

# Judicial Inquiry and Review Commission v. Peatross

## Supreme Court of Virginia

April 22, 2005

The Judicial Inquiry and Review Commission found that Judge Peatross had committed violations of the Canons of Judicial Ethics such that he should be censured or removed from office. The Virginia Supreme Court after a hearing in open court disagreed.

Judge Peatross admitted that he nolle prosequi a case on his own motion when he did not have the legal ability to do so; ordered counsel removed from a case without giving them notice that he was going to do so; and sent correspondence to a defendant without informing either the defense counsel or the Commonwealth attorney. Further, he admitted that he had acted with regrettable impatience when an attorney requested a further continuance, one just having been asked for and granted. These were regrettable, but not sufficient to remove the Judge from office. The other charges were not proven by clear and convincing evidence, and so the Judge was not ordered removed from the bench.