

**BEFORE THE JUDICIAL INVESTIGATION COMMISSION OF WEST VIRGINIA**

**IN THE MATTER OF:  
MAGISTRATE MARY K. JENNINGS  
MAGISTRATE FOR RALEIGH COUNTY**

**COMPLAINT NOS. 162-2005  
163-2005**

These matters are before the Judicial Investigation Commission upon complaints filed on August 18, 2005, setting forth certain allegations against Magistrate Mary K. Jennings, Magistrate for Raleigh County. The complaints alleged that a law enforcement officer obtained two warrants for two defendants for obtaining a controlled substance by subterfuge. They alleged that after the warrants were obtained, Magistrate Jennings then telephoned her daughter-in-law and told her about the warrants and the names of the individuals involved. The complaints allege this information was subsequently provided to the two main defendants.

Upon receipt of the complaints an investigation was conducted pursuant to the Rules of Judicial Disciplinary Procedure. The investigation revealed that on August 1, 2005, Magistrate Jennings issued a warrant against Christopher Glenn Bilbrey in Case No. 05-F-796 and against Norwood Glenn McLamb in Case No. 05-F-795. The warrants were issued at the request of Ron Booker, the Trident Drug task Force Commander. The Magistrate's daughter-in-law has a son who was a friend of Defendant Bilbrey. After Magistrate Jennings left work on August 1, 2005, she spoke to her daughter-in-law by telephone and advised her that she had issued a warrant on

Mr. Bilbrey. This information was then passed on to the mother of one of the defendants and both defendants became aware of the issuance of the warrants for them, possibly harming the criminal investigation.

The complaints and the investigation were reviewed by the Judicial Investigation Commission at its meeting on December 9, 2005 and it was determined that there is probable cause to believe that Magistrate Mary K. Jennings, Magistrate for Raleigh County, violated Canon 1 and Canon 2A and 2B of the Code of Judicial Conduct. These sections of the Code of Judicial Conduct state in relevant part:

Canon 1. A judge shall uphold the integrity and independence of the judiciary.

A. An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining, and enforcing high standards of conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved. The provisions of this Code are to be construed and applied to further that objective.

Canon 2. A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.

A. A judge shall respect and comply with the law, shall avoid impropriety and the appearance of impropriety in all of the judge's activities, and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary. (emphasis supplied)

B. A judge shall not allow family, social, political, or other relationships to influence the judge's judicial conduct or judgment. A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge convey or knowingly permit others to convey the impression that they are in a special position to influence the judge. A judge shall not testify voluntarily as a character witness,

It was further determined that formal discipline was not appropriate under the circumstances. The Judicial Investigation Commission determined that pursuant to Rule 2.7(c)

of the Rules of Judicial Disciplinary Procedure, a written admonishment would be given to Magistrate Mary K. Jennings.

It is therefore the decision of the Judicial Investigation Commission that Magistrate Mary K. Jennings be and she hereby is admonished for this conduct as fully set forth in the matters as asserted herein the complaints filed in this matter on August 18, 2005.



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Fred L. Fox, II, Chairperson  
Judicial Investigation Commission

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January 10, 2006

Date