

COMMISSION ON JUDICIAL PERFORMANCE  
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HEARING SCHEDULED AND SPECIAL MASTERS APPOINTED IN  
MATTER CONCERNING JUDGE TONY R. MALLERY

On September 15, 2022, the Commission on Judicial Performance announced that it had instituted formal proceedings to inquire into matters concerning Judge Tony R. Mallery, a judge of the Superior Court of California, County of Lassen. A hearing has been scheduled to begin on Monday, January 30, 2023, at 9:00 a.m., in Department 5 of the Superior Court of California, County of Sacramento, 720 9th Street, Sacramento, California. The hearing will be open to the public.

Under the rules that govern commission proceedings, the hearing will be conducted by special masters appointed by the California Supreme Court: Honorable Therese M. Stewart of the Court of Appeal, First Appellate District, Division Two; Honorable Janet M. Frangie of the Superior Court of California, County of San Bernardino; and Honorable Barbara A. Kronlund of the Superior Court of California, County of San Joaquin.

At the hearing, the parties will have an opportunity to introduce evidence and to examine and cross-examine witnesses. Commission Trial Counsel Mark A. Lizarraga and Assistant Trial Counsels Bradford Battson and Melissa G. Murphy will serve as Examiners for the commission. Judge Mallery is represented by James A. Murphy, Janet L. Everson and Christopher R. Ulrich of San Francisco.

Following completion of the hearing, the special masters will provide the commission with a report containing their findings with respect to the charges. The parties will have an opportunity to respond to the report through briefing and argument before the commission. If the commission determines that the charges are proved by clear and convincing evidence, it is empowered to impose discipline as provided in the California Constitution. Charges that the commission determines are not proved will be dismissed.

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The commission is composed of six public members, three judges and two lawyers. The chairperson is Honorable Michael B. Harper. There is one attorney member vacancy on the commission.

For further information about the Commission on Judicial Performance, see the commission's website at <https://cjp.ca.gov>.