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FILED

IN THE TENNESSEE COURT OF THE JUDICIARY - I AM 11: 37

**IN RE: THE HONORABLE GLORIA DUMAS,
JUDGE, GENERAL SESSIONS COURT
METROPOLITAN NASHVILLE and
DAVIDSON COUNTY, TENNESSEE, Division IV**

APPELLATE COURT CLERK
NASHVILLE

Docket No. M2009-01938-CJ-CJ-CJ

**Complainant: JOSEPH S. DANIEL, in the exercise of his duties as
Disciplinary Counsel, and at the direction of an Investigative Panel of the
Tennessee Court of the Judiciary.**

File No. 08-3487

MOTION TO DEEM CERTAIN FACTS ADMITTED

COMES NOW Joseph S. Daniel, Disciplinary Counsel for the Tennessee Court of the Judiciary, pursuant to Rule 36, Tennessee Rules of Civil Procedure, and would respectfully move the Court for an Order that certain facts, requested to be admitted by the original Complainant, be deemed admitted in this action by The Honorable Gloria Dumas, and as grounds therefore would state as follows:

1. Contemporaneously with the filing of the Formal Charges in this action, Disciplinary Counsel for the Court of the Judiciary propounded certain items of written discovery, including Request for Admissions (Exhibit A).
2. Service of the written discovery Requests described in ¶ 1 was obtained as provided by law on the 22nd day of September, 2009 (Exhibit B).
3. By agreement reflected by Order entered by this Court on October 27, 2009, it was provided in part as follows:

Upon the unopposed request of Judge Gloria Dumas for an

extension of time to file a response to the charges filed against her and to respond to the discovery requests served on her, the Court hereby ORDERS:

That the time for responding to the charges filed against Judge Dumas and the time for responding to the discovery requests filed against her is extended to November 24, 2009.

4. This Motion is being filed on February 1, 2010 which is:

- 132 days after original service of the written discovery referenced in ¶ 1, *supra*.
- 97 days after the Order granting an extension (¶ 3) was entered.
- 70 days after November 24, the due date for the subject responses.

5. In documents filed by counsel for The Honorable Gloria Dumas, no substantive answers were provided to the written discovery described in ¶ 1 (Ex. A). Rather, The Honorable Gloria Dumas, caused to be filed a document as follows which may or may not be intended to indicate a refusal to respond to any written discovery. In any event, no discovery responses have been forthcoming and no Motion For Protective Order has been filed. The referenced filing in pertinent part is as follows:

MOTION TO STRIKE DISCOVERY REQUESTS

Judge Dumas moves to strike the discovery requests, pursuant to Tenn.R.Civ.Pro. 26.02 and 26.03, relieving her of the obligation to answer the requests because they are unduly burdensome, taking into account the needs of the case. Rule 26.02 Tenn. R. Civ. P. provides that the Court may limit the extent of discovery if "the discovery is unduly burdensome or expensive, taking into account the needs of the case, the amount in controversy, limitations on the parties' resources, and the importance of the issues at stake in the controversy." A cursory examination of the discovery requests filed by Disciplinary Counsel will reveal how burdensome it will be for Judge Dumas to comply with the requests. The requests cover the period from January 1, 2007 to the present and seek such information as to where she has parked her vehicle each day while attending Court (Interrogatory No. 14), any documents identifying her as a General Sessions Judge (Requests for Production No. 1) and the number of days since January 1, 2007 that she has not opened court at the time designated on any warrant, citation or summons (Interrogatory No. 11). It would probably take weeks of extensive investigation by Judge Dumas and her staff to produce all the information requested by

Disciplinary Counsel. These requests are particularly unnecessary because Judge Dumas has candidly answered all inquiries sent by Disciplinary Counsel during the course of this investigation.

6. Rule 36, Tennessee Rules of Civil Procedure, provides as follows:

36.01. Request for Admission. — A party may serve upon any other party a written request for the admission, for purposes of the pending action only, of the truth of any matters within the scope of Rule 26.02 set forth in the request that relate to statements or opinions of fact or of the application of law to fact, including the genuineness of any documents described in the request. Copies of documents shall be served with the request unless they have been or are otherwise furnished or made available for inspection and copying. The request may, without leave of court, be served upon the plaintiff after commencement of the action and upon any other party with or after service of the summons and complaint upon that party.

Each matter of which an admission is requested shall be separately set forth. The matter is admitted unless, within 30 days after service of the request, or within such shorter or longer time as the court may allow, the party to whom the request is directed serves upon the party requesting the admission a written answer or objection addressed to the matter, signed by the party or by the party's attorney, but, unless the court shortens the time, a defendant shall not be required to serve answers or objections before the expiration of 45 days after service of the summons and complaint upon the defendant. If objection is made, the reasons therefor shall be stated. The answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify an answer or deny only a part of the matter of which an admission is requested, the party shall specify so much of it as is true and qualify or deny the remainder. An answering party may not give lack of information or knowledge as a reason for failure to admit or deny unless the party states that he or she has made reasonable inquiry and that the information known or readily obtainable by the party is insufficient to enable the party to admit or deny. A party who considers that a matter of which an admission has been requested presents a genuine issue for trial may not, on that ground alone, object to the request; the party may, subject to the provisions of Rule 37.03, deny the matter or set forth reasons why the party cannot admit or deny it.

7. The Honorable Gloria Dumas has not responded to the Requests, or in the alternative, if her "Motion to Strike" is somehow construed as a response, it has in its entirety failed to comply with the specific provisions of Rule 36.

8. Wherefore, Disciplinary Counsel respectfully requests that this Court enter an Order deeming the following facts admitted by the Honorable Gloria Dumas for all purposes in this action, and that Disciplinary Counsel receive such other and further relief to which he may be entitled.

The facts to be admitted, as set forth in the original Requests, are as follows:

1. That you were at all times relevant herein (as described in the original Complaint in this action), a full time judge of the General Sessions Court of Davidson County, Tennessee, as described in TCA Section 16-15-502.

2. That at all times relevant to the Complaint filed in this action, the Judicial Canons of Ethics or Code of Judicial Conduct applied to you.

3. That on over 100 occasions since January 1, 2007 you have used or appointed special or substitute judges to perform your duties and responsibilities as Judge of the General Sessions Court of Davidson County, Tennessee.

4. That on each and every occasion when you have used or appointed special or substitute judges to perform your duties and responsibilities as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007, you have continued to receive your full compensation as Judge.

5. That at no time since January 1, 2007, you have complied with the following provision of TCA Section 16-15-209 (a)(1), which reads as follows:

(1) If a special judge is necessary in a county or district with more than one (1) general sessions or juvenile judge, the judge shall interchange within such judge's county, pursuant to § 17-2-208. If a judge cannot serve by interchange, a judge may seek to find any current, former, or retired judge, who will, by mutual agreement, sit as special judge. Such designation shall be made by the chief justice of the supreme court.

6. That at no time since January 1, 2007, you have complied with the following provision of TCA Section 16-15-209 (a)(3), which reads as follows:

(3) If the judge is unable to secure a judge under subdivision (a)(1) or (2), the judge may apply to the administrative office of the courts for assistance in finding a judge to sit by designation as special judge.

7. That at no time since January 1, 2007, you have complied with the following provision of TCA Section 16-15-209 (a)(4), which reads as follows:

(4) Only after exhausting the procedures set out in subdivisions (a)(1), (2) and (3), a judge may appoint a lawyer from a list, on a rotating basis, of lawyers that have been previously approved by the judge or judges of the district or county who are constitutionally qualified, in good standing, and possess sufficient experience and expertise. A lawyer appointed is subject to the following limitations:

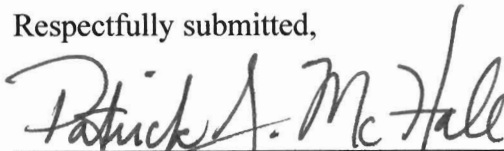
8. That you have been advised, requested, or notified in any fashion since January 1, 2007, that your appointment practices failed to comply with state law and that you should alter, modify or amend accordingly your appointment methods, practices, or conduct in the appointment of special or substitute judges.

9. That you have taken no action to alter, modify or amend in any fashion your appointment methods, practices, or conduct in the appointment of special or substitute judges following or as a result of any advise request or notification described in Request No. 8.

10. That the general sessions of Davidson County, Tennessee have an established policy of rotating between their various dockets with each general sessions judge off every tenth week or for at least five week per year in addition to any vacation, holiday, leave, sick days or any other absences permitted by employment status or position such as conferences, judicial meetings and so forth.

11. That your selection and employment of your daughter to work in the general sessions was made without competitive employment application processes and due to her family relationship with you.

Respectfully submitted,



JOSEPH S. DANIEL #002799

Disciplinary Counsel

PATRICK J. McHALE, #004643

Assistant Disciplinary Counsel

503 North Maple Street

Murfreesboro, TN 37130

Phone (615) 898-8004

Certificate of Service

I certify that a true and exact copy of the foregoing has been mailed, delivered, and/or transmitted by facsimile to:

Ben H. Cantrell, BPR #3160
Tune, Entekin & White, P.C.
Suite 1700, Regions Center
315 Deaderick Street
Nashville, TN 37238-1700

and

Thomas E. Hansom, BPR #008153
659 Freeman St.
Memphis , TN 38122

Attorneys

on this the 1st day of February, 2010.



Patrick J. McHale, Assistant Disciplinary Counsel

FILED

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APPELLATE COURT CLERK
NASHVILLE

IN THE TENNESSEE COURT OF THE JUDICIARY

**IN RE: THE HONORABLE GLORIA DUMAS,
JUDGE, GENERAL SESSIONS COURT
METROPOLITAN NASHVILLE and
DAVIDSON COUNTY, TENNESSEE, Division IV**

Docket No. M2009-_____-CJ-CJ-CJ

**Complainant: JOSEPH S. DANIEL, in the exercise of his duties as
Disciplinary Counsel, and at the direction of an Investigative Panel of the
Tennessee Court of the Judiciary.**

File No. 08-3487

FIRST INTERROGATORIES TO GLORIA DUMAS

COMES NOW Joseph S. Daniel, Disciplinary Counsel for the Tennessee Court of the Judiciary, pursuant to Tennessee Rule of Civil Procedure 33, and propounds the following interrogatories to Honorable Gloria Dumas:

No. 1: State your full name, residence address, professional address, telephone numbers (home office and cellular), social security number, and date of birth.

RESPONSE:

No. 2: State the date you were sworn into office as Judge of the General Sessions Court of Davidson County, Tennessee.

RESPONSE:

No. 3: State all email addresses you have used in your capacity as Judge of the General Sessions Court of Davidson County, Tennessee, and the dates each and every such email address had been used.

RESPONSE:

No. 4: Describe in full any and all training, education, and seminars you have received or attended in Judicial Ethics, or involving Judicial Ethics including but not limited to dates, locations, hours completed, full subject matter, faculty members, and hours claimed, if any, toward any continuing education requirements to which you may be subject.

RESPONSE:

No. 5: State the starting times of the dockets for any and all courts, including but not limited to civil, criminal, and environmental, presided over by you as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

RESPONSE:

No. 6: Describe any and all records, in any form, concerning court dockets and your attendance at court dockets you have maintained or which have been maintained by any person, firm, or entity, concerning your duties as Judge of the General Sessions Court of Davidson County, Tennessee, including but not limited to computer records, calendars, diaries, files, notes, schedules, memoranda, and for each such record identify its location or locations, since January 1, 2007.

RESPONSE:

No. 7: State the name of your employer.

RESPONSE:

No. 8: State the number of vacation days, personal days, holidays, sick days, leave days or any and all other absences provided to you or sanctioned for you in your capacity as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007, and provide the person, firm, or entity responsible for providing granting, or authorizing those absences.

RESPONSE:

No. 9: State the location and custodian of any written, computer or data records of any nature regarding or concerning the days or absences described in either the preceding interrogatory or your response thereto.

RESPONSE:

No. 10: Describe in detail the process by which you claim or avail yourself of any of the days or absences described in preceding interrogatory No. 8, including but not limited to, the written or computer record of such, the person, firm, or entity to which the information is provided or processed and the location of any such records of those days or absences.

RESPONSE:

No. 11: Describe any and all written documentation, in any form, to which you are subject concerning your duties as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007, excluding Tennessee state statutes and Rules of Court, but including and not limited to local personnel standards, forms, personnel manuals or governance of any nature whatsoever.

RESPONSE:

No. 12: State the number of days that you in your capacity as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007, have been late in beginning court at the designated time, including but not limited to the time designated or stated on a warrant, citation, summons or any other document notifying a party or parties to appear in court.

RESPONSE:

No. 13: Describe any and all records, in any form, concerning the times of arrival and departure for your scheduled days of service as Judge of the General Sessions Court of Davidson County, Tennessee, including but not limited to computer records, calendars, diaries, files, notes, schedules, memoranda, and for each such record identify its location or locations, since January 1, 2007.

RESPONSE:

No. 14: Describe any and all locations where you have parked to engage in service as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

RESPONSE:

No. 15: Describe in detail the process or processes by which you have engaged in the appointment or selection of substitute or special judges for any absences by you or any occasions for which you did not perform your service as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

RESPONSE:

No. 16: State the number of times you have engaged in the appointment or selection of substitute or special judges for any absences by you from your service as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

RESPONSE:

No. 17: For each and every item named or described in the preceding Interrogatory No. 16, identify the following:

- (a) reason for your absence;
- (b) date of such absence;
- (c) identify of the special or substitute judge;

RESPONSE:

No. 18: State for each such use of a special or substitute judge described in preceding interrogatories 15, 16, or 17 if you have complied with the provisions of TCA Section 16-15-209 (a)(1) which reads as follows:

- (1) If a special judge is necessary in a county or district with more than one (1) general sessions or juvenile judge, the judge shall interchange within such judge's county, pursuant to § 17-2-208. If a judge cannot serve by interchange, a judge may seek to find any current, former, or retired judge, who will, by mutual agreement, sit as special judge. Such designation shall be made by the chief justice of the supreme court.

RESPONSE:

No. 19: State for each such use of a special or substitute judge described in preceding interrogatories 15, 16, or 17 if you have complied with the provisions of TCA Section 16-15-209 (a)(3) which reads as follows:

(3) If the judge is unable to secure a judge under subdivision (a)(1) or (2), the judge may apply to the administrative office of the courts for assistance in finding a judge to sit by designation as special judge.

RESPONSE:

No. 20: State for each such use of a special or substitute judge described in preceding interrogatories 15, 16, or 17 if you have complied with the provisions of TCA Section 16-15-209 (a)(4) which reads as follows:

(4) Only after exhausting the procedures set out in subdivisions (a)(1), (2) and (3), a judge may appoint a lawyer from a list, on a rotating basis, of lawyers that have been previously approved by the judge or judges of the district or county who are constitutionally qualified, in good standing, and possess sufficient experience and expertise. A lawyer appointed is subject to the following limitations:

RESPONSE:

No. 21: State for each such use of a special or substitute judge described in preceding interrogatories 15, 16, or 17 if you have complied with the provisions of TCA Section 16-15-209 (d) which reads as follows:

A general sessions or juvenile judge may issue and may amend upon showing a change in circumstances, a standing order regarding compliance with subdivisions (a)(1)-(4). Such order may include a finding regarding whether a current, former or retired judge will sit by mutual agreement in accordance with subdivision (a)(2); whether the administrative office of the courts can comply with emergency requests for substitute judges in

less than seventy-two (72) hours in accord with subdivision (a)(3) and, the list of lawyers to be contacted on a rotating basis under subdivision (a)(4).

RESPONSE:

No. 22: Identify in detail any and all records, documents, computer documents or notes, schedules, calendars, Orders, memorandum, diaries, reports or writings of any nature maintained, generated, prepared, received by you, your staff or anyone to your knowledge concerning the appointment of substitute or special judges from any time since January 1, 2007 forward.

RESPONSE:

No. 23 Identify any list maintained by you or by the General Sessions Court or Court Clerk pursuant to TCA Section 16-15-209 or for any other reason which contains the names of any judges or persons used as special or substitute judges and for each such judge or person named identify their qualification, how they came to be placed on such list, who approved the placement, when any such list was completed, and where said list is maintained.

RESPONSE

No. 24: Identify the location and custodian of any of the items described in the preceding interrogatory No. 22 or interrogatory No. 23.

RESPONSE:

No. 25: State if you have been advised, requested, or notified in any fashion since January 1, 2007 to alter, modify or amend in any fashion your appointment methods, practices, or conduct in the appointment of special or substitute judges, and describe in detail the nature of any such advise request, or notification. Further describe in detail any action taken or initiated by you in response to such advise, request, or notification.

RESPONSE:

No. 26: State if any special or substitute judge appointed to sit as General Sessions judge for you or on your behalf has also appeared before you representing parties of litigants since January 1, 2007, and for each, state the name of the attorney, number of times he or she has appeared in such capacity, the name of the case or case(s) and the results.

RESPONSE:

No. 27: State if any special or substitute judge appointed to sit as General Sessions judge for you or on your behalf since January 1, 2007 has received compensation or benefit in any manner and if so state the name of such person, the amount of compensation or benefit and the computation of how such computation or benefit is calculated or determined.

RESPONSE:

No. 28: State if you have drawn your regular salary, income, or compensation for each and every time a special or substitute judge has been appointed to sit as General Sessions judge for you or on your behalf since January 1, 2007.

RESPONSE;

No. 29: State if any family member or relative has worked in your office or been employed by you or on your behalf at any time during your tenure as General Sessions Judge. If the answer is "yes," for each and every such instance, state:

- (a) the name or names of such person or persons;
- (b) the job or title of their work, position, or employment;
- (c) the duration of their work, position, or employment;
- (d) any written job description for their work, position, or employment;
- (e) the beginning salary;
- (f) the ending salary;
- (g) any written records of any nature pertaining to their work, position, or employment and the location and custodian of such records;
- (h) any job description, written or otherwise, for their work, position, or employment;
- (i) the process, in full, and the participants in their hiring or selection;

- (j) whether or not there were any other candidates or applicants for their work, position, or employment;
- (k) whether or not any other candidates, if any were interviewed or considered for such work, position, or employment;
- (l) whether or not their work, position, or employment was posted or advertised in any manner.

GLORIA DUMAS

OATH

After being duly sworn, the undersigned Gloria Dumas makes oath that her answers to the above are complete, true and accurate.

GLORIA DUMAS

Sworn to and subscribed before me this the ____ day of _____, 2009.

Notary Public

My commission expires: _____

DISCIPLINARY COUNSEL WILL E-MAIL THIS DOCUMENT TO THE RESPONDENT UPON REQUEST IF IT WILL FACILITATE THE RESPONSE.

Dated: September ____, 2009

JOSEPH S. DANIEL #002799
DISCIPLINARY COUNSEL
503 North Maple Street
Murfreesboro, TN 37130
Phone (615) 898-8004

CERTIFICATE OF SERVICE

I, JOSEPH S. DANIEL, certify that a true and exact copy of the foregoing was served upon Honorable Gloria Dumas by depositing same in the U.S. Mail along with the Formal Charges with sufficient postage thereon to insure delivery.

This ___ day of September, 2009.

JOSEPH S. DANIEL

IN THE TENNESSEE COURT OF THE JUDICIARY

**IN RE: THE HONORABLE GLORIA DUMAS,
JUDGE, GENERAL SESSIONS COURT
METROPOLITAN NASHVILLE and
DAVIDSON COUNTY, TENNESSEE, Division IV**

Docket No. M2009-_____ -CJ-CJ-CJ

**Complainant: JOSEPH S. DANIEL, in the exercise of his duties as
Disciplinary Counsel, and at the direction of an Investigative Panel of the
Tennessee Court of the Judiciary.**

File No. 08-3487

**FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
TO GLORIA DUMAS**

COMES NOW Joseph S. Daniel, Disciplinary Counsel for the Tennessee Court of the Judiciary, pursuant to Tennessee Rule of Civil Procedure 34, and propounds the following First Request For Production of Documents to Honorable Gloria Dumas:

Request No. 1: Produce any documents identifying you as Judge of the General Sessions Court of Davidson County, Tennessee.

RESPONSE:

Request No. 2: Produce any documents evidencing or establishing any and all training, education, and seminars you have received or attended in Judicial Ethics, or involving Judicial Ethics from and during your tenure as Judge of the General Sessions Court of Davidson County, Tennessee.

RESPONSE:

Request No. 3: Produce any and all documents and/or records, in any form, concerning court dockets and your attendance at court dockets you have maintained or which have been maintained by any person, firm, or entity, concerning your duties as Judge of the General Sessions Court of Davidson County, Tennessee, including but not limited to computer records, calendars, diaries, files, notes, schedules, memoranda, and for each such record identify its location or locations, since January 1, 2007.

RESPONSE:

Request No. 4: Produce any and all documents or records relating to any and all vacation days, personal days, holidays, sick days, leave days or any and all other absences provided to you or sanctioned for you in your capacity as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

RESPONSE:

Request No. 5: Produce any and all written documentation, in any form, to which you are subject concerning your duties as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007, excluding Tennessee state statutes and Rules of Court, but including and not limited to local personnel standards, forms, personnel manuals or governance of any nature whatsoever.

RESPONSE:

Request No. 6: Produce any and all records, in any form, concerning the times of arrival and departure for your scheduled days of service as Judge of the General Sessions Court of Davidson County, Tennessee, including but not limited to computer records, calendars, diaries, files, notes, schedules, or memoranda

RESPONSE:

Request No. 7: Produce any and all documents of any fashion pertaining to or relating the appointment or selection of substitute or special judges for any absences by you from your service as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007.

RESPONSE:

Request No. 8: Produce any and all documents relating to pertaining to or evidencing your compliance with the provisions of TCA Section 16-15-209 relative to special or substitute judges since January 1, 2007, including but not limited to any and all records, documents, computer documents or notes, schedules, calendars, Orders, memorandum, diaries, reports or writings of any nature maintained, generated, prepared, received by you, your staff or anyone

RESPONSE:

Request No. 9: Produce any and all documents relating to pertaining any and all occasions when you have been advised, requested, or notified in any fashion since January 1, 2007 to alter, modify or amend in any fashion your appointment methods, practices, or conduct in the appointment of special or substitute judges, and any action taken or initiated by you in response to such advise, request, or notification.

RESPONSE:

Request No. 10: Produce any and all documents relating to pertaining to any and all employment of members of your family or relatives at any time during your tenure as General Sessions Judge, including but not limited to the following:

- (a) the name or names of such person or persons;
- (b) the job or title of their work, position, or employment;
- (c) the duration of their work, position, or employment;
- (d) any written job description for their work, position, or employment;
- (e) the beginning salary;
- (f) the ending salary;
- (g) any written records of any nature pertaining to their work, position, or employment and the location and custodian of such records;
- (h) any job description, written or otherwise, for their work, position, or employment;

- (i) the process, in full, and the participants in their hiring or selection;
- (j) whether or not there were any other candidates or applicants for their work, position, or employment;
- (k) whether or not any other candidates, if any were interviewed or considered for such work, position, or employment;
- (l) whether or not their work, position, or employment was posted or advertised in any manner.

RESPONSE:

DISCIPLINARY COUNSEL WILL E-MAIL THIS DOCUMENT TO THE RESPONDENT UPON REQUEST IF IT WILL FACILITATE THE RESPONSE.

Dated: September _____, 2009

JOSEPH S. DANIEL #002799
DISCIPLINARY COUNSEL
503 North Maple Street
Murfreesboro, TN 37130
Phone (615) 898-8004

CERTIFICATE OF SERVICE

I, JOSEPH S. DANIEL, certify that a true and exact copy of the foregoing was served upon Honorable Gloria Dumas by depositing same in the U.S. Mail along with sufficient postage thereon to insure delivery.

This _____ day of September, 2009.

JOSEPH S. DANIEL

IN THE TENNESSEE COURT OF THE JUDICIARY

**IN RE: THE HONORABLE GLORIA DUMAS,
JUDGE, GENERAL SESSIONS COURT
METROPOLITAN NASHVILLE and
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Docket No. M2009-_____ -CJ-CJ-CJ

**Complainant: JOSEPH S. DANIEL, in the exercise of his duties as
Disciplinary Counsel, and at the direction of an Investigative Panel of the
Tennessee Court of the Judiciary.**

File No. 08-3487

REQUEST FOR ADMISSIONS

COMES NOW Joseph S. Daniel, Disciplinary Counsel for the Tennessee Court of the Judiciary, pursuant to Tennessee Rule of Civil Procedure 36, and propounds the following request for admissions to Honorable Gloria Dumas:

1. That you were at all times relevant herein (as described in the original Complaint in this action), a full time judge of the General Sessions Court of Davidson County, Tennessee, as described in TCA Section 16-15-502.

RESPONSE:

2. That at all times relevant to the Complaint filed in this action, the Judicial Canons of Ethics or Code of Judicial Conduct applied to you.

RESPONSE:

3. That on over 100 occasions since January 1, 2007 you have used or appointed special or substitute judges to perform your duties and responsibilities as Judge of the General Sessions Court of Davidson County, Tennessee.

RESPONSE:

4. That on each and every occasion when you have used or appointed special or substitute judges to perform your duties and responsibilities as Judge of the General Sessions Court of Davidson County, Tennessee, since January 1, 2007, you have continued to receive your full compensation as Judge.

RESPONSE:

5. That at no time since January 1, 2007, you have complied with the following provision of TCA Section 16-15-209 (a)(1), which reads as follows:

- (1) If a special judge is necessary in a county or district with more than one (1) general sessions or juvenile judge, the judge shall interchange within such judge's county, pursuant to § 17-2-208. If a judge cannot serve by interchange, a judge may seek to find any current, former, or retired judge, who will, by mutual agreement, sit as special judge. Such designation shall be made by the chief justice of the supreme court.

RESPONSE:

6. That at no time since January 1, 2007, you have complied with the following provision of TCA Section 16-15-209 (a)(3), which reads as follows:

- (3) If the judge is unable to secure a judge under subdivision (a)(1) or (2), the judge may apply to the administrative office of the courts for assistance in finding a judge to sit by designation as special judge.

RESPONSE:

7. That at no time since January 1, 2007, you have complied with the following provision of TCA Section 16-15-209 (a)(4), which reads as follows:

- (4) Only after exhausting the procedures set out in subdivisions (a)(1), (2) and (3), a judge may appoint a lawyer from a list, on a rotating basis, of lawyers that have been previously approved by the judge or judges of the district or county who are constitutionally qualified, in good standing, and possess sufficient experience and expertise. A lawyer appointed is subject to the following limitations:

RESPONSE:

8. That you have been advised, requested, or notified in any fashion since January 1, 2007, that your appointment practices failed to comply with state law and that you should alter, modify or amend accordingly your appointment methods, practices, or conduct in the appointment of special or substitute judges.

RESPONSE:

9. That you have taken no action to alter, modify or amend in any fashion your appointment methods, practices, or conduct in the appointment of special or substitute judges following or as a result of any advise request or notification described in Request No. 8.

RESPONSE:

10. That the general sessions of Davidson County, Tennessee have an established policy f rotating between their various dockets with each general sessions judge off every tenth week or for at least five week per year in addition to any vacation, holiday, leave, sick days or any other absences permitted by employment status or position such as conferences, judicial meetings and so forth.

RESPONSE:

11. That your selection and employment of your daughter to work in the general sessions was made without competitive employment application processes and due to her family relationship with you.

RESPONSE:

DISCIPLINARY COUNSEL WILL E-MAIL THIS DOCUMENT TO THE RESPONDENT UPON REQUEST IF IT WILL FACILITATE THE RESPONSE.

Dated: September _____, 2009

JOSEPH S. DANIEL #002799
DISCIPLINARY COUNSEL
503 North Maple Street
Murfreesboro, TN 37130
Phone (615) 898-8004

CERTIFICATE OF SERVICE

I, JOSEPH S. DANIEL, certify that a true and exact copy of the foregoing was served upon Honorable Gloria Dumas by depositing same in the U.S. Mail along with sufficient postage thereon to insure delivery.

This _____ day of September, 2009.

JOSEPH S. DANIEL

FILED

2010 FEB -1 AM 11:37

IN THE TENNESSEE COURT OF THE JUDICIARY

APPELLATE COURT CLERK
NASHVILLE

**IN RE: THE HONORABLE GLORIA DUMAS,
JUDGE, GENERAL SESSIONS COURT
METROPOLITAN NASHVILLE and
DAVIDSON COUNTY, TENNESSEE, Division IV**

Docket No. M2009-01938-CJ-CJ-CJ

**Complainant: JOSEPH S. DANIEL, in the exercise of his duties as
Disciplinary Counsel, and at the direction of an Investigative Panel of the
Tennessee Court of the Judiciary.**

File No. 08-3487

PROOF OF SERVICE

COMES NOW Joseph S. Daniel, Disciplinary Counsel for the Tennessee Court of the Judiciary, and pursuant to Tennessee Code Annotated Section 17-5-307(b), files the attached United States Postal Service Form 3811 as proof of service of the Formal Charges in this cause on the Respondent on September 22, 2009.

Respectfully submitted this the 24th day of September, 2009.

**JOSEPH S. DANIEL #002799
DISCIPLINARY COUNSEL
503 North Maple Street
Murfreesboro, TN 37130
Phone (615) 898-8004**

CERTIFICATE OF SERVICE

I, JOSEPH S. DANIEL, certify that a true and exact copy of the foregoing was served upon Honorable Gloria Dumas by depositing same in the U.S. Mail along with sufficient postage thereon to insure delivery.

This 24th day of September, 2009.

JOSEPH S. DANIEL