

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF FLORIDA

INQUIRY CONCERNING A JUDGE

CASE NO.: SC09-1182

N. JAMES TURNER

JQC Case No.: 09-01

RESPONDENT'S RESPONSE
TO SECOND REQUEST FOR ADMISSIONS

Respondent, Judge N. James Turner, by and through his undersigned counsel, pursuant to Rule 12 of the Rules of the Florida Judicial Qualifications Commission and Rule 1.370 of the Florida Rules of Civil Procedure, hereby files his response to the Second Request for Admissions of the Judicial Qualifications Commission dated December 2, 2009, and states as follows:

1. Admit that attached hereto as Exhibit A is a true and correct copy of a list of recommended candidates for the 2008 general election.

Denied. Respondent cannot authenticate this document. Respondent has seen this exhibit together with other similar lists recommending the name of his opponent. Respondent does not know who generated or sponsored the exhibit or who distributed it. Including Respondent's name on this list was never authorized or approved by Respondent.

2. Admit that the list of recommended candidates for the 2008 general election attached hereto as Exhibit A was distributed to members of the public by the Turner campaign.

Denied.

3. Admit that the list of recommended candidates for the 2008 general election attached hereto as Exhibit A was distributed for the members of the public by paid campaign workers for the Turner campaign.

Denied.

4. Admit that the list of recommended candidates for the 2008 general election attached hereto as Exhibit A was distributed for the members of the public by unpaid campaign workers for the Turner campaign.

Denied.

5. Admit that Judge Turner was announced at the Jefferson-Jackson Gala on September 14, 2008 at the Orlando Marriott (hereinafter the "Jefferson-Jackson Gala") as a winner of the Democratic primary for judge.

Without knowledge. Respondent did not attend this function nor did he authorize his name to be announced nor was he aware that his name was going to be announced. Respondent has viewed video of the event in question, and though his name was announced, the audio portion of the recording is unintelligible such that it is unclear if corrective statements were made.

6. Admit that Judge Turner attended a political rally celebrating the nomination of Barack Obama as the Democratic candidate for the president of the United States the evening of the 2008 primary election.

Denied.

7. Admit that Judge Turner was invited to the Jefferson-Jackson Gala by the Alan Grayson campaign.

Admitted.

8. Admit that Judge Turner had a reserved seat at Alan Grayson's table at the Jefferson-Jackson Gala.

Respondent has no personal knowledge of these facts. However, Respondent believes that a seat was reserved based on subsequently acquired information. Therefore, this request is admitted.

9. Admit that The Florida Bar grievance proceedings arising from Judge Turner's 2008 campaign were dismissed after Judge Turner became a circuit court judge because The Florida Bar no longer had jurisdiction.

Denied in part. The Florida Bar Grievance Committee found no probable cause and issued a letter of advice as to the allegations in paragraph 5 of the Amended Formal Charges filed herein. Upon information and belief, The Florida Bar did not conclude its investigation of Judge Turner's alleged political activity, but allowed the JQC to conduct that investigation after Judge Turner was elected.

Respectfully submitted this 3rd day of February, 2010.

_____/s/_____
Barry W. Rigby, Esq.
Florida Bar No. 613770

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished this 3rd day of February, 2010, to the persons on the attached Service List by U.S. Mail.

_____/s/_____
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