

IN THE SUPREME COURT OF THE STATE OF UTAH

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In re: Judicial Conduct Commission
Inquiry Concerning a Judge;

Case No. 20090888-SC
JCC 09-4JC-075

Hon. Garry R. Sampson

ORDER

Pursuant to the authority vested in the Supreme Court by Article VIII, Section 13 of the Utah Constitution and Utah Code Ann. § 78A-11-111, the Court approves the implementation of the Judicial Conduct Commission's Order of Reprimand.

For The Court:

December 17, 2009
Dated

Christine M. Durham
Christine M. Durham
Chief Justice

MAILING CERTIFICATE

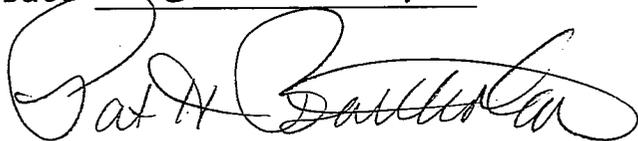
I certify that on the 17th day of December 2009, I mailed a true and correct copy of the foregoing Notice, postage prepaid, to the following addresses:

Colin R. Winchester
Executive Director
Utah Judicial Conduct Commission
2540 Washington Blvd., 7th Floor
Ogden, Utah 84401

Hon. Garry R. Sampson
140 S. Center Street
Lehi, Utah 84043

Date

Dec. 17, 2009



Pat H. Bartholomew
Clerk of Court

Case No. 20090888-SC
JCC 09-4JC-075

BEFORE THE UTAH JUDICIAL CONDUCT COMMISSION

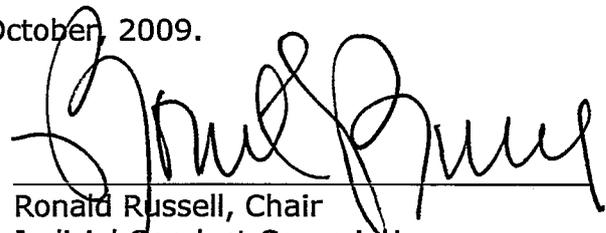
IN RE:)
) ORDER OF REPRIMAND
))
HON. GARRY R. SAMPSON) Case No. 09-4JC-075
)

On October 13, 2009, the Judicial Conduct Commission received and reviewed a written Stipulation signed by the Honorable Garry R. Sampson. The Stipulation sets forth facts and conclusions that support both a finding of judicial misconduct and the issuance of a reprimand. The Commission voted to approve the Stipulation and to recommend that the Supreme Court impose a reprimand in this matter.

Based on the Stipulation and the Commission's approval of the same, the Judicial Conduct Commission hereby orders that the Hon. Garry R. Sampson be reprimanded.

This Order shall only take effect upon implementation of the same by the Utah Supreme Court.

DATED this 13th day of October, 2009.



Ronald Russell, Chair
Judicial Conduct Commission

CERTIFICATE OF SERVICE

I certify that on the 21st day of October, 2009, I mailed, via postage pre-paid first class mail, a true and correct signed copy of the foregoing Order of Reprimand to:

Hon. Garry Sampson
140 S. Center Street
Lehi, Utah 84043



Colin R. Winchester
Executive Director

CONFIDENTIAL

COLIN R. WINCHESTER [4696]
SUSAN L. HUNT [6574]
Utah Judicial Conduct Commission
2540 Washington Blvd. #703
Ogden, Utah 84401
Telephone: (801) 626-3369
Facsimile: (801) 626-3390

BEFORE THE UTAH JUDICIAL CONDUCT COMMISSION

IN RE:)
) STIPULATION
)
 HON. GARRY R. SAMPSON) Case No. 09-4JC-075
)

The Honorable Garry R. Sampson ("Judge Sampson") and the Judicial Conduct Commission ("JCC") hereby stipulate and agree that they will jointly recommend to the Utah Supreme Court that Judge Sampson receive a reprimand in this matter. In support of that recommendation, Judge Sampson and the JCC stipulate and agree to the following:

FINDINGS OF FACT

1. On March 30, 2009, Judge Sampson was in his courtroom with Jode Neer (court clerk), Corporal Darci Bugden (bailiff), and Sherri Benson (victim advocate). Court was not in session and there were no other people present.
2. Corporal Bugden removed a lid from a water bottle and threatened to throw water on Judge Sampson.
3. Judge Sampson removed his firearm from its holster and pointed it at Corporal Bugden for several seconds.

4. Judge Sampson acted in a joking manner. He did not intend to threaten or cause alarm to anyone. No one else in the courtroom believed that Judge Sampson intended to threaten or intentionally harm Corporal Bugden. However, Judge Sampson's conduct did in fact cause alarm to Corporal Bugden and Ms. Benson, both of whom were concerned that the weapon might accidentally discharge.

5. Judge Sampson has not carried or possessed a firearm in the Lehi City Justice Court since March 30, 2009. Further, Judge Sampson does not intend to carry or possess a firearm in the Lehi City Justice Court in the future.

6. Judge Sampson has served as the Lehi City Justice Court Judge since 2004.

7. Judge Sampson has never been publicly, privately or informally disciplined by the JCC or the Utah Supreme Court.

8. Judge Sampson accepts full responsibility for his actions, and is extremely remorseful about this incident and the harm that it has caused to the integrity of the judiciary.

9. Several Lehi City officials and administrators have submitted letters in support of Judge Sampson's continued service as a justice court judge.

CONCLUSIONS OF LAW

1. Judge Sampson's actions violated Canon 1 of the Code of Judicial Conduct, which states, "A judge . . . shall personally observe . . . high standards of conduct so that the integrity . . . of the judiciary will be preserved."

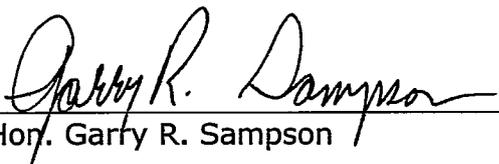
2. Judge Sampson's actions constitute conduct prejudicial to the administration of justice which brings a judicial office into disrepute, in violation of Article VIII, Section 13 of the Constitution of Utah and Utah Code Ann. §78A-11-105(1)(e).

3. A reprimand is an appropriate sanction in this matter.

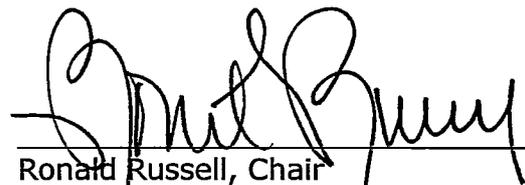
REPRIMAND TO BECOME EFFECTIVE ONLY UPON IMPLEMENTATION

The recommended reprimand shall take effect only upon implementation of the same by the Utah Supreme Court. The Supreme Court is not bound by this joint recommendation. Rather, it may approve, reject, or modify the recommendation as it sees fit.

DATED this 13th day of October, 2009.



Hon. Garry R. Sampson



Ronald Russell, Chair
Judicial Conduct Commission