

## Disciplinary Complaint v. Judge John Patton

Below you'll find the following:

- Disciplinary Complaint v. Judge John T. Patton
  - Letter to Chief Justice Thomas Moyer asking that he fire Patton
  - Letter to Ron O'Brien – County Prosecutor asking him to investigate Patton and file criminal charges if warranted
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The Watchdog  
David Palmer  
Sacramento, California  
Email: [Noethics1@aol.com](mailto:Noethics1@aol.com)

March 1, 2005

Jonathan Marshall  
Board of Commissioners on Grievances/Discipline

### **Re: Misconduct of retired Judge John T. Patton – Cleveland**

Dear Mr. Marshall:

On at least six (6) occasions in 2003, retired visiting Judge John Patton falsely certified that he worked a full eight-hours hearing oral arguments in cases before the 8<sup>th</sup> District Court of Appeals in Cleveland. Patton's signature appears below the following certification, "I hereby certify that I have thoroughly reviewed the information contained in this report and that it is a true and accurate representation of the work I performed on the matters to which I was assigned."

Patton knowingly and intentionally submitted false per diem claims with the prerequisite intent to deceive the State of Ohio. As a direct and proximate cause of Patton's deceitful conduct, he is guilty of defrauding the State of Ohio in the amount of \$2,229.00.

Attached hereto is a Case Query regarding scheduled cases for oral argument that I received from the 8<sup>th</sup> District Court of Appeals relating to the appellate cases that Patton was assigned to by Chief Justice Moyer. The attached schedule proves beyond all doubt that Patton billed the State of Ohio 48 hours when he only worked 6.5 hrs.

### **PATTON, JOHN T. – THEFT IN OFFICE Cleveland, Ohio**

Date	Hrs	Paid	Work Claimed	Cases Heard <sup>1</sup>	Time	Theft
09-22-03	8.0	\$430	Oral Argument – 8 <sup>th</sup>	82373 – 82106 <sup>2</sup>	1.0	\$376
09-23-03	8.0	\$430	Oral Argument – 8 <sup>th</sup>	81914-82565-82682 <sup>3</sup>	1.5	\$349

09-24-03	8.0	\$430	Oral Argument – 8 <sup>th</sup>	82745-82752-82755 82755	1.5	\$349
09-29-03	8.0	\$430	Oral Argument – 8 <sup>th</sup>	82465 – 82568 <sup>4</sup>	1.0	\$376
09-30-03	8.0	\$430	Oral Argument – 8 <sup>th</sup>	82601 <sup>5</sup>	0.5	\$403
10-01-03	8.0	\$430	Oral Argument – 8 <sup>th</sup>	82660 – 82761 <sup>6</sup>	1.0	\$376
					<b>6.5</b>	<b>\$2,229</b>

- 1 8<sup>th</sup> District Court of Appeals Case Numbers – Cuyahoga County
- 2 Oral argument limited to 15 mns. Per side = 30 minutes per case
- 3 Oral argument waived in Case No. 82564
- 4 Oral argument waived in Case No. 82573
- 5 Oral argument waived in Case No. 82582
- 6 Oral argument waived in Case No. 82661

My suspicions as to Patton's honesty were immediately aroused when I first viewed his monthly compensation reports as a VJ after receiving numerous complaints about his conduct in the Erie County Court of Common Pleas.

Patten had the chutzpah to claim that he worked 8 hour days 96.5% of the time, which is patently absurd as you well know.

I am taking the liberty of forwarding this complaint to Chief Justice Moyer in the hopes that it will cause him to immediately discharge Patton. I can't imagine that he has much of a choice but to so act, can you?

Please provide me with a copy of Patton's reply upon receipt of it.

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David Palmer  
The Watchdog

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Sacramento, California  
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March 1, 2005

Thomas Moyer  
Chief Justice – Ohio Supreme Court

Re: Misconduct of retired Judge John T. Patton – Cleveland

Dear Chief Justice:

Find attached hereto a copy of a complaint faxed this date to Jonathon Marshall regarding Judge Patton's egregious misconduct, which speaks for itself.

On behalf of the citizens of Ohio I am hereby requesting that you immediately discharge Judge Patton by issuing an Order voiding all active assignments. It's the least you can do to protect the taxpayers from further abuses by Judge Patton.

With all due respect, I firmly believe that when a Judge is caught stealing once that, he/she has forfeited his right to sit in judgment of others. Dishonest Judges cannot be afforded the criminal equivalent of "three strikes and you're out." Judge Patton has proven that he cannot be trusted; therefore you must remove him forthwith.

Unfortunately, Judge Patton isn't the only retired Judge who is bilking Ohioans by submitting false per diem and/or travel expense claims. If I were to file complaints against all of them at the same time, and if you discharged all of them, it would seriously limit the retired judge pool available to you for future assignments. Therefore, I will endeavor to limit the complaints by filing no more than 2 or 3 a week.

I trust that you will take immediate action to prevent further thefts by Judge Patton by discharging him upon receipt of this letter and the attached complaint.

Sincerely,

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David Palmer (aka, "The Watchdog")  
Loyal Ohio Subject in Exile

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March 1, 2005

Ron O'Brien  
Franklin County, Ohio Prosecutor

Re: Retired Judge John Patton and Theft-In-Office

Dear Mr. O'Brien:

Attached is a letter to Jonathon Marshall that details the thefts of public funds by retired visiting Judge John Patton of Cleveland, Ohio.

Your office has jurisdiction regarding Patton's felonious conduct because he submitted his false claims to the Ohio Supreme Court in Columbus, Ohio.

The evidence of Patton's theft-in-office is not in dispute. He certified his claims as being "true and accurate" after he thoroughly reviewed them. Moreover, it cannot be disputed that he acted with the prerequisite criminal intent to deceive the State of Ohio via the submission of claims he absolutely knew to be false, and that based on his false claims, the State of Ohio reimbursed him for hours he clearly never worked.

If you need any additional information from me, feel free to contact me. If you require a sworn complaint let me know.

Sincerely,

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David Palmer (aka, "The Watchdog")

Loyal Ohio Subject in Exile