

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**STEVEN D. COMBS, CIRCUIT COURT JUDGE
35TH JUDICIAL CIRCUIT**

AGREED ORDER OF SUSPENSION

Steven D. Combs ("Judge Combs") is a Circuit Court Judge for Kentucky's 35th Judicial Circuit, consisting of Pike County. On the morning of September 21, 2015, prior to the commencement of the final hearing in this matter, the parties reached an agreement to resolve the matter. Judge Combs has waived formal proceedings and Judge Combs, the Judicial Conduct Commission (the "Commission") and the Commission's Counsel have agreed to entry of this Order.

The Commission received Complaints and other information, conducted a preliminary and subsequent investigations, and ultimately filed a Notice of Formal Proceedings and Charges (the "Original Notice"), an Amended Notice of Formal Proceedings and Charges (the "First Amended Notice") and a Second Amended Notice of Formal Proceedings and Charges (the "Second Amended Notice") (the Original Notice, First Amended Notice and Second Amended Notice referred to collectively as the "Notices") against Judge Combs. Judge Combs timely filed Responses to each of the Notices. The Notices asserted thirteen (13) charges against Judge Combs.

Prior to the scheduled final hearing, Judge Combs filed a Motion to Dismiss Counts I, II, IV, VII, VIII, IX, X, XI, XII and XIII of the Notices. The Commission's Counsel, in Response to the Motion to Dismiss, did not object to dismissal of Count VII and of that portion of Count VIII that alleged Judge Combs had engaged in ex parte communications with attorney

Michael de Bourbon about the case at issue in Count VIII. Having reviewed the Motion and Response, the Commission dismissed Count VII and the portion of Count VIII that alleged Judge Combs engaged in an ex parte communication with Attorney Michael de Bourbon. As part of the agreement reached between Judge Combs and the Commission's Counsel, the Commission also dismissed Count X in its entirety.

On the morning that the final hearing was scheduled to commence, Judge Combs, by counsel, and the Commission's Counsel, reached agreement on a resolution of this matter, as described below. The Commission's Counsel recommended that the Commission accept the agreement reached with Judge Combs, and the Commission, by a vote of 5-1 (with one voting member of the Commission not in agreement as to the length of the suspension to be imposed) approved the agreement, resulting in this Agreed Order of Suspension:

1. Judge Combs will take the following steps regarding the Kentucky Lawyers Assistance Program ("KYLAP"): enroll in the Kentucky Lawyers Assistance Program ("KYLAP") for evaluation and assessment within 30 days of the date of this Order; follow the instructions and procedures recommended by KYLAP; and waive the confidentiality of the KYLAP reports only as to the Commission, so that the Commission can be informed as to any and all results of such evaluation and assessment and as to his progress in following any instructions and procedures recommended for him. Judge Combs' failure to comply with the provisions of this paragraph will constitute a breach of this Agreed Order of Suspension.

2. Judge Combs agrees that he will not retaliate against any witness, complainant or person involved in these proceedings regarding their statements, actions or other conduct prior to the date of this Agreed Order of Suspension, and further agrees that if he does commit any such acts of retaliation as to such prior statements, acts or conduct, it will constitute a breach of this Agreed Order of Suspension.

3. Judge Combs agreed to, and did, make an allocution on the record and in open court on September 21, 2015, as follows:

- a. As to Count I of the Notices, Judge Combs admits that he committed the acts set forth therein and that these acts constitute a violation of the Canons of the Kentucky Code of Judicial Conduct.
- b. As to Count II of the Notices, Judge Combs admits that he committed the first through fifth and the seventh acts set forth therein and that these acts constitute a violation of the Canons of the Kentucky Code of Judicial Conduct. As to the sixth act set forth in Count II, Judge Combs does not admit to the act but admits that the Commission has a good faith basis and proof to support Count II related to this act.
- c. As to Count III of the Notices, Judge Combs admits that he committed the first, second and sixth through twelfth acts set forth therein and that these acts constitute a violation of the Canons of the Kentucky Code of Judicial Conduct. As to the third, fourth and fifth acts set forth in Count III, Judge Combs does not admit the acts but admits that the Commission has a good faith basis and proof to support Count III related to these acts.
- d. As to Count IV of the Notices, Judge Combs admits that he committed the acts set forth therein and that these acts constitute a violation of the Canons of the Kentucky Code of Judicial Conduct.
- e. As to Count V of the Notices, Judge Combs admits that he committed the acts set forth therein and that these acts constitute a violation of the Canons of the Kentucky Code of Judicial Conduct.

- f. As to Count VI of the Notices, Judge Combs admits that he committed the acts set forth therein and that these acts constitute a violation of the Canons of the Kentucky Code of Judicial Conduct.
- g. Judge Combs Motion to Dismiss Count VII of the Notices is sustained, and Count VII is dismissed in its entirety.
- h. Judge Combs Motion to Dismiss that portion of Count VIII of the Notices that alleges Judge Combs engaged in ex parte communications with attorney Michael de Bourbon prior to the hearing that is at issue in Count VIII is sustained, and that portion of Count VIII is dismissed. As to the remainder of Count VIII of the Notices, Judge Combs admits that he committed the acts set forth therein and that these acts constitute a violation of the Canons of the Kentucky Code of Judicial Conduct.
- i. As to Count IX of the Notices, Judge Combs admits that he committed the acts set forth therein and that these acts constitute a violation of the Canons of the Kentucky Code of Judicial Conduct.
- j. By agreement of Judge Combs and the Commission's Counsel, and on the recommendation of the Commission's Counsel, Count X of the Notices is dismissed in its entirety.
- k. As to Count XI of the Notices, Judge Combs admits that he committed the first act set forth therein, except as to the last sentence thereof, and that this act constitutes a violation of the Canons of the Kentucky Code of Judicial Conduct. As to the last sentence of the first act set forth in Count XI, Judge Combs does not admit this act but admits that the Commission has a good faith basis and proof to support Count XI related to this act. As

to the second act set forth in Count XI, Judge Combs admits that he committed the act set forth therein and that this act constitutes a violation of the Canons of the Kentucky Code of Judicial Conduct.

l. As to Count XII of the Notices, Judge Combs admits that he committed the acts set forth therein and that these acts constitute a violation of the Canons of the Kentucky Code of Judicial Conduct.

m. As to Count XIII of the Notices, Judge Combs does not admit the acts but admits that the Commission has a good faith basis and proof to support Count XIII.

Therefore, in light of the foregoing, Judge Combs is hereby suspended from his duties as Pike Circuit Court Judge, without pay, for a period of one hundred eighty (180) days, beginning October 1, 2015 and ending March 29, 2016.

Judge Laurance B. VanMeter, Judge Jeffrey M. Watson, Judge David P. Bowles, Mr. Stephen D. Wolnitzek, Ms. Joyce King Jennings and Ms. Diane Logsdon, sitting. Judge Janet Stumbo and Judge Eddy Coleman recused from any consideration of this matter.

Date: October 1, 2015

Stephen D. Wolnitzek
Stephen D. Wolnitzek, Chair

Agreed to: Richard A. Getty
Richard A. Getty, Co-Counsel for Judge Combs

Stephen Ryan
Stephen Ryan, Co-Counsel for Judge Combs

Steven D. Combs
Steven D. Combs, Judge

Jeffrey C. Mando
Jeffrey C. Mando, Counsel for the Commission

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**STEVEN D. COMBS, CIRCUIT COURT JUDGE
35TH JUDICIAL CIRCUIT**

NOTICE OF FORMAL PROCEEDINGS AND CHARGES

Notice is hereby given of the initiation of formal proceedings under Rule 4.180 of Rules of the Supreme Court. At the times set out in this Notice, you were Circuit Court Judge for Kentucky's 35th Judicial Circuit located in Pike County. The Charges are as follows:

COUNT I

From April 25, 2011, until September 3, 2014, you presided over Pike Circuit Court Case No. 11-CI-00567 styled *Danny Potter v. Blue Flame Energy Corporation, et al.* despite the fact that you had an oil and gas lease agreement with EQT Production Company, which was a defendant in the case. Additionally, while presiding over the case you made direct contact with EQT officials on the following occasions:

- On April 1, 2014 you contacted the EQT's corporate office and spoke with Division Order Analyst, Thomas Gagliardino. You accused Gagliardino of perpetrating a fraud relative to royalties you were owed by EQT. You demanded payment of embezzlement funds recovered by EQT from a former employer. You accused EQT of violating the lease agreement and threatened to lock them out of your property. All of these statements and accusations were made in a belligerent and hostile manner.
- On or about the spring of 2014, you contacted Chris Grim, EQT's Assistant Superintendent of Production to demand that EQT place gravel on your property despite the fact that EQT was under no contractual obligation to do so. After the work was performed, you nevertheless prevented EQT employees from entering your property and advised EQT to send additional gravel to your property.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 3B(8)** which requires a judge to dispose of a matter promptly, efficiently, and fairly.
- **Canon 3E(1)** which requires a judge to disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned.
- **Canon 4A(1)** which requires judges to conduct their extra-judicial activities so that they do not cast reasonable doubt on the judge's capacity to act impartially as a judge.
- **Canon 4A(2)** which requires a judge to conduct their extra-judicial activities so that they do not demean the judicial office.
- **Canon 4A(3)** which requires a judge to conduct their extra-judicial activities so that they do not interfere with the proper performance of judicial duties.

COUNT II

During your tenure as Circuit Judge, you made numerous inappropriate telephone calls to the City of Pikeville Police Department including:

- On November 7, 2013, you called looking for Chief Phillip Reed. When told that Chief Reed was at the airport and not available you responded, "That's a good waste of time. My mother's house got broken in last Friday. It's now Wednesday, and you all have not reported back to me yet. I do not appreciate it." When the call was transferred to Officer Addison Baisden, you chastised him for not reporting back to you and criticized the Police Department for an arrest made at a concert. You then told Officer Baisden, "Tell Phillip (Reed) to call me if he's not too damn busy playing airport tomorrow."

- On December 11, 2014, you engaged in a verbal confrontation with Officer Aaron Thompson about people parking in the private parking lot of the church you attend. During this call, you criticized the Pikeville City Attorney and demanded that the Police Department cite individuals who parked in the parking lot for criminal trespass.
- On December 12, 2014, you spoke with Officer Dave Adkins to again complain about individuals parking in the private parking lot of the church you attend. You stated that it was your duty as a judge to call and report criminal trespass.
- On December 16, 2014, you spoke with Chief Reed regarding Pike District Court Case No. 14-M-02239 styled *Commonwealth v. Johndra Coleman*. During the call, you criticized the arresting officers' actions in arresting the Defendant for public intoxication and accused them of making an unlawful arrest. You further alleged that the Police Department had made unlawful arrests in the past. You again complained that the Police Department was not arresting people for parking in the church parking lot and complained about Officer Thompson's reaction to your December 11, 2014 call.
- On December 22, 2014, you again spoke with Chief Reed complaining that he had not followed up with you on the Johndra Coleman case. You again criticized the arresting officers' actions and claimed that it was an unlawful arrest. You informed Chief Reed that you would contact the Commonwealth Attorney to indict any officer who you felt made an unlawful arrest. You threatened to contact the ACLU and encourage them to file civil lawsuits against the Police Department. You claimed that the Police Department had inadequate training because they did not obtain breathalyzer test results for public intoxication charges. You stated to Chief Reed, "If you think you can arrest somebody for drinking on their private property, come on down here and try it with me." You accused the Police Department of engaging in excessive force in a previous case and said you did not trust the Police Department. You indicated that you were going to subpoena Pikeville Police Officers for hearings they were otherwise not required to attend because you did not trust their decision-making. You alleged that the Exposition Center could not sell tickets to concerts because of false arrests made by the Police Department. You accused the Police Department of arresting a City Commission candidate for political purposes. You also indicated that the members of your church contacted you to address the issue of parking in their lot and that is what prompted your calls to the Police Department.
- On December 30, 2014, you contacted Captain Chris Edmonds demanding an investigation on automated calls you received regarding drinking and driving during the holidays. You then said that the next officer who pulled you over would get a "bullet in the head." When confronted with this statement you

replied, "I'm elected by the people and not pieces of trash like you all." You then referred to the Police Department as a "bunch of thieves."

- On numerous occasions, you contacted Captain Edmonds and demanded that a Police Officer be terminated for being involved in an accident with his daughter in the back seat of a squad car. You also called Captain Edmonds to complain about Officer Steve Adkins, referring to him as a "liar."

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office.

Furthermore, your actions violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the Judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 3B(4)** which requires judges to be dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity.
- **Canon 4A(1)** which requires judges to conduct their extra-judicial activities so that they do not cast reasonable doubt on the judge's capacity to act impartially as a judge.
- **Canon 4A(2)** which requires a judge to conduct their extra-judicial activities so that they do not demean the judicial office.
- **Canon 4A(3)** which requires a judge to conduct their extra-judicial activities so that they do not interfere with the proper performance of judicial duties.

COUNT III

During your tenure as Circuit Judge, you engaged in multiple instances of inappropriate interactions with elected officials and employees of the City of Pikeville including:

- You have made numerous harassing and contentious phone calls to City of Pikeville employees including, but not limited to, the City Manager and City Clerk.
- You have made numerous harassing and contentious phone calls to City of Pikeville elected officials.
- You referred to Pikeville City Commissioner Jerry Keith Coleman as “coke-head.”
- You referred to Pikeville Mayor Jimmy Carter as “fish face.”
- You referred to City Manager Donovan Blackburn as “Dumbo.”
- On August 28, 2008, you sent an open records request to the City of Pikeville on your official judicial letterhead regarding the use of a public athletic field, a matter unrelated to your judicial duties.
- On April 21, 2009, you sent an open records request to the City Manager asking for ordinances relating to the City’s supervision of the Pikeville Police Department.
- On March 4, 2011, you wrote a letter to the Pikeville City Manager on your official judicial letterhead regarding a personal matter unrelated to your judicial duties, accusing the Pikeville City Manager of libel and threatening prosecution against individuals who inspected property in Pikeville, Kentucky.
- You wrote multiple letters on your official judicial stationary to the Pikeville City Manager regarding personal matters unrelated to your judicial duties.
- On April 16, 2012, you threatened to take legal action against City employees for enforcing a local ordinance that resulted in a fine levied against your mother-in-law. You also indicated that you would rule against the City in any actions to enforce the ordinance brought before you in Pike Circuit Court. The City Administrator ultimately waived the fine.
- On October 15, 2012, you called the City Clerk and accused City employees of pulling up political signs for candidates opposing incumbent City Commissioners. You then threatened to file a complaint against a city employee.
- On November 8, 2012, you made multiple calls to the Pikeville City Clerk complaining of a sewer issue. During these calls, you threatened to contact the U.S. Attorney’s office to file a formal complaint.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions furthermore violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 4A(1)** which requires judges to conduct their extra-judicial activities so that they do not cast reasonable doubt on the judge's capacity to act impartially as a judge.
- **Canon 4A(2)** which requires a judge to conduct their extra-judicial activities so that they do not demean the judicial office.
- **Canon 4A(3)** which requires a judge to conduct their extra-judicial activities so that they do not interfere with the proper performance of judicial duties.

COUNT IV

During your tenure as Circuit Judge, you made numerous inappropriate communications with Pike TV Channel Manager Albert Greenfield, including:

- In the spring of 2011 or 2012 you contacted Greenfield to complain about a program featuring various elected officials speaking about coal severance funds. During the call you claimed the program was politically motivated and would violate the station's license. You also said you would ensure the program was pulled from the airwaves.
- On or about June 2013, you contacted Greenfield demanding that a program featuring Pikeville City Commissioner Barry Chaney be pulled from the airwaves claiming that the program broke the law and was politically motivated.
- On June 11, 2013, you called Greenfield to complain that the program featuring Commissioner Chaney was still airing. When Greenfield refused to remove the program, you threatened to go to the Internal Revenue Service for the purpose of revoking the Pike TV's license to broadcast.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions furthermore violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 4A(1)** which requires judges to conduct their extra-judicial activities so that they do not cast reasonable doubt on the judge's capacity to act impartially as a judge.
- **Canon 4A(2)** which requires a judge to conduct their extra-judicial activities so that they do not demean the judicial office.
- **Canon 4A(3)** which requires a judge to conduct their extra-judicial activities so that they do not interfere with the proper performance of judicial duties.

COUNT V

During your tenure as Circuit Judge, you made numerous inappropriate phone calls to Pikeville Attorney Ray Jones who regularly practices before you in Pike Circuit Court. During these calls, you left voice messages in which you referred to Jones as a "coward" and "prick." You then demanded that Jones return your call.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions also violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.

- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 3B(4)** which requires judges to be dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity.

COUNT VI

During your tenure as Circuit Judge, you engaged in inappropriate political activity including:

- In 2010, you contacted the City of Pikeville City Manager Donovan Blackburn and accused him of supporting Darryl Pugh, a candidate for County Magistrate. When Blackburn denied the accusation, you called him a liar.
- On or about April 2014, you contacted Pikeville Police Chief Phillip Reed and requested a permit for Mayoral candidate TJ Litafik to operate a golf cart during the Hillbilly Days festival.
- On or about October 2014, you contacted Attorney Ray Jones and chastised him for having a political sign in his front yard in support of Mayoral candidate Jimmy Carter.
- On or about November 2014 you contacted Greg May, owner of the Utility Management Group, and chastised him for assisting Mayoral candidate Jimmy Carter and an incumbent City Commission candidate in filming a television commercial.
- Prior to the 2014 General Election, you contacted Sheriff-elect Rodney Scott and asked him to attend a political fundraiser for a Mayoral candidate TJ Litafik.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions also violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.

- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 4A(1)** which, requires judges to conduct their extra-judicial activities so that they do not cast reasonable doubt on the judge's capacity to act impartially as a judge.
- **Canon 4A(2)** which requires a judge to conduct their extra-judicial activities so that they do not demean the judicial office.
- **Canon 5A(1)(c)** which prohibits a judge from publicly endorsing or opposing a candidate for public office.

COUNT VII

During your tenure as Circuit Judge, you made numerous inappropriate statements on Topix including:

- On December 27, 2014, you commented on a post entitled "New Judge Mayor" under the username "LOL" in which you said: "Fishface will do whatever a certain commissioner tells him to do."
- On January 14, 2015, you commented on a post entitled "JK Coleman Is Stupid" under the username "Better Call Wusty" in which you said: "Better watch our little babies will get mad. How much paper have the City Crybabies wasted at City Hall printing threads off Topix so they can cry about it to each other and so Little Donovan can plead with Attorney General Wusty to do something to stop this shamefulness toward the Great City Commission and Anointed Town Puppets?!?"
- On January 15, 2015, you commented on a post entitled "City Puppets Beware" under the username "Imma Tellin you" in which you said: "Dumbo Donovan, Ratfink Rusty, Fishface Jimmy, Jerry Keith the Stupid Bartender and Retarded Reed the Little Police Chief..."
- On January 16, 2015, you commented on a post entitled "City Puppets Beware" under the username "City Hall Patrol" in which you said: "The Puppets had best beware and not do things most little town councils would not dare."

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions also violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 4A(1)** which requires judges to conduct their extra-judicial activities so that they do not cast reasonable doubt on the judge's capacity to act impartially as a judge.
- **Canon 4A(2)** which requires a judge to conduct their extra-judicial activities so that they do not demean the judicial office.

COUNT VIII

On April 4, 2012, you presided over a status hearing in Pike Circuit Court, Case No. 11-CI-01455 styled *Nicole Hall v. Unknown Defendants* more than two months after the case was voluntarily dismissed. During the hearing you questioned Attorney Kevin Keene as to his motivations behind bringing the lawsuit. You then accused Keene of engaging in unethical behavior by issuing improper subpoenas. You also engaged in ex-parte communications with Michael DeBourbon, an attorney involved in the case prior to the hearing.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions also violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 3B(2)** which prohibits judges from being swayed by partisan interests.
- **Canon 3B(4)** which requires judges to be dignified and courteous to litigants, jurors, witnesses, lawyers and others with whom the judge deals in an official capacity.
- **Canon 3B(7)** which prohibits a judge from engaging or considering ex-parte communications.
- **Canon 3B(8)** which requires a judge to dispose of a matter promptly, efficiently, and fairly.

COUNT IX

On or about November 2014, you presided over Pike Circuit Court Case No. 14-CI-01224 styled *Joshua Huffman, et al. v. Lillian Pearl Elliott, et al.* which involved a challenge to the outcome of the 2014 general election for City Commission. Despite expressing an interest in the outcome of the City Commission race and criticizing incumbent candidates on multiple occasions, you entered a Final Judgment and Permanent Injunction disqualifying a candidate for City Commission and naming another candidate as the successful candidate.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions also violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.

- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 3B(2)** which prohibits judges from being swayed by partisan interests.
- **Canon 3E(1)** which requires a judge to disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned.
- **Canon 3B(8)** which requires a judge to dispose of a matter promptly, efficiently, and fairly.

COUNT X

During your tenure as Circuit Judge, you solicited financial contributions from Attorneys Ray Jones, Gary Johnson, Billy Johnson, and other attorneys who regularly appear before you in Pike Circuit Court for the local high school golf team.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions also violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.

JURISDICTION

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which read, in pertinent part, as follows:

- (1) Commission shall have authority:
 - (b) To impose the sanctions separately or collectively of (1) admonition, private reprimand, public reprimand or

censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:

- (i) Misconduct in office.
- (v) Violation of the code of Judicial Conduct, Rule 4.300.
- (c) After notice and hearing to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

For your information, the Commission calls your attention to the following Supreme Court Rule:

RULE 4.180 FORMAL PROCEEDINGS

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

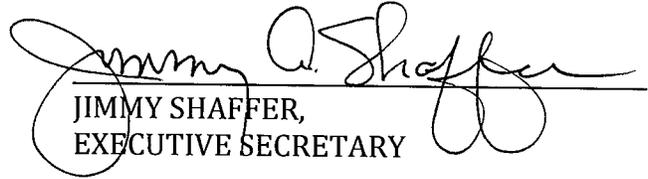
Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY 40604-4266.

April 27, 2015


STEPHEN D. WOLNITZEK, CHAIRMAN
KENTUCKY JUDICIAL CONDUCT COMMISSION

Judge Janet Stumbo and Judge Eddy Coleman recused themselves from any consideration of this matter.

I hereby certify that copy hereof was served on Steven D. Combs, Pike Circuit Court Judge, by mailing same to his attorney, Hon. Kent Wicker, 321 West Main Street, Suite 2100, Louisville, KY 40202 this 27th day of April, 2015.


JIMMY SHAFFER,
EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**STEVEN D. COMBS, CIRCUIT COURT JUDGE
35TH JUDICIAL CIRCUIT**

AMENDED NOTICE OF FORMAL PROCEEDINGS AND CHARGES

Notice is hereby given of the initiation of formal proceedings under Rule 4.180 of Rules of the Supreme Court. At the times set out in this Notice, you were Circuit Court Judge for Kentucky's 35th Judicial Circuit located in Pike County. The charges in the Notice of Formal Proceedings and Charges filed on April 27, 2015 (hereinafter referred to as the "Original Notice"), are adopted by reference in this Amended Notice. The Charges are as follows:

COUNTS I - X

The charges in Counts I – X in the Original Notice are adopted by reference as Count I of this notice.

COUNT XI

During your tenure as Circuit Judge, you made numerous inappropriate communications with employees of the Appalachia News Express, including:

- On or about August 20, 2013, you contacted Appalachia News Express Publisher, Jeff Vanderbeck, to complain about an article published under the headline, "Felony assault charge against teenager dismissed by grand jury." During your conversation you used profanities and called Mr. Vanderbeck derogatory names. You also threatened Mr. Vanderbeck stating, "I'm going to come to your house and shoot you and run your family out of town."
- In the fall of 2013, you contacted sports editor, Randy White, to complain that your son was not receiving enough coverage in the sports section. During this conversation you raised your voice and used profanities.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions furthermore violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 4A(1)** which requires judges to conduct their extra-judicial activities so that they do not cast reasonable doubt on the judge's capacity to act impartially as a judge.
- **Canon 4A(2)** which requires a judge to conduct their extra-judicial activities so that they do not demean the judicial office.
- **Canon 4A(3)** which requires a judge to conduct their extra-judicial activities so that they do not interfere with the proper performance of judicial duties.

JURISDICTION

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which read, in pertinent part, as follows:

- (1) Commission shall have authority:
 - (b) To impose the sanctions separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:
 - (i) Misconduct in office.
 - (v) Violation of the code of Judicial Conduct, Rule 4.300.

- (c) After notice and hearing to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

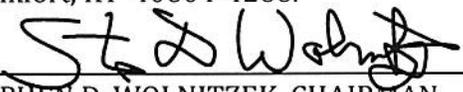
For your information, the Commission calls your attention to the following Supreme Court Rule:

RULE 4.180 FORMAL PROCEEDINGS

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY 40604-4266.

June 2nd, 2015


STEPHEN D. WOLNITZEK, CHAIRMAN
KENTUCKY JUDICIAL CONDUCT COMMISSION

Judge Janet Stumbo and Judge Eddy Coleman recused themselves from any consideration of this matter.

I hereby certify that copy hereof was served on Steven D. Combs, Pike Circuit Court Judge, by mailing same to his attorneys, Hon. Kent Wicker, 321 West Main Street, Suite 2100, Louisville, KY 40202; Stephen P. Ryan, 7104 Hillcircle Court, Louisville, KY 40214 this 2nd day of June, 2015.


JIMMY SHAFFER,
EXECUTIVE SECRETARY

**COMMONWEALTH OF KENTUCKY
JUDICIAL CONDUCT COMMISSION**

IN RE THE MATTER OF:

**STEVEN D. COMBS, CIRCUIT COURT JUDGE
35TH JUDICIAL CIRCUIT**

SECOND AMENDED NOTICE OF FORMAL PROCEEDINGS AND CHARGES

Notice is hereby given of the initiation of formal proceedings under Rule 4.180 of Rules of the Supreme Court. At the times set out in this Notice, you were Circuit Court Judge for Kentucky's 35th Judicial Circuit located in Pike County. The charges in the Notice of Formal Proceedings and Charges filed on April 27, 2015 (hereinafter referred to as the "Original Notice") and the Amended Notice of Formal Proceedings and Charges (hereinafter referred to as the "First Amended Notice") are adopted by reference in this Second Amended Notice. The Charges are as follows:

COUNTS I - XI

The charges in Counts I – X in the Original Notice and Count XI in the First Amended Notice is adopted by reference as Counts I – XI of this notice.

COUNT XII

During your tenure as Circuit Judge, you presided over the following cases in which EQT Production Company, or one of its subsidiaries, was a party to the action despite the fact that you had a financial relationship with EQT Production Company and without disclosing such relationship on the record:

- 09-CI-431, Fleming, et al. v. Equitable Production Co.;
- 09-CI-660, Justice, et al. v. EQT Production Co.;
- 09-CI-1179, Johnson, et al. v. EQT Production Co.;
- 10-CI-116, Edmiston et al. v. EQT Production Company;
- 10-CI-722, May, et al. v. EQT Production Co.;
- 10-CI-926, Pilgrim Energy, Inc. v. EQT Production Co.;

- 10-CI-1840, Roberts, et al. v. EQT Production Co.;
- 11-CI-352, Hopkins, et al. v. Childers, et al.
- 11-CI-546, Potter, et al. v. EQT Production Co.;
- 11-CI-567, Potter v. Blue Flame Energy;
- 11-CI-615, Johnson v. EQT Production Co.;
- 11-CI-899, Coleman v. EQT Production Co.;
- 11-CI-939, EQT Production Co. v. Johnson;
- 11-CI-1161, Wright v. EQT Production Co.;
- 11-CI-624, Stalnaker v. EQT Production Co.;
- 13-CI-680, Williamson, et al v. EQT Gathering, LLC;
- 13-CI-1258, EQT Gathering, LLC v. Robinson

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions furthermore violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.
- **Canon 2D** which prohibits judges from lending the prestige of judicial office to advance private interests of the judge or others.
- **Canon 3B(8)** which requires a judge to dispose of a matter promptly, efficiently, and fairly.
- **Canon 3E(1)** which requires a judge to disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned.

COUNT XIII

During a temporary suspension hearing held before the Commission on June 16, 2015, you testified under oath that you had disclosed, on the record, your financial relationship with EQT Production Company in all cases which you presided as judge. A review of all pleadings and recorded hearings in the cases identified in Count XII failed to identify any disclosures of your relationship with EQT Production Company on the record.

Your actions violate SCR 4.020(1)(b)(i) and constitute misconduct in office. Your actions furthermore violate SCR 4.300 and the relevant portions of the following Canons of the Code of Judicial Conduct:

- **Canon 1** which requires judges to maintain high standards of conduct and uphold the integrity and independence of the judiciary.
- **Canon 2A** which requires judges to respect and comply with the law and act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

JURISDICTION

The jurisdiction of the Judicial Conduct Commission in this matter is under SCR 4.020(1)(b)(i) and (v), and (1)(c) which read, in pertinent part, as follows:

- (1) Commission shall have authority:
 - (b) To impose the sanctions separately or collectively of (1) admonition, private reprimand, public reprimand or censure; (2) suspension without pay or removal or retirement from judicial office, upon any judge of the Court of Justice or lawyer while a candidate for judicial office, who after notice and hearing the Commission finds guilty of any one or more of the following:
 - (i) Misconduct in office.
 - (v) Violation of the code of Judicial Conduct, Rule 4.300.
 - (c) After notice and hearing to remove a judge whom it finds to lack the constitutional statutory qualifications for the judgeship in question.

For your information, the Commission calls your attention to the following Supreme Court Rule:

RULE 4.180 FORMAL PROCEEDINGS

If the Commission concludes that formal proceedings should be initiated, it shall notify the judge. He may file an answer within 15 days after service of the notice. Upon the filing of his answer, or the expiration of time for so

filing, the Commission shall set a time and place for the hearing and shall give reasonable notice thereof to the judge.

Please mail your Answer to: Ms. Jimmy Shaffer, Executive Secretary, Kentucky Judicial Conduct Commission, P.O. Box 4266, Frankfort, KY 40604-4266.

August 7, 2015


STEPHEN D. WOLNITZEK, CHAIRMAN
KENTUCKY JUDICIAL CONDUCT COMMISSION

Judge Janet Stumbo and Judge Eddy Coleman recused themselves from any consideration of this matter.

I hereby certify that copy hereof was served on Steven D. Combs, Pike Circuit Court Judge, by mailing same to his attorneys, Richard A. Getty and Danielle H. Brown, 1900 Lexington Financial Center, 250 West Main Street, Lexington, KY 40507; and Stephen P. Ryan, 7104 Hillcircle Court, Louisville, KY 40214 this 7th day of August, 2015.


JIMMY SHAFFER
EXECUTIVE SECRETARY