

## Question 35

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In August, 1990, shortly after my eighteenth birthday, I was involved in an automobile accident. The accident occurred a short distance from my home in Frederick, Maryland. I struck the side of another vehicle while it was backing into a driveway. As a result of the crash, I sustained a concussion and was briefly knocked unconscious. When I regained consciousness, I was disoriented and confused and instead of remaining at the scene, I drove home. When I arrived home, I discovered that no one was there, so I immediately called my sister and explained what happened and told her I needed to go back to the scene. She told me to wait at my house until she arrived and she would bring me back. A few minutes after she arrived, a Maryland police officer arrived at my home. He called fire and rescue and I was transported to the emergency room where I was diagnosed with a concussion.

I was never taken into custody but I was issued a uniform traffic citation that required appearance in court. I knew that my failure to remain at the scene was wrong and I took responsibility for my action. I apologized to the couple in the vehicle I hit and pled no contest to the charge. I received a withhold of adjudication and community service hours at the Frederick County landfill as the disposition.

As a prosecutor, I have drawn from this incident and used it to temper me as I make prosecutorial decisions, particularly in cases involving youthful offenders. If selected to become a member of the judiciary, this incident will continue to guide me in making decisions from the bench.

N/A

**BUSINESS INVOLVEMENT:**

33a. If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position immediately upon your appointment or election to judicial office.

Not Applicable.

33b. Since being admitted to the Bar, have you ever been engaged in any occupation, business or profession other than the practice of law? If so, give details, including dates.

No

33c. State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved and the dates such compensation was paid and the amounts.

None

**POSSIBLE BIAS OR PREJUDICE:**

34. The Commission is interested in knowing if there are certain types of cases, groups of entities, or extended relationships or associations which would limit the cases for which you could sit as the presiding judge. Please list all types or classifications of cases or litigants for which you as a general proposition believe it would be difficult for you to sit as the presiding judge. Indicate the reason for each situation as to why you believe you might be in conflict. If you have prior judicial experience, describe the types of cases from which you have recused yourself.

I do not believe there are any conflicts that would require my recusal.

**MISCELLANEOUS:**

35a. Have you ever been convicted of a felony or a first degree misdemeanor?

Yes \_\_\_\_\_ No  If "Yes" what charges? \_\_\_\_\_

Where convicted? \_\_\_\_\_ Date of Conviction: \_\_\_\_\_

35b. Have you pled nolo contendere or pled guilty to a crime which is a felony or a first degree misdemeanor?

Yes  No \_\_\_\_\_ If "Yes" what charges? Leaving the Scene of a Crash  
\*See tab 35.

Where convicted? Frederick, MD Date of Conviction: October, 1990

35c. Have you ever had the adjudication of guilt withheld for a crime which is a felony or a first degree misdemeanor?

Leaving the Scene of a Crash

Yes  No  If "Yes" what charges? \*See tab 35.

Where convicted? Frederick, MD Date of Conviction: October, 1990

36a. Have you ever been sued by a client? If so, give particulars including name of client, date suit filed, court, case number and disposition.

No

36b. Has any lawsuit to your knowledge been filed alleging malpractice as a result of action or inaction on your part?

No

36c. Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? If so, give particulars, including the amounts involved.

No

37a. Have you ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?

No

37b. Have you ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed? If so, give name of corporation, your relationship to it and date and caption of petition.

No

38. Have you ever been a party to a lawsuit either as a plaintiff or as a defendant? If so, please supply the jurisdiction/county in which the lawsuit was filed, style, case number, nature of the lawsuit, whether you were Plaintiff or Defendant and its disposition.

Steven R. Johnson, Pro Se, Plaintiff v. Office of the State Attorney Fourth Judicial Circuit, Florida, Angela B., Corey and Public Records Custodian for the Fourth Judicial Circuit, Florida and R. Lee Smith II as State Assistant State Attorney and Public Records Custodian for the Fourth Judicial Circuit;

Complaint and Petition for Alternative Writ of Mandamus and for Injunctive Relief

Case No.: 16-2015-CA-6523XXXX

Division CV-F

This Complaint was recently filed and is actively being litigated.

Felix Luez Cuevas-Rodriguez, Pro Se, Plaintiff v. The Honorable Russell Healey, Circuit Court Judge, Matt Shirk, Public Defender, Fred Gazaleh, Assistant Public Defender,