

JUDICIAL CONDUCT BOARD

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Steven A. Adler, Esq.
Chair

August 20, 2012

Closure Report of the Vermont Judicial Conduct Board

Re: Docket No. 12.025

Complainant alleges that a judge acted unethically by failing to grant a request for a stay. The stay, based upon an upcoming surgical procedure, would have continued a number of pending pieces of litigation in which Complainant was a party, although despite the Board's request, no docket numbers are provided to determine which piece(s) of litigation would have been affected. In any event, the stay appears to have been granted. The Complaint also included the contradictory allegation that the Judge failed to set a hearing in either of two pending cases, apparently an Americans With Disabilities Act case and a criminal case, although again, without docket numbers, it is difficult to tell which specific pieces of litigation Complainant refers to. If the allegations were founded, they may have been considered in violation of Canon 3(B)(4).

The Judicial Conduct Board conducted an initial inquiry and determined the Complaint is unfounded and there is no cause for further proceedings. Complainant seemed to want to use a medical issue to select which cases he wanted to try and which he wanted to delay. Moreover, some of the allegations made, such as being banned from the courthouse, are not supported by the record, even though Complainant is characterized as rude, profane and sometimes threatening to court personnel. To the extent the Complaint alleges ethical impropriety or a violation of the Code of Judicial Conduct, the Board has determined that the Complaint is unfounded and there is no cause for further proceedings. *Rules of the Supreme Court for the Disciplinary Control of Judges*, Rule 7(1).

The Complaint in Docket No. 12.025 is DISMISSED.

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A handwritten signature in black ink, appearing to read "Steven A. Adler", is written over the printed name.

By: Steven A. Adler