

**IN THE SUPREME COURT OF THE  
STATE OF FLORIDA**

**INQUIRY CONCERNING A  
JUDGE, BRENDA TRACY SHEEHAN,  
NO. 13-309**

**SC13-\_\_\_**

**STIPULATION**

In this disciplinary proceeding, the Investigative Panel of the Florida Judicial Qualifications Commission (the "JQC") and Thirteenth Circuit Judge Brenda Tracy Sheehan ("Judge Sheehan") present the following stipulation to this Court pursuant to Article V, Section 12 of the Florida Constitution and Rule 6(j) of the Florida Judicial Qualifications Commission's Rules.

1. Under Rule 6(j), the Investigative Panel "may reach agreement with a judge on discipline or disability, and such stipulation shall be transmitted directly to the Supreme Court, to accept reject or modify in whole or in part."

2. A Notice of Investigation dated August 27, 2013 was served on Judge Sheehan. A hearing before the Investigative Panel was held in Orlando, Florida on October 3, 2013, at which Judge Sheehan appeared and testified.

3. After an extensive review of the underlying facts and background of Judge Sheehan, and her responsiveness candor, and cooperation with its inquiries, the Investigative Panel respectfully submits that the interest of justice and sound judicial

administration are best served by entering into this Stipulation regarding the matters at issue and by the Findings and Recommendations which accompany this Stipulation.

4. The violations of the Judicial Canons arise from a charge of Driving Under the Influence that occurred on July 5, 2013.

5. As is outlined in the Formal Charges, Judge Sheehan was observed erratically driving a vehicle. The offense report stated that her vehicle drifted across marked lanes while she was driving near Channelside Drive and Twiggs Street East in Tampa, Florida. This occurred just after 11:00 p.m..

6. When stopped, Judge Sheehan performed roadside sobriety exercises. Her performance, along with other observations of the officer, provided probable cause to believe that she was driving while her normal faculties were impaired.

7. Judge Sheehan was transported to the Hillsborough County Jail where she agreed to submit to a Breathalyzer test. The results were .171 and .161, in excess of the presumption for intoxication of .08 under Florida Law.

8. On Friday August 23, 2013, Judge Sheehan entered a guilty plea to the charge of Driving Under the Influence and was sentenced pursuant to the mandatory provisions of the Florida law.

9. Judge Sheehan has never been charged with or convicted of Driving Under the Influence other than the incident described in this Stipulation. Her actions did not result in any personal injury or damage to the property of others.

10. Judge Sheehan regrets and apologizes for her actions. She recognizes that her actions have the effect of lessening the public's confidence in the judiciary.

11. Judge Sheehan accepts full responsibility for her actions that put her in violation of Canons 1 and 2A of the Code of Judicial Conduct.

12. Judge Sheehan has taken responsibility for the incident and has taken steps to ensure that there is no reoccurrence of situations similar to the foregoing.

13. The Investigative Panel and Judge Sheehan have reached an agreement on what both believe is appropriate discipline under the circumstances. Consequently, the Investigative Panel has filed Findings and Recommendations of Discipline with the Court. Judge Sheehan does not contest the Findings and Recommendations and waives a plenary hearing before the Hearing Panel of the Florida Judicial Qualifications Commission.

The parties acknowledge and understand that this Stipulation and attached Findings and Recommendations of Discipline are subject to the review and approval of this Court. The parties acknowledge and understand that this Stipulation and Findings and Recommendations of Discipline may be rejected by the Court, and in that event this matter may be returned to the Hearing Panel for a final plenary hearing. In such event, the parties agree that none of the statements in the Stipulation (or the attached Findings and Recommendations of Discipline) are admissible in that hearing for any purpose. The parties further agree that none of the negotiations related to this Stipulation are admissible for any purpose.

The parties agree that oral argument before this Court is not necessary in light of the record, the nature of the charges, the contents of this Stipulation, and the attached

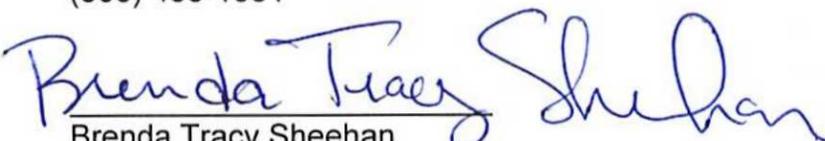
Findings and Recommendation of Discipline. As previously noted, Judge Sheehan waives her right to further hearings if this Stipulation is accepted.

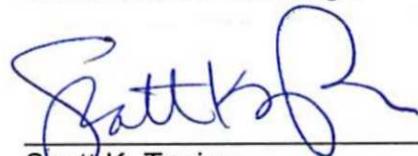
Dated this 23<sup>rd</sup> day of January, 2014.

INVESTIGATIVE PANEL OF THE  
FLORIDA JUDICIAL QUALIFICATIONS  
COMMISSION

by 

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