

COMMISSION ON JUDICIAL PERFORMANCE
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FOR RELEASE
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COMMISSION ON JUDICIAL PERFORMANCE ISSUES DECISION AND ORDER REMOVING JUDGE TONY R. MALLERY FROM OFFICE

The Commission on Judicial Performance has issued a decision and order removing Judge Tony R. Mallery, of the Superior Court of Lassen County, from office. The commission's determination becomes final in 30 days, subject to discretionary review by the California Supreme Court.

The commission ordered Judge Mallery removed from office for 23 acts of willful misconduct and 36 acts of prejudicial misconduct. Judge Mallery engaged in a course of misconduct over a significant period of time. Judge Mallery's misconduct was wide-ranging and reflected a troubling inability to conform his behavior to appropriate judicial standards and a lack of understanding of what being a judge requires. Among other misconduct, Judge Mallery interfered with the investigation of his misconduct by retaliating against witnesses and discouraging witnesses from cooperating with the investigation of his misconduct.

Judge Mallery's misconduct was aggravated by his intentional misrepresentations and fabrication while testifying during the proceedings, in his verified answer, and in his responses to investigation letters. The commission determined that such conduct demonstrated that Judge Mallery lacks the essential qualification of honesty required of a judge.

The commission's Decision and Order is available on the commission's website at <https://cjp.ca.gov> (under "Pending Cases - Press Releases & Documents" and "Public Discipline & Decisions"). Judge Mallery is represented by Christopher R. Ulrich Esq. of Murphy Pearson Bradley & Feeney of San Francisco.

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The commission is composed of six public members, three judges, and two lawyers. The chairperson is Dr. Michael A. Moodian. Two public member positions were vacant.

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