
In re Griffin

Justices WEBB and WHICHARD did not participate in the consideration or decision of this case.

IN RE: INQUIRY CONCERNING A JUDGE, NO. 96 KENNETH A. GRIFFIN,
RESPONDENT

No. 713A86

(Filed 7 July 1987)

Judges § 7— censure of judge for misconduct

A superior court judge is censured by the Supreme Court for conduct prejudicial to the administration of justice that brings the judicial office into disrepute because of his inappropriate comments and injudicious response to comments by a spectator during the nonjury acceptance of guilty pleas and sentencing hearing involving two defendants in the Mecklenburg County Superior Court.

THIS matter is before this Court upon a recommendation by the Judicial Standards Commission (Commission), filed with the Court on 12 December 1986, that Judge Kenneth A. Griffin, a judge of the General Court of Justice, Superior Court Division, Twenty-Sixth Judicial District of the State of North Carolina, be censured for conduct prejudicial to the administration of justice that brings the judicial office into disrepute, in violation of Canons 2A, 3A(2), and 3A(3) of the North Carolina Code of Judicial Conduct.

No counsel for respondent.

PER CURIAM.

The events in this proceeding occurred 25 April 1985 during the nonjury acceptance of pleas of guilty and sentencing hearing involving two defendants in Mecklenburg County Superior Court. The conduct involved inappropriate comments by Judge Griffin and an injudicious response to comments by a spectator. We find no need for a further recital of the evidence.

The findings of fact by the Commission are fully supported by the record and this Court adopts them. The conclusion and recommendation of the Commission are supported by the record and are appropriate.

Cartwood Construction Co. v. Wachovia Bank and Trust Co.

The conduct of Judge Griffin at the time in question was prejudicial to the administration of justice and brought the judicial office into disrepute, in violation of Canons 2A, 3A(2), and 3A(3) of the Code of Judicial Conduct. For this conduct, Judge Griffin merits censure.

Now, therefore, it is ordered by the Supreme Court in Conference that Judge Kenneth A. Griffin be, and he is hereby, censured by this Court for the conduct specified in the Commission's findings.

CARTWOOD CONSTRUCTION COMPANY, INC., PLAINTIFF v. WACHOVIA BANK & TRUST COMPANY, N.A., NORTHWESTERN BANK, FIRST FINANCIAL SAVINGS & LOAN ASSOCIATION, INC., DEFENDANTS, AND WACHOVIA BANK & TRUST COMPANY, N.A., DEFENDANT AND THIRD PARTY PLAINTIFF v. VIRGIL REID PATTERSON, D/B/A THE PATTERSON COMPANY, THIRD PARTY DEFENDANT

No. 60A87

(Filed 7 July 1987)

Justice WEBB did not participate in the consideration or decision of this case.

APPEAL of right under N.C.G.S. § 7A-30(2) by the defendants and the defendant third party plaintiff from the decision of a divided panel of the Court of Appeals, 84 N.C. App. 245, 352 S.E. 2d 241 (1987), affirming in part and reversing and remanding in part judgment entered by *Seay, J.*, on 3 February 1986 in Superior Court, FORSYTH County. Heard in the Supreme Court on 9 June 1987.

Nifong, Ferguson & Sinal, by Paul A. Sinal, for plaintiff appellee.

Bell, Davis & Pitt, P.A., by William Kearns Davis and Stephen M. Russell, for defendant appellant, Wachovia Bank & Trust Company, N.A.

Petree, Stockton & Robinson, by William R. Loftis, Jr. and Penni Pearson Bradshaw, for defendant appellant, Northwestern Bank.