For example:
- a. On April 29, 2004, Judge Larry A. Jones, who was the Presiding and Administrative Judge at the time, issued an inter-office correspondence stating that "interviews conducted by the doctor and staff of the Cleveland Municipal Court's Psychiatric Clinic of alleged victims and/or witnesses shall be restricted to those occasions when it is deemed appropriate by the doctor using his or her professional clinic judgment."
 - b. Despite this memorandum, respondent continued to request that psychiatric clinic staff interview victims and/or witnesses.
 - c. On one particular occasion, on September 24, 2008, respondent refused to proceed with a mitigation hearing because the court psychiatric clinic declined to interview three witnesses that respondent requested be interviewed. In open court, respondent berated the psychiatric clinic and stated that it had "victimized" the witnesses again by choosing not to "pick up a telephone" and interview the witnesses. Respondent continued the matter until the witnesses could be subpoenaed to "voice their opinion" as to whether the defendant should be released.
11. In respondent's courtroom, it is not unusual for a matter to be continued five or six times before being resolved thus requiring repeat appearances by attorneys, court staff, and defendants. In fact, when Cleveland State University professors Dana J. Hubbard and Wendy C. Regoeczi reviewed respondent's courtroom and practices as part of a comprehensive review of Cleveland Municipal Court programs, they noted that

continuances in respondent's courtroom were 300% greater than in any other judge's courtroom on the Cleveland Municipal Court.

12. A majority of the continuances in respondent's courtroom are designated as being at the "defendant's request," when in reality they are not.
13. Due to the manner in which respondent conducts her docket, the court administrative office has a difficult time finding assigned counsel to handle cases in respondent's courtroom when the public defender's office is conflicted off a case.
14. Many attorneys on the court's assigned counsel list will not accept cases in respondent's courtroom given the amount of time they anticipate spending on a case and the maximum fee to which they are entitled for the case.
15. Respondent regularly exhausts her yearly allotment of funds for drug and alcohol testing early in the year and much earlier than any other judge on the Cleveland Municipal Court because she orders defendants to undergo drug and alcohol testing even when it has no reasonable relation to the charges against the defendant. For example:
 - a. In 2009, each judge was allotted \$5,000 for their Indigent Driver's Alcohol Assessment Fund. Respondent's fund was exhausted by May 1, 2009. At that time, every other judge on the court had at least \$2,727.83 remaining.
 - b. In 2009, each judge was allotted \$5,000 for their Defendant Drug Testing Account. Respondent's fund was exhausted on or about April 14, 2009. At that time, every other judge had at least \$4,127 remaining.
 - c. In 2010, respondent's Indigent Driver's Alcohol Assessment Fund was exhausted on or about July 31, 2010.
 - d. In 2011, each judge was allotted \$5,000 for their Defendant Drug Testing Account. Respondent's Drug Testing Account was exhausted on or about July 18, 2011.

16. When respondent's allotment of funds for drug and alcohol testing is exhausted, she requires defendants to pay for their own testing oftentimes causing a hardship on defendants with limited financial resources.
17. Respondent's conduct as outlined above violates the Code of Judicial Conduct, the Code of Professional Responsibility, and the Rules of Professional Conduct, specifically Canon 1 (a judge shall uphold the integrity and independence of the judiciary), Canon 2 (a judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary) and Jud R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Canon 3(c)(1) (a judge shall diligently discharge the judge's administrative duties without bias or prejudice and maintain professional competence in judicial administration, and should cooperate with other judges and court officials in the administration of court justice) and Jud. R. 2.5 (a judge shall perform judicial and administrative duties competently and diligently and shall comply with guidelines set forth in the Rules of Superintendence for the Courts of Ohio); and DR 1-102(A)(5) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice) and Prof. Cond. R. 8.4 (d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Two – Abuse of Court Personnel

18. Relator incorporates paragraphs 1 through 17.
19. Respondent regularly acts in a rude, demeaning, and unprofessional manner towards court personnel assigned to her courtroom. For example:

- a. Respondent has regularly subjected personal bailiffs and security bailiffs assigned to her courtroom to "smell tests" in order to determine whether they are wearing any perfume, cologne, or scented lotions, to which respondent allegedly has a sensitivity. In doing so, respondent invades or causes another to invade the personal space of her bailiffs.
 - b. Respondent expels court personnel from her courtroom for coughing or sneezing while making comments such as "we don't want to expose this entire courtroom to whatever you have." On one occasion, respondent told a court employee not to come to work for six weeks because the employee's mother had shingles and the employee's daughter may have had chickenpox. Even after the employee provided respondent with a doctor's note indicating that shingles were not contagious and that her daughter did not have chickenpox, respondent still accused the employee of exposing her to "diseases."
 - c. Respondent regularly makes unprofessional personal comments about court personnel. For example, respondent accused one of her personal bailiffs of being a "bad mother," and she accused a security bailiff of "switching," i.e. walking with expressed hip movement.
20. Respondent regularly accuses bailiffs and probation officers in her courtroom of being incompetent and not knowing how to do their jobs. Respondent makes these accusations in open court and in front of members of the public.
21. Respondent imposes requirements on bailiffs in her courtroom that prevent them from doing their jobs; however, when they attempt to perform their jobs and/or abide by respondent's restrictive requirements, they are publicly humiliated by respondent. For example:
 - a. Respondent does not allow her bailiffs to answer general questions from the public, but then accuses the bailiffs of incompetence or of not doing their job when a person interrupts court to ask respondent a question.
 - b. Respondent does not allow bailiffs to speak in court even if it is to ask someone to be quiet, but then accuses the bailiffs of incompetence or of not doing their job when the courtroom becomes too loud.
 - c. Respondent does not allow bailiffs to remove a person from the courtroom for any reason without her permission, but then accuses the bailiffs of incompetence or of not doing their job when the courtroom becomes too loud

and/or a bailiff interrupts respondent to request permission to remove an individual from the courtroom.

- d. Respondent does not allow bailiffs in her courtroom to review files in advance of court, but then accuses the bailiffs of incompetence or of not doing their jobs when the bailiffs are not aware of what happened on a previous day in court.

22. Incidents occurring on May 2, 2013 are illustrative of conduct that regularly occurs in respondent's courtroom. On May 2, 2013, Audene Vasquez was assigned to respondent's courtroom as a security bailiff.

- a. Upon arrival in respondent's courtroom at approximately 12:20 P.M., another security bailiff asked Vasquez to obtain information from a man standing near the journalizer's desk. As Vasquez was attempting to do so, respondent asked Vasquez what she was doing. Vasquez responded that she was trying to obtain information from the man; however, respondent stated that she did not ask her to do that. Vasquez never obtained the man's information.
- b. Shortly thereafter, Vasquez positioned herself at the back door of respondent's courtroom. Moments later, Defendant Dyanthea Taylor entered the courtroom and attempted to speak to Vasquez. Vasquez informed Taylor not to speak. When respondent saw Taylor attempting to speak to Vasquez, she stated in a rude and demeaning manner that Taylor could not "continue to disrupt" court, that the bailiffs could not answer her questions, and that if Taylor had a question, she needed to direct it to the court. Respondent informed Taylor that if she disrupted court one more time, she would be placed in a holding cell. Taylor apparently rolled her eyes, whereupon respondent had Taylor immediately placed in the holding cell.
- c. Respondent ordered that another security bailiff in the courtroom, Terry Gallagher, place Taylor in the holding cell and that Vasquez assist Gallagher in doing so. Once in the holding cell area, Gallagher told Taylor to apologize to respondent, and Taylor agreed to do so. Taylor, Gallagher, and Vasquez began to re-enter the courtroom; however, as soon as respondent saw them, she ordered them back to the holding cell area. After re-entering the holding cell area, Taylor informed Vasquez that she was a diabetic and that she did not have her medication with her. She further informed Vasquez that she had been at the courthouse since 8:30 A.M. (approximately 4 ½ hours) waiting for her case to be called. Vasquez then contacted a bailiff department supervisor regarding Taylor.
- d. A short time later, respondent asked another bailiff in the courtroom to hand some files to Vasquez to take to probation. Respondent then requested those

same files back, while making the offhand comment that she [respondent] has to do the bailiffs' jobs.

- e. Sometime during the course of the day, a defendant, Tyisha Morrison, informed Vasquez that she had recently delivered premature twins who were still in the hospital. Morrison asked Vasquez to pray for her twins, and Vasquez said that she would. Later in the day, Vasquez bowed her head and prayed for Morrison and her twins. At the end of Vasquez's silent prayer, she smiled. At that moment, respondent berated a bailiff supervisor, whom respondent had requested come to her courtroom, for standing and "laughing" with Vasquez.
 - f. Between the incidents listed above and prior incidents, Vasquez felt so hurt and disrespected by respondent that she had to leave the courtroom.
23. Respondent requires that court personnel act immediately upon her request. If action is not taken immediately, respondent will accuse the employee of incompetence, insubordination, and/or have the employee removed from her courtroom.
24. Respondent's public criticism of and/or personal comments about court employees has reduced several employees to tears. Moreover, respondent's public criticism of employees makes it very difficult for employees to perform their jobs because their credibility has been diminished.
25. Respondent's impossible standards and dictates create an extremely stressful and hostile work environment. In an attempt to address the work environment in respondent's courtroom, security bailiffs only serve a four-hour shift in respondent's courtroom, rather than the regular eight-hour shift in other courtrooms.
26. In addition, the court has decided not to provide respondent with a personal bailiff since respondent has employed 21 different personal bailiffs at 27 different times since taking the bench in 1995. Respondent's personal bailiffs have resigned from their position – a position that pays nearly double the salary of a security bailiff – after a year or less.

27. Respondent's conduct as outlined above violates the Ohio Rules of Judicial Conduct and the Ohio Rules of Professional Conduct, specifically Canon 1 (A judge shall uphold the integrity and independence of the judiciary), Canon 2 (a judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary), and Jud. R. 1.2 (A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Canon 3(B)(4) (A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity) and Jud. R. 2.8 (A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity); and DR 1-102(A)(5) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Three – Abuse of Lawyers

28. Relator incorporates Paragraphs 1 through 27.
29. Prosecutors, public defenders, and private defense counsel that appear before respondent are prohibited from asking questions about courtroom procedure or requesting further clarification of respondent's rulings. If they do so, they are told that they are "out of order" and threatened with contempt or referral to a disciplinary authority. The following are some examples of the confrontations that respondent has had with prosecutors, public defenders, and private defense counsel in her courtroom.

David Eidenmiller

30. On May 21, 2009, Matthew Gabriel appeared before respondent with his attorney, David Eidenmiller, for sentencing on a Driving Under Suspension (DUS) charge. (Case No. 2008 TRD 071751.) Gabriel's license had been suspended due to a DUI conviction.
31. The maximum penalty for DUS is 180 days in jail and a \$1,000 fine.
32. Gabriel had already spent two days in jail. Respondent sentenced Gabriel to an additional three days in jail and a \$300 fine. She suspended the remaining 175 days.
33. Respondent requested the location of Gabriel's vehicle so that she could have it immobilized.
34. Gabriel informed respondent that he had sold the vehicle in January 2009, but that he did not have proof of the sale with him in court.
35. Respondent noted that the probation report indicated that as of April 21, 2009, Gabriel still appeared to be to the titled owner of the vehicle.
36. Based on this information, respondent ordered the full 178 days into execution, but set the matter for a mitigation hearing on May 27, 2009.
37. When Eidenmiller tried to advocate on behalf of his client and explain that the probation report only reflects the last person who registered the vehicle, respondent threatened to hold Eidenmiller in contempt and place him in the holding cell with Gabriel.
38. The following day, Gabriel's family was able to provide proof that the vehicle had been sold, and respondent reduced Gabriel's sentence to the original three days.

Michael Winston

39. On August 19, 2010, Keynan Williams pled no contest to a minor misdemeanor Drug Abuse marijuana charge and a 1st degree Driving Under Suspension (DUS) charge in

exchange for a 4th degree Open Container charge and a minor misdemeanor seat belt charge being dismissed. (Case nos. 2010 CRB 021617 and 2010 TRD 038170.)

40. On August 23, 2010, Williams was in court with his attorney, Michael Winston, for sentencing.
41. On the DUS charge, respondent sentenced Williams to 180 days in jail with 178 days suspended and a \$1,000 fine with \$800 suspended. On the drug abuse charge, respondent fined Williams \$50.
42. Respondent also ordered Williams to one year of active probation with random breathalyzer and urinalysis testing.
43. After the sentencing, Williams was taken to the holding cell. After Williams left the courtroom, Winston attempted to make an objection on the record as to the imposition of active probation because it was not related to the DUS charge and not permitted by the drug abuse charge.
44. Respondent proceeded to say that "this makes absolutely no sense" and that she would have never accepted the plea if she knew that Williams objected to getting treatment. She then threatened to sentence Williams to the full 180 days because of Winston's objection. During the confrontation, respondent told Winston twice to "shut your mouth" and threatened to place him in the holding cell with Williams on contempt charges.

Tina Tricarichi

45. On October 28, 2010, Tina Tricarichi was in respondent's courtroom with her client, Darius Andrews, for sentencing on several cases. (Case nos. 2010 CRB 040350, 2010 CRB 008032, 2010 TRD 001047.)

46. During the sentencing, Tricarichi did not hear one of the conditions imposed on Andrews because Andrews was talking to her.
47. Tricarichi said "Pardon," and repeated what she believed was the condition to ensure that she had heard it correctly.
48. Respondent stated that Tricarichi was correct, but that she should have been listening to the court in the first place. Respondent further stated that it was "outrageous" that she had to repeat herself "three or four times" during a sentencing.
49. After the sentencing was complete, Andrews stated "Thank you, your Honor."
50. Respondent continued to berate Tricarichi by stating, "He [the defendant] understands. He knows. She [Tricarichi] doesn't understand what the court is saying."
51. Respondent accused Tricarichi of talking during the sentencing, but when Tricarichi attempted to explain herself, respondent stated that she was "tired of going through this for the past two months" and that she was not "going to tolerate it."
52. Respondent then stated--in open court--that she had already spoken to Tricarichi's supervisors about Tricarichi.
53. The confrontation ended with respondent threatening to hold Tricarichi in contempt and placing her in the holding cell if she said "one other word."

Angela Rodriguez

54. On January 13, 2011, Attorney Angela Rodriguez was assigned to respondent's courtroom as the city prosecutor.
55. On at least two occasions, respondent asked Rodriguez what was reflected on the LEADS report for various defendants without being specific as to what type of information she

was seeking, i.e. number of previous convictions, number of previous driver's license suspensions, or both.

56. In each case, Rodriquez answered as she believed appropriate, and respondent did not ask follow-up questions or request additional information.
57. Later, when additional information on the LEADS report was revealed, respondent publicly accused Rodriquez of intentionally providing the court with inaccurate information.

Scott Malbasa

58. On June 16, 2011, Attorney Scott Malbasa was representing a defendant in a trial before respondent.
59. One of the defense witnesses was being cross-examined by the prosecutor; however, the individual was not seated in the witness stand. He was standing at the podium with Malbasa.
60. At one point during the prosecutor's questioning, the witness began talking at the same time as the prosecutor.
61. Respondent interrupted the trial and instructed the witness not to speak at the same time as the prosecutor.
62. Respondent then stated that it would be better for the individual to sit in the witness stand because he was "out of control in this courtroom" and she was "not going to permit it."
63. At that point, Malbasa attempted to place an objection on the record.
64. Respondent would not permit Malbasa to make his objection, and the situation quickly deteriorated into a shouting match between Malbasa and respondent with respondent telling Malbasa to "shut your mouth" and threatening to hold him in contempt.

Henry Hilow

65. On September 25, 2012, Attorney Henry Hilow was in court with his client, Frank Petrucci, for a first pre-trial. (Case No. 2012 TRC 050939.)
66. Hilow and Petrucci both checked in at approximately 8:30 A.M.; however, the case was not called until approximately 11:40 A.M.
67. When the case was called, Hilow informed respondent that he had already spoken to the prosecutor and that the prosecutor had agreed to a continuance. Hilow requested that the pre-trial be rescheduled for October 24, 2012.
68. After confirming Hilow's statements with the prosecutor, respondent asked Hilow what time he would like the pre-trial to be set.
69. Hilow inquired into whether it would be appropriate to request a later start time because based on his observations, respondent called cases with police officers first.
70. Respondent stated that Hilow's observations were incorrect for various reasons.
71. When Hilow informed respondent that he was not trying to insult the court, respondent replied "I think that you are. I think you are out of order. This court is not going to accept it." Respondent then told Hilow that he was "out of order" again and that he needed to "watch his conduct" in the courtroom.

Ashley Jones/Joanna Lopez

72. On May 7, 2013, Attorney Ashley Jones was in court with her client, Robert Downing. Downing had been charged with Driving Under the Influence of Alcohol/Drugs (DUI). (Case No. 2013 TRC 016088.)

73. This was Downing's 3rd DUI in 6 years; therefore, the offense carried mandatory jail time and mandatory vehicle forfeiture.
74. Prior to Downing's case being called, Jones had advised the city prosecutor, Joanna Lopez, that Downing was willing to plead guilty to the DUI, so long as some kind of deal could be worked out where the vehicle would not be forfeited. Jones informed Lopez that the vehicle was a family vehicle and that it would cause hardship on the family if it was forfeited. Jones further informed Lopez that she believed there was some type of hardship exception in the statute that would allow the vehicle not to be forfeited.
75. Jones and Lopez discussed all sorts of possibilities including amending the charge to a 2nd in 6, which did not require mandatory vehicle forfeiture. Ultimately, Jones and Lopez agreed to approach respondent with details of their possible plea offer.
76. At the first sidebar, respondent was initially receptive to the idea of a hardship exception, but was concerned with the legality of such a proposal. Jones offered to brief the issue for the court; however, respondent would not permit it. She ultimately informed Jones and Lopez that she would not accept a plea offer without mandatory vehicle forfeiture, and that she would recall the case in a few moments.
77. Jones left the sidebar and informed her client as to what respondent had stated at the sidebar. Downing then informed Jones that he wanted a jury trial.
78. At a second sidebar, Jones informed respondent that her client wanted a jury trial. Respondent then stated that Jones was the reason this case was not being resolved today and that she could not believe that Jones and Lopez would ask her to do something "illegal." Respondent informed Jones and Lopez that she was "disgusted" by them and that she should report them to the Supreme Court of Ohio for ethical violations.

79. Respondent's conduct as outlined above violates the Ohio Rules of Judicial Conduct and the Ohio Rules of Professional Conduct, specifically Jud. R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety); Jud. R. 2.8 (a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity); and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Four – Abuse of Defendants and the Public

80. Relator incorporates Paragraphs 1 through 79.
81. The Cleveland Municipal Court receives complaints from defendants and the general public about every judge on the court; however, the number of complaints received against respondent is proportionally much higher than any other judge on the court.
- a. Most, if not all, of the complaints allege that respondent's attitude towards them was patronizing, demeaning, insulting, or dismissive.
 - b. Many of the complaints allege that respondent has no respect for their time. The complaints highlight scenarios in which a defendant was in court all day waiting for his or her case to be called, only to be told that he or she needed to return the next day. In some cases, a defendant has been required to come back for a third day.
 - c. Many of the complaints also allege that an individual has or is in danger of losing his or her job due to the amount of time spent in respondent's courtroom.
82. Respondent also treats defendants and the public in her courtroom in an impatient and unprofessional manner. She publicly reprimands individuals, expels them from her courtroom, or places them in holding cells for minor infractions such as whispering.

83. Respondent regularly confiscates all cell phones in her courtroom due to the presence of a single displayed or ringing phone.
84. As with attorneys in her courtroom, if an individual speaks up -- claims innocence or attempts to explain his or her conduct -- respondent will threaten the individual with contempt of court and up to three days in jail.
85. Below are some examples of respondent's impatient and unreasonable temperament in response to activity in her courtroom, including cell phone usage:

Cell Phone Usage

86. On October 28, 2010, respondent confiscated all cell phones in the courtroom.
87. On July 20, 2011, respondent confiscated cell phones belonging to two individuals and had the individuals thrown out of the courtroom for using the phones. She also threatened to place the individuals in a holding cell.
88. On August 9, 2011, respondent publicly berated a woman in the courtroom because her cell phone rang. Specifically:
 - a. On August 9, 2011, respondent was in the process of sentencing a defendant.
 - b. During the plea colloquy, respondent heard a cell phone say "droid."
 - c. Respondent ordered that the phone be confiscated, but either out of fear or because she was unaware that it was her phone making the noise, the woman did not admit ownership of the phone.
 - d. When no one admitted ownership of the offending phone, respondent ordered her bailiffs to confiscate all cell phones in the courtroom.
 - e. As the bailiffs were confiscating phones, the woman's phone said "droid" again, and respondent identified the phone as belonging to the woman.
 - f. The woman began to say that she thought her phone was off, but respondent accused her of lying and ordered her to be placed in the holding cell.

- g. The woman attempted to say that she did not know that it was her phone that was ringing; however, respondent would not permit her to speak. Respondent further stated that if the woman said another word, she would hold her in contempt and place her in jail for “three consecutive days” because her conduct in the courtroom was “outrageous.”

- 89. On March 21, 2013, there were two people in the courtroom who were using their cellular phones; however, the phones did not create a noticeable disruption to courtroom proceedings. Rather than just confiscating the phones that were being used, respondent ordered that every phone in the courtroom be confiscated.
- 90. The above listed examples are only a sampling of the times when respondent has confiscated either an individual’s or the entire courtroom’s phones.

Novella Black

- 91. On October 28, 2010, Novella Black was in court on charges of domestic violence and endangering children. (Case No. 2010 CRB 021049.)
- 92. The public defender’s office was unable to represent Black due to a conflict of interest; therefore, the matter was continued for appointment of counsel.
- 93. As Black was leaving the courtroom, the doors to the courtroom made an audible noise.
- 94. Respondent instructed her bailiffs to bring Black back into the courtroom.
- 95. When Black re-entered, respondent stated that she was holding Black in contempt and placing her in the holding cell.
- 96. Black asked respondent what she had done, and respondent stated that Black had slammed the doors and was rude to the court.
- 97. Black stated that she did not slam the doors, but respondent spoke over Black and ordered her bailiffs to take Black into custody. Respondent then ordered Black not to “say another word to this Court before you go to jail for three days.”

98. Black was taken into custody at approximately 11:43 A.M.
99. At approximately 2:55 P.M. (over three hours later), Black was brought back into the courtroom.
100. Respondent asked Black if there was anything she wanted to say. Black replied that she had nothing to say.
101. Respondent then stated that if Black did not apologize to the court, she would be placed in jail for three days. Respondent "offered" to place Black back in the holding cell to give her time to think about whether she wanted to apologize to the court.
102. At that point, Black abruptly stated, "I apologize to the court."

Charlotte Shutes

103. On September 27, 2011, Charlotte Shutes was in court with her son, who had a case before respondent.
104. Upon entering the courtroom, Shutes was advised to remove her earpiece because respondent permitted absolutely no talking in the courtroom. Shutes did as instructed.
105. At one point, Shutes left the courtroom to pay her son's fine. When she returned, she handed the payment receipt to her son, who said "Thanks" or "Thank You." A few minutes later, Shutes was expelled from the courtroom for talking.
106. Shutes was humiliated by the situation.

Shatauna Moore

107. On November 20, 2012, Shatauna Moore was in court with her attorney, Margaret Walsh, for a probation violation hearing. (Case No. 2012 TRD 007856.)

108. Moore had also been charged with a felony that was set for a pre-trial on the following day, November 21, 2012.
109. Walsh requested a continuance of the probation violation hearing due to the fact that the felony was still pending.
110. In deciding whether or not to grant the continuance, respondent began reviewing Moore's file.
111. Respondent inquired into whether Moore had taken a urinalysis test recently. Moore stated that she had approximately two weeks earlier through Key Decisions Treatment Center.
112. Respondent informed Moore that she needed to take a urinalysis test through the probation department and that she needed to do it before she would grant a continuance of the probation violation hearing.
113. Walsh advised respondent that Moore did not have the \$9 to pay for the urinalysis test that day, but that she could have it the following day.
114. Respondent told Moore that she was not going to place the matter on her docket for tomorrow and that Moore needed to figure out how she was going to pay for the urinalysis test that day.
115. Moore responded by rolling her eyes.
116. At first, respondent stated that if Moore rolled her eyes one more time, she was going to take Moore into custody; however, respondent quickly changed her mind and decided to take Moore into custody immediately for rolling her eyes.

Kenneth Taylor

117. On November 27, 2012, Kenneth Taylor was representing himself pro se against a minor misdemeanor charge of disorderly conduct. (Case No. 2012 CRB 038736.)
118. A few days earlier, Taylor had filed a Motion to Dismiss, which the city had not yet responded to.
119. The case was continued until December 14, 2012 so that the city could respond to the Motion to Dismiss.
120. Taylor calmly stated that he would like to make another Motion to Dismiss because this was his third time in court with no officer present.
121. Respondent replied in a rude and condescending manner:

Sir, let me tell you something. That's what you don't understand. That's why you need to hire an attorney because you don't have a clue as to what you are doing in a courtroom. You filed the motion. The city has a right to respond to the motion. She just got the motion and she's gonna respond. And it's set for a hearing December 14 at 2:00 P.M. Is there anything else?
122. When Taylor attempted to address another motion that he had filed, respondent requested that Taylor be escorted to the elevator. As Taylor was leaving, respondent instructed her bailiff to bring Taylor back into the courtroom to go to the workhouse if he does "anything out of line" or if he "says another word."

Jamese Johnson, Jasmine Edwards, and Lisa Barbee

123. On March 5, 2013, Jamese Johnson was in respondent's courtroom on a charge of Petty Theft. She was accompanied by her mother-in-law, Lisa Barbee. (Case No. 2011 CRB 043197.)

124. On the same day, Jasmine Edwards was also in respondent's courtroom on charges of Driving Under Suspension, Driving while Under the Influence of Alcohol or Drugs, and other charges that were eventually dismissed. (Case Nos. 2011 TRC 002970 and 2012 TRD 068011.)
125. Johnson and Edwards did not know each other; however, while waiting for their respective cases to be called, Johnson (and Barbee) and Edwards sat in the same row.
126. At approximately 11:45 A.M., Johnson caught her hair in the zipper of a piece of clothing that she was wearing. Johnson reacted by saying "Ouch," "F—k," or something similar to express the momentary pain caused by getting her hair caught in the zipper.
127. Respondent heard Johnson's expression, but attributed it to Edwards. Without requesting any further information, such as a name or an explanation, respondent ordered her bailiff to place Edwards in the holding cell.
128. At that point, Johnson spoke up and stated that she was the one who had said something, not Edwards. Respondent then ordered her bailiff to place Edwards and Johnson in the holding cell.
129. As the bailiff approached, Barbee stated that Edwards and Johnson had done nothing wrong. At that point, respondent ordered "all three" (Edwards, Johnson, and Barbee) to be placed in the holding cell.
130. Edwards and Johnson were in the holding cell for approximately 30 minutes to an hour, and Barbee was in the holding cell for 15-20 minutes longer than them.
131. During the above events, Attorney Ian Friedman was present. Although closer in physical proximity to Johnson, Edwards, and Barbee than respondent, he did not hear any

discussion or disruptive behavior from them prior to respondent ordering her bailiff to place Edwards in the holding cell.

132. Attorney Bryan Ramsey was also present during the above events. He heard some type of audible noise shortly before respondent ordered Edwards to be placed in the holding cell; however, the noise was not disruptive to court proceedings.
133. Respondent's conduct as outlined above violates the Ohio Code of Judicial Conduct and the Ohio Rules of Professional Conduct, specifically Jud. R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Jud. R. 2.6 (a judge shall accord to every person who has a legal interest in a proceeding the right to be heard according to the law); Jud. R. 2.8 (a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity); and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Five -- Abuse of Constitutional Freedoms

134. Relator incorporates Paragraphs 1 through 133.
135. Respondent requires all individuals entering her courtroom, including family and friends of defendants, to sign in and provide information as to why they are in the courtroom. At times, respondent has also prohibited individuals from leaving her courtroom, even if it is to use the restroom.
136. These practices inhibit the free flow of individuals from a public courtroom and may even impact an individual's ability or willingness to attend a public proceeding.

137. As discussed further in Count Six, respondent oversees the court's Project Hope docket. When respondent conducts these dockets, they oftentimes have a religious overtone. For example, during past Project Hope compliance hearings, respondent has had an individual standing by her side on the bench that served as her "religious adviser." On at least one occasion, a member of respondent's church presented Project Hope participants with a scarf that had a cross on it and blessed each participant as they received the scarf.
138. Respondent regularly prohibits or inhibits the right of defendants to represent themselves pro se. Respondent will question defendants about their choice to represent themselves and imply that they may be sentenced to a longer jail sentence or larger fine if they do not obtain counsel. In at least one case, respondent told a pro se defendant that he had to be represented by counsel in her courtroom. Below are some of the most offensive examples of instances where respondent has required or implied that a defendant needs to be represented by counsel.

Carolyn Massengale-Hasan

139. On January 20, 2011, Carolyn Massengale-Hasan was in court on a License Required to Operate, Seat Belt, and Expired Sticker charges. (Case No. 2010 TRD 077438.)
140. Massengale-Hasan informed respondent that she was not represented by counsel.
141. Respondent asked Massengale-Hasan what she intended to do about her legal counsel in a case that carried a maximum fine of up to six months in jail and a \$1,000 fine.
142. Massengale-Hasan asked respondent whether she was permitted to ask a question.
143. Respondent would not permit Massengale-Hasan to ask a question until Massengale-Hasan had answered respondent's previous question about legal counsel.

144. Massengale-Hasan again informed respondent that she did not have legal counsel, so respondent continued the matter until January 21, 2011.
145. Massengale-Hasan informed respondent that she had school on the 21st, to which respondent stated that that was Massengale-Hasan's problem. Respondent stated that Massengale-Hasan had to be in court on the 21st or a capias would be issued for her arrest.
146. When Massengale-Hasan attempted to speak, respondent threatened to hold Massengale-Hasan in contempt of court. Respondent then had Massengale-Hasan escorted out of the courtroom so that she would not "slam doors or act up in this courtroom."
147. Massengale-Hasan returned to respondent's courtroom on January 21, 2011 with counsel that she retained in the hallway just prior to entering the courtroom. She pled no contest to the License Required to Operate charge, and the remainder of the charges were dismissed.

Dezi Walker

148. On March 2, 2011, Walker appeared in court on a traffic control violation (running a red light); however, the matter had been charged as a 3rd degree misdemeanor. (Case No. 2011 TRD 007301.)
149. Walker appeared in court without counsel. He informed respondent that he had spoken to the public defender's office, but that they would not represent him.
150. The public defender assigned to respondent's courtroom then informed respondent that Walker did not qualify for assistance.
151. Respondent informed Walker that he had "options," but the only option she gave him was to continue his case to obtain counsel.

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152. Walker attempt to make a motion to dismiss because the officer was not present; however, respondent informed Walker that the matter was not set for trial and that since it was a 3rd degree misdemeanor carrying up to a \$500 fine and 60 days in jail, he needed to discuss the matter with an attorney.
153. Respondent continued the matter until March 29, 2011.
154. On March 29, 2011, Walker appeared without counsel. Although he still did not qualify for assistance, the public defender assigned to respondent's courtroom agreed to assist Walker if he wanted to resolve the matter that day. The public defender informed Walker that the prosecutor would probably reduce the charge to a 4th degree misdemeanor, but Walker stated that he was not guilty.
155. Respondent continued the matter until April 13, 2011 at 9:00 A.M. and advised Walker that he had to retain counsel and that his counsel had to be present on April 13, 2011.
156. Although Walker's case was scheduled for 9:00 A.M. on April 13, 2011, it was not called until 5:40 P.M. after the public defender had left for the day. Since Walker did not have retained counsel with him, respondent inquired into whether he wanted the matter continued so that he could be represented by the public defender.
157. Walker stated that he did not want a continuance and that he wanted the matter set for trial. Respondent stated that Walker needed the public defender's office to make that determination for him, but since the public defender was no longer there, she was continuing the matter until the following day.
158. Walker informed respondent that he could not appear the following day, so respondent arbitrarily set the matter for April 18, 2011. When Walker attempted to question respondent about why his case kept getting continued, respondent stated that she was not

going to "argue" with him. As Walker continued to talk, respondent threatened him with contempt and time in the holding cell the next time he appeared in court.

159. Walker failed to appear for his pre-trial on April 18, 2011.

160. The matter came before respondent again on June 29, 2011 at which time the prosecutor dismissed the charges because they had been incorrectly charged as a 3rd degree misdemeanor rather than a minor misdemeanor and the time for bringing the matter to trial had passed.

Fernado Taylor

161. On May 25, 2011, Fernando Taylor was in court on a charge of Tow Truck/City License. (Case No. 2011 CRB 015357.)

162. Taylor was not represented by counsel, nor did he want a continuance to seek legal counsel.

163. Respondent would not allow Taylor to proceed with his case and stated that "in this courtroom, you need to be represented by an attorney."

164. Respondent then told Taylor to "sit down" and "think about this." She then mumbled under her breath, "this is outrageous."

165. While Taylor was waiting for his case to be recalled, a bailiff in the courtroom informed Taylor that the only way he was going to be able to resolve his case is if he retained counsel.

166. When Taylor's case was recalled, he stated that he would obtain an attorney, which he subsequently did.

167. Respondent's conduct as outlined above violates the Ohio Code of Judicial Conduct, specifically Canon 1 (a judge shall uphold the independence and integrity of the

judiciary) and Jud R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Canon 2 (A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary) and Jud. R. 2.2 (A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially); and DR 1-102(A)(5) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice) and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Six – Abusive Legal Errors

168. Relator incorporates Paragraphs 1 through 167.
169. Respondent regularly coerces pleas from defendants by implying that they will receive a harsher sentence if they go to trial or by treating defendants in a frustrated and impatient manner until they enter a plea to the charges.
170. Respondent regularly solicits information from defendants about their mental health status and/or drug and alcohol use even when it has no reasonable relationship to the charges against the defendant. Oftentimes, respondent will reveal this information in open court, i.e. reading from psychiatric reports, thus publicly revealing personal and confidential information about defendants and making defendants very uncomfortable in the courtroom.

Hasty Decisions

171. Respondent uses information learned from defendants about their mental health status and/or drug and alcohol use to make hasty and unwarranted decisions about the defendants and/or about conditions for probation. For example:

James Luster

172. On January 31, 2002, James Luster appeared before respondent with his attorney, Margaret Walsh, for sentencing on a License Required to Operate Charge. (Case No. 2001 TRD 108484.)
173. Luster had previously been in court on January 7, 2002 and January 30, 2002 for sentencing; however both times, Luster's sentencing had been continued.
174. On January 31, 2002, respondent sentenced Luster to 180 days in jail, with 150 days suspended, an alcohol assessment, and substance abuse counseling. She also fined Luster \$100.
175. Following the sentencing order, Walsh challenged the court's imposition of an alcohol assessment and substance abuse counseling because they were not reasonably related to the charge against Luster. Walsh also requested that Luster be given credit for time served for the two days that Luster spent in respondent's courtroom waiting for his sentencing hearing.
176. Respondent denied Walsh's request and instead decided to suspend only 120 days of Luster's sentence thereby doubling Luster's actual time in jail to 60 days.
177. On February 15, 2002, Luster filed a Notice of Appeal with the Eighth District Court of Appeals.
178. On March 15, 2002, respondent suspended all fines against Luster and gave him credit for the 34 days of jail time that he had already served. She suspended the remaining 146 days of Luster's sentence.
179. On November 27, 2002, the Court of Appeals dismissed Luster's appeal as moot because Luster had already served his time in jail; however, the court noted that "a trial court

abuses its discretion when it imposes a sentence based upon the conduct of the defense attorney.”

Gabriel Matthew

180. See Paragraphs 30 through 38 of Count Two for facts regarding Gabriel Matthew.

Daniel O'Reilly

181. On June 3, 2009, Daniel O'Reilly appeared before respondent on charges of aggravated trespass and aggravated menacing. (Case No. 2009 CRB 014228.) He was not represented by counsel.
182. O'Reilly politely asked respondent for permission to say something on his own behalf, but respondent would not permit him to speak without legal counsel present. At that point, Attorney David Eidenmiller (public defender) agreed to assist O'Reilly with his case.
183. O'Reilly's file indicated that O'Reilly had some kind of mental illness. Accordingly, respondent asked O'Reilly whether he was taking his medication.
184. O'Reilly responded that he was not taking his medication and that he had not taken his medication for over 30 days due to a number of reasons involving Medicare, Social Security, etc.
185. Respondent then requested a sidebar on the record; however, halfway through the sidebar, respondent muted all microphones in the courtroom.
186. During the sidebar, O'Reilly agreed to speak with Jerome Saunders, a court psychiatric employee, regarding his mental health condition and lack of medication.
187. Thereafter, O'Reilly met with Saunders.

188. O'Reilly's case was recalled approximately two hours later.
189. When the case was recalled, respondent asked Saunders to place his findings on the record as to whether O'Reilly was suicidal, homicidal, or needed emergency psychiatric hospitalization.
190. Saunders testified that O'Reilly was not suicidal or homicidal and that he did not require emergency psychiatric hospitalization. Saunders stated, however, that O'Reilly needed to obtain and take his medication.
191. Based on Saunders' testimony, respondent continued the matter until June 9, 2009 (six days later). She allowed O'Reilly's personal bond to remain in effect on condition that he not go to Tower City Mall, not have any contact with his alleged victim, and go immediately to Lakewood Hospital to obtain his medication. O'Reilly confirmed that he understood the court's orders and that he would abide by them.
192. As everyone was preparing to leave the courtroom or move on to the next case, respondent told Saunders that O'Reilly takes four Tylenol PM per night, which was against the dosage recommendation on the box.
193. Saunders stated that O'Reilly had not told him this information during their conversation, but that he still believed that O'Reilly was willing and able to obtain his medication as previously indicated.
194. Respondent then commented that if O'Reilly overdoses on the Tylenol PM, it will be "on all our consciences for the rest of our lives."
195. Respondent then ordered that O'Reilly appear in her courtroom on June 4, 2009, rather than June 9, 2009, with proof that he had gone to Lakewood Hospital to obtain his medication.

196. Thereafter, respondent changed her mind again because she did not have “peace” with the situation.
197. Respondent ordered O’Reilly to be taken into custody immediately and transported to St. Vincent’s Charity Hospital. She stated that “it is not going to be on my conscience. It is not going to be on my conscience.” She then continued O’Reilly’s case until June 5, 2009. (Emphasis added.)
198. On June 5, 2009, O’Reilly appeared in court with Attorney Eidenmiller.
199. Eidenmiller informed the court that O’Reilly had been seen by the court’s psychiatric clinic and by St. Vincent’s, and both had released him without providing him with any medications.
200. Based on this information, respondent initially stated that she was not going to release O’Reilly from custody because she believed that he was a harm to himself and others. She stated, “If I don’t have peace, he won’t be released.”
201. However, respondent later changed her mind and gave O’Reilly a personal bond on condition that he obtain his medication immediately.

Melvin Cary

202. On December 21, 2010, Melvin Cary was in court with his counsel, Thomas Kraus. (Case No. 2010 TRD 064130.)
203. Cary pled no contest to the two charges against him – Driving Under Suspension and Full Time and Attention. The matter was referred to the probation department for a pre-sentencing report and was continued until January 19, 2011.
204. On January 19, 2011, Cary appeared with Kraus for sentencing. The pre-sentencing report indicated that this was Cary’s 12th conviction for driving under suspension and that

he had last used alcohol and marijuana in early December 2010. There was no information suggesting that Cary's alcohol or marijuana usage was connected to the pending charge.

205. Based on this information, respondent sentenced Cary to 180 days in jail and placed him on two years of active probation with random drug and alcohol screening. Respondent set the matter for a mitigation hearing on February 24, 2011; however, it was later continued until March 8, 2011.
206. On March 8, 2011, Cary appeared with Kraus for a mitigation hearing.
207. During this hearing, respondent expressed concerns with Cary's marijuana and alcohol use and stated that it was a "huge risk" to release Cary into the public.
208. She stated that if she released him from custody, she was considering placing him on house arrest and/or requiring him to wear a continuous alcohol monitoring device.
209. The matter was continued until March 9, 2011 in order to obtain details, i.e. cost about the continuous alcohol monitoring device.
210. On March 9, 2011, respondent suspended the remainder of Cary's sentence on condition that he complete outpatient treatment and wear a continuous alcohol monitoring device.
211. Thereafter, a continuous alcohol monitoring device was placed on Cary, which he wore until August 4, 2011.

Denise Pederson

212. On August 29, 2011, Denise Pederson was in court on an open container charge. Pederson was represented by counsel. (Case No. 2011 CRB 029832.)
213. Pederson pled no contest to the charge and was sentenced to a \$20 fine, which was to be paid within the next 24 hours.

214. Pederson informed respondent that she was unable to pay the fine within 24 hours because she was on disability and would not receive her next disability check until September 3, 2011.
215. Respondent asked Pederson what her disability was. Pederson stated that she was schizophrenic, but that she was not required to take medication.
216. Based on this information, respondent placed Pederson on one year of active probation and referred her to the court's psychiatric clinic.
217. At that point, Pederson's attorney stated that it might be best if Pederson withdrew her no contest plea.
218. Respondent stated that she would allow Pederson to withdraw her no contest plea; however, she was still referring Pederson to the court psychiatric clinic because Pederson needed to be evaluated.
219. Pederson was then taken into custody.

Burdensome Conditions

220. Respondent also places unduly burdensome conditions on individuals charged with other offenses including, but not limited to solicitation.

Project Hope

221. Project Hope is a time-intensive specialized docket for defendants, primarily women, who are on probation from soliciting offenses. Each month, Project Hope participants are required to attend monthly compliance meetings.
222. Respondent oversees the Project Hope docket.

223. When Project Hope was reviewed in 2011 by Cleveland State University Professors Dana J. Hubbard and Wendy C. Regoeczi as part of comprehensive review of eight court programs for effectiveness and efficiency, the following observations were made:
- a. There are no clear goals for the program. For example, the program was initially designed for women convicted of solicitation, but at the time of the review, the caseload consisted of 19 cases including five "johns," one male solicitor, and one woman convicted of open container and disorderly offenses.
 - b. Motivational speakers are brought in every month to speak to Project Hope participants; however, the speakers are not likely to have any effect on recidivism rates.
 - c. There is no incentive for participants who do well in the program to continue doing well, i.e. graduated meeting attendance. Participants are required to attend monthly compliance meetings regardless of the circumstances, and they know that if they do not attend for any reason or if they say something "wrong" at the compliance meeting, they will be sentenced to jail. At the time of the review, most of the participants expressed concern that they would never complete the Project Hope docket because their cases were constantly being continued so that another assessment could be performed, another social service agency could be contacted, or more information could be obtained.
 - d. Respondent publicly criticizes the Project Hope probation officer in front of the participants. This creates confusion for the participants regarding whom they should trust or listen to.
 - e. Respondent has no respect for the participants' time. Project Hope participants are often required to be in the courtroom by 9:00 A.M., but the docket will not start until 10:30 A.M. or 11:00 A.M. It then takes respondent the whole day to complete the docket. Many participants have stated that they are fearful of leaving the courtroom to make a phone call or go to the bathroom because they are afraid that respondent will sentence them to jail. Many participants have also reported having problems with employers, child care, or other commitments due to Project Hope compliance meetings.
224. On one occasion, a Project Hope participant filed a motion requesting that her jail sentence be ordered into execution so that she could cease attendance at the monthly Project Hope compliance meetings.
- a. On November 17, 2009, Sharon Lawson-Dennis appeared before respondent on two charges of public intoxication, two charges of having an open

container, one charge of hitchhiking, and one charge of entering or leaving a moving vehicle. In exchange for Lawson-Dennis's no contest plea to one charge of public intoxication, one charge of having an open container, and the charge of entering or leaving a motor vehicle, the remaining charges against Lawson-Dennis were dismissed. Case Nos. 2009 CRB 036688, 2009 TRD 032231, 2009 CRB 015822, and 2008 TRD 003752.)

- b. Respondent sentenced Lawson-Dennis to 30 days in jail, but gave her credit for eight days of time served. Respondent suspended the remaining 22 days of Lawson-Dennis's sentence and placed her on two-years of active probation through Project Hope even though Lawson-Dennis had not been charged with any solicitation offenses.
- c. Between November 17, 2009 and April 25, 2011, Lawson-Dennis attended at least 14 Project Hope compliance meetings. She was also required to meet with her probation officer at least once a month, complete regular urinalysis screens, undergo a psychiatric evaluation, attend grief counseling, and submit herself for a vocational skills assessment.
- d. At the April 25, 2011 compliance meeting, another Project Hope participant brought pictures of her child to share. Lawson-Dennis began crying because her daughter had recently passed away. Respondent instructed Lawson-Dennis to leave the courtroom until she could control herself. As she was leaving the courtroom, Lawson-Dennis pushed the door of the courtroom too hard and it slammed shut. Respondent had Lawson-Dennis brought back into the courtroom whereupon respondent proceeded to hold her in contempt and order the full 22 days of her sentence into execution. Lawson-Dennis was held in custody for three days until April 28, 2011.
- e. On April 28, 2011, Lawson-Dennis was brought back before respondent on a Motion to Mitigate her sentence. Respondent granted the Motion to Mitigate and released Lawson-Dennis from custody; however, she refused to release Lawson-Dennis from active probation as requested.
- f. Lawson-Dennis attended Project Hope compliance meetings in May of 2011 and June 2011.
- g. On July 14, 2011, Lawson-Dennis, through her attorney, James C. Young, filed a motion to terminate her probation early. In the alternative, Lawson-Dennis requested that the remainder of her jail sentence be ordered into execution so that she would not have to attend any further Project Hope compliance meetings.
- h. On August 22, 2011, a hearing was held on Lawson-Dennis's motion. At that time, Lawson-Dennis withdrew her motion upon realizing that she only had two months left of active probation.

225. In their June 2011 final report regarding court programs and efficiency, Hubbard and Regoeczi recommended that Project Hope be suspended, revamped, and/or handled by another judge.
226. On June 9, 2011, Chief Probation Officer Jerry Krakowski submitted a proposed list of Project Hope guidelines to respondent for her review and approval. These guidelines included but were not limited to the following:
- a. Only persons charged with or convicted of solicitation will be assigned to Project Hope;
 - b. "Johns" or buyers of prostitution will not assigned to Project Hope;
 - c. The probation officer will determine what services will best assist the defendants; however, it will be mandatory for Project Hope participants to complete a substance abuse assessment, weekly urinalysis testing, HIV and STD education classes, and educational or vocational training;
 - d. The probation officer will determine if it is necessary for Project Hope participants to attend monthly compliance meetings with the caveat that all Project Hope participants will attend at least one compliance meeting before successful completion of the program;
 - e. Project Hope participants will be required to complete all recommended treatment plans and programs; and
 - f. The judge shall be notified of all positive drug screens and if the participant may be in danger or a danger to themselves.
227. Respondent never contacted Krakowski regarding these recommendations, nor did she take any formal steps to implement the recommendations.

Bobbi Williams

228. Bobbi Williams was charged with a 1st degree misdemeanor of Allowing Another to Operate a Motor Vehicle without the Legal Right to Do So. Williams was represented by counsel. (Case No. 2013 TRD 004239.)

229. Williams' boyfriend, Freddie Johnson, had operated the vehicle, and he had also been charged with various misdemeanors, including but not limited to, License Required to Operate.
230. Johnson appeared in court on February 14, 2013 and pled not guilty to the charges against him. A subsequent court date was set for February 19, 2013; however, Johnson failed to appear. Accordingly, a capias was issued for Johnson.
231. On February 21, 2013, Williams appeared in court and pled no contest to the misdemeanor charge against her. During the sentencing portion of Williams' case, respondent became aware that a capias had been issued for Johnson.
232. Respondent refused to continue sentencing Williams until Johnson appeared.
233. Respondent stated "It's her boyfriend. She can make sure that he comes into this courtroom, or I can impose the jail time that I believe is appropriate today." (Emphasis added.)
234. Williams' attorney tried to inform respondent that Williams could not make her boyfriend appear. In a very irritated manner, respondent then proceeded to sentence Williams to two days in jail and a \$100 fine.

Bond Increases

235. Respondent increases bonds for defendants who request a trial. For example:
- a. On June 30, 2009, Maurice Tucker appeared before respondent on two charges – a recent Driving Under Suspension (DUS) charge and a 2008 minor misdemeanor traffic charge for which a capias had been issued. (Case Nos. 2008 TRD 052369 and 2009 TRD 040682.)
 - b. Tucker was represented by Attorney David Eidenmiller.
 - c. Tucker had a \$1,500 bond on the DUS charge and a personal bond on the traffic charge.

- d. Eidenmiller informed the court that Tucker wished to enter a no contest plea to the traffic charge, but that he wanted a continuance on the DUS charge.
- e. Respondent accepted this proposal, but rather than granting a continuance, she set the matter for trial. She also inquired into whether Tucker would be able to pay the \$1,500 bond on the DUS charge.
- f. As the parties were trying to pick a trial date, Eidenmiller requested that the trial be for both the DUS charge and the 2008 traffic charge.
- g. Respondent stated that she was fine with Tucker withdrawing his no contest plea on the 2008 traffic violation, but that if he wanted a trial on the 2008 traffic violations, she was going to increase the bond on the DUS charge because Tucker "doesn't come to court" on the traffic charge.
- h. Respondent further stated that "when we set bonds, we take everything into consideration, and this is a gentlemen that does not come back to court." She specifically noted, however, that she did not want to set a bond on a minor misdemeanor case.
- i. At the time that respondent initially set the \$1,500 bond, she had all the same information available to her as when she decided to increase the bond. The only difference was that Tucker had requested a trial.

Improper Revocation

236. On at least one occasion, respondent improperly revoked a defendant's probation due to what she perceived to be rude and disrespectful conduct to the court.
- a. On March 8, 2012, Angela Beckwith pled no contest to a charge of solicitation. (Case No. 2012 CRB 002544.)
 - b. She was sentenced to 180 days in jail with all 180 days suspended and a \$200 fine. She was also placed on two years of active probation with an order that she complete the court's Project Hope Program.
 - c. On December 17, 2012, Beckwith was in court for a Project Hope compliance meeting. Late in the afternoon, Beckwith's case was called. Beckwith was presented with a Certificate of Achievement and some gifts from local donors.
 - d. As Beckwith was leaving the courtroom, the door slammed because Beckwith's hands were full. Respondent asked her bailiffs to bring Beckwith

back into the courtroom whereupon respondent informed Beckwith that she was being held in contempt.

- e. Respondent then ordered the full 180 days of Beckwith's sentence into execution without affording Beckwith any due process or conducting a proper contempt hearing.
 - f. Respondent set the matter for a mitigation hearing on December 19, 2012 at which time respondent ordered Beckwith to be held in custody for five additional days.
 - g. Respondent suspended the remaining 172 days of Beckwith's sentence.
237. As noted in previous counts, individuals (prosecutors, defense counsel, and defendants) are not permitted to question respondent's rulings or decisions without being threatened with contempt.
238. Respondent's conduct as outlined above violates the Ohio Code of Judicial Conduct and the Ohio Rules of Professional Conduct specifically Canon 1 (a judge shall uphold the independence and integrity of the judiciary) and Jud R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Canon 2 (A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary) and Jud. R. 2.2 (A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially); DR 1-102(A)(5) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice) and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice); and DR 1-102(A)(6) (a lawyer shall not engage in any other conduct that adversely reflects on the lawyer's fitness to practice law) and Prof. Cond. R. 8.4(h) (a lawyer shall not engage in conduct that adversely reflects on the lawyer's fitness to practice law).

Count Seven – Request for Mental Health Evaluation

239. Relator incorporates Paragraphs 1 through 238.
240. As alleged in the counts above, it is clear that for the past several years respondent:
- a. Has been unable to efficiently run a courtroom;
 - b. Perceives problems where there are none;
 - c. Engages in unprofessional conduct, including needless shouting matches with prosecutors, defense counsel, court employees, and the public; and
 - d. Views comments/questions about her decisions or actions as a personal attack on her and the integrity of the court.
241. From a global perspective, respondent's behavior has negatively impacted every component of the criminal justice system that she has come into contact with as a judicial officer including prosecutors, public defenders, security bailiffs, personal bailiffs, court reporters, psychiatric clinic employees, probation officers, defendants, and the public – and has led to the adoption of several court-wide rules or departmental policy changes in order to accommodate respondent's unwarranted use of court resources and constantly changing expectations.
242. Despite these accommodations, respondent has been unable or unwilling to recognize that most, if not all, of the problems in her courtroom are the result of her own actions. Rather than accepting responsibility for her conduct and working towards a resolution, respondent persists in blaming others for the problems in her courtroom.
243. Based upon the above facts and allegations, relator believes that respondent may be suffering from a mental illness that substantially impairs her ability to perform her duties as a judicial officer. In accordance with Gov. Bar R. V (7)(C), relator requests that the Board of Commissioners on Grievances and Discipline or the hearing panel assigned to

this case order a psychiatric examination of respondent by one or more physicians designated by the Board or hearing panel.

Count Eight -- Conduct Occurring After Receiving Notice of the Formal Complaint

Jamie Barlay-Soto

244. On or about June 4, 2013, Jamie Barlay-Soto was arrested and charged with Driving Under the Influence of Alcohol, Drugs, or a Combination of Both; Driving Under the Influence with a Breath Alcohol Level of .08-.17; and Driving in Marked Lanes. (Case No. 2013 TRC 031821.)
245. On June 5, 2013, Barlay-Soto pled not guilty to the charges against her; however, on September 6, 2013, Barlay-Soto withdrew her not guilty pleas and entered a plea of no contest to an amended charge of Physical Control of Vehicle while Under the Influence. The Driving Under the Influence with a Breath Alcohol Level of .08-.17 charge and the Driving in Marked Lanes charge were nolle/dismitted.
246. Respondent passed for sentencing on September 6, 2013 and requested a pre-sentence investigation. Barlay-Soto's sentencing was scheduled for October 2, 2013.
247. On October 2, 2013, Barlay-Soto appeared with her attorney, Catherine Meehan, for sentencing. Respondent sentenced Barlay-Soto to 180 days in jail (all suspended), five Mothers Against Drunk Driving classes, one alcohol education class, and one year of active probation. Respondent also suspended Barlay-Soto's license for six months.
248. After issuing her sentence and stating that it would be journalized in a few minutes, respondent continued to address certain issues related to Barlay-Soto's sentence, such as a time-to-pay date and driving privileges.

249. While addressing these issues, respondent continued to peruse the pre-sentencing investigation report and noticed that the report indicated that Barlay-Soto had smoked marijuana "in the past." Accordingly, respondent asked Barlay-Soto "How long ago did you smoke marijuana?"
250. Barlay-Soto adamantly denied smoking marijuana or any other illegal substance in the past. While doing so, Barlay-Soto inadvertently talked at the same as respondent, to which respondent immediately threatened to place Barlay-Soto in jail for disrespectful conduct.
251. In response to Barlay-Soto's claim that she had never used marijuana, respondent requested that the pre-sentencing investigation officer who had conducted the pre-sentencing interview and written the report come to the courtroom. Respondent called other cases while waiting for the pre-sentencing officer to arrive.
252. When the pre-sentencing investigation officer arrived, respondent inquired into whether the officer stood by her report. The officer stated that she did. The officer further stated that she included the indicator "in the past" because Barlay-Soto answered "No" when asked "Do you smoke marijuana?" but "Yes" when asked "Have you ever smoked marijuana?"
253. Barlay-Soto continued to deny – both to the pre-sentencing officer and respondent – that she had ever smoked marijuana.
254. When it appeared that Barlay-Soto and the pre-sentencing officer were not going to agree about what had occurred during the pre-sentencing interview, respondent abruptly terminated the conversation about Barlay-Soto's alleged marijuana use by ordering Barlay-Soto to serve one day in jail immediately.

255. Respondent claimed that Barlay-Soto's alleged marijuana usage had nothing to do with her change in her sentence; however, this particular issue was the only difference between respondent's original sentence and her new sentence.

Gus Rini/Ashley L. Thomas

256. On October 3, 2013, Ashley L. Thomas appeared before respondent on charges of Driving Under Suspension, Failure to Control, Allowing Another to Operate a Motor Vehicle without the Legal Right to Do So, Failure to Display Plates, and Lights Required. (Case Nos. 2011 TRD 066038, 2013 TRD 041774, and 2013 TRD 050135.)
257. Although Thomas' case was scheduled for 8:30 AM, it was not called until 3:41 PM. After her case was called, Thomas informed respondent that she wished to seek legal counsel to represent her in the matter.
258. Respondent continued the matter until October 9, 2013 at 10:00 AM.
259. On October 9, 2013, Thomas appeared with her attorney, Assistant Public Defender Gus Rini. Although Thomas's case was scheduled for 10:00 AM, respondent did not call it until 4:15 PM. When her case was called, Thomas pled no contest to the Driving Under Suspension charge. All other charges against Thomas were nolle/dissmissed.
260. Respondent passed for sentencing on October 9, 2013 and ordered Thomas to report to the probation department for a pre-sentencing investigation report. Respondent also ordered the prosecutor to subpoena Laurie Morton and her husband – witnesses associated with Case No. 2013 TRD 050135 – to Thomas' sentencing hearing, which was scheduled for October 23, 2013 at 2:00 PM.

261. On October 23, 2013, Thomas appeared for sentencing with Attorney Rini. The Mortons were also present. Although Thomas's case was scheduled for 2:00 PM, it was not called until 5:13 PM.
262. After Thomas' case was called, respondent spoke with the Mortons. The Mortons, who had driven from Youngstown, Ohio (approximately two hours away) to appear pursuant to the subpoena, informed respondent that they did not want Thomas to reimburse them for a \$250 deductible that they had to pay for damages caused to their vehicle by Thomas.
263. Respondent then sentenced Thomas to three days in jail to be served immediately, a \$200 fine plus court costs, and one year of inactive probation.
264. Respondent asked Rini whether Thomas needed a "time to pay date" for the court costs and fine. Rini replied, "Yes judge. I – I need to address a few things with you though."
265. Thereafter, Rini attempted to tell respondent that Thomas had a four-year old child that she needed to pick up from daycare. Respondent stated that she would "quickly" listen to what Rini had to say, but then prevented him from talking.
266. During the heated conversation that ensued, respondent stated four times that she was not changing her mind and that Rini was "out of order." Respondent also stated in open court that it was Rini's fault that Thomas' case was called so late.

October 23, 2013 – End of the Day

267. After his exchange with respondent regarding Ashley Thomas had concluded, Gus Rini, the assistant public defender assigned to respondent's courtroom, left respondent's courtroom for the day. He left at approximately 5:28 PM. The prosecutor had previously left respondent's courtroom for the day at approximately 5:00 PM.

268. Thereafter and continuing until approximately 6:05 PM, respondent continued to call and hear cases of individuals without the prosecutor present.
269. Some of the defendants were represented by the public defender (Rini), who had previously left the courtroom. In an attempt to deflect personal responsibility for the fact that her conduct caused the docket to extend past 5:00 PM, respondent stated in open court, "It's not this court's fault that he [Rini] doesn't talk to you and know who his clients are in this courtroom. That's not my fault. I feel badly when they do not get to your cases but there's really nothing I can do. But, all I can do is maybe give you a continuance. Step forward. I can call each of you one at a time. I am so sorry. One at a time!..."
270. She continued the case of one defendant who was represented by the now absent public defender, "at the defendant's request."
271. After two more cases, she asked if everyone else in the courtroom was represented by the public defender and two defendants stated that they were not. One of those defendants is Christopher Behlolavek, whose case is explained below.
272. At one point, respondent stated, "I'm trying to help these people. You know? I will, um. Tiffany is helping me but I'm trying to get to these people. When I stop to write, I can't help them."
273. Another defendant was present for a minor misdemeanor but the respondent claimed that she did not have her file. This defendant told respondent that she had been sitting in the courtroom since 8:30 AM. Respondent noted that an officer never appeared on her case and asked her if there was a motion she would like to make. The defendant stated,

- "Dismiss, please." The respondent granted the defendant's motion without the prosecutor being present.
274. Respondent stated to another defendant who was represented by the public defender, "Attorney Rini didn't get to people he represents. And he doesn't have your name on this list. I'll let you see it. Your name -- He doesn't even have your name on this list. So what are you gonna do?"
275. After hearing that case, respondent asked, "Anyone else not represented by the public defender's office?" She then stated, "This is incredible. Mr. Rini. Did you hear him try to blame me? How dare him."
276. The next defendant wanted to dispose of his case. Although he had already stated that he wanted to represent himself, the respondent asked him what he wanted to do about his legal representation. After he decided to go back to the public defender's office to obtain representation, he tried to explain that he would need another continuance until after a scheduled surgery. Respondent exclaimed, "This is ridiculous! These people are waiting while you go on and on and on about these things. It is your responsibility to seek your legal representation on these matters."
277. The next defendant also wanted to dispose of his case. The respondent asked, "Well, how are you gonna do that?" She continued, "Well, you didn't talk to the prosecutor and I cannot play the role of a prosecutor and negotiate this. I don't know what you wanna do here. If you want a continuance to hire an attorney, if you just want to represent yourself and talk to the public -- the prosecutor about the case. I don't know what you want to do." His case was ultimately continued "at the defendant's request."

278. The next defendant was represented by the public defender and requested a continuance. Respondent became irritated and continued her case to the following week, even though she had asked for additional time.

279. The next defendant wanted a jury trial but the respondent proceeded to ask him why he would not seek the help of an attorney. The following exchange occurred:

RESPONDENT: Sir, but you're not an attorney! You're not licensed to practice. Not that you have to be to represent yourself but it's not wise to go forward on these, such serious charges. You've got two first degree misdemeanors which will – If there's a conviction there are mandatory penalties. Why, why risk that if you can have an attorney help you?

DEFENDANT: I'm not guilty and I, uh...

RESPONDENT: Sir, everybody who walks in here says not guilty! There's not one person who comes.

DEFENDANT: Yes ma'am.

RESPONDENT: That's why they have all said not guilty. That's why they're on the docket. Everyone out of the arraignment room said not guilty. Every single one who's on our personal dockets. So, just because you see a lawyer doesn't mean you're admitting any guilt. It's to help you understand your legal rights! And I don't understand. I mean, you're taking a huge risk, which you can do. But it's not wise.

280. Later, respondent continued to say, "But why don't you get someone help you? Even in your discussions with the prosecutor, I mean, you just. I, I mean – I'm not privy to those conversations, but...(shakes her head as she looks at his file). So what do you think you think? If you want to represent yourself, that's fine but, uh, I will certainly respect that choice. Did the prosecutor make an offer to you?"

281. Respondent then asked the defendant about the plea bargain that the prosecutor had offered. After discussing it, the defendant reiterated that he wanted a jury trial to which respondent stated, "Because, I'm not – I keep telling you that you could – it – I don't know what it is! Why won't you seek an attorney to help you on such a serious offense?"

If there's a conviction on this one, and a judge is aware that there's another one, just think about that. Even if it was outside of that six year period. I don't know why you won't get legal help when you're not a lawyer. I mean....It's - I just don't understand. Tiffany, we're gonna write on these. He doesn't know what he wants to do. I've gotta hurry up and do this...

282. Ultimately, the defendant decided to talk to a lawyer stating, "Um, I think, um, um, as many times as you've told me that I should, at least, talk to a lawyer and possibly get one, I think maybe I should do that.

October 8, 2013

283. Incidents occurring on October 8, 2013 are illustrative of conduct that regularly occurs in respondent's courtroom. During the course of the day, respondent:
- a. publicly admonished several individuals for talking in court;
 - b. publicly admonished one individual for bringing a child into the courtroom;
 - c. confiscated cell phones belonging to several individuals;
 - d. admonished several defendants for not retaining legal counsel and implied that she would impose jail time on their cases if they did not seek legal representation;
 - e. placed one woman in the holding cell for using her cell phone to tell her boss why she was not at work and stated that she "did not care" if that same woman lost her job because if she did, it would be a result of the woman's conduct;
 - f. placed at least three other individuals, including Jodi Williams (explained below), in the holding cell for conduct that respondent perceived to be disrespectful without giving the individuals an opportunity to explain their conduct;
 - g. yelled at everyone in the court that they were "all being irresponsible;"

- h. advised several individuals whose cases she did not call prior to the public defender leaving for the day that she was “sorry” that the *public defender* had not gotten to their cases; and
- i. made one individual sit in the courtroom for two hours after she had already continued the individual’s case, and then threatened to hold that same individual overnight for pushing too hard on the door when exiting the courtroom.

Jodi Williams

- 284. On August 16, 2013, Jodi Williams was charged with assault. (Case No. 2013 CRB 025290.)
- 285. The victims of the alleged assault are tenants in a property over which Williams is landlord. The alleged assault occurred while Williams was attempting to evict the tenants from the property.
- 286. On August 17, 2013, the tenants/victims requested and were granted an ex parte temporary protection order against Williams.
- 287. On September 20, 2013, Williams pled not guilty to the assault charge.
- 288. On October 8, 2013, Jodi Williams appeared before respondent for a first pre-trial. Williams was represented by Assistant Public Defender Gus Rini.
- 289. After calling the case, respondent noted that a temporary protection order had been granted ex parte, and she inquired into whether Williams was willing to consent to a continued protection order or whether she wanted a hearing on the matter.
- 290. Rini informed respondent that he wanted to discuss the matter with Williams.
- 291. Respondent called other cases while Rini spoke with Williams.
- 292. Williams’ case was recalled at approximately 10:22 AM.

293. When the case was recalled, Rini informed respondent that Williams was willing to consent to a continued protection order on condition that the order did not interfere with Williams' ability to serve the tenants/victims with an eviction notice.
294. Respondent approved/authorized that condition. Respondent then reviewed the individual clauses of the temporary protection order with Williams to ensure that Williams understood what she was and was not permitted to do.
295. At one point, respondent asked the tenants/victims whether Williams had any keys to their residence or garage. The tenants/victims did not answer respondent immediately; therefore, Williams stated that tenants/victims did not have access to the garage.
296. Although Williams had done nothing to previously provoke respondent, respondent immediately slammed her hand on the bench and stated "You know what Attorney Rini. I've about had enough with her [Williams]. She needs to answer the court. Does she have keys or garage door openers? Or I can call this case, there are 100--"
297. During respondent's tirade, Williams said "yes."
298. Respondent immediately ordered Williams to be placed in the holding cell for "disrespectful" conduct.
299. Williams attempted to say that she did not mean to disrespect the court and that she was just trying to answer the court's question.
300. In response, respondent stated "Excuse me. Excuse me. I can't imagine how you act outside of a courtroom if you act like this in a court of law. Attorney Rini, you can talk to her in that holding cell. When she thinks that she can respect this court and herself properly, I will recall the case. I have a 105--14 cases on this docket. I am not going to tolerate it. I'm gonna recall this case when she can get herself together and apologize to

- the court. In the meantime, place her in the holding cell. I am not going to accept this. Attorney Rini, you can speak to her. Outrageous her conduct. It's too much."
301. At approximately 12:20 PM, respondent recalled Williams' case and instructed the bailiffs to bring Williams into the courtroom.
 302. The prosecutor informed respondent that Williams had keys to the tenants/victims' residence, but no garage door openers, to which respondent stated "So where are those keys, Attorney Rini, because she has to turn over those keys."
 303. Rini stated that the keys were for a property that Williams owned and from which the tenants/victims were being evicted. Respondent stated that pursuant to the temporary protection order, the keys had to be turned over.
 304. Rini informed respondent that Williams did not have the keys with her, to which respondent stated "Ok, so what's she gonna do? Does she [Williams] want to be held in custody until she can turn over the keys?"
 305. Williams started to inform respondent that the keys were at her home, but respondent cut Williams off mid-sentence and stated that she was going to recall the case when "you all figure it out."
 306. Respondent continued to say that it was her position that the keys had to be turned over to the court, and they had to be turned over that day.
 307. Rini attempted to tell respondent what he had arranged with the prosecutor regarding the keys, but respondent would not hear it. She stated that her position was that the keys had to be turned over to the court and that that they had to be turned over that day.
 308. At approximately 1:29 PM, respondent, Rini, and the prosecutor had a sidebar regarding the Williams case. During the sidebar, respondent called Rini "nonsensical" and refused

- to listen to anything that Rini had to say about the keys, why they should not have to be turned over, or logistical problems in getting the keys to the court since Williams was at court. Respondent continued to insist that the keys be turned over that day.
309. At approximately 2:00 PM, someone brought several keys to the court for Williams. Williams identified a key that she believed belonged to the tenants/victims' residence, but was not sure if that was the actual key because she had not used it in at least two years.
310. Respondent then requested that the tenants/victims leave the court and return to their residence to see if the key was the correct key. Respondent stated that she would recall the case when the tenants/victims returned to court.
311. At 4:59 PM, respondent recalled Williams' case. The tenants/victims informed respondent that the key they had tested was not the correct key. Respondent then requested that the tenants/victims check a second key against their residence.
312. On behalf the tenants/victims, the prosecutor stated that tenants/victims would advise the court the following day as to whether the key was correct. It was agreed that if the key was correct, respondent would choose a new pre-trial date. Respondent stated, however, that if the key was not correct, Williams had to appear in court the following day or respondent would issue a warrant for her arrest.
313. On or about October 11, 2013, Williams' key to the tenants/victims residence was provided to the court and kept under seal.
314. On December 3, 2013, Williams withdrew her not guilty plea and pleaded no contest to an amended charge of aggravated menacing. The key contained in the file was returned to Williams.

315. Respondent sentenced Williams to 180 days in jail, but gave her credit for two days already served and suspended the remaining 178 days. Respondent also fined Williams \$1,000, but suspended \$800 of the fine. Finally, respondent ordered Williams to complete one year of active probation and to attend anger management classes.

Christopher Belohlavek

316. On or about September 16, 2013, Christopher Belohlavek was charged with Driving Under Suspension, Display of Fictitious Plates, and Driver Seatbelt Required. (Case No. 2013 TRD 053634.)
317. On September 19, 2013, Belohlavek pled not guilty to the charges against him.
318. On October 8, 2013, Belohlavek appeared before Judge Stokes for a pre-trial. At that time, Belohlavek requested a continuance to seek legal counsel. Respondent granted the continuance and rescheduled Belohlavek's criminal pre-trial for October 23, 2013 at 11:00 AM.
319. Although his case was scheduled for 11:00 AM on October 23, 2013, respondent did not call Belohlavek's case until 5:41 PM. By that time, the prosecutor and public defender had already left the courtroom for the day.
320. On October 23, 2013, Belohlavek informed respondent that he mistakenly thought that his next court date was on October 28, 2013 and that he did not realize that it was on October 23, 2013 until just before he had to come to court. Accordingly, he had not spoken to the public defender yet. Nevertheless, he informed respondent that he thought he would have been able to advise respondent of the above earlier in the day and then go to see the public defender; however, he was afraid to leave the courtroom for fear of a warrant being issued if he was not present when his case was called.

321. Respondent continued Belohlavek's case until October 29, 2013 at 2:00 PM.
322. Although it was scheduled for 2:00 PM on October 29, 2013, Belohlavek's case was not called until 4:28 PM. At that time, the public defender informed respondent that he did not have a file on Belohlavek since Belohlavek had just registered with the public defender's office that morning. Respondent continued the case until *the next day*, October 30, 2013, at 9:00 AM.
323. Although it was scheduled for 9:00 AM on October 30, 2013, Belohlavek's case was not called until 6:42 PM. At that time, Belohlavek withdrew his not guilty plea and entered a plea of no contest to driving under suspension. The fictitious plates and the seatbelt charges were nolle/dismitted.
324. Respondent imposed a \$1,000 fine against Belohlavek, but suspended \$500 of the fine. As to the remaining \$500, respondent inquired into how Belohlavek wished to pay his fine. Belohlavek stated that he wished to pay \$50 every two weeks (when he received his paycheck). Respondent initially stated that Belohlavek's request was "fine," but quickly changed her mind without reason or explanation and insisted that Belohlavek pay \$50 every week since he was employed. Respondent's journal entry, however, stated that Belohlavek was to pay \$50 every two weeks.

Cynthia L. George

325. On November 26, 2013, Cynthia L. George appeared before respondent on four separate traffic charges – a license required to operate charge, a max speed/assured clear distance charge, a driver seatbelt required charge, and a passenger seatbelt required charge.
326. George's case was scheduled for 8:30 AM; however, respondent did not call the case until 1:44 PM.

327. At the time that respondent called George's case, the prosecutor was at lunch and not present in the courtroom.
328. When respondent called George's case, she advised George that the license charge was a first degree misdemeanor and that it carried a maximum fine of \$1,000 and up to six months in jail. Respondent further advised George that she had the right to be represented by counsel and that she could either request a continuance to retain counsel or consult with the public defender's office. In the alternative, respondent advised George that she could represent herself. Respondent then asked George "What would you like to do."
329. In response to respondent's question, George clearly stated that she wanted to represent herself.
330. Respondent then advised George that she would have to speak to the prosecutor about her case when he returned from lunch, which would be in approximately 25 minutes.
331. Respondent recalled George's case at 3:42 PM. At that time, the prosecutor advised respondent that he had spoken to George, but that they were unable to resolve the case. Respondent then asked George "What would you like to do?"
332. George clearly stated that she wanted the case "set for trial."
333. During the awkward silence that followed George's request, George stated "I'm pleading not guilty" to which respondent stated, "Excuse me. You are so out of order." Respondent then told George that she had already pled not guilty and could not plead again.
334. Even though George had already advised respondent that she wanted to represent herself, respondent asked George a second time "so what do you want to do about your legal

- representation?" Respondent continued to say, "Do you want an attorney to help you in this matter since you don't obviously know what you are doing in the matter in the courtroom?"
335. When George did not immediately answer respondent, respondent stated "you think about it." George then tried to speak and inquire into why her case was being delayed yet again; however, respondent would not permit her to speak.
336. George eventually managed to say "I don't understand what you're saying" to which respondent stated "That's why you're going to have a seat to your right and I'm going to explain it again as I have tried all day long. Have a seat to your right!" Respondent then called the next case without giving George a meaningful opportunity to speak.
337. Respondent recalled George's case at 4:04 PM. Before anything was even said, respondent sarcastically stated under her breath, "Try it again."
338. Upon recalling the case, the prosecutor again confirmed that he had not been able to resolve the case with George.
339. Respondent asked George for a third time "What do you want to do about your legal representation?"
340. Thereafter, the following exchange occurred:

GEORGE: I cannot afford legal representation.

RESPONDENT: So if you're indigent and cannot afford to hire an attorney, you can go to the public defender's office. They will give you free legal representation. It's up to you.

GEORGE: I'm not --- I --- You had asked me before if I wanted repres ---

RESPONDENT: Right, but you don't know what you're doing, so why don't you seek legal counsel from the public defender's office if they will give you free legal representation --- to help you on this matter. But it's up to you.

GEORGE: I would still like to represent myself.

RESPONDENT: Are you an attorney? You - - - you're trying to enter not guilty pleas when you previously entered not guilty pleas. Why won't you seek legal counsel from an attorney who can help you on this case to explain to you what you're doing? Why won't you get help?

GEORGE: Cause I have two kids and I don't have the time. My daughter has cerebral palsy - - -

RESPONDENT: But you know what, if you have a conviction, you might to jail for up to six months on a case where you're not an attorney; you don't know what you're doing in the courtroom, so why don't you ask them to help you. Don't think that I won't impose the jail time if I deem it appropriate, but why won't you get help. That's what the court cannot comprehend.

GEORGE: I don't--I don't have somebody to sit with my daughter.

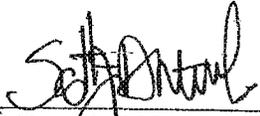
RESPONDENT: But what are you going to do? You're not going to have a trial today. You're gonna have to come back if you want a trial or *maybe* Mr. London (public defender assigned to respondent's courtroom) would be kind enough to try to help you now on this case. Mr. London. Good Gracious.

341. Thereafter, respondent suggested that London to speak with George and advised him that the License Required to Operate Charge should have actually been charged as Refusal to Display License charge.
342. While London was speaking to George, respondent stated in open court in a frustrated and demeaning manner "They have ample opportunity to seek legal counsel. They come to the courtroom. They don't do that. They are told out of the arraignment room. Then they don't know what they are doing in the courtroom."
343. George ultimately withdrew her not guilty plea and entered a plea of no contest to an amended charge of Refusal to Display a License. The other charges against George were dismissed/nolled. Ultimately respondent sentenced George to 180 days in jail and a \$1,000 fine; however, she suspended all 180 days of George's sentence and \$900 of George's fine.

344. Respondent's conduct as outlined above violates the Ohio Code of Judicial Conduct, specifically Jud R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Jud. R. 2.6 (a judge shall accord to every person who has a legal interest in a proceeding the right to be heard according to the law); Jud. R. 2.8 (a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity); and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

CONCLUSION

Wherefore, pursuant to Gov. Bar R. V, the Ohio Code of Judicial Conduct, and the Ohio Rules of Professional Conduct, relator alleges that respondent is chargeable with misconduct; therefore, relator requests that respondent be disciplined pursuant to Rule V of the Rules of the Government of the Bar of Ohio.

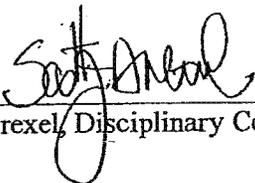


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Columbus, Ohio 43215
(614) 461-0256
(614) 461-7205 – Facsimile

CERTIFICATE

The undersigned, Scott J. Drexel, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that Michael E. Murman is duly authorized to represent relator in the premises and has accepted the responsibility of prosecuting the complaint to its conclusion. After investigation, relator believes reasonable cause exists to warrant a hearing on such complaint.

Dated: April 24, 2014



Scott J. Drexel, Disciplinary Counsel

Gov. Bar R. V, § 4(I) Requirements for Filing a Complaint.

(1) Definition. "Complaint" means a formal written allegation of misconduct or mental illness of a person designated as the respondent.

* * *

(7) Complaint Filed by Certified Grievance Committee. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by a Certified Grievance Committee shall be filed in the name of the committee as relator. The complaint shall not be accepted for filing unless signed by one or more attorneys admitted to the practice of law in Ohio, who shall be counsel for the relator. The complaint shall be accompanied by a written certification, signed by the president, secretary, or chair of the Certified Grievance Committee, that the counsel are authorized to represent the relator in the action and have accepted the responsibility of prosecuting the complaint to conclusion. The certification shall constitute the authorization of the counsel to represent the relator in the action as fully and completely as if designated and appointed by order of the Supreme Court with all the privileges and immunities of an officer of the Supreme Court. The complaint also may be signed by the grievant.

(8) Complaint Filed by Disciplinary Counsel. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by the Disciplinary Counsel shall be filed in the name of the Disciplinary Counsel as relator.

(9) Service. Upon the filing of a complaint with the Secretary of the Board, the relator shall forward a copy of the complaint to the Disciplinary Counsel, the Certified Grievance Committee of the Ohio State Bar Association, the local bar association, and any Certified Grievance Committee serving the county or counties in which the respondent resides and maintains an office and for the county from which the complaint arose.

ATTACHMENT NOT SCANNED

EXHIBIT 7

RECEIVED
slan-JEC-KHO
OCT 16 2013

Disciplinary Counsel
Supreme Court of Ohio

BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE OF
THE SUPREME COURT OF OHIO

RECEIVED

SEP 25 2013

BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

In re:

Complaint against

Hon. Angela Rochelle Stokes
Cleveland Municipal Court
1200 Ontario St.
P.O. Box 94894
Cleveland, OH 44113

No. 13-057 

Attorney Registration No. (0025650)

COMPLAINT AND CERTIFICATE

Respondent,

(Rule V of the Supreme Court Rules for
the Government of the Bar of Ohio.)

Disciplinary Counsel
250 Civic Center Drive, Suite 325
Columbus, Ohio 43215-7411

FILED

OCT 14 2013

Relator.

BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

Now comes relator, Disciplinary Counsel, and alleges that respondent, Angela Rochelle Stokes, an attorney at law, duly admitted to the practice of law in the state of Ohio, is guilty of the following misconduct:

1. Respondent was admitted to the practice of law in the state of Ohio on October 29, 1984.
2. Respondent was elected to the Cleveland Municipal Court in November 1995 and has served as a judge of that court since that time. She is currently one of 13 judges on the court.
3. As an attorney and a judicial officer, respondent is subject to the Code of Professional Responsibility, the Ohio Rules of Professional Conduct, and the Ohio Code of Judicial Conduct.

Count One -- Abuse of Court Resources

4. Since taking the bench in 1995, respondent has consumed a disproportionate amount of the court's human and material resources due to her inability to administer her docket in a timely manner, her lack of organization, and her unreasonable expectation that all court employees be at her beck and call.
5. Starting in or around 2000, the Cleveland Municipal Court began enacting several "court-wide" rules in an attempt to address respondent's inordinate consumption of court resources. In addition, each department within the court has revised its policies and procedures to address issues created by respondent's behavior, actions, and demands.

For example:

- a. The court enacted a rule requiring the bailiff department to transport all prisoners back to the workhouse by 4:00 P.M. The rule was later amended to require the bailiff department to collect all prisoners at 12:45 P.M. for return to the workhouse.
- b. The court enacted a rule requiring that the Cleveland House of Corrections be in charge of coordinating all transportation to and from psychiatric treatment facilities.
- c. The court enacted mandatory lunch breaks for employees.
- d. The court enacted a "10-minute" rule requiring probation officers, case managers, psychiatric clinic employees, and interpreters to return to their assigned workstations if not utilized within ten minutes of arrival in a courtroom to which they have been summoned.
- e. The court enacted a rule that no judge can occupy more than 10% of any court administrative staff's time. Additionally, each administrative staff member is limited to spending 30 minutes in any given judge's courtroom, after which the employee is to return to their workplace.
- f. The court enacted a rule giving the head of the probation department the authority to question referrals or conditions of probation when he/she does not believe that the referral or condition is appropriately related to the offense. In such cases, the head of the probation department is to contact the referring judge, the presiding judge, and the court administrator whereupon a

conference will be held to determine what should be done with the case as it relates to probation.

- g. The court enacted a rule requesting that all official courtroom business end by 5:00 P.M. and permitting employees to leave the courtroom if the timeline is not adhered to.
 - h. The court enacted a rule ordering that no probation officer or case manager be called to a courtroom after 3:45 P.M. unless the individual would be able to leave the courtroom by 4:00 P.M.
 - i. The bailiff department and probation department scheduled some employees to work four 10-hour days rather than five 8-hour days to accommodate respondent's late courtroom hours.
 - j. The court enacted a rule limiting the request for second psychiatric evaluation requests to two per quarter.
 - k. The court enacted a rule ordering the probation department not to conduct any substance abuse screens and/or assessments on individuals charged with driving under suspension, no driver's license, hit-skip, or escalated moving violations unless the charge is also accompanied by a charge involving alcohol, drugs, or other mind-altering substances.
 - l. The court enacted a rule requiring psychiatric clinic staff to interview victims and/or witnesses only if they deemed it to be appropriate in their professional clinical judgment regardless of what may be stated on the referral form.
 - m. The court enacted a rule requiring judges to contact probation officers assigned to a specific case if assistance is needed. If the probation officer assigned to a case is not available, then the following individuals should be contacted in order listed: the probation officer's supervisor, the supervisor of the day, the deputy chief probation officer, and the chief probation officer.
6. In addition to the above rules, several agencies, as well as departments within the court, have reduced rotations in respondent's courtroom to avoid staff burnout. For example, security bailiffs are only assigned to four-hour shifts in respondent's courtroom, whereas they are assigned to eight-hour shifts in all other courtrooms. Public defenders only serve a two-month rotation in respondent's courtroom, whereas they serve a three-month rotation in other courtrooms. Moreover, after completing a two-month rotation in

respondent's courtroom, public defenders are permitted to pick the courtroom that they would like to serve their next three-month rotation in as a "reward."

7. Similarly, the probation department assigns cases from respondent's courtroom to a specific set of probation officers. This is in large part due to respondent's difficult-to-decipher referral forms, the inordinate amount of requirements that respondent places on defendants, and the fact that respondent does not provide the probation department with relevant information in a timely manner making it difficult for respondent's probation cases to be monitored.
8. As alleged in Count Two, respondent treats security bailiffs in her courtroom in a rude, demeaning, and unprofessional manner. In an attempt to limit the confrontations that may occur from respondent's erratic treatment of security bailiffs in her courtroom, the bailiff department has created a list of "restricted assignment" bailiffs. Bailiffs on this list are prohibited from serving in respondent's courtroom for a restricted period of time ranging from a few weeks to indefinitely. There are currently 14 bailiffs on this list. The "restricted assignment" list only applies to respondent's courtroom – no other courtroom has need for a "restricted assignment" list because in no other courtroom are bailiffs subjected to the treatment they receive from respondent.
9. Prior to the enactment of the above mentioned rules and/or policy changes, it would not have been unusual:
 - a. For respondent to be holding court until 7:00 P.M. or even 8:00 P.M. when other judges on the court had typically completed their dockets by 3:00 P.M.;
 - b. For six to eight prisoners to be held for several hours – in a holding cell designed for two prisoners – while waiting for respondent to call their cases;
 - c. For city employees and attorneys, such as prosecutors, public defenders, bailiffs, probation officers, and staff support, to work well beyond their

scheduled hours incurring excessive amounts of overtime or compensatory time;

- d. For bailiffs to transport defendants assigned to respondent's docket to local hospitals and wait for several hours while the prisoner's evaluation was being completed;
- e. For respondent to request that a second psychiatric evaluation be performed when she was not satisfied with the results of the first examination; and
- f. For court personnel who respondent summoned to her courtroom to wait in excess of 30 minutes before being utilized.

10. Even after the enactment of the above-mentioned rules, respondent has persisted in

conduct that led to the imposition of the rules in the first place. For example:

- a. On April 29, 2004, Judge Larry A. Jones, who was the Presiding and Administrative Judge at the time, issued an inter-office correspondence stating that "interviews conducted by the doctor and staff of the Cleveland Municipal Court's Psychiatric Clinic of alleged victims and/or witnesses shall be restricted to those occasions when it is deemed appropriate by the doctor using his or her professional clinic judgment."
- b. Despite this memorandum, respondent continued to request that psychiatric clinic staff interview victims and/or witnesses.
- c. On one particular occasion, on September 24, 2008, respondent refused to proceed with a mitigation hearing because the court psychiatric clinic declined to interview three witnesses that respondent requested be interviewed. In open court, respondent berated the psychiatric clinic and stated that it had "victimized" the witnesses again by choosing not to "pick up a telephone" and interview the witnesses. Respondent continued the matter until the witnesses could be subpoenaed to "voice their opinion" as to whether the defendant should be released.

11. In respondent's courtroom, it is not unusual for a matter to be continued five or six times before being resolved thus requiring repeat appearances by attorneys, court staff, and defendants. In fact, when Cleveland State University professors Dana J. Hubbard and Wendy C. Regoeczi reviewed respondent's courtroom and practices as part of a comprehensive review of Cleveland Municipal Court programs, they noted that

continuances in respondent's courtroom were 300% greater than in any other judge's courtroom on the Cleveland Municipal Court.

12. A majority of the continuances in respondent's courtroom are designated as being at the "defendant's request," when in reality they are not.
13. Due to the manner in which respondent conducts her docket, the court administrative office has a difficult time finding assigned counsel to handle cases in respondent's courtroom when the public defender's office is conflicted off a case.
14. Many attorneys on the court's assigned counsel list will not accept cases in respondent's courtroom given the amount of time they anticipate spending on a case and the maximum fee to which they are entitled for the case.
15. Respondent regularly exhausts her yearly allotment of funds for drug and alcohol testing early in the year and much earlier than any other judge on the Cleveland Municipal Court because she orders defendants to undergo drug and alcohol testing even when it has no reasonable relation to the charges against the defendant. For example:
 - a. In 2009, each judge was allotted \$5,000 for their Indigent Driver's Alcohol Assessment Fund. Respondent's fund was exhausted by May 1, 2009. At that time, every other judge on the court had at least \$2,727.83 remaining.
 - b. In 2009, each judge was allotted \$5,000 for their Defendant Drug Testing Account. Respondent's fund was exhausted on or about April 14, 2009. At that time, every other judge had at least \$4,127 remaining.
 - c. In 2010, respondent's Indigent Driver's Alcohol Assessment Fund was exhausted on or about July 31, 2010.
 - d. In 2011, each judge was allotted \$5,000 for their Defendant Drug Testing Account. Respondent's Drug Testing Account was exhausted on or about July 18, 2011.

16. When respondent's allotment of funds for drug and alcohol testing is exhausted, she requires defendants to pay for their own testing oftentimes causing a hardship on defendants with limited financial resources.
17. Respondent's conduct as outlined above violates the Code of Judicial Conduct, the Code of Professional Responsibility, and the Rules of Professional Conduct, specifically Canon 1 (a judge shall uphold the integrity and independence of the judiciary), Canon 2 (a judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary) and Jud R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Canon 3(c)(1) (a judge shall diligently discharge the judge's administrative duties without bias or prejudice and maintain professional competence in judicial administration, and should cooperate with other judges and court officials in the administration of court justice) and Jud. R. 2.5 (a judge shall perform judicial and administrative duties competently and diligently and shall comply with guidelines set forth in the Rules of Superintendence for the Courts of Ohio); and DR 1-102(A)(5) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice) and Prof. Cond. R. 8.4 (d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Two – Abuse of Court Personnel

18. Relator incorporates paragraphs 1 through 17.
19. Respondent regularly acts in a rude, demeaning, and unprofessional manner towards court personnel assigned to her courtroom. For example:

- a. Respondent has regularly subjected personal bailiffs and security bailiffs assigned to her courtroom to "smell tests" in order to determine whether they are wearing any perfume, cologne, or scented lotions, to which respondent allegedly has a sensitivity. In doing so, respondent invades or causes another to invade the personal space of her bailiffs.
 - b. Respondent expels court personnel from her courtroom for coughing or sneezing while making comments such as "we don't want to expose this entire courtroom to whatever you have." On one occasion, respondent told a court employee not to come to work for six weeks because the employee's mother had shingles and the employee's daughter may have had chickenpox. Even after the employee provided respondent with a doctor's note indicating that shingles were not contagious and that her daughter did not have chickenpox, respondent still accused the employee of exposing her to "diseases."
 - c. Respondent regularly makes unprofessional personal comments about court personnel. For example, respondent accused one of her personal bailiffs of being a "bad mother," and she accused a security bailiff of "switching," i.e. walking with expressed hip movement.
20. Respondent regularly accuses bailiffs and probation officers in her courtroom of being incompetent and not knowing how to do their jobs. Respondent makes these accusations in open court and in front of members of the public.
21. Respondent imposes requirements on bailiffs in her courtroom that prevent them from doing their jobs; however, when they attempt to perform their jobs and/or abide by respondent's restrictive requirements, they are publically humiliated by respondent. For example:
- a. Respondent does not allow her bailiffs to answer general questions from the public, but then accuses the bailiffs of incompetence or of not doing their job when a person interrupts court to ask respondent a question.
 - b. Respondent does not allow bailiffs to speak in court even if it is to ask someone to be quiet, but then accuses the bailiffs of incompetence or of not doing their job when the courtroom becomes too loud.
 - c. Respondent does not allow bailiffs to remove a person from the courtroom for any reason without her permission, but then accuses the bailiffs of incompetence or of not doing their job when the courtroom becomes too loud

and/or a bailiff interrupts respondent to request permission to remove an individual from the courtroom.

- d. Respondent does not allow bailiffs in her courtroom to review files in advance of court, but then accuses the bailiffs of incompetence or of not doing their jobs when the bailiffs are not aware of what happened on a previous day in court.

22. Incidents occurring on May 2, 2013 are illustrative of conduct that regularly occurs in respondent's courtroom. On May 2, 2013, Audene Vasquez was assigned to respondent's courtroom as a security bailiff.

- a. Upon arrival in respondent's courtroom at approximately 12:20 P.M., another security bailiff asked Vasquez to obtain information from a man standing near the journalizer's desk. As Vasquez was attempting to do so, respondent asked Vasquez what she was doing. Vasquez responded that she was trying to obtain information from the man; however, respondent stated that she did not ask her to do that. Vasquez never obtained the man's information.
- b. Shortly thereafter, Vasquez positioned herself at the back door of respondent's courtroom. Moments later, Defendant Dyanthea Taylor entered the courtroom and attempted to speak to Vasquez. Vasquez informed Taylor not to speak. When respondent saw Taylor attempting to speak to Vasquez, she stated in a rude and demeaning manner that Taylor could not "continue to disrupt" court, that the bailiffs could not answer her questions, and that if Taylor had a question, she needed to direct it to the court. Respondent informed Taylor that if she disrupted court one more time, she would be placed in a holding cell. Taylor apparently rolled her eyes, whereupon respondent had Taylor immediately placed in the holding cell.
- c. Respondent ordered that another security bailiff in the courtroom, Terry Gallagher, place Taylor in the holding cell and that Vasquez assist Gallagher in doing so. Once in the holding cell area, Gallagher told Taylor to apologize to respondent, and Taylor agreed to do so. Taylor, Gallagher, and Vasquez began to re-enter the courtroom; however, as soon as respondent saw them, she ordered them back to the holding cell area. After re-entering the holding cell area, Taylor informed Vasquez that she was a diabetic and that she did not have her medication with her. She further informed Vasquez that she had been at the courthouse since 8:30 A.M. (approximately 4 ½ hours) waiting for her case to be called. Vasquez then contacted a bailiff department supervisor regarding Taylor.
- d. A short time later, respondent asked another bailiff in the courtroom to hand some files to Vasquez to take to probation. Respondent then requested those

same files back, while making the offhand comment that she [respondent] has to do the bailiffs' jobs.

- e. Sometime during the course of the day, a defendant, Tyisha Morrison, informed Vasquez that she had recently delivered premature twins who were still in the hospital. Morrison asked Vasquez to pray for her twins, and Vasquez said that she would. Later in the day, Vasquez bowed her head and prayed for Morrison and her twins. At the end of Vasquez's silent prayer, she smiled. At that moment, respondent berated a bailiff supervisor, whom respondent had requested come to her courtroom, for standing and "laughing" with Vasquez.
 - f. Between the incidents listed above and prior incidents, Vasquez felt so hurt and disrespected by respondent that she had to leave the courtroom.
23. Respondent requires that court personnel act immediately upon her request. If action is not taken immediately, respondent will accuse the employee of incompetence, insubordination, and/or have the employee removed from her courtroom.
 24. Respondent's public criticism of and/or personal comments about court employees has reduced several employees to tears. Moreover, respondent's public criticism of employees makes it very difficult for employees to perform their jobs because their credibility has been diminished.
 25. Respondent's impossible standards and dictates create an extremely stressful and hostile work environment. In an attempt to address the work environment in respondent's courtroom, security bailiffs only serve a four-hour shift in respondent's courtroom, rather than the regular eight-hour shift in other courtrooms.
 26. In addition, the court has decided not to provide respondent with a personal bailiff since respondent has employed 21 different personal bailiffs at 27 different times since taking the bench in 1995. Respondent's personal bailiffs have resigned from their position – a position that pays nearly double the salary of a security bailiff – after a year or less.

27. Respondent's conduct as outlined above violates the Ohio Rules of Judicial Conduct and the Ohio Rules of Professional Conduct, specifically Canon 1 (A judge shall uphold the integrity and independence of the judiciary), Canon 2 (a judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary), and Jud. R. 1.2 (A judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Canon 3(B)(4) (A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity) and Jud. R. 2.8 (A judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity); and DR 1-102(A)(5) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Three – Abuse of Lawyers

28. Relator incorporates Paragraphs 1 through 27.
29. Prosecutors, public defenders, and private defense counsel that appear before respondent are prohibited from asking questions about courtroom procedure or requesting further clarification of respondent's rulings. If they do so, they are told that they are "out of order" and threatened with contempt or referral to a disciplinary authority. The following are some examples of the confrontations that respondent has had with prosecutors, public defenders, and private defense counsel in her courtroom.

David Eidenmiller

30. On May 21, 2009, Matthew Gabriel appeared before respondent with his attorney, David Eidenmiller, for sentencing on a Driving Under Suspension (DUS) charge. (Case No. 2008 TRD 071751.) Gabriel's license had been suspended due to a DUI conviction.
31. The maximum penalty for DUS is 180 days in jail and a \$1,000 fine.
32. Gabriel had already spent two days in jail. Respondent sentenced Gabriel to an additional three days in jail and a \$300 fine. She suspended the remaining 175 days.
33. Respondent requested the location of Gabriel's vehicle so that she could have it immobilized.
34. Gabriel informed respondent that he had sold the vehicle in January 2009, but that he did not have proof of the sale with him in court.
35. Respondent noted that the probation report indicated that as of April 21, 2009, Gabriel still appeared to be to the titled owner of the vehicle.
36. Based on this information, respondent ordered the full 178 days into execution, but set the matter for a mitigation hearing on May 27, 2009.
37. When Eidenmiller tried to advocate on behalf of his client and explain that the probation report only reflects the last person who registered the vehicle, respondent threatened to hold Eidenmiller in contempt and place him in the holding cell with Gabriel.
38. The following day, Gabriel's family was able to provide proof that the vehicle had been sold, and respondent reduced Gabriel's sentence to the original three days.

Michael Winston

39. On August 19, 2010, Keynan Williams pled no contest to a minor misdemeanor Drug Abuse marijuana charge and a 1st degree Driving Under Suspension (DUS) charge in

exchange for a 4th degree Open Container charge and a minor misdemeanor seat belt charge being dismissed. (Case nos. 2010 CRB 021617 and 2010 TRD 038170.)

40. On August 23, 2010, Williams was in court with his attorney, Michael Winston, for sentencing.
41. On the DUS charge, respondent sentenced Williams to 180 days in jail with 178 days suspended and a \$1,000 fine with \$800 suspended. On the drug abuse charge, respondent fined Williams \$50.
42. Respondent also ordered Williams to one year of active probation with random breathalyzer and urinalysis testing.
43. After the sentencing, Williams was taken to the holding cell. After Williams left the courtroom, Winston attempted to make an objection on the record as to the imposition of active probation because it was not related to the DUS charge and not permitted by the drug abuse charge.
44. Respondent proceeded to say that "this makes absolutely no sense" and that she would have never accepted the plea if she knew that Williams objected to getting treatment. She then threatened to sentence Williams to the full 180 days because of Winston's objection. During the confrontation, respondent told Winston twice to "shut your mouth" and threatened to place him in the holding cell with Williams on contempt charges.

Tina Tricarichi

45. On October 28, 2010, Tina Tricarichi was in respondent's courtroom with her client, Darius Andrews, for sentencing on several cases. (Case nos. 2010 CRB 040350, 2010 CRB 008032, 2010 TRD 001047.)

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46. During the sentencing, Tricarichi did not hear one of the conditions imposed on Andrews because Andrews was talking to her.
47. Tricarichi said "Pardon," and repeated what she believed was the condition to ensure that she had heard it correctly.
48. Respondent stated that Tricarichi was correct, but that she should have been listening to the court in the first place. Respondent further stated that it was "outrageous" that she had to repeat herself "three or four times" during a sentencing.
49. After the sentencing was complete, Andrews stated "Thank you, your Honor."
50. Respondent continued to berate Tricarichi by stating, "He [the defendant] understands. He knows. She [Tricarichi] doesn't understand what the court is saying."
51. Respondent accused Tricarichi of talking during the sentencing, but when Tricarichi attempted to explain herself, respondent stated that she was "tired of going through this for the past two months" and that she was not "going to tolerate it."
52. Respondent then stated--in open court--that she had already spoken to Tricarichi's supervisors about Tricarichi.
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53. The confrontation ended with respondent threatening to hold Tricarichi in contempt and placing her in the holding cell if she said "one other word."

Angela Rodriquez

54. On January 13, 2011, Attorney Angela Rodriquez was assigned to respondent's courtroom as the city prosecutor.
55. On at least two occasions, respondent asked Rodriquez what was reflected on the LEADS report for various defendants without being specific as to what type of information she

was seeking, i.e. number of previous convictions, number of previous driver's license suspensions, or both.

56. In each case, Rodriguez answered as she believed appropriate, and respondent did not ask follow-up questions or request additional information.
57. Later, when additional information on the LEADS report was revealed, respondent publically accused Rodriguez of intentionally providing the court with inaccurate information.

Scott Malbasa

58. On June 16, 2011, Attorney Scott Malbasa was representing a defendant in a trial before respondent.
59. One of the defense witnesses was being cross-examined by the prosecutor; however, the individual was not seated in the witness stand. He was standing at the podium with Malbasa.
60. At one point during the prosecutor's questioning, the witness began talking at the same time as the prosecutor.
61. Respondent interrupted the trial and instructed the witness not to speak at the same time as the prosecutor.
62. Respondent then stated that it would be better for the individual to sit in the witness stand because he was "out of control in this courtroom" and she was "not going to permit it."
63. At that point, Malbasa attempted to place an objection on the record.
64. Respondent would not permit Malbasa to make his objection, and the situation quickly deteriorated into a shouting match between Malbasa and respondent with respondent telling Malbasa to "shut your mouth" and threatening to hold him in contempt.

Henry Hilow

65. On September 25, 2012, Attorney Henry Hilow was in court with his client, Frank Petrucci, for a first pre-trial. (Case No. 2012 TRC 050939.)
66. Hilow and Petrucci both checked in at approximately 8:30 A.M.; however, the case was not called until approximately 11:40 A.M.
67. When the case was called, Hilow informed respondent that he had already spoken to the prosecutor and that the prosecutor had agreed to a continuance. Hilow requested that the pre-trial be rescheduled for October 24, 2012.
68. After confirming Hilow's statements with the prosecutor, respondent asked Hilow what time he would like the pre-trial to be set.
69. Hilow inquired into whether it would be appropriate to request a later start time because based on his observations, respondent called cases with police officers first.
70. Respondent stated that Hilow's observations were incorrect for various reasons.
71. When Hilow informed respondent that he was not trying to insult the court, respondent replied "I think that you are. I think you are out of order. This court is not going to accept it." Respondent then told Hilow that he was "out of order" again and that he needed to "watch his conduct" in the courtroom.

Ashley Jones/Joanna Lopez

72. On May 7, 2013, Attorney Ashley Jones was in court with her client, Robert Downing. Downing had been charged with Driving Under the Influence of Alcohol/Drugs (DUI). (Case No. 2013 TRC 016088.)

73. This was Downing's 3rd DUI in 6 years; therefore, the offense carried mandatory jail time and mandatory vehicle forfeiture.
74. Prior to Downing's case being called, Jones had advised the city prosecutor, Joanna Lopez, that Downing was willing to plead guilty to the DUI, so long as some kind of deal could be worked out where the vehicle would not be forfeited. Jones informed Lopez that the vehicle was a family vehicle and that it would cause hardship on the family if it was forfeited. Jones further informed Lopez that she believed there was some type of hardship exception in the statute that would allow the vehicle not to be forfeited.
75. Jones and Lopez discussed all sorts of possibilities including amending the charge to a 2nd in 6, which did not require mandatory vehicle forfeiture. Ultimately, Jones and Lopez agreed to approach respondent with details of their possible plea offer.
76. At the first sidebar, respondent was initially receptive to the idea of a hardship exception, but was concerned with the legality of such a proposal. Jones offered to brief the issue for the court; however, respondent would not permit it. She ultimately informed Jones and Lopez that she would not accept a plea offer without mandatory vehicle forfeiture, and that she would recall the case in a few moments.
77. Jones left the sidebar and informed her client as to what respondent had stated at the sidebar. Downing then informed Jones that he wanted a jury trial.
78. At a second sidebar, Jones informed respondent that her client wanted a jury trial. Respondent then stated that Jones was the reason this case was not being resolved today and that she could not believe that Jones and Lopez would ask her to do something "illegal." Respondent informed Jones and Lopez that she was "disgusted" by them and that she should report them to the Supreme Court of Ohio for ethical violations.

79. Respondent's conduct as outlined above violates the Ohio Rules of Judicial Conduct and the Ohio Rules of Professional Conduct, specifically Jud. R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary, and shall avoid impropriety and the appearance of impropriety); Jud. R. 2.8 (a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity); and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Four – Abuse of Defendants and the Public

80. Relator incorporates Paragraphs 1 through 79.

81. The Cleveland Municipal Court receives complaints from defendants and the general public about every judge on the court; however, the number of complaints received against respondent is proportionally much higher than any other judge on the court.

- a. Most, if not all, of the complaints allege that respondent's attitude towards them was patronizing, demeaning, insulting, or dismissive.
- b. Many of the complaints allege that respondent has no respect for their time. The complaints highlight scenarios in which a defendant was in court all day waiting for his or her case to be called, only to be told that he or she needed to return the next day. In some cases, a defendant has been required to come back for a third day.
- c. Many of the complaints also allege that an individual has or is in danger of losing his or her job due to the amount of time spent in respondent's courtroom.

82. Respondent also treats defendants and the public in her courtroom in an impatient and unprofessional manner. She publically reprimands individuals, expels them from her courtroom, or places them in holding cells for minor infractions such as whispering.

83. Respondent regularly confiscates all cell phones in her courtroom due to presence of a single displayed or ringing phone.
84. As with attorneys in her courtroom, if an individual speaks up -- claims innocence or attempts to explain his or her conduct -- respondent will threaten the individual with contempt of court and up to three days in jail.
85. Below are some examples of respondent's impatient and unreasonable temperament in response to activity in her courtroom, including cell phone usage:

Cell Phone Usage

86. On October 28, 2010, respondent confiscated all cell phones in the courtroom.
87. On July 20, 2011, respondent confiscated cell phones belonging to two individuals and had the individuals thrown out of the courtroom for using the phones. She also threatened to place the individuals in a holding cell.
88. On August 9, 2011, respondent publically berated a woman in the courtroom because her cell phone rang. Specifically:
- a. On August 9, 2011, respondent was in the process of sentencing a defendant.
 - b. During the plea colloquy, respondent heard a cell phone say "droid."
 - c. Respondent ordered that the phone be confiscated, but either out of fear or because she was unaware that it was her phone making the noise, the woman did not admit ownership of the phone.
 - d. When no one admitted ownership of the offending phone, respondent ordered her bailiffs to confiscate all cell phones in the courtroom.
 - e. As the bailiffs were confiscating phones, the woman's phone said "droid" again, and respondent identified the phone as belonging to the woman.
 - f. The woman began to say that she thought her phone was off, but respondent accused her of lying and ordered her to be placed in the holding cell.

g. The woman attempted to say that she did not know that it was her phone that was ringing; however, respondent would not permit her to speak. Respondent further stated that if the woman said another word, she would hold her in contempt and place her in jail for “three consecutive days” because her conduct in the courtroom was “outrageous.”

89. On March 21, 2013, there were two people in the courtroom who were using their cellular phones; however, the phones did not create a noticeable disruption to courtroom proceedings. Rather than just confiscating the phones that were being used, respondent ordered that every phone in the courtroom be confiscated.
90. The above listed examples are only a sampling of the times when respondent has confiscated either an individual’s or the entire courtroom’s phones.

Novella Black

91. On October 28, 2010, Novella Black was in court on charges of domestic violence and endangering children. (Case No. 2010 CRB 021049.)
92. The public defender’s office was unable to represent Black due to a conflict of interest; therefore, the matter was continued for appointment of counsel.
93. As Black was leaving the courtroom, the doors to the courtroom made an audible noise.
94. Respondent instructed her bailiffs to bring Black back into the courtroom.
95. When Black re-entered, respondent stated that she was holding Black in contempt and placing her in the holding cell.
96. Black asked respondent what she had done, and respondent stated that Black had slammed the doors and was rude to the court.
97. Black stated that she did not slam the doors, but respondent spoke over Black and ordered her bailiffs to take Black into custody. Respondent then ordered Black not to “say another word to this Court before you go to jail for three days.”

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98. Black was taken into custody at approximately 11:43 A.M.
99. At approximately 2:55 P.M. (over three hours later), Black was brought back into the courtroom.
100. Respondent asked Black if there was anything she wanted to say. Black replied that she had nothing to say.
101. Respondent then stated that if Black did not apologize to the court, she would be placed in jail for three days. Respondent "offered" to place Black back in the holding cell to give her time to think about whether she wanted to apologize to the court.
102. At that point, Black abruptly stated, "I apologize to the court."

Charlotte Shutes

103. On September 27, 2011, Charlotte Shutes was in court with her son, who had a case before respondent.
104. Upon entering the courtroom, Shutes was advised to remove her earpiece because respondent permitted absolutely no talking in the courtroom. Shutes did as instructed.
105. At one point, Shutes left the courtroom to pay her son's fine. When she returned, she handed the payment receipt to her son, who said "Thanks" or "Thank You." A few minutes later, Shutes was expelled from the courtroom for talking.
106. Shutes was humiliated by the situation.

Shatauna Moore

107. On November 20, 2012, Shatauna Moore was in court with her attorney, Margaret Walsh, for a probation violation hearing. (Case No. 2012 TRD 007856.)

108. Moore had also been charged with a felony that was set for a pre-trial on the following day, November 21, 2012.
109. Walsh requested a continuance of the probation violation hearing due to the fact that the felony was still pending.
110. In deciding whether or not to grant the continuance, respondent began reviewing Moore's file.
111. Respondent inquired into whether Moore had taken a urinalysis test recently. Moore stated that she had approximately two weeks earlier through Key Decisions Treatment Center.
112. Respondent informed Moore that she needed to take a urinalysis test through the probation department and that she needed to do it before she would grant a continuance of the probation violation hearing.
113. Walsh advised respondent that Moore did not have the \$9 to pay for the urinalysis test that day, but that she could have it the following day.
114. Respondent told Moore that she was not going to place the matter on her docket for tomorrow and that Moore needed to figure out how she was going to pay for the urinalysis test that day.
115. Moore responded by rolling her eyes.
116. At first, respondent stated that if Moore rolled her eyes one more time, she was going to take Moore into custody; however, respondent quickly changed her mind and decided to take Moore into custody immediately for rolling her eyes.

Kenneth Taylor

117. On November 27, 2012, Kenneth Taylor was representing himself pro se against a minor misdemeanor charge of disorderly conduct. (Case No. 2012 CRB 038736.)
118. A few days earlier, Taylor had filed a Motion to Dismiss, which the city had not yet responded to.
119. The case was continued until December 14, 2012 so that the city could respond to the Motion to Dismiss.
120. Taylor calmly stated that he would like to make another Motion to Dismiss because this was his third time in court with no officer present.
121. Respondent replied in a rude and condescending manner:

Sir, let me tell you something. That's what you don't understand. That's why you need to hire an attorney because you don't have a clue as to what you are doing in a courtroom. You filed the motion. The city has a right to respond to the motion. She just got the motion and she's gonna respond. And it's set for a hearing December 14 at 2:00 P.M. Is there anything else?

122. When Taylor attempted to address another motion that he had filed, respondent requested that Taylor be escorted to the elevator. As Taylor was leaving, respondent instructed her bailiff to bring Taylor back into the courtroom to go to the workhouse if he does "anything out of line" or if he "says another word."

Jamese Johnson, Jasmine Edwards, and Lisa Barbee

123. On March 5, 2013, Jamese Johnson was in respondent's courtroom on a charge of Petty Theft. She was accompanied by her mother-in-law, Lisa Barbee. (Case No. 2011 CRB 043197.)

124. On the same day, Jasmine Edwards was also in respondent's courtroom on charges of Driving Under Suspension, Driving while Under the Influence of Alcohol or Drugs, and other charges that were eventually dismissed. (Case Nos. 2011 TRC 002970 and 2012 TRD 068011.)
125. Johnson and Edwards did not know each other; however, while waiting for their respective cases to be called, Johnson (and Barbee) and Edwards sat in the same row.
126. At approximately 11:45 A.M., Johnson caught her hair in the zipper of a piece of clothing that she was wearing. Johnson reacted by saying "Ouch," "F—k," or something similar to express the momentary pain caused by getting her hair caught in the zipper.
127. Respondent heard Johnson's expression, but attributed it to Edwards. Without requesting any further information, such as a name or an explanation, respondent ordered her bailiff to place Edwards in the holding cell.
128. At that point, Johnson spoke up and stated that she was the one who had said something, not Edwards. Respondent then ordered her bailiff to place Edwards and Johnson in the holding cell.
129. As the bailiff approached, Barbee stated that Edwards and Johnson had done nothing wrong. At that point, respondent ordered "all three" (Edwards, Johnson, and Barbee) to be placed in the holding cell.
130. Edwards and Johnson were in the holding cell for approximately 30 minutes to an hour, and Barbee was in the holding cell for 15-20 minutes longer than them.
131. During the above events, Attorney Ian Friedman was present. Although closer in physical proximity to Johnson, Edwards, and Barbee than respondent, he did not hear any

- discussion or disruptive behavior from them prior to respondent ordering her bailiff to place Edwards in the holding cell.
132. Attorney Bryan Ramsey was also present during the above events. He heard some type of audible noise shortly before respondent ordered Edwards to be placed in the holding cell; however, the noise was not disruptive to court proceedings.
133. Respondent's conduct as outlined above violates the Ohio Code of Judicial Conduct and the Ohio Rules of Professional Conduct, specifically Jud. R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Jud. R. 2.6 (a judge shall accord to every person who has a legal interest in a proceeding the right to be heard according to the law); Jud. R. 2.8 (a judge shall be patient, dignified, and courteous to litigants, jurors, witnesses, lawyers, court staff, court officials, and others with whom the judge deals in an official capacity); and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Five – Abuse of Constitutional Freedoms

134. Relator incorporates Paragraphs 1 through 133.
135. Respondent requires all individuals entering her courtroom, including family and friends of defendants, to sign in and provide information as to why they are in the courtroom. At times, respondent has also prohibited individuals from leaving her courtroom, even if it is to use the restroom.
136. These practices inhibit the free flow of individuals from a public courtroom and may even impact an individual's ability or willingness to attend a public proceeding.

137. As discussed further in Count Six, respondent oversees the court's Project Hope docket. When respondent conducts these dockets, they oftentimes have a religious overtone. For example, during past Project Hope compliance hearings, respondent has had an individual standing by her side on the bench that served as her "religious adviser." On at least one occasion, a member of respondent's church presented Project Hope participants with a scarf that had a cross on it and blessed each participant as they received the scarf.
138. Respondent regularly prohibits or inhibits the right of defendants to represent themselves pro se. Respondent will question defendants about their choice to represent themselves and imply that they may be sentenced to a longer jail sentence or larger fine if they do not obtain counsel. In at least one case, respondent told a pro se defendant that he had to be represented by counsel in her courtroom. Below are some of the most offensive examples of instances where respondent has required or implied that a defendant needs to be represented by counsel.

Carolyn Massengale-Hasan

139. On January 20, 2011, Carolyn Massengale-Hasan was in court on a License Required to Operate, Seat Belt, and Expired Sticker charges. (Case No. 2010 TRD 077438.)
140. Massengale-Hasan informed respondent that she was not represented by counsel.
141. Respondent asked Massengale-Hasan what she intended to do about her legal counsel in a case that carried a maximum fine of up to six months in jail and a \$1,000 fine.
142. Massengale-Hasan asked respondent whether she was permitted to ask a question.
143. Respondent would not permit Massengale-Hasan to ask a question until Massengale-Hasan had answered respondent's previous question about legal counsel.

144. Massengale-Hasan again informed respondent that she did not have legal counsel, so respondent continued the matter until January 21, 2011.
145. Massengale-Hasan informed respondent that she had school on the 21st, to which respondent stated that that was Massengale-Hasan's problem. Respondent stated that Massengale-Hasan had to be in court on the 21st or a capias would be issued for her arrest.
146. When Massengale-Hasan attempted to speak, respondent threatened to hold Massengale-Hasan in contempt of court. Respondent then had Massengale-Hasan escorted out of the courtroom so that she would not "slam doors or act up in this courtroom."
147. Massengale-Hasan returned to respondent's courtroom on January 21, 2011 with counsel that she retained in the hallway just prior to entering the courtroom. She pled no contest to the License Required to Operate charge, and the remainder of the charges were dismissed.

Dezi Walker

148. On March 2, 2011, Walker appeared in court on a traffic control violation (running a red light); however, the matter had been charged as a 3rd degree misdemeanor. (Case No. 2011 TRD 007301.)
149. Walker appeared in court without counsel. He informed respondent that he had spoken to the public defender's office, but that they would not represent him.
150. The public defender assigned to respondent's courtroom then informed respondent that Walker did not qualify for assistance.
151. Respondent informed Walker that he had "options," but the only option she gave him was to continue his case to obtain counsel.

152. Walker attempt to make a motion to dismiss because the officer was not present; however, respondent informed Walker that the matter was not set for trial and that since it was a 3rd degree misdemeanor carrying up to a \$500 fine and 60 days in jail, he needed to discuss the matter with an attorney.
153. Respondent continued the matter until March 29, 2011.
154. On March 29, 2011, Walker appeared without counsel. Although he still did not qualify for assistance, the public defender assigned to respondent's courtroom agreed to assist Walker if he wanted to resolve the matter that day. The public defender informed Walker that the prosecutor would probably reduce the charge to a 4th degree misdemeanor, but Walker stated that he was not guilty.
155. Respondent continued the matter until April 13, 2011 at 9:00 A.M. and advised Walker that he had to retain counsel and that his counsel had to be present on April 13, 2011.
156. Although Walker's case was scheduled for 9:00 A.M. on April 13, 2011, it was not called until 5:40 P.M. after the public defender had left for the day. Since Walker did not have retained counsel with him, respondent inquired into whether he wanted the matter continued so that he could be represented by the public defender.
157. Walker stated that he did not want a continuance and that he wanted the matter set for trial. Respondent stated that Walker needed the public defender's office to make that determination for him, but since the public defender was no longer there, she was continuing the matter until the following day.
158. Walker informed respondent that he could not appear the following day, so respondent arbitrarily set the matter for April 18, 2011. When Walker attempted to question respondent about why his case kept getting continued, respondent stated that she was not

going to "argue" with him. As Walker continued to talk, respondent threatened him with contempt and time in the holding cell the next time he appeared in court.

159. Walker failed to appear for his pre-trial on April 18, 2011.
160. The matter came before respondent again on June 29, 2011 at which time the prosecutor dismissed the charges because they had been incorrectly charged as a 3rd degree misdemeanor rather than a minor misdemeanor and the time for bringing the matter to trial had passed.

Fernado Taylor

161. On May 25, 2011, Fernando Taylor was in court on a charge of Tow Truck/City License. (Case No. 2011 CRB 015357.)
162. Taylor was not represented by counsel, nor did he want a continuance to seek legal counsel.
163. Respondent would not allow Taylor to proceed with his case and stated that "in this courtroom, you need to be represented by an attorney."
164. Respondent then told Taylor to "sit down" and "think about this." She then mumbled under her breath, "this is outrageous."
165. While Taylor was waiting for his case to be recalled, a bailiff in the courtroom informed Taylor that the only way he was going to be able to resolve his case is if he retained counsel.
166. When Taylor's case was recalled, he stated that he would obtain an attorney, which he subsequently did.
167. Respondent's conduct as outlined above violates the Ohio Code of Judicial Conduct, specifically Canon 1 (a judge shall uphold the independence and integrity of the

judiciary) and Jud R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Canon 2 (A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary) and Jud. R. 2.2 (A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially); and DR 1-102(A)(5) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice) and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice).

Count Six – Abusive Legal Errors

168. Relator incorporates Paragraphs 1 through 167.
169. Respondent regularly coerces pleas from defendants by implying that they will receive a harsher sentence if they go to trial or by treating defendants in a frustrated and impatient manner until they enter a plea to the charges.
170. Respondent regularly solicits information from defendants about their mental health status and/or drug and alcohol use even when it has no reasonable relationship to the charges against the defendant. Oftentimes, respondent will reveal this information in open court, i.e. reading from psychiatric reports, thus publically revealing personal and confidential information about defendants and making defendants very uncomfortable in the courtroom.

Hasty Decisions

171. Respondent uses information learned from defendants about their mental health status and/or drug and alcohol use to make hasty and unwarranted decisions about the defendants and/or about conditions for probation. For example:

James Luster

172. On January 31, 2002, James Luster appeared before respondent with his attorney, Margaret Walsh, for sentencing on a License Required to Operate Charge. (Case No. 2001 TRD 108484.)
173. Luster had previously been in court on January 7, 2002 and January 30, 2002 for sentencing; however both times, Luster's sentencing had been continued.
174. On January 31, 2002, respondent sentenced Luster to 180 days in jail, with 150 days suspended, an alcohol assessment, and substance abuse counseling. She also fined Luster \$100.
175. Following the sentencing order, Walsh challenged the court's imposition of an alcohol assessment and substance abuse counseling because they were not reasonably related to the charge against Luster. Walsh also requested that Luster be given credit for time served for the two days that Luster spent in respondent's courtroom waiting for his sentencing hearing.
176. Respondent denied Walsh's request and instead decided to suspend only 120 days of Luster's sentence thereby doubling Luster's actual time in jail to 60 days.
177. On February 15, 2002, Luster filed a Notice of Appeal with the Eighth District Court of Appeals.
178. On March 15, 2002, respondent suspended all fines against Luster and gave him credit for the 34 days of jail time that he had already served. She suspended the remaining 146 days of Luster's sentence.
179. On November 27, 2002, the Court of Appeals dismissed Luster's appeal as moot because Luster had already served his time in jail; however, the court noted that "a trial court

abuses its discretion when it imposes a sentence based upon the conduct of the defense attorney.”

Gabriel Matthew

180. See Paragraphs 30 through 38 of Count Two for facts regarding Gabriel Matthew.

Daniel O'Reilly

181. On June 3, 2009, Daniel O'Reilly appeared before respondent on charges of aggravated trespass and aggravated menacing. (Case No. 2009 CRB 014228.) He was not represented by counsel.
182. O'Reilly politely asked respondent for permission to say something on his own behalf, but respondent would not permit him to speak without legal counsel present. At that point, Attorney David Eidenmiller (public defender) agreed to assist O'Reilly with his case.
183. O'Reilly's file indicated that O'Reilly had some kind of mental illness. Accordingly, respondent asked O'Reilly whether he was taking his medication.
184. O'Reilly responded that he was not taking his medication and that he had not taken his medication for over 30 days due to a number of reasons involving Medicare, Social Security, etc.
185. Respondent then requested a sidebar on the record; however, halfway through the sidebar, respondent muted all microphones in the courtroom.
186. During the sidebar, O'Reilly agreed to speak with Jerome Saunders, a court psychiatric employee, regarding his mental health condition and lack of medication.
187. Thereafter, O'Reilly met with Saunders.

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188. O'Reilly's case was recalled approximately two hours later.
189. When the case was recalled, respondent asked Saunders to place his findings on the record as to whether O'Reilly was suicidal, homicidal, or needed emergency psychiatric hospitalization.
190. Saunders testified that O'Reilly was not suicidal or homicidal and that he did not require emergency psychiatric hospitalization. Saunders stated, however, that O'Reilly needed to obtain and take his medication.
191. Based on Saunder's testimony, respondent continued the matter until June 9, 2009 (six days later). She allowed O'Reilly's personal bond to remain in effect on condition that he not go to Tower City Mall, not have any contact with his alleged victim, and go immediately to Lakewood Hospital to obtain his medication. O'Reilly confirmed that he understood the court's orders and that he would abide by them.
192. As everyone was preparing to leave the courtroom or move on to the next case, respondent told Saunders that O'Reilly takes four Tylenol PM per night, which was against the dosage recommendation on the box.
193. Saunders stated that O'Reilly had not told him this information during their conversation, but that he still believed that O'Reilly was willing and able to obtain his medication as previously indicated.
194. Respondent then commented that if O'Reilly overdoses on the Tylenol PM, it will be "on all our consciences for the rest of our lives."
195. Respondent then ordered that O'Reilly appear in her courtroom on June 4, 2009, rather than June 9, 2009, with proof that he had gone to Lakewood Hospital to obtain his medication.

196. Thereafter, respondent changed her mind again because she did not have "peace" with the situation.
197. Respondent ordered O'Reilly to be taken into custody immediately and transported to St. Vincent's Charity Hospital. She stated that "it is not going to be on my conscience. It is not going to be on my conscience." She then continued O'Reilly's case until June 5, 2009. (Emphasis added.)
198. On June 5, 2009, O'Reilly appeared in court with Attorney Eidenmiller.
199. Eidenmiller informed the court that O'Reilly had been seen by the court's psychiatric clinic and by St. Vincent's, and both had released him without providing him with any medications.
200. Based on this information, respondent initially stated that she was not going to release O'Reilly from custody because she believed that he was a harm to himself and others. She stated, "If I don't have peace, he won't be released."
201. However, respondent later changed her mind and gave O'Reilly a personal bond on condition that he obtain his medication immediately.

Melvin Cary

202. On December 21, 2010, Melvin Cary was in court with his counsel, Thomas Kraus. (Case No. 2010 TRD 064130.)
203. Cary pled no contest to the two charges against him – Driving Under Suspension and Full Time and Attention. The matter was referred to the probation department for a pre-sentencing report and was continued until January 19, 2011.
204. On January 19, 2011, Cary appeared with Kraus for sentencing. The pre-sentencing report indicated that this was Cary's 12th conviction for driving under suspension and that

he had last used alcohol and marijuana in early December 2010. There was no information suggesting that Cary's alcohol or marijuana usage was connected to the pending charge.

205. Based on this information, respondent sentenced Cary to 180 days in jail and placed him on two years of active probation with random drug and alcohol screening. Respondent set the matter for a mitigation hearing on February 24, 2011; however, it was later continued until March 8, 2011.
206. On March 8, 2011, Cary appeared with Kraus for a mitigation hearing.
207. During this hearing, respondent expressed concerns with Cary's marijuana and alcohol use and stated that it was a "huge risk" to release Cary into the public.
208. She stated that if she released him from custody, she was considering placing him on house arrest and/or requiring him to wear a continuous alcohol monitoring device.
209. The matter was continued until March 9, 2011 in order to obtain details, i.e. cost about the continuous alcohol monitoring device.
210. On March 9, 2011, respondent suspended the remainder of Cary's sentence on condition that he complete outpatient treatment and wear a continuous alcohol monitoring device.
211. Thereafter, a continuous alcohol monitoring device was placed on Cary, which he wore until August 4, 2011.

Denise Pederson

212. On August 29, 2011, Denise Pederson was in court on an open container charge. Pederson was represented by counsel. (Case No. 2011 CRB 029832.)
213. Pederson pled no contest to the charge and was sentenced to a \$20 fine, which was to be paid within the next 24 hours.

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214. Pederson informed respondent that she was unable to pay the fine within 24 hours because she was on disability and would not receive her next disability check until September 3, 2011.
215. Respondent asked Pederson what her disability was. Pederson stated that she was schizophrenic, but that she was not required to take medication.
216. Based on this information, respondent placed Pederson on one year of active probation and referred her to the court's psychiatric clinic.
217. At that point, Pederson's attorney stated that it might be best if Pederson withdrew her no contest plea.
218. Respondent stated that she would allow Pederson to withdraw her no contest plea; however, she was still referring Pederson to the court psychiatric clinic because Pederson needed to be evaluated.
219. Pederson was then taken into custody.

Burdensome Conditions

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220. Respondent also places unduly burdensome conditions on individuals charged with other offenses including, but not limited to solicitation.

Project Hope

221. Project Hope is a time-intensive specialized docket for defendants, primarily women, who are on probation from soliciting offenses. Each month, Project Hope participants are required to attend monthly compliance meetings.
222. Respondent oversees the Project Hope docket.

223. When Project Hope was reviewed in 2011 by Cleveland State University Professors Dana J. Hubbard and Wendy C. Regoeczi as part of comprehensive review of eight court programs for effectiveness and efficiency, the following observations were made:

- a. There are no clear goals for the program. For example, the program was initially designed for women convicted of solicitation, but at the time of the review, the caseload consisted of 19 cases including five "johns," one male solicitor, and one woman convicted of open container and disorderly offenses.
- b. Motivational speakers are brought in every month to speak to Project Hope participants; however, the speakers are not likely to have any effect on recidivism rates.
- c. There is no incentive for participants who do well in the program to continue doing well, i.e. graduated meeting attendance. Participants are required to attend monthly compliance meetings regardless of the circumstances, and they know that if they do not attend for any reason or if they say something "wrong" at the compliance meeting, they will be sentenced to jail. At the time of the review, most of the participants expressed concern that they would never complete the Project Hope docket because their cases were constantly being continued so that another assessment could be performed, another social service agency could be contacted, or more information could be obtained.
- d. Respondent publically criticizes the Project Hope probation officer in front of the participants. This creates confusion for the participants regarding whom they should trust or listen to.
- e. Respondent has no respect for the participants' time. Project Hope participants are often required to be in the courtroom by 9:00 A.M., but the docket will not start until 10:30 A.M. or 11:00 A.M. It then takes respondent the whole day to complete the docket. Many participants have stated that they are fearful of leaving the courtroom to make a phone call or go to the bathroom because they are afraid that respondent will sentence them to jail. Many participants have also reported having problems with employers, child care, or other commitments due to Project Hope compliance meetings.

224. On one occasion, a Project Hope participant filed a motion requesting that her jail sentence be ordered into execution so that she could cease attendance at the monthly Project Hope compliance meetings.

- a. On November 17, 2009, Sharon Lawson-Dennis appeared before respondent on two charges of public intoxication, two charges of having an open

container, one charge of hitchhiking, and one charge of entering or leaving a moving vehicle. In exchange for Lawson-Dennis's no contest plea to one charge of public intoxication, one charge of having an open container, and the charge of entering or leaving a motor vehicle, the remaining charges against Lawson-Dennis were dismissed. Case Nos. 2009 CRB 036688, 2009 TRD 032231, 2009 CRB 015822, and 2008 TRD 003752.)

- b. Respondent sentenced Lawson-Dennis to 30 days in jail, but gave her credit for eight days of time served. Respondent suspended the remaining 22 days of Lawson-Dennis's sentence and placed her on two-years of active probation through Project Hope even though Lawson-Dennis had not been charged with any solicitation offenses.
- c. Between November 17, 2009 and April 25, 2011, Lawson-Dennis attended at least 14 Project Hope compliance meetings. She was also required to meet with her probation officer at least once a month, complete regular urinalysis screens, undergo a psychiatric evaluation, attend grief counseling, and submit herself for a vocational skills assessment.
- d. At the April 25, 2011 compliance meeting, another Project Hope participant brought pictures of her child to share. Lawson-Dennis began crying because her daughter had recently passed away. Respondent instructed Lawson-Dennis to leave the courtroom until she could control herself. As she was leaving the courtroom, Lawson-Dennis pushed the door of the courtroom too hard and it slammed shut. Respondent had Lawson-Dennis brought back into the courtroom whereupon respondent proceeded to hold her in contempt and order the full 22 days of her sentence into execution. Lawson-Dennis was held in custody for three days until April 28, 2011.
- e. On April 28, 2011, Lawson-Dennis was brought back before respondent on a Motion to Mitigate her sentence. Respondent granted the Motion to Mitigate and released Lawson-Dennis from custody; however, she refused to release Lawson-Dennis from active probation as requested.
- f. Lawson-Dennis attended Project Hope compliance meetings in May of 2011 and June 2011.
- g. On July 14, 2011, Lawson-Dennis, through her attorney, James C. Young, filed a motion to terminate her probation early. In the alternative, Lawson-Dennis requested that the remainder of her jail sentence be ordered into execution so that she would not have to attend any further Project Hope compliance meetings.
- h. On August 22, 2011, a hearing was held on Lawson-Dennis's motion. At that time, Lawson-Dennis withdrew her motion upon realizing that she only had two months left of active probation.

225. In their June 2011 final report regarding court programs and efficiency, Hubbard and Regoeczi recommended that Project Hope be suspended, revamped, and/or handled by another judge.

226. On June 9, 2011, Chief Probation Officer Jerry Krakowski submitted a proposed list of Project Hope guidelines to respondent for her review and approval. These guidelines included but were not limited to the following:

- a. Only persons charged with or convicted of solicitation will be assigned to Project Hope;
- b. "Johns" or buyers of prostitution will not assigned to Project Hope;
- c. The probation officer will determine what services will best assist the defendants; however, it will be mandatory for Project Hope participants to complete a substance abuse assessment, weekly urinalysis testing, HIV and STD education classes, and educational or vocational training;
- d. The probation officer will determine if it is necessary for Project Hope participants to attend monthly compliance meetings with the caveat that all Project Hope participants will attend at least one compliance meeting before successful completion of the program;
- e. Project Hope participants will be required to complete all recommended treatment plans and programs; and
- f. The judge shall be notified of all positive drug screens and if the participant may be in danger or a danger to themselves.

227. Respondent never contacted Krakowski regarding these recommendations, nor did she take any formal steps to implement the recommendations.

Bobbi Williams

228. Bobbi Williams was charged with a 1st degree misdemeanor of Allowing Another to Operate a Motor Vehicle without the Legal Right to Do So. Williams was represented by counsel. (Case No. 2013 TRD 004239.)

229. Williams' boyfriend, Freddie Johnson, had operated the vehicle, and he had also been charged with various misdemeanors, including but not limited to, License Required to Operate.
230. Johnson appeared in court on February 14, 2013 and pled not guilty to the charges against him. A subsequent court date was set for February 19, 2013; however, Johnson failed to appear. Accordingly, a capias was issued for Johnson.
231. On February 21, 2013, Williams appeared in court and pled no contest to the misdemeanor charge against her. During the sentencing portion of Williams' case, respondent became aware that a capias had been issued for Johnson.
232. Respondent refused to continue sentencing Williams until Johnson appeared.
233. Respondent stated "It's her boyfriend. She can make sure that he comes into this courtroom, or I can impose the jail time that I believe is appropriate today." (Emphasis added.)
234. Williams' attorney tried to inform respondent that Williams could not make her boyfriend appear. In a very irritated manner, respondent then proceeded to sentence Williams to two days in jail and a \$100 fine.

Bond Increases

235. Respondent increases bonds for defendants who request a trial. For example:
- a. On June 30, 2009, Maurice Tucker appeared before respondent on two charges – a recent Driving Under Suspension (DUS) charge and a 2008 minor misdemeanor traffic charge for which a capias had been issued. (Case Nos. 2008 TRD 052369 and 2009 TRD 040682.)
 - b. Tucker was represented by Attorney David Eidenmiller.
 - c. Tucker had a \$1,500 bond on the DUS charge and a personal bond on the traffic charge.

- d. Eidenmiller informed the court that Tucker wished to enter a no contest plea to the traffic charge, but that he wanted a continuance on the DUS charge.
- e. Respondent accepted this proposal, but rather than granting a continuance, she set the matter for trial. She also inquired into whether Tucker would be able to pay the \$1,500 bond on the DUS charge.
- f. As the parties were trying to pick a trial date, Eidenmiller requested that the trial be for both the DUS charge and the 2008 traffic charge.
- g. Respondent stated that she was fine with Tucker withdrawing his no contest plea on the 2008 traffic violation, but that if he wanted a trial on the 2008 traffic violations, she was going to increase the bond on the DUS charge because Tucker "doesn't come to court" on the traffic charge.
- h. Respondent further stated that "when we set bonds, we take everything into consideration, and this is a gentlemen that does not come back to court." She specifically noted, however, that she did not want to set a bond on a minor misdemeanor case.
- i. At the time that respondent initially set the \$1,500 bond, she had all the same information available to her as when she decided to increase the bond. The only difference was that Tucker had requested a trial.

Improper Revocation

236. On at least one occasion, respondent improperly revoked a defendant's probation due to what she perceived to be rude and disrespectful conduct to the court.
- a. On March 8, 2012, Angela Beckwith pled no contest to a charge of solicitation. (Case No. 2012 CRB 002544.)
 - b. She was sentenced to 180 days in jail with all 180 days suspended and a \$200 fine. She was also placed on two years of active probation with an order that she complete the court's Project Hope Program.
 - c. On December 17, 2012, Beckwith was in court for a Project Hope compliance meeting. Late in the afternoon, Beckwith's case was called. Beckwith was presented with a Certificate of Achievement and some gifts from local donors.
 - d. As Beckwith was leaving the courtroom, the door slammed because Beckwith's hands were full. Respondent asked her bailiffs to bring Beckwith

back into the courtroom whereupon respondent informed Beckwith that she was being held in contempt.

e. Respondent then ordered the full 180 days of Beckwith's sentence into execution without affording Beckwith any due process or conducting a proper contempt hearing.

f. Respondent set the matter for a mitigation hearing on December 19, 2012 at which time respondent ordered Beckwith to be held in custody for five additional days.

g. Respondent suspended the remaining 172 days of Beckwith's sentence.

237. As noted in previous counts, individuals (prosecutors, defense counsel, and defendants) are not permitted to question respondent's rulings or decisions without being threatened with contempt.

238. Respondent's conduct as outlined above violates the Ohio Code of Judicial Conduct and the Ohio Rules of Professional Conduct specifically Canon 1 (a judge shall uphold the independence and integrity of the judiciary) and Jud R. 1.2 (a judge shall act at all times in a manner that promotes public confidence in the independence, integrity, and impartiality of the judiciary); Canon 2 (A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary) and Jud. R. 2.2 (A judge shall uphold and apply the law, and shall perform all duties of judicial office fairly and impartially); DR 1-102(A)(5) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice) and Prof. Cond. R. 8.4(d) (a lawyer shall not engage in conduct that is prejudicial to the administration of justice); and DR 1-102(A)(6) (a lawyer shall not engage in any other conduct that adversely reflects on the lawyer's fitness to practice law) and Prof. Cond. R. 8.4(h) (a lawyer shall not engage in conduct that adversely reflects on the lawyer's fitness to practice law).

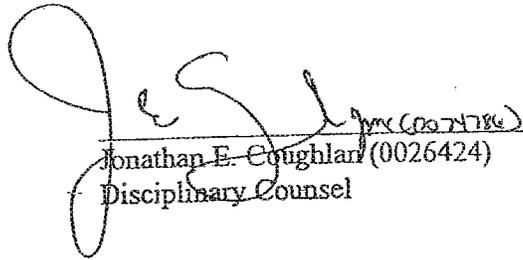
Count Seven – Request for Mental Health Evaluation

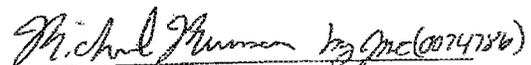
239. Relator incorporates Paragraphs 1 through 238.
240. As alleged in the counts above, it is clear that for the past several years respondent:
- a. Has been unable to efficiently run a courtroom;
 - b. Perceives problems where there are none;
 - c. Engages in unprofessional conduct, including needless shouting matches with prosecutors, defense counsel, court employees, and the public; and
 - d. Views comments/questions about her decisions or actions as a personal attack on her and the integrity of the court.
241. From a global perspective, respondent's behavior has negatively impacted every component of the criminal justice system that she has come into contact with as a judicial officer including prosecutors, public defenders, security bailiffs, personal bailiffs, court reporters, psychiatric clinic employees, probation officers, defendants, and the public – and has led to the adoption of several court-wide rules or departmental policy changes in order to accommodate respondent's unwarranted use of court resources and constantly changing expectations.
242. Despite these accommodations, respondent has been unable or unwilling to recognize that most, if not all, of the problems in her courtroom are the result of her own actions. Rather than accepting responsibility for her conduct and working towards a resolution, respondent persists in blaming others for the problems in her courtroom.
243. Based upon the above facts and allegations, relator believes that respondent may be suffering from a mental illness that substantially impairs her ability to perform her duties as a judicial officer. In accordance with Gov. Bar R. V (7)(C), relator requests that the Board of Commissioners on Grievances and Discipline or the hearing panel assigned to

this case order a psychiatric examination of respondent by one or more physicians designated by the Board or hearing panel.

CONCLUSION

Wherefore, pursuant to Gov. Bar R. V, the Ohio Code of Judicial Conduct, and the Ohio Rules of Professional Conduct, relator alleges that respondent is chargeable with misconduct; therefore, relator requests that respondent be disciplined pursuant to Rule V of the Rules of the Government of the Bar of Ohio.

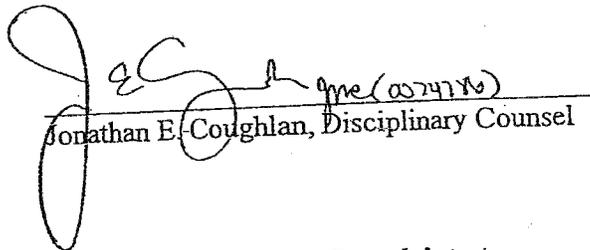

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CERTIFICATE

The undersigned, Jonathan E. Coughlan, Disciplinary Counsel, of the Office of Disciplinary Counsel of the Supreme Court of Ohio hereby certifies that Michael E. Murman is duly authorized to represent relator in the premises and has accepted the responsibility of prosecuting the complaint to its conclusion. After investigation, relator believes reasonable cause exists to warrant a hearing on such complaint.

Dated: September 25, 2013


Jonathan E. Coughlan, Disciplinary Counsel

Gov. Bar R. V, § 4(I) Requirements for Filing a Complaint.

(1) Definition. "Complaint" means a formal written allegation of misconduct or mental illness of a person designated as the respondent.

* * *

(7) Complaint Filed by Certified Grievance Committee. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by a Certified Grievance Committee shall be filed in the name of the committee as relator. The complaint shall not be accepted for filing unless signed by one or more attorneys admitted to the practice of law in Ohio, who shall be counsel for the relator. The complaint shall be accompanied by a written certification, signed by the president, secretary, or chair of the Certified Grievance Committee, that the counsel are authorized to represent the relator in the action and have accepted the responsibility of prosecuting the complaint to conclusion. The certification shall constitute the authorization of the counsel to represent the relator in the action as fully and completely as if designated and appointed by order of the Supreme Court with all the privileges and immunities of an officer of the Supreme Court. The complaint also may be signed by the grievant.

(8) Complaint Filed by Disciplinary Counsel. Six copies of all complaints shall be filed with the Secretary of the Board. Complaints filed by the Disciplinary Counsel shall be filed in the name of the Disciplinary Counsel as relator.

(9) Service. Upon the filing of a complaint with the Secretary of the Board, the relator shall forward a copy of the complaint to the Disciplinary Counsel, the Certified Grievance Committee of the Ohio State Bar Association, the local bar association, and any Certified Grievance Committee serving the county or counties in which the respondent resides and maintains an office and for the county from which the complaint arose.

EXHIBIT 8



CLEVELAND MUNICIPAL COURT
1288 Ontario Street, Cleveland, Ohio 44113

General Inquiry



New Search...

- Summary
- Parties
- Events
- Dockets
- Disposition
- Costs

Docket Search

2013 TRC 039690 STATE OF OHIO / CITY OF CLEVELAND -VS- COLLINS, CARL A RBA

Search Criteria

Docket Desc. ALL

Begin Date

End Date

Sort

- Ascending
- Descending

Search

Search Results First 100 of result set displayed, Please limit search criteria.

Docket Date	Docket Text	Amount Due	Amount Due	Images
09/29/2014	MOTION FILED BY DEFENDANT MOTION TO REMOVE THE LISTING OF AN ADMINSTRATIVE SUSPENSION FROM THE DEFS. PERMANENT DRIVNG RECORD	5.00	5.00	
07/28/2014	CASE IS DISMISSED FOR WANT OF PROSECUTION. THE DEFENDANT IS HEREBY DISCHARGED AS TO THIS CASE. Charge #1: DRIV UNDER INFLUENCE ALC/DRUG OR COMBINATION OF THEM	0.00	0.00	
07/28/2014	CASE IS DISMISSED FOR WANT OF PROSECUTION. THE DEFENDANT IS HEREBY DISCHARGED AS TO THIS CASE. Charge #2: DRIV UNDER INFLUENCE ALC/DRUG;	0.00	0.00	
07/28/2014	CASE IS DISMISSED FOR WANT OF PROSECUTION. THE DEFENDANT IS HEREBY DISCHARGED AS TO THIS CASE. Charge #3: UNSAFE OPERATION AROUND EMERGENCY VEHICILE	0.00	0.00	
06/30/2014	SET FOR JURY TRIAL AS OF JE DATED 6/18/2014	0.00	0.00	
06/18/2014	ON COURT'S OWN MOTION THIS MATTER IS CONTINUED. The following event: CRIMINAL JURY TRIAL scheduled for 06/18/2014 at 1:30 pm has been resulted	0.00	0.00	

as follows: Result: CONT. AT COURT'S
REQUEST Judge: ADRINE, RONALD B.
Location: 15TH FLOOR COURTROOM A

06/18/2014	HEARING SCHEDULED: Event: CRIMINAL JURY TRIAL Date: 07/23/2014 Time: 1:30 pm Judge: ADRINE, RONALD B. Location: 15TH FLOOR COURTROOM A	0.00	0.00
05/21/2014	HEARING SCHEDULED: Event: CRIMINAL JURY TRIAL Date: 06/18/2014 Time: 1:30 pm Judge: ADRINE, RONALD B. Location: 15TH FLOOR COURTROOM A	0.00	0.00
05/21/2014	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL JURY TRIAL scheduled for 05/21/2014 at 1:30 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: ADRINE, RONALD B. Location: 15TH FLOOR COURTROOM A	10.00	0.00
05/21/2014	SET FOR JURY TRIAL	0.00	0.00
04/30/2014	UNSUCCESSFUL SERVICE Method : (CR) BAILIFF SERVICE Issued : 04/04/2014 Service : SUMMONS ORDERED ISSUED\$\$ Served : 04/30/2014 Return : 04/30/2014 On : COLLINS, CARL A Signed By : Reason : (CR) BAIL SERV RET - MAIL SLOT Comment : Tracking #: G000035528	0.00	0.00
04/04/2014	Issue Date: 04/04/2014 Service: SUMMONS ORDERED ISSUED\$\$ Method: (CR) BAILIFF SERVICE Cost Per: \$ COLLINS, CARL A 12621 WALNUT HILL DR N ROYALTON, OH 44133 Tracking No: G000035528	0.00	0.00
04/04/2014	BY ORDER OF THE COURT, THE CLERK HAS ISSUED A SUMMONS FOR THE DEFENDANT	10.00	0.00
04/04/2014	SUMMARY OF ACTIONS IN COURT: The following event: MOTION HEARING scheduled for 04/04/2014 at 3:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: CRIMINAL JURY TRIAL has been scheduled with ADRINE, RONALD B. on 05/21/2014 from 1:30 pm to 1:30 pm Event Notes:	0.00	0.00
04/04/2014	HEARING SCHEDULED: Event: CRIMINAL JURY TRIAL Date: 05/21/2014 Time: 1:30 pm Judge: ADRINE, RONALD B. Location: 15TH FLOOR COURTROOM A	0.00	0.00
04/04/2014	CONTINUED AT DEFENDANTS REQUEST The following event: MOTION HEARING scheduled for 04/04/2014 at 3:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
04/04/2014	JOURNAL ENTRY NOTE: DEFT TO BE NOTIFIED	0.00	0.00

04/04/2014	HEARING SCHEDULED: Event: MOTION HEARING Date: 04/04/2014 Time: 3:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: CONT. AT DEFENDANT'S REQUEST	0.00	0.00
04/01/2014	SUMMARY OF ACTIONS IN COURT: The following event: MOTION HEARING scheduled for 03/28/2014 at 2:00 pm has been resulted as follows: Result: HEARING HELD - PREVIOUSLY SENTENCED	0.00	0.00
04/01/2014	MOTION TO SUPPRESS DENIED	0.00	0.00
03/28/2014	HEARING SCHEDULED: Event: MOTION HEARING Date: 03/28/2014 Time: 2:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: HEARING HELD - PREVIOUSLY SENTENCED	0.00	0.00
01/23/2014	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 01/22/2014 at 2:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: MOTION HEARING has been scheduled with STOKES, ANGELA R. on 02/07/2014 from 2:00 pm to 2:00 pm Event Notes:	0.00	0.00
01/23/2014	HEARING SCHEDULED: Event: MOTION HEARING Date: 02/07/2014 Time: 2:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
01/23/2014	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 01/22/2014 at 2:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
01/23/2014	JOURNAL ENTRY NOTE: IF NEED THE JURY TRIAL WILLBE HELD ON 2/28/14 AT 9 :00AM	0.00	0.00
01/23/2014	JOURNAL ENTRY NOTE: CASE REFERRED TO THE MAGISTRATES DEPARTMENT FOR LEGAL RESEARCH	0.00	0.00
01/23/2014	JOURNAL ENTRY NOTE: THE COURT'S WRITTEN DECISION REGARDING DEFENDANT 'S MOTION TO SUPPRESS WILL BE ISSUED ON 2/7/14. MR. COLLINS WAIVED HIS APPEARANCE FOR 2/7/14.	0.00	0.00
01/23/2014	CONTINUED AT DEFENDANTS REQUEST 2/7/14 2PM	10.00	0.00
01/10/2014	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 01/09/2014 at 2:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: CRIMINAL PRETRIAL has been scheduled with STOKES, ANGELA R. on	0.00	0.00

01/22/2014 from 2:00 pm to 2:00 pm Event
Notes:

01/10/2014	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 01/22/2014 Time: 2:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
01/10/2014	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 01/09/2014 at 2:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
01/10/2014	FINAL CONTINUANCE GRANTED (MOTION HEARING)	0.00	0.00
01/10/2014	THE DEFENDANT HAS EXECUTED A WRITTEN JURY DEMAND	0.00	0.00
01/10/2014	JOURNAL ENTRY NOTE: DEFENDANT SIGNED HIS JURY DEMAND FORM ON 1/9/2014. DUE TO THE LARGE DOCKET, DEFENDANT AND PROSECUTOR TANUDA DID NOT REVIEW THE CASE WITH EACH OTHER.	0.00	0.00
01/10/2014	JOURNAL ENTRY NOTE: IF NEEDED THE JURY TRIAL WILL BE HELD ON 1/30/2014 AT 9AM.	0.00	0.00
01/10/2014	JOURNAL ENTRY NOTE: THE COURT'S WRITTEN DECISION REGARDING MOTION TO SUPPRESS WILL BE ISSUED ON OR BEFORE 1/22/14. THE TRANSCRIPT OF THE 12/30/13 MOTION TO SUPPRESS HEARING WAS PROVIDED TO THE COURT ON 1/9/2014 AND SUBMITTED TO THE MAGISTATE DEPARTMENT ON 1/10/2014.	0.00	0.00
01/04/2014	CONTINUED AT DEFENDANTS REQUEST The following event: MOTION HEARING scheduled for 12/30/2013 at 2:00 pm has been resulted as follows: Result: CONT. AT DEFENDANTS REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
01/02/2014	MOTION FILED BY DEFENDANT REBUTTAL TO PLAINTIFFS ANSWER TO MOTION TO SUPPRESS	5.00	0.00
12/31/2013	SUMMARY OF ACTIONS IN COURT: Events Added: CRIMINAL PRETRIAL has been scheduled with STOKES, ANGELA R. on 01/09/2014 from 2:00 pm to 2:00 pm Event Notes:	0.00	0.00
12/31/2013	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 01/09/2014 Time: 2:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
12/31/2013	JOURNAL ENTRY NOTE: PLEASE NOTE THAT DEFENDANT'S COPY TO	0.00	0.00

THE COURT/CASE FILE OF HIS REBUTTAL TO THE CITY'S RESPONSE TO DEFENDANT'S MOTION TO SUPPRESS WAS NOT FILED WITH THE CLERK AND IT HAS HIS 5 EXHIBITS ATTACHED WHICH ARE WITH THE COURT REPORTER'S OFFICE.

12/31/2013	JOURNAL ENTRY NOTE: DEFENDANT REPRESENTS HIMSELF ON THIS CASE. CASE REFERRED TO MAGISTRATE'S DEPARTMENT REGARDING MOTION TO SUPPRESS AND LEGAL RESEARCH.	0.00	0.00
12/31/2013	JOURNAL ENTRY NOTE: TRANSCRIPT OF 12/30/13 HEARING WAS ORDERED.	0.00	0.00
12/31/2013	OFFICER PRESENT IN COURT TROOPER JACKSON WAS PRESENT	0.00	0.00
12/31/2013	CONTINUED AT DEFENDANTS REQUEST 1/9/2014 2PM	10.00	0.00
12/16/2013	PROSECUTORS RESPONSE TO DEFENDANTS MOTION FOR DISCOVERY	0.00	0.00
12/14/2013	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 09/17/2013 at 11:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST	0.00	0.00
12/14/2013	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 09/17/2013 at 11:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
12/04/2013	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 12/03/2013 at 3:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: MOTION HEARING has been scheduled with STOKES, ANGELA R. on 12/30/2013 from 2:00 pm to 2:00 pm Event Notes:	0.00	0.00
12/04/2013	HEARING SCHEDULED: Event: MOTION HEARING Date: 12/30/2013 Time: 2:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
12/04/2013	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 12/03/2013 at 3:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
12/04/2013	JOURNAL ENTRY NOTE: PER THE PSYCHIATRIC REPORT DATED DECEMBER 2,2013, DEFENDANT IS COMPETENT TO STAND TRIAL AND ABLE TO REPRESENT HIMSELF AND	0.00	0.00

HE IS NOT ELIGIBLE FOR THE MENTAL HEALTH COURT.

12/04/2013	PROSECUTOR_KINAST _____ WILL SUBPOENA WITNESS	0.00	0.00
12/04/2013	CONTINUED AT DEFENDANTS REQUEST 12/30/13	10.00	0.00
11/22/2013	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 11/20/2013 at 3:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: CRIMINAL PRETRIAL has been scheduled with STOKES, ANGELA R. on 12/03/2013 from 3:00 pm to 3:00 pm Event Notes:	0.00	0.00
11/22/2013	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 12/03/2013 Time: 3:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
11/22/2013	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 11/20/2013 at 3:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
11/22/2013	JOURNAL ENTRY NOTE: DEFENDANT WILL ATTEND HIS 11/25/13 PSYCHIATRIC APPOINTMENT. THE PSYCHIATRIC REPORT WILL BE READY ON 12/03/13.	0.00	0.00
11/22/2013	CONTINUED AT DEFENDANTS REQUEST 12/03/13 3:00 PM	10.00	0.00
11/20/2013	DEFENDANT'S WRITTEN MOTION TO SUPPRESS FILED WITH THE CLERK BY	5.00	0.00
11/20/2013	DEFENDANT'S WRITTEN DEMAND FOR A JURY TRIAL FILED WITH THE CLERK	0.00	0.00
11/08/2013	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 11/07/2013 at 11:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: CRIMINAL PRETRIAL has been scheduled with STOKES, ANGELA R. on 11/20/2013 from 3:00 pm to 3:00 pm Event Notes:	0.00	0.00
11/08/2013	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 11/20/2013 Time: 3:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
11/08/2013	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 11/07/2013 at 11:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge:	10.00	0.00

STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C

11/08/2013	MOTION GRANTED FOR: OF COURT FOR PSYCHIATRIC EVALUATION OF DEFENDANT	0.00	0.00
11/08/2013	JOURNAL ENTRY NOTE: CLINIC REFERRAL PSYCHIATRIC 92945.371 (COMPETENCY TO STAND TRIAL) PLEASE REFER TO ALL INFORMATION ON CLINIC REFERRAL . SEE IN CASE FILE.	0.00	0.00
11/08/2013	JOURNAL ENTRY NOTE: DEFENDANT WILL CONSIDER IN HIRING AN ATTORNEY	0.00	0.00
11/08/2013	CONTINUED AT DEFENDANTS REQUEST 11/20/13 3PM	10.00	0.00
10/24/2013	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 10/23/2013 at 2:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: CRIMINAL PRETRIAL has been scheduled with STOKES, ANGELA R. on 11/07/2013 from 11:00 am to 11:00 am Event Notes:	0.00	0.00
10/24/2013	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 11/07/2013 Time: 11:00 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
10/24/2013	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 10/23/2013 at 2:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
10/24/2013	JOURNAL ENTRY NOTE: DEFENDANT STATED HE WILL CONFER WITH LEGAL COUNSEL TO DETERMINE IF HE WILL HIRE AN ATTORNEY. DEFENDANT DOES NOT MEET THE CRITERIA TO BE REPRESENTED THE PUBLIC DEFENDER'S OFFICE.	0.00	0.00
10/24/2013	CONTINUED AT DEFENDANTS REQUEST 11/7/13 11AM	10.00	0.00
10/17/2013	MOTION/DEMAND FOR DISCOVERY FILED BY DEFENDANT	5.00	0.00
10/08/2013	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 10/08/2013 at 2:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: CRIMINAL PRETRIAL has been scheduled with STOKES, ANGELA R. on 10/23/2013 from 2:00 pm to 2:00 pm Event Notes:	0.00	0.00
10/08/2013	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 10/23/2013 Time: 2:00 pm Judge: STOKES, ANGELA	0.00	0.00

R. Location: 15TH FLOOR COURTROOM
C

10/08/2013	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 10/08/2013 at 2:00 pm has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
10/08/2013	FINAL CONTINUANCE GRANTED	0.00	0.00
10/08/2013	JOURNAL ENTRY NOTE: DEFENDANT WILL RESPOND TO THE CITY'S DISCOVERY REQUEST IN WRITING BY 10/16/13	0.00	0.00
10/08/2013	OFFICER PRESENT IN COURT TROOPER JACKSON WAS PRESENT	0.00	0.00
10/08/2013	CONTINUED AT DEFENDANTS REQUEST 10/23/13 2PM	10.00	0.00
09/18/2013	SUMMARY OF COURT ACTIONS: The following event: CRIMINAL PRETRIAL scheduled for 09/17/2013 at 11:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Events Added: CRIMINAL PRETRIAL has been scheduled with STOKES, ANGELA R. on 10/08/2013 from 2:00 pm to 2:00 pm Event Notes:	0.00	0.00
09/18/2013	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 10/08/2013 Time: 2:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
09/18/2013	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 09/17/2013 at 11:00 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
09/18/2013	JOURNAL ENTRY NOTE: PROSECUTOR LYNN WILL SUBPOENA DISCOVERY TO BE REVIEWED BY PROSECUTOR LYNN AND DEFENDANT	0.00	0.00
09/05/2013	PROSECUTORS RESPONSE TO DEFENDANTS MOTION FOR DISCOVERY	0.00	0.00
09/05/2013	PROSECUTOR'S RESPONSE TO DEFENDANT'S MOTION/DEMAND FOR DISCOVERY.	0.00	0.00
08/16/2013	SUMMARY OF COURT ACTIONS: Events Added: CRIMINAL PRETRIAL has been scheduled with STOKES, ANGELA R. on 09/17/2013 from 11:00 am to 11:00 am Event Notes:	0.00	0.00
08/16/2013	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 09/17/2013 Time: 11:00 am Judge: STOKES,	0.00	0.00

ANGELA R. Location: 15TH FLOOR
COURTROOM C

08/16/2013 JOURNAL ENTRY NOTE: THE JUDGE 0.00 0.00
HAS READ AND EXPLAINED THE
CHARGES AGAINST ME AND I HAVE
HAD MY RIGHTS EXPLAINED TO ME.
THE JUDGE HAS INFORMED ME OF
THE MAXIMUM PENALTIES WHICH
CAN BE IMPOSED IF I PLEAD TO AND
AM CONVICTED OF THE OFFENSES
AS CHARGED--ORC 4511.19A1A 1ST
DEGREE MISD, WHICH CARRIES
FINES UPTO \$1075 AND MANDATORY
MINIMUM FINES \$375.00 AND COURT
COSTS. SEE FORM IN CASE FILE

08/16/2013 SUMMARY OF COURT ACTIONS: The 0.00 0.00
following event: CRIMINAL PRETRIAL
scheduled for 08/09/2013 at 2:00 pm has
been resulted as follows: Result: CONT. AT
DEFENDANT'S REQUEST Events Added:
CRIMINAL PRETRIAL has been
scheduled with STOKES, ANGELA R. on
09/17/2013 from 11:00 am to 11:00 am
Event Notes:

08/16/2013 HEARING SCHEDULED: Event: 0.00 0.00
CRIMINAL PRETRIAL Date: 09/17/2013
Time: 11:00 am Judge: STOKES,
ANGELA R. Location: 15TH FLOOR
COURTROOM C

08/16/2013 CONTINUED AT DEFENDANTS 10.00 0.00
REQUEST The following event:
CRIMINAL PRETRIAL scheduled for
08/09/2013 at 2:00 pm has been resulted as
follows: Result: CONT. AT
DEFENDANT'S REQUEST Judge:
STOKES, ANGELA R. Location: 15TH
FLOOR COURTROOM C

08/16/2013 JOURNAL ENTRY NOTE: ON 8/9/13 0.00 0.00
DEFENDANT REQUESTED A
CONTINUANCE TO 8/14/13 TO DECIDE
WHETHER HE WOULD SEEK LEGAL
COUNSEL

08/16/2013 JOURNAL ENTRY NOTE: ON 8/14/13 0.00 0.00
DEFENDANT SIGNED A WAIVER OF
ATTORNEY FORM.

08/16/2013 COURT ORDERS SUBPOENAS ISSUED 0.00 0.00
TO WITNESSES/COMPLAINANT.
PROSECUTOR LYNN WILL SUBPOENA
WITNESSES

08/16/2013 CONTINUED AT DEFENDANTS 10.00 0.00
REQUEST 9/17/13 11AM

08/14/2013 MOTION FILED - MOTION FOR 5.00 0.00
DISCOVERY

07/30/2013 SUMMARY OF COURT ACTIONS: The 0.00 0.00
following event: CRIMINAL PRETRIAL
scheduled for 07/30/2013 at 8:30 am has
been resulted as follows: Result: CONT. AT
DEFENDANT'S REQUEST Events Added:
CRIMINAL PRETRIAL has been
scheduled with STOKES, ANGELA R. on
08/09/2013 from 2:00 pm to 2:00 pm Event
Notes:

07/30/2013	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 08/09/2013 Time: 2:00 pm Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	0.00	0.00
07/30/2013	CONTINUED AT DEFENDANTS REQUEST The following event: CRIMINAL PRETRIAL scheduled for 07/30/2013 at 8:30 am has been resulted as follows: Result: CONT. AT DEFENDANT'S REQUEST Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C	10.00	0.00
07/30/2013	THE DEFENDANT HAS BEEN ADVISED OF HIS/HER CONSTITUTIONAL RIGHT TO AN ATTORNEY FOR REPRESENTATION ON THIS CASE	0.00	0.00
07/30/2013	JOURNAL ENTRY NOTE: DEFENDANT WILL SEEK LEGAL COUNSEL & GO TO THE PUBLIC DEFENDER'S OFFICE	0.00	0.00
07/15/2013	THE DEFENDANT HAS BEEN ADVISED OF HIS/HER CONSTITUTIONAL RIGHT TO AN ATTORNEY FOR REPRESENTATION ON THIS CASE	0.00	0.00
07/15/2013	HEARING SCHEDULED: Event: CRIMINAL PRETRIAL Date: 07/30/2013 Time: 8:30 am Judge: STOKES, ANGELA R. Location: 15TH FLOOR COURTROOM C Result: CONT. AT DEFENDANT'S REQUEST	0.00	0.00
07/15/2013	CASE ASSIGNED TO THE PERSONAL DOCKET OF: Participant(s): Judge ANGELA R. STOKES	0.00	0.00
07/15/2013	DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #3: APP PUB SAFETY VEHICLE W/CARE	0.00	0.00
07/15/2013	DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #2: DRIV UNDER INFLUENCE ALC/DRUG;	0.00	0.00
07/15/2013	DEFENDANT HAVING BEEN ADVISED OF HIS/HER RIGHTS, ENTERS A PLEA OF NOT GUILTY. Charge #1: DRIV UNDER INFLUENCE ALC/DRUG OR COMBINATION OF THEM	0.00	0.00
07/11/2013	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #3: APP PUB SAFETY VEHICLE W/CARE	0.00	0.00
07/11/2013	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #1: DRIV UNDER INFLUENCE ALC/DRUG OR COMBINATION OF THEM	0.00	0.00
07/11/2013	COMPLAINT HAS BEEN RECEIVED AND IS HEREBY FILED Charge #2: DRIV UNDER INFLUENCE ALC/DRUG;	0.00	0.00
07/11/2013	BASIC COURT COSTS Charge #1: DRIV UNDER INFLUENCE ALC/DRUG OR COMBINATION OF THEM	141.00	0.00

07/11/2013 HEARING SCHEDULED: Event:	0.00	0.00
TRAFFIC ARRAIGNMENT		
(AFTERNOON) Date: 07/15/2013 Time:		
1:30 pm Judge: CRIMINAL,		
JUDGE/MAGISTRATE Location: 3RD		
FLOOR COURTROOM B		
01/01/1900 BACK FILED IMAGES		0.00

EXHIBIT 9

BEFORE THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

In re: Complaint against: (CASE NO.: 2013-057
(
Judge Angela Rochelle Stokes ((
(0025650), ((
Respondent (ANSWER OF RESPONDENT TO
(RELATOR'S FIRST AMENDED
(COMPLAINT
Disciplinary Counsel ((
(
Relator (

Respondent The Honorable Angela Rochelle Stokes for her Answer to the First Amended Complaint and Certificate of Relator, Disciplinary Counsel, states as follows.

Respondent re-alleges and incorporates herein her answers, denials, and affirmative defenses contained in her Answer of Respondent to Relator's Complaint and Certificate filed on February 2, 2014.

By way of a general denial, Respondent denies and objects to the characterization of the paragraphs contained within Counts I through VIII of the First Amended Complaint (paragraphs 1 -- 344) as being argumentative and not supported by the paragraphs related to the titles of those counts. Further, Respondent answers as follows:

244. Respondent admits the allegations contained in Paragraph 244 of the First Amended Complaint.

245. Respondent admits the allegations contained in Paragraph 245 of the First Amended Complaint.

246. Respondent admits the allegations contained in Paragraph 246 of the First Amended Complaint.

247. Respondent admits the allegations contained in Paragraph 247 of the First Amended Complaint.

248. Respondent states that as a part of imposing the sentence concerning Jamie Barlay-Soto, Respondent addressed certain issues relating to Ms. Barlay-Soto's sentence, such as a time-to-pay date and driving privileges, and discussed journalizing the sentence, and denies each and every remaining allegation in Paragraph 248 not expressly admitted herein.

249. Respondent admits the allegations contained in Paragraph 249 of the First Amended Complaint.

250. Respondent admits the factual allegations contained in Paragraph 250 of the First Amended Complaint. Respondent denies the characterization of these factual allegations contained in this paragraph.

251. Respondent admits the allegations contained in Paragraph 251 of the First Amended Complaint.

252. Respondent admits the allegations contained in Paragraph 252 of the First Amended Complaint.

253. Respondent admits the allegations contained in Paragraph 253 of the First Amended Complaint.

254. Respondent states that she sentenced Ms. Barlay-Soto to a one-day jail sentence based upon all of the circumstances relating to said Defendant of which the Court was aware, including but not limited to the Court's assessment of the level of truthfulness of Ms. Barlay-Soto, and denies each and every remaining allegation of Paragraph 254 not expressly admitted herein.

255. Regardless of any statements made on the record by Respondent relating to Ms. Barlay-Soto's sentence, Ms. Barlay-Soto's sentence was based on all of the circumstances of which Respondent was aware at the time of Ms. Barlay-Soto's sentencing hearing, and Respondent denies each and every remaining allegation of Paragraph 255 not expressly admitted herein.

256. Respondent admits the allegations contained in Paragraph 256 of the First Amended Complaint.

257. Respondent admits the allegations contained in Paragraph 257 of the First Amended Complaint but specifically states that the Court had 90 criminal cases on its docket on October 3, 2013.

258. Respondent admits the allegations contained in Paragraph 258 of the First Amended Complaint but specifically states that the continuance granted was at Defendant Ashley T. Thomas's request.

259. Respondent admits the allegations contained in Paragraph 259 of the First Amended Complaint.

260. Respondent admits the allegations contained in Paragraph 260 of the First Amended Complaint and specifically states that the continuance for sentencing was at the Defendant's and the City's request, and that the reason for the Court to inquire with the prosecutor as to Laurie Morton and her availability was because Ms. Morton was a motor vehicle accident victim in the subject case. Respondent denies that characterization that Respondent "ordered" the prosecutor to issue a subpoena to the accident victims.

261. Respondent admits the allegations contained in Paragraph 261 of the First Amended Complaint but specifically states that the Court had 95 criminal cases on its docket on October 23, 2013 and there were miscommunications that delayed this case from being called.

262. Respondent admits the allegations contained in Paragraph 262 of the First Amended Complaint but specifically states that the Mortons had requested restitution as set forth in the presentence investigation report. The Mortons also stated at Court that they did not want restitution as long as no one was hurt.

263. Respondent admits the allegations contained in Paragraph 263 of the First Amended Complaint.

264. Respondent admits the allegations contained in Paragraph 264 of the First Amended Complaint.

265. Respondent admits that near the conclusion of the sentencing proceeding concerning Thomas, Attorney Rini told the Court he wanted to address a few things. The Court permitted Attorney Rini to proceed quickly. Shortly thereafter, Attorney Rini told Respondent that Ms. Thomas had a four-year-old child who she had to pick up. Respondent denies all allegations of said Paragraph 265 not expressly admitted herein.

266. Respondent admits that a conversation ensued but denies that it was "heated" and admits that Respondent stated four times that Respondent was not changing her mind and that Attorney Rini was out of order, but Respondent specifically denies telling Attorney Rini that the case was called late due to Attorney Rini's fault and all other allegations of Paragraph 266 not expressly admitted herein.

267. For her response to Paragraph 267 of the First Amended Complaint, Respondent admits the allegations in Paragraph 267, but also states the public defender and the prosecutor

informed Respondent that they had resolved the four cases identified as being assigned to the public defender, Attorney Rini. The prosecutor left the courtroom because he was not needed for these cases. After the exchange with Respondent regarding Ms. Thomas, Attorney Rini left the courtroom leaving behind individuals who were represented by the public defender's office. Respondent denies all allegations of Paragraph 267 not expressly admitted herein.

268. Respondent admits the allegations in Paragraph 268 of the First Amended Complaint.

269. For her response to Paragraph 269 of the First Amended Complaint, Respondent admits that Attorney Rini had left the courtroom even though his clients remained in the courtroom. Respondent admits that the quoted language in Paragraph 269 is an accurate transcription of part of her statements to those remaining in court after Attorney Rini's departure. Respondent denies the remaining allegations in this paragraph and the characterizations of her statements.

270. Respondent admits the allegations in Paragraph 270 of the First Amended Complaint.

271. Respondent admits the allegations in Paragraph 271 of the First Amended Complaint.

272. Respondent admits the allegations in Paragraph 272 of the First Amended Complaint.

273. Respondent admits the allegations in Paragraph 273 of the First Amended Complaint. Respondent denies the characterization of the facts that she "claimed" to not have the defendant's file.

274. For her response to Paragraph 274 of the First Amended Complaint, Respondent states that the defendant indicated that she was represented by the public defender's office. Respondent admits the remaining allegations of this paragraph of the First Amended Complaint.

275. Respondent admits the allegations in Paragraph 275 of the First Amended Complaint.

276. For her response to Paragraph 276 of the First Amended Complaint, Respondent states that the defendant had previously been before the court on October 8, 2013 and had been granted a continuance to meet with the public defender's office. Respondent states that she offered the defendant another continuance to meet with the public defender regarding his case. The defendant continued to discuss why he had not met with the public defender's office. Respondent admits the remaining allegations of this paragraph of the First Amended Complaint. Respondent denies the characterization of her statements in the paragraph and objects to the fact that the quote is included in the paragraph without the complete context.

277. Respondent admits the allegations in Paragraph 277 of the First Amended Complaint. But she denies the characterization of her statements in the paragraph and objects to the fact that the quote included in the paragraph is not offered with the complete context.

278. For her response to Paragraph 278 of the First Amended Complaint, Respondent states that the defendant described in this paragraph had visited the public defender's office but had not spoken with Attorney Rini that day. Respondent admits that the case was continued and that the defendant had asked for a later date. Respondent denies the characterization of her statements in the paragraph.

279. For her response to Paragraph 279 of the First Amended Complaint, Respondent states that the defendant described in this paragraph was charged with Driving Under the

Influence and other misdemeanors. Respondent admits that she expressed to the defendant that these charges were serious. Respondent admits that the quoted language in the paragraph is accurate, but denies the characterization of her statements.

280. The Respondent admits the allegations in Paragraph 280 of the First Amended Complaint, but denies the characterization of her statements.

281. Respondent admits the allegations in Paragraph 281 of the First Amended Complaint. But she denies the characterization of her statements in the paragraph and objects to the fact that the quote included in the paragraph is not offered with the complete context.

282. Respondent admits the allegations in Paragraph 282 of the First Amended Complaint.

283. For her response to Paragraph 283 of the First Amended Complaint, Respondent states that Respondent does address behavior that is disruptive to the operations of the Court and that the Court has adopted rules which address the need for proper behavior in the courtroom. The prohibition on the use of cell phones is one example of this type of behavior. For subpart (a), Respondent admits that she addressed a number of individuals for talking while the Court was in session. Respondent denies the characterization that she "publicly admonished" these individuals. For subpart (b), Respondent admits that she asked an individual who brought a child into the courtroom to wait with the child on the first floor of the Justice Center for her case to be called so her child would not disrupt the court proceedings in Respondent's courtroom or other courtrooms. Respondent denies the characterization that she "publicly admonished" this individual. For subpart (c), Respondent admits that she confiscated cell phones from a few individuals who violated the prohibition on cell phone use in the courtroom, but specifically states that these phones were returned to the owners. Respondent denies the remaining

allegations in this subpart. For subpart (d), Respondent denies that allegations in this subpart. For subpart (e), Respondent admits that an individual was placed in a holding cell, in part, for talking on her cell phone. Respondent denies the characterization of her statements. For subpart (f), Respondent does admit to placing individuals in the holding cell during on October 8, 2013 for engaging in disrespectful conduct and Respondent denies the remaining allegations in this subpart. For subpart (g), respondent admits that she did make the statement "all being irresponsible" during the day, but specifically denies the characterization of this conversation and the remaining allegations in this subpart. For subpart (h), Respondent admits that she apologized to individuals who were represented by the public defender's office whose cases were not heard before the public defendant left the courtroom. Respondent denies the characterization of this conversation and the remaining allegations in this subpart. For subpart (i), Respondent is unable to admit or deny the allegations in this subpart because she is without knowledge or information sufficient to form a belief as to the truth of these allegations. Respondent denies the remaining allegations in this Paragraph and the characterization of the factual allegations.

284. Respondent admits the allegations contained in Paragraph 284 of the First Amended Complaint.

285. Respondent admits that Jodi William's tenant, Mona Bongivonni is the alleged victim of the assault with which Ms. Williams was charged and that various other family or household members of Mary Bongivonni were listed on a Temporary Protection Order issued in the subject case as protected persons. However, Respondent denies, for want of information and otherwise, the balance of the allegations of Paragraph 285 of the First Amended Complaint not expressly admitted in this paragraph.

286. Respondent admits that on August 17, 2013, Mary Bongivonni requested and was granted an Ex Parte Temporary Protection Order against Ms. Williams and denies, for want of information and knowledge and otherwise, the balance of the allegations of Paragraph 286 of the First Amended Complaint not expressly admitted herein.

287. Respondent admits the allegations contained in Paragraph 287 of the First Amended Complaint.

288. Respondent admits the allegations contained in Paragraph 288 of the First Amended Complaint.

289. Respondent admits the allegations contained in Paragraph 289 of the First Amended Complaint.

290. Respondent admits the allegations contained in Paragraph 290 of the First Amended Complaint.

291. Respondent admits the allegations contained in Paragraph 291 of the First Amended Complaint.

292. Respondent admits the allegations contained in Paragraph 292 of the First Amended Complaint.

293. Respondent admits the allegations contained in Paragraph 293 of the First Amended Complaint, with the correction/addition that service was to be made with an eviction notice by a third party.

294. Respondent admits the allegations contained in Paragraph 294 of the First Amended Complaint.

295. Respondent admits that she asked the tenants if Ms. Williams had keys to their apartment or a garage door opener. Respondent specifically states that while she was waiting for

the tenants to answer the question, Ms. Williams interjected stating that the tenants did not have access to the garage. Respondent denies the characterization of this conversation as alleged in Paragraph 295 of the Amended Complaint.

296. For her response to Paragraph 296 of the Amended Complaint, Respondent admits she made the quoted statements in this paragraph but that the statements as written in the Amended Complaint do not track the video transcript of this conversation verbatim. Respondent denies the remaining allegations in Paragraph 296.

297. Respondent admits that Ms. Williams said "yes" while the Court was inquiring whether Ms. Williams had keys or the garage door opener, but specifically denies that the Court was engaging in a "tirade" as alleged in Paragraph 297 of the First Amended Complaint.

298. Respondent admits that the Respondent ordered Ms. Williams to be placed in a holding cell, but denies that the Respondent stated that this was for "disrespectful" conduct as alleged in Paragraph 298 of the First Amended Complaint. Respondent actually stated at the time that "...she's not going to disrespect the Court" and "herself."

299. Respondent admits that Ms. Williams made a statement that "I'm just answering your question," but denies all other allegations contained in Paragraph 299 of the First Amended Complaint not expressly admitted herein.

300. Respondent admits the allegations in Paragraph 300 of the Amended Complaint. Respondent specifically states that the quoted language in this paragraph does not track the video transcript of this conversation verbatim.

301. Respondent admits the allegations in Paragraph 301 of the Amended Complaint.

302. For her response to Paragraph 302 of the First Amended Complaint, Respondent admits during a discussion regarding a temporary protective order involving the defendant, Ms.

Williams, that the prosecutor informed her that Ms. Williams was in possession of keys to the individuals protected by the temporary protective order and that Ms. Williams did not have a garage door opener to the property. Respondent admits that she did inquire from both Ms. Williams and her attorney where the keys were located. Respondent also states that the quote contained in paragraph 302 is accurate. Respondent denies the remaining allegations contained in paragraph 302 of the First Amended Complaint.

303. For her response to Paragraph 303 of the First Amended Complaint, Respondent states that Attorney Rini stated that Ms. Williams was the owner of property from which the individuals protected by the Temporary Protection Order were in the process of being evicted. Attorney Rini stated that Ms. Williams had keys to the property and that she would not violate the Temporary Protection Order. Respondent admits that she informed Attorney Rini that pursuant to the agreed Protection Order, Ms. Williams was required to turn in her keys to the property.

304. Respondent admits the allegations in Paragraph 304 of the First Amended Complaint. Respondent specifically states that the quoted language in this paragraph does not track the video transcript of this conversation verbatim.

305. For her response to Paragraph 305 of the First Amended Complaint, Respondent states that Ms. Williams did inform her that the keys were in her house. Respondent decided to recall the case later in the day to permit someone to get the keys. She instructed the parties to "figure it out" and that the keys were to be returned to the Court that day to be placed under seal in the case file with the Clerk of Court. Respondent denies the characterizations of her statements in Paragraph 305.

306. Respondent admits the allegations in Paragraph 306 of the First Amended Complaint.

307. For her response to Paragraph 307 of the First Amended Complaint, Respondent admits that she continued to state that pursuant to the Protection Order, Ms. Williams was required to turn in the keys and the Respondent wanted the keys to be turned over that day. Respondent also admits that she stopped the conversation with Attorney Rini to call the next case. Respondent denies the remaining allegations in Paragraph 307.

308. Respondent is unable to admit or deny the allegations in Paragraph 308 of the First Amended Complaint because she is without knowledge or information sufficient to form a belief as to the truth of these allegations.

309. Respondent admits the allegations in Paragraph 309 of the First Amended Complaint.

310. Respondent admits the allegations in Paragraph 310 of the First Amended Complaint. Respondent specifically states that she asked if Ms. Bongivonni was willing to return to her apartment to verify that the key provided by Ms. Williams was the correct key.

311. For her response to Paragraph 311 of the First Amended Complaint, Respondent admits that Ms. Williams' case was recalled at approximately 4:59 p.m. and that the prosecutor informed her that the key purported to be Ms. Williams' key to the victims' apartment was not correct. Respondent then stated that she wanted to make sure that the key was correct considering the fact that Ms. Williams was charged with assault and now subject to a Protection Order. Respondent admits the remaining allegations in Paragraph 311.

312. For her response to Paragraph 312 of the First Amended Complaint, Respondent states that the parties agreed to return the next day to place the correct key under seal with the

Clerk of Courts and if the key was not the correct key, Ms. Williams agreed to appear in court on that day or a warrant would be issued for her arrest. The parties agreed that they would choose a mutually agreed pretrial date. Respondent admits the remaining allegations of Paragraph 312.

313. Respondent admits the allegations in Paragraph 313 of the First Amended Complaint.

314. Respondent admits the allegations in Paragraph 314 of the First Amended Complaint.

315. Respondent admits the allegations in Paragraph 315 of the First Amended Complaint.

316. Respondent admits the allegations in Paragraph 316 of the First Amended Complaint. Respondent specially states that the charging date was September 5, 2013 rather than September 16, 2013.

317. Respondent admits the allegations in Paragraph 317 of the First Amended Complaint.

318. Respondent admits the allegations in Paragraph 318 of the First Amended Complaint.

319. For her response to Paragraph 319 of the First Amended Complaint, Respondent admits that Mr. Belohavek's pretrial was scheduled for 11:00 a.m. and that his case was not called until 5:41 p.m. Respondent admits the remaining allegations in this paragraph.

320. For her response to Paragraph 320 of the First Amended Complaint, Respondent admits Mr. Belohavek's pretrial was scheduled for October 23, 2013 and that he stated that he mistakenly thought that his pretrial was scheduled for October 28, 2013. Mr. Belohavek stated that he had not spoken with the public defender's office, however, Respondent states that Mr.

Belohavek had been granted a continuance to seek legal counsel at the October 8, 2013 pretrial. He did inform the Respondent that he remained in the court room so that he would not miss his case being called and was concerned that a warrant would be issued if he was not present. He stated that he wanted to meet with the public defender's office and was not able to because he did not want to miss his case being called. Respondent is unable to admit or deny the remaining allegations in Paragraph 320 of the First Amended Complaint because she is without knowledge or information sufficient to form a belief as to the truth of these allegations..

321. Respondent admits the allegations in Paragraph 321 of the First Amended Complaint.

322. Respondent admits that the pretrial was scheduled for 2:00 p.m. Respondent specifically states that she does not have sufficient knowledge to admit or deny that the case was called at 4:28 p.m. Respondent admits the remaining allegations in this Paragraph and denies the characterizations of the facts as stated therein.

323. Respondent admits in part the allegations in Paragraph 323 of the First Amended Complaint, specifically she is without sufficient knowledge regarding the precise time that Mr. Belohavek's case was called on October 30, 2013 and at this time is unable to admit or deny this allegation for lack of knowledge.

324. Respondent admits the allegations in Paragraph 324 of the First Amended Complaint regarding the \$1,000 fine and the suspension of \$500 of that fine, the biweekly payment of \$50 and the journal entry reflecting this biweekly payment. Respondent denies the characterizations of her statements contained in this paragraph. Respondent is unable to admit or deny the remaining allegations in this paragraph of the First Amended Complaint because she is without knowledge or information sufficient to form a belief as to the truth of these allegations.

325. Respondent admits the allegations in Paragraph 325 of the First Amended Complaint.

326. Respondent admits the allegations in Paragraph 326 of the First Amended Complaint.

327. Respondent admits the allegations in Paragraph 327 of the First Amended Complaint.

328. Respondent admits the allegations in Paragraph 328 of the First Amended Complaint.

329. Respondent denies the characterizations of Ms. George's statements in Paragraph 329.

330. Respondent admits the allegations in Paragraph 330 of the First Amended Complaint.

331. Respondent admits the allegations in Paragraph 331 of the First Amended Complaint.

332. Respondent denies the characterizations of Ms. George's statements in Paragraph 332.

333. Respondent denies the characterizations of "...awkward silence..." and admits the remaining allegations in Paragraph 333 of the First Amended Complaint. Respondent specifically states that she informed Ms. George that because Ms. George had previously pled not guilty, she could not plead not guilty again.

334. Respondent denies the characterizations of Ms. George's prior representations but admits the remaining allegations in Paragraph 334 of the First Amended Complaint.

335. Respondent denies the characterizations of the allegations in Paragraph 335, Respondent does admit to the quoted language.

336. Respondent denies the characterizations of the allegations in Paragraph 336.

337. Respondent admits that Ms. George's case was recalled at 4:04 PM but Respondent denies the characterizations of the remaining allegations in Paragraph 337.

338. Respondent admits the allegations in Paragraph 338 of the First Amended Complaint.

339. Respondent admits the allegations in Paragraph 339 of the First Amended Complaint.

340. Respondent admits the allegations in Paragraph 340 of the First Amended Complaint. Respondent specifically states that the quoted language in this paragraph does not track the video transcript of this conversation verbatim.

341. Respondent admits the allegations in Paragraph 341 of the First Amended Complaint.

342. Respondent denies the characterizations of the allegations in Paragraph 342, but admits the quoted language set forth in the allegations in Paragraph 342.

343. Respondent admits the allegations in Paragraph 343 of the First Amended Complaint.

344. Respondent denies the allegations in Paragraph 344 of the First Amended Complaint.

345. Respondent denies all remaining allegations not specifically admitted or denied in this Answer to the First Amended Complaint.

Affirmative Defenses

346. Respondent re-alleges and incorporates by reference herein all of the affirmative defenses alleged in Respondent's Answer to Relator's Complaint and states that the affirmative defenses apply to the First Amended Complaint in its entirety as well.

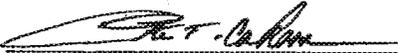
347. Many of the allegations contained in the First Amended Complaint are not specific enough to provide Respondent the proper notice of the conduct at issue in the Complaint, and it is impossible to fairly and effectively respond to vague and generalized allegations.

348. Respondent reserved the right to assert additional affirmative defenses as necessary.

Respectfully submitted,

BUCKINGHAM, DOOLITTLE & BURROUGHS, LLC

By: _____


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Attorneys for Respondent

CERTIFICATE OF SERVICE

I hereby certify that copies of this pleading were sent via email, this 21st day of July, 2014, to: Ms. Karen Osmond at the Office of Disciplinary Counsel for the Supreme Court of Ohio, at Karen.Osmond@sc.ohio.gov; Attorney Michael Murman at murmanlaw@aol.com; Attorney Steven Rodeheffer at srodeheffer@rodehefferlaw.com; Attorney Janica Pierce Tucker at jpierce@taftlaw.com; Judge Robert Ringland at ringlandrp@twelth.courts.state.oh.us_and to Attorney Richard Alkire at rick@alkirelawyer.com.



Peter T. Cahoon #0007343
Co-Counsel for Respondent

AK3:1172031_v5

EXHIBIT 10

BEFORE A PROBABLE CAUSE PANEL
OF
THE BOARD OF COMMISSIONERS
ON GRIEVANCES AND DISCIPLINE
OF
THE SUPREME COURT OF OHIO

RECEIVED
Scan JEC-KHO
OCT 16 2013
Disciplinary Counsel
Supreme Court of Ohio

In re:	:	
Complaint against	:	Case No. 2013-057
Angela Rochelle Stokes Attorney Reg. No. (0025650)	:	
Respondent	:	
Disciplinary Counsel Relator	:	

FILED
OCT 14 2013
BOARD OF COMMISSIONERS
ON GRIEVANCES & DISCIPLINE

ENTRY

The Secretary of the Board of Commissioners on Grievances and Discipline, having received a complaint from Relator that alleges misconduct, as defined in Gov. Bar R. V, Section 6(A)(1), on the part of Respondent and that appears to satisfy the applicable requirements of Gov. Bar R. V, Section 4(I)(6), (7), and (8), has assigned the complaint to a duly constituted probable cause panel of the Board pursuant to Gov. Bar R. V, Section 6(D)(1). Upon review of the summary of investigation and formal complaint filed by Relator against Respondent, the probable cause panel hereby finds that probable cause exists for the filing of a formal complaint and certifies the complaint to the Board of Commissioners. It is hereby ordered that the complaint be accepted for filing and that notice of the filing be served forthwith by mail to Respondent at 1200 Ontario, P O Box 94894, Cleveland, OH 44113.

This entry is dated this 14th day of October, 2013.



RICHARD A. DOVE, Secretary

EXHIBIT 11

Disciplinary Counsel
THE SUPREME COURT OF OHIO

DISCIPLINARY COUNSEL
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CHIEF ASSISTANT DISCIPLINARY COUNSEL
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October 27, 2014

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BY E-MAIL & BY FIRST-CLASS MAIL
PERSONAL & CONFIDENTIAL

Richard C. Alkire, Esq.
Law Office of Richard C. Alkire Co. LPA
6060 Rockside Woods Blvd., Suite 250
Independence, Ohio 44131

Re: Hon. Angela Rochelle Stokes
File No. 13-057

Dear Mr. Alkire:

I am in receipt of the letter that you emailed to me following our telephone conversation this morning. In your letter, you asked me to provide you with information regarding the grounds upon which our anticipated motion for Judge Stokes' interim remedial suspension from practice is based. Following is my response to your request.

As I'm sure you're aware, the grounds for a motion for the interim remedial suspension of a justice, judge or attorney are specified in Rule V(5a)(A)(1) of the Rules for the Government of the Bar of Ohio ("Gov. Bar R."). That section provides that Disciplinary Counsel "shall" file a motion with the Supreme Court requesting that the Court order an interim remedial suspension "[u]pon receipt of substantial, credible evidence demonstrating that a Justice, judge, or attorney has committed a violation of the Code of Judicial Conduct or Ohio Rules of Professional Conduct and poses a substantial threat of serious harm to the public . . ."

The Office of Disciplinary Counsel's ("ODC") first Letter of Inquiry relating to the matters that are now included in the formal disciplinary proceeding in this case was sent to Judge Stokes in January 2012. Although Judge Stokes was represented by another attorney during the initial portion of ODC's investigation, it is my understanding that you began representing Judge Stokes in or before October 2012. Generally speaking, the alleged misconduct investigated by ODC involved dozens of complaints that included, but were not limited to, (a) Judge Stokes' mistreatment of parties and counsel in criminal proceedings in her courtroom; (b) her mistreatment of other participants and employees, including police officers, bailiffs, witnesses, court employees and members of the general public; (c) her mismanagement and grossly disproportionate use of the court's human and material resources; and (d) her disregard for the law in individual cases, resulting in the imposition of unwarranted and burdensome decisions, sentences and probationary terms.

Richard C. Alkire, Esq.
October 27, 2014
Page 2

Following the completion of its investigation, ODC filed a formal complaint that was certified by a probable cause panel of the Board of Commissioners and filed by the Board on October 14, 2013. It is the position of Disciplinary Counsel that the misconduct alleged in the formal complaint in Board Case No. 13-057 demonstrates multiple violations of the Code of Judicial Conduct and the Rules of Professional Conduct.

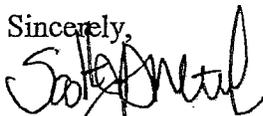
Notwithstanding the initiation of the formal disciplinary proceeding against her, Judge Stokes continued to engage in the same conduct that formed the basis for the filing of the formal complaint. Moreover, Judge Stokes persisted in this conduct despite her knowledge that ODC was investigating allegations of subsequent misconduct that occurred during the pendency of the original investigation and after the filing of the formal complaint. Additionally, in her answer to the initial complaint in this matter, Judge Stokes denied that her conduct was inappropriate to any degree and in any respect, a strong indicator that her misconduct will be repeated.

During the pendency of its investigation of the further allegations of misconduct against her, Disciplinary Counsel considered the possibility of filing a motion for interim remedial suspension. However, before any decision regarding the motion was made, Administrative-Presiding Judge Ronald B. Adrine issued a number of administrative orders that precluded Judge Stokes from being assigned to criminal cases. Since Judge Stokes has been assigned to a primarily civil docket, the number of new grievances against her has dramatically decreased. As a result, ODC did not immediately pursue a motion for interim remedial suspension.

However, by order filed September 3, 2014, the Supreme Court issued an alternative writ of prohibition. Thereafter, on September 17, 2014, Judge Adrine issued an administrative order that ostensibly restored Judge Stokes's criminal docket to her, although implementation of the administrative order has apparently been delayed pending the Supreme Court's consideration of a motion for clarification that was filed by Judge Adrine on September 22, 2014.

Thus, based upon (a) the large number of instances of serious misconduct committed by Judge Stokes, both before and after the filing of the formal complaint in this matter on October 14, 2014; (b) Judge Stokes' persistent denial of and refusal to acknowledge any misconduct; and (c) Disciplinary Counsel's reasonable concern that Judge Stokes' misconduct regarding the management of her criminal docket and her conduct in the criminal cases before her will resume at such time as the criminal docket is restored, Disciplinary Counsel believes that there is substantial and credible evidence that Judge Stokes has committed multiple violations of the Code of Judicial Conduct and the Rules of Professional Conduct and that her conduct poses a substantial threat of harm to the public within the meaning of Gov. Bar R. V(5a)(A)(1).

Sincerely,



Scott J. Drexel
Disciplinary Counsel