

BEFORE THE COMMISSION ON JUDICIAL CONDUCT
OF THE STATE OF WASHINGTON

FILED
JUN 2 1995

In Re the Matter of)
)
Honorable John O. Linde)
San Juan County District Court)
2nd and Court Streets)
P.O. Box 127)
Friday Harbor, WA 98250-0127)
_____)

No. 94-1845-F-51

STIPULATION AND AGREEMENT
PURSUANT TO WAC 292-12-020(6)
AND ORDER OF ADMONISHMENT

COMMISSION ON
JUDICIAL CONDUCT

The Commission on Judicial Conduct ("Commission") and the Honorable John O. Linde ("Respondent"), Judge of the San Juan County District Court, do hereby stipulate and agree as provided herein.

The Commission is represented in these proceedings by David Akana, Commission counsel, and the Honorable John O. Linde represented himself.

STIPULATION

1. On August 26, 1993, Respondent heard the matter of Small Claim No. 93-029, Rubin v. Ogle. Pursuant to a course of action discussed with the parties, an expert inspected plaintiff's premises, the subject matter of the claim, on the following day.

2. Respondent discovered that the issue was complex, and resolved to do additional legal research. Thereafter, Respondent, a part-time district court judge, misplaced the file in his law offices.

3. On October 22, 1993 and continuing thereafter, plaintiff made several

inquiries concerning the status of the decision in his case.

4. By letter dated September 30, 1994, Respondent entered his decision.

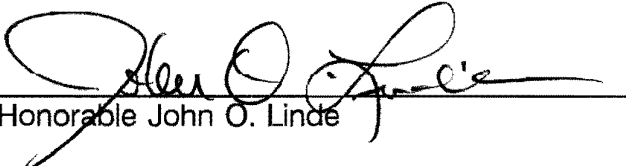
5. Respondent has been a judge for 18 years and has had no prior disciplinary action. He acknowledges the delay in entering his decision. The instant event is an isolated occurrence. Respondent has taken steps to ensure that a system is in place to better track court files.

6. The Commission and Respondent stipulate that Respondent failed to make a timely decision in the above-mentioned case in violation of Canon 3(A)(5) of the Code of Judicial Conduct.


AGREEMENT

Respondent does hereby agree to accept an admonishment as described in RCW 2.64.055 and 2.64.010(1). Respondent accepts the Commission's determination that his described conduct constitutes a violation of Canon 3(A)(5) of the Code of Judicial Conduct and agrees that he will exercise caution to avoid repeating the violation in the future.

DATED this 12th day of May, 1995.



Honorable John O. Linde

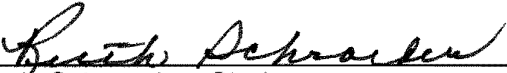


David Akana, WSBA #5523
Counsel for Commission on Judicial Conduct

ORDER OF ADMONISHMENT

Based on the above stipulation and agreement, the Commission hereby orders and Respondent is hereby ADMONISHED for violating Canon 3(A)(5) of the Code of Judicial Conduct. Respondent shall exercise caution to avoid repeating the violation in the future.

DATED this 2 day of June, 1995.



Ruth Schroeder, Chair
Commission on Judicial Conduct