

FILED

BEFORE THE JUDICIAL STANDARDS COMMISSION
STATE OF NORTH CAROLINA

JUN 6 2008
T.W.

**JUDICIAL STANDARDS
COMMISSION**

IN RE:)
INQUIRY CONCERNING A JUDGE, NO. 07-227) **PUBLIC REPRIMAND**
THOMAS G. TAYLOR, Respondent)

Respondent, Thomas G. Taylor, was at all times referred to herein a judge of the General Court of Justice, District Court Division, Judicial District 27A and, as such, was subject to the Canons of the North Carolina Code of Judicial Conduct, the laws of the State of North Carolina, and the provisions of the oath of office for a district court judge as set forth in the North Carolina General Statutes, Chapter 11.

On or about October 26, 2007, respondent was approached in chambers by Mr. Larry Hoyle, a member of the bar of District 27A, who requested respondent sign an order on behalf of Hoyle's client, Margie Stone, striking findings of fact made by Judge Catherine C. Stevens in an earlier hearing in the matter of Margie Stone vs. Robby Lynn Mullis, Gaston County file no. 05 CVD 44. Respondent declined to sign the order. At that time Mr. Hoyle represented that one of the findings made by Judge Stevens regarding representations Ms. Stone made to a police officer was made in error. Mr. Hoyle presented respondent a sworn deposition from a police officer stating that Ms. Stone had not told him she had a current 50B order in place. Mr. Hoyle further represented to Respondent that he had spoken to opposing counsel, Charles Hubbard, who had no objections to the modification.

Respondent informed Mr. Hoyle that he would consider a consent order, limited to correcting one finding of fact, without changing the original order's effect. Later that afternoon Mr. Hoyle returned to respondent's chambers with a proposed order. Respondent noted the order

was not signed by Mr. Hubbard. Mr. Hoyle represented to Respondent he had discussed the proposed order with Mr. Hubbard, who had no objections. Mr. Hoyle represented to respondent that this was a urgent matter to his client. Without further inquiry or confirmation, respondent signed the order which was filed on Friday, October 26, 2007 at 4:31 p.m. The order was filed without any accompanying motion or notice of hearing having been filed or served on the parties or opposing counsel.

On or about October 30, 2007, Chief District Court Judge Christopher W. Bragg of Judicial District 20B, presided over a hearing in the case of Margie Stone vs. Robby Lynn Mullis in Union County file no. 02 CVD 604. The issues before the court were equitable distribution and child support. During that hearing, Ms. Stone's attorney, Rhonda Hipkins, offered into evidence the order signed by Respondent on October 26, 2007. Judge Bragg closely examined the order and, after Ms. Stone and Mr. Mullis had completed their testimony, he inquired as to whether either of them had notice or had been involved in any hearing which was the subject of the order. Neither Ms. Stone nor Mr. Mullis had received notice or participated in any hearing in Gaston County regarding the October 26, 2007 order. A review of Gaston County file no. 05 CVD 44 by Judge Bragg showed that the October 26, 2007 order was entered by Respondent without any type of motion to modify Judge Steven's order or notice of hearing having been filed or served on the parties or opposing counsel. Mr. Hoyle admitted that he went to Respondent and obtained the order without serving notice on the opposing parties and without a hearing.

Respondent's actions described above evidence a personal disregard of the principles of conduct embodied in the North Carolina Code of Judicial Conduct, including failure to personally observe appropriate standards of conduct to ensure that the integrity and independence of the

judiciary shall be preserved (Canon 1), failure to act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary (Canon 2A), failure to be faithful to the law and maintain professional competence in it (Canon 3A(1)), and failure to accord to every person who is legally interested in a proceeding, or the person's lawyer, full right to be heard according to law, and, except as authorized by law, neither knowingly initiate nor knowingly consider ex parte or other communications concerning a pending proceeding (Canon 3A(4)). Respondent's actions constitute conduct prejudicial to the administration of justice that brings the judicial office into disrepute (N.C. Const. art IV, § 17 and N.C.G.S. § 7A-376(a)).

Respondent agrees that he will not repeat such conduct in the future, mindful of the potential threat any repetition of his conduct poses to public confidence in the integrity and impartiality of the judiciary and to the administration of justice.

Respondent agrees he will promptly read and familiarize himself with the Code of Judicial Conduct.

Respondent has had the opportunity to consult with an attorney prior to acceptance of this Public Reprimand.

Respondent further agrees that he will not retaliate against any person known or suspected to have cooperated with the Commission, or otherwise associated with this matter.

Served upon respondent, Thomas G. Taylor, on the 23RD day of May, 2008.

By: Paul R. Ross
Paul R. Ross, Executive Director
Judicial Standards Commission

6/6/08
Date

Accepted this the 27 day of May, 2008.

Thomas G. Taylor
Thomas G. Taylor

5-27-08
Date

ORDER OF PUBLIC REPRIMAND

Now therefore, pursuant to the Constitution of North Carolina, Article IV, Section 17, the procedures prescribed by the North Carolina General Assembly in the North Carolina General Statutes, Chapter 7A, Article 30, and Rule 11(b) of the Rules of the Judicial Standards Commission, the North Carolina Judicial Standards Commission, hereby orders that respondent, Thomas G. Taylor, be and is hereby PUBLICLY REPRIMANDED for the above set forth violations of the Code of Judicial Conduct. Respondent shall not engage in such conduct in the future and shall fulfill all of the terms of the Public Reprimand as set forth herein.

Dated this the 6th day of June, 2008.

John C. Martin
John C. Martin, Chairman
Judicial Standards Commission