

# SPECIAL COMMITTEE JOINS PROBE OF STATE'S CHIEF FEDERAL JUDGE

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DENVER - *The Pueblo Chieftain* has learned that an investigation of the chief federal trial judge in Colorado took a substantial step forward last week.

An investigating committee of the federal court system met in Denver behind closed doors in the probe of allegations of misconduct by Chief Judge Edward Nottingham.

The allegations include the judge's conduct when confronted while parked in a space for handicapped, possible misuse of his government computer and spending \$3,000 one night at a strip club.

The special committee - comprised of three federal judges, from Utah, Kansas and Oklahoma - met at the federal appeals courthouse downtown. Nottingham was in that courthouse about the same time.

Nottingham is not typically in that courthouse. His office and courtroom are in another courthouse across the street.

The special committee has the authority to conduct a hearing as part of its investigation. Nottingham is allowed to call witnesses and defend himself at a hearing.

Federal court rules impose total secrecy on the investigation. Nottingham and his attorney say they will not comment for that reason.

Meanwhile, informed sources seemingly have cleared up conflicting reports about what is, and apparently what is not, being investigated.

Those close to the investigation say that Nottingham is being investigated on three allegations:

One is a complaint last fall by a wheelchair-bound, Denver-area attorney Jeanne Elliott. She alleged Nottingham threatened to use his official position against her when she objected to him parking in a spot reserved for handicapped persons at a Walgreens in Denver.

The other two allegations are the result of information last summer from a bitter divorcee the 60-year-old judge went through last year.

His ex-wife, Marcie Jaeger of Eagle County, told FBI agents the judge had used his government computer to view a Web site for dating and possibly to view pornography.

Divorce court records reportedly showed Nottingham spent \$3,000 one night at the Diamond Cabaret strip club downtown.

A knowledgeable source sympathetic to the judge said there seems to be no indication - contrary to other news reports - that he is being investigated by the federal court system about two other issues.

One is a complaint filed against him by Sean Harrington, who had an unsuccessful case in Nottingham's court and who has made strong public criticisms of the judge.

The other is a recently busted prostitution ring that used the names Denver Players and Denver Sugar.

However, a federal grand jury - separate from the investigation of Nottingham by the court system - is secretly investigating the prostitution ring. The full scope of the grand jury investigation is not known.

Several well-informed sources said the complaint by Harrington apparently did not - contrary to some news reports - broaden the court system's investigation. That is because Harrington's complaint merely cited earlier news stories about the issues that Nottingham already was under investigation for.

Under the rules, the three-judge committee recommends what action, if any, should be taken against Nottingham.

Despite the official secrecy, The Chieftain learned the committee consists of two appeals court judges, Michael Murphy of Utah and Deanell Tacha of Kansas, plus a judge of the U.S. District Court in Oklahoma City, David Russell. Tacha was chief judge of the 10th U.S. Circuit Court of Appeals when the investigation began last year and Russell once was chief judge of his district.

The committee's recommendation is made to a council of judges from the courts within the federal court system's 10th Circuit, which is based in Denver.

The council of judges from all six states in the 10th Circuit has several options. They include, among others, issuing a public or a private censure, or ordering a judge to take or undergo corrective action.