

BEFORE THE COURT OF THE JUDICIARY

OF

ALABAMA



In the Matter of)
 Jo Celeste Pettway,)
 District Judge of the) Court of the Judiciary
 Wilcox County) Case No.44
 Of Alabama)

AGREEMENT AND STIPULATION OF THE PARTIES

The Alabama Judicial Inquiry Commission ("the Commission") and Wilcox County District Judge Jo Celeste Pettway ("Judge Pettway") enter this agreement and stipulation of facts regarding the Complaint filed in this case in the Court of the Judiciary by the Commission alleging Judge Pettway's violations of the Canons of Judicial Ethics.

The Commission and Judge Pettway agree and stipulate:

1. The Complaint filed by the Commission accurately states the facts upon which this proceeding is based.

2. The Commission can prove all of the facts alleged in the Complaint by clear and convincing evidence.

3. Upon trial of this matter and for mitigation purposes, Judge Pettway would offer the testimony of numerous witnesses, including, but not limited to, the District Attorney of Wilcox County, Michael Jackson, who served in her court both as an Assistant District Attorney and as elected District Attorney; at least one County Commissioner; the County Tax Assessor; the current and former Sheriff of Wilcox County; various DHR officials praising her work in other areas; various criminal defense attorneys who practiced in her court; and various residents of the community supportive of her conduct in all other areas of her court.

4. Furthermore, upon trial of this matter and for mitigation purposes, Judge Pettway would offer testimony that the cases subject to the allegations in the Complaint comprised a very small percentage of her overall docket.

5. Based on the foregoing agreement, the Commission and Judge Pettway agree to the appropriateness of the Court of the Judiciary entering a judgment finding that Judge Pettway violated Canons 1, 2, 2A, 2B, 3, 3A(1), 3A(4), 3A(5), and 3B(1); and jointly request the following resolution of this Complaint:

a. Judge Pettway be suspended for one hundred and eighty (180) days without pay by the Court of the Judiciary for her violations of the Canons stated in the Complaint;

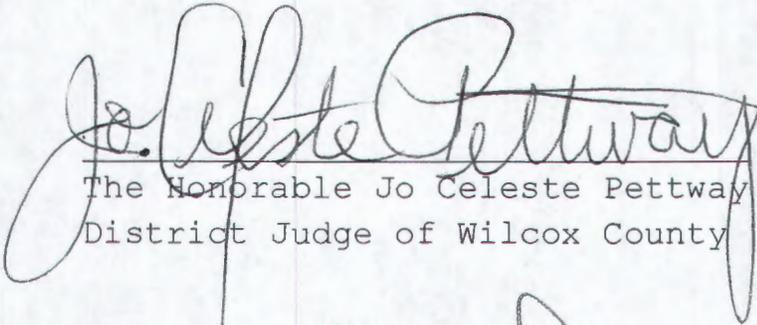
b. Judge Pettway will receive credit for the number of days for which she has already been

suspended; however, the one hundred and eighty (180) days without pay will commence upon the signing of the final order of the Court of the Judiciary;

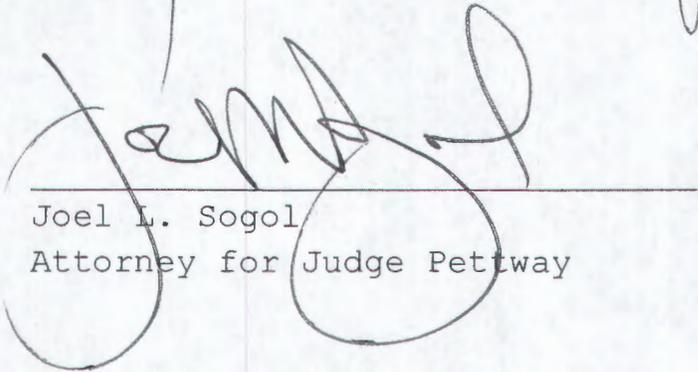
c. Judge Pettway will agree to complete Alacourt Plus training in person at AOC and submit written documentation of the completion of said training to the Commission prior to conclusion of her suspension; and

d. Judge Pettway be taxed with the costs in the amount of \$ _____ incurred by the Commission.

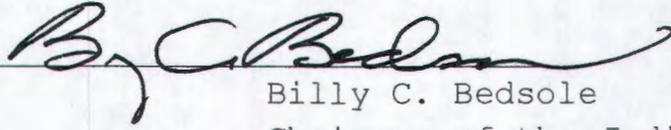
6. Judge Pettway waives her right of appeal under Article VI, §157 of the Alabama Constitution to the Alabama Supreme Court from any adjudicative order entered on the Complaint and any sanction based thereon imposed by the Court of the Judiciary.



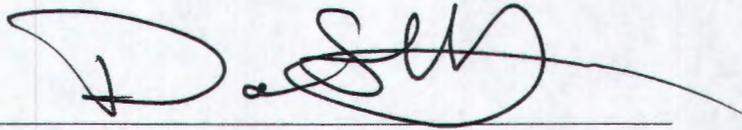
The Honorable Jo Celeste Pettway
District Judge of Wilcox County



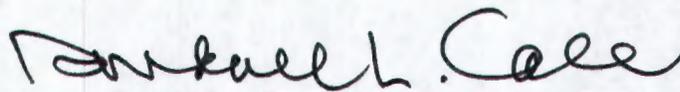
Joel L. Sogol
Attorney for Judge Pettway



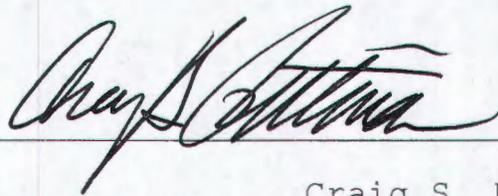
Billy C. Bedsole
Chairman of the Judicial Inquiry
Commission



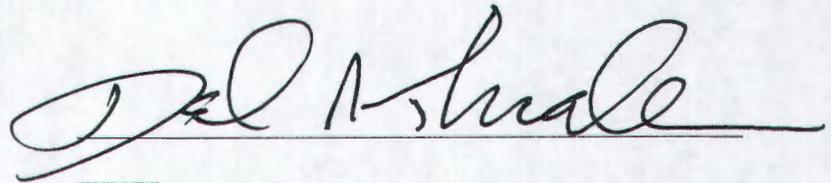
David Scott, First Vice-Chairman



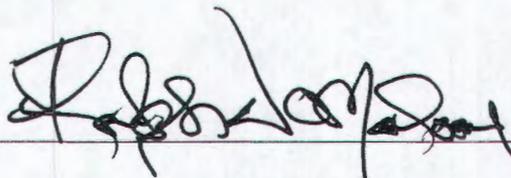
Randall L. Cole, Second Vice Chairman



Craig S. Pittman, Member



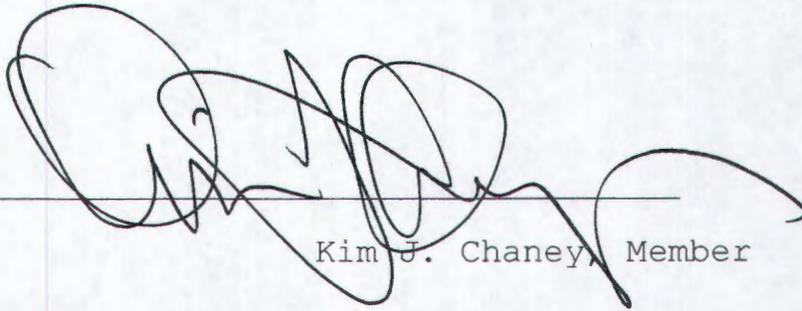
Dr. David R. Thrasher, Member



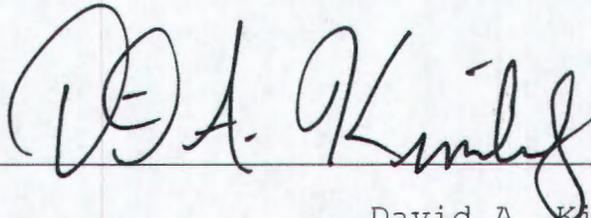
Ralph D. Malone, Member

Not Present

Augusta S. Dowd, Member

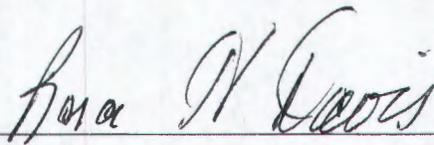


Kim J. Chaney, Member



David A. Kimberly, Member

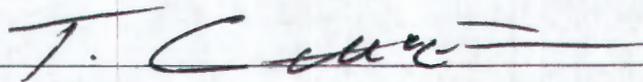
David A. Kimberly, Member



Rosa H. Davis

Rosa H. Davis

Attorney for the Commission



Cameron McEwen

Cameron McEwen

Attorney for the Commission

District Judge Jo Celeste Pettway (15-041)
Court of the Judiciary #44

COSTS

Appearance Free for Court Reporter

June 25	\$150.00
June 26	<u>\$150.00</u>
Total	\$300.00 ⁱ

Transcript Fees

Mr. Gregory B. McAtee	\$276.50
Judge Pettway	<u>\$325.50</u>
Total	\$602.00

Documents served on Judge

1,220 pages (Bates numbered) @ \$0.15 per page	\$183.00
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Postage

February 27, 2015	\$ 11.95
April 10, 2015	6.74
May 14, 2015	6.74
May 22, 2015	6.74
June 16, 2015	6.74
July 3, 2015	15.20
July 9, 2015	6.74
July 31, 2015	6.74
August 14, 2015	12.95
September 25, 2015	<u>6.96</u>
Total	\$ 87.50

TOTAL: \$1,172.50

ⁱ \$300.00 Appearance fee was a fiscal year 2015 expense that will be paid with fiscal year 2016 money. Therefore, please remit in two separate checks, one for \$300.00 and one for \$872.50.