

Misconduct complaint against federal judge under review

By Felisa Cardona
The Denver Post

March 14, 2008

The chief judge of the 10th U.S. Circuit Court of Appeals is reviewing a complaint of misconduct made against U.S. District Chief Judge Edward W. Nottingham.

Court records show Robert H. Henry, chief judge of the appellate court, partially dismissed a complaint filed by former Colorado resident Sean Harrington but did not dismiss Harrington's complaint about Nottingham's personal behavior.

"Complainant contends that certain conduct by the respondent judge, as reported by the news media, 'has brought disrepute to the judiciary,' " Henry wrote in his order. "As to this claim only, I will take this complaint under advisement."

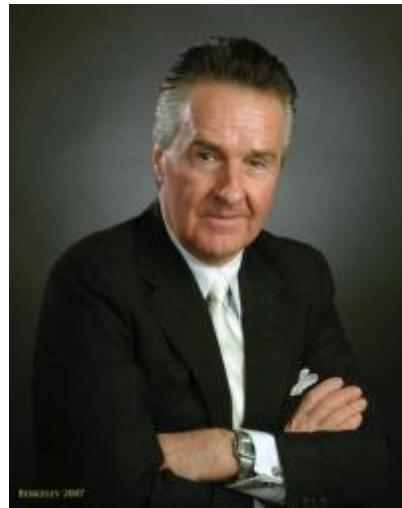
Harrington's complaint mirrors allegations made public in August by Nottingham's ex-wife, Marcie Jaeger.

Harrington, who initially complained that Nottingham failed to review a lawsuit he had filed, wrote that Nottingham had viewed websites that contained adult nudity on his federal computer in his chambers. Harrington also complained that Nottingham testified in his divorce he had spent \$3,000 in one night at a Denver strip club.

Nottingham's attorney, Stephen Peters, said he had no comment about the complaint but, "We'll look forward to the prompt resolution of the remainder of this matter."

Henry's decision was made public Thursday, but federal rules prohibit Henry from specifically naming the judge in his order. Harrington, who filed the complaint in January, confirmed to The Denver Post that Nottingham is the judge he complained about.

Harrington, who writes a blog about legal issues in Colorado, said he decided to complain because Nottingham had failed to review a lawsuit he filed. Henry dismissed that portion of Harrington's complaint.



One part of a complaint against U.S. District Chief Judge Edward W. Nottingham was dismissed. (Denver Post file photo)