

**IN THE SUPREME COURT  
STATE OF GEORGIA**

**In re: Inquiry Concerning  
Christian Coomer**

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**Supreme Court  
Case Number: S21Z0595**

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**RESPONSE TO JUDGE CHRISTIAN A. COOMER'S  
CONSENT TO INTERIM SUSPENSION**

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CHARLES P. BORING      065131  
DIRECTOR  
JUDICIAL QUALIFICATIONS COMMISSION

Please serve:  
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**RESPONSE TO JUDGE CHRISTIAN A. COOMER'S**  
**CONSENT TO INTERIM SUSPENSION**

COMES NOW the Judicial Qualifications Commission Investigative Panel (“Investigative Panel”), by and through the Director, and submits this Response to Judge Christian A. Coomer’s Consent to Interim Suspension. The Director first learned of Coomer’s intent to seek an Interim Suspension through an avenue other than JQC Rule 15 (C) via email today at 2:59p.m. Having had no communication with counsel for Coomer regarding an agreement to an interim suspension outside of that provided by JQC Rule 15 (C), and having had insufficient time to research the legal and practical implications of such an action, the Director takes no position on Coomer’s request. Based upon the nature and content of Coomer’s filing, however, the Director finds it necessary to respond and clarify the record.

1.

Coomer alleges that the JQC required a “‘consent’ order that, by its very language, required Judge Coomer to, in effect, admit the allegations of the Formal Charges.” Exhibit C in Coomer’s own filing, however, clearly shows that the JQC’s *draft* consent order included language that Coomer, “*while not admitting the allegations set forth in the Formal Charges*, agrees that it is in the best interest of the State of Georgia for the Motion to be granted by this Court at this time.” (emphasis added). Thus, Coomer’s claim is incorrect and completely contradicted by his own exhibit.

2.

During discussions with Coomer's counsel regarding a possible consent to suspension, the JQC was never informed about the agreement with the Court of Appeals before the JQC's Motion to Suspend was filed.

3.

Coomer alleges that the sole reason that there was a problem with Coomer signing the JQC's draft consent agreement is that the JQC required that Coomer admit he was a "substantial threat." Nowhere in the draft agreement, attached to Coomer's filing as Exhibit C, does the JQC's draft contain language requiring Coomer to admit that he is a "substantial threat." In fact, the JQC's draft specifically states that Coomer would agree to the Motion to Suspend because it "is in the best interest of the State of Georgia for the Motion to be granted by this Court at this time."

Further, Coomer's filing includes Exhibit D, an email from the JQC Director stating simply that "*unless* you want a version in which Judge Coomer expressly agrees that the criteria required for interim suspension apply in this case, then *we either need to use the consent I sent you* or we just need to file our original full

motion to suspend today.”<sup>1</sup> The consent agreement referenced in the above email was the draft agreement listed as Exhibit C in Coomer’s filing.

4.

Coomer states in his filing that the only purpose for the JQC submitting the Motion to Suspend and attaching the Formal Charges was to “publicize allegations....” First, the filing of a Motion to Suspend pursuant to JQC Rule 15 (C) has been interpreted by this Court *not* to be a matter of public record, and thus would not be available to the public for review. Second, the filing of the Motion to Suspend *was* necessary as counsel had not agreed to the language included in the JQC draft, the Director believed that the language included in the draft submitted by Coomer’s counsel (Exhibit A in Coomer’s filing) to be legally insufficient pursuant to JQC Rule 15 (C), and the Director believed Coomer’s suggested draft to be subject to being rejected by this Court. Third, as the Formal Charges filed along with the Motion to Suspend evidenced a finding of “reasonable cause” of allegations listed in the Formal Charges, this served as evidence necessary to this Court’s review of a JQC Rule 15 (C) Motion to Suspend.<sup>2</sup>

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<sup>1</sup> It should be noted that the time stamps on the attached email filed by Coomer are incorrect. The email was actually sent at 3:27pm on December 29, 2020. The Director never received a response from counsel for Coomer until after 5pm on December 29, 2020.

<sup>2</sup> In an Order from this Court on a previous consent motion to suspend pursuant to JQC Rule 15 (C), *Inquiry Concerning Judge Meng Lim*, Supreme Court Case No. S20Z1440, issued July 9, 2020, this Court specifically found its ruling that the motion and attached exhibit (a copy of an arrest warrant finding probable cause for the offense of family violence battery) satisfied the

5.

The one case cited by Coomer is wholly inapposite. While the final moments of 2020 thankfully approach, even a cursory review of the *Patterson* case shows that it clearly applies to a different disciplinary system, in a different posture, with different considerations, and different rules. This Court has approved the JQC Rules as controlling for issues such as this for a reason, and the JQC has gone to great lengths to comply with the Rules as written. This Court has also previously explained the need to take heed of, and fully comply with, the procedural Rules specific to judicial disciplinary matters, even when the JQC and opposing counsel agree on the ultimate disposition.

6.

The Director finds it curious that the first mention of an interim suspension outside of the purview of the JQC Rules comes via Coomer's filing and email at 2:59pm. While the Director has spent the past 90 minutes reading Coomer's filing and responding to the most obvious and serious flaws in the factual statements found in the written request, the Director has serious concerns about the legal efficacy of Coomer's request for a voluntary interim suspension outside the

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standard for an interim suspension under JQC Rule 15 (C). In that Order, this Court also specifically cited the standard for such a suspension. Further, counsel for the judge in the *Lim* case is also one of the attorneys representing Coomer in this matter.

purview of the JQC Rules. Given Coomer's failure to suggest this avenue during the previous days of discussion on the topic of suspension, however, the Director cannot in good faith take a definitive position on suggested course of action, much less agree to it at the 11<sup>th</sup> hour.

Respectfully submitted, this 30<sup>th</sup> day of December, 2020.

s:\CHARLES P. BORING  
CHARLES P. BORING           065131  
DIRECTOR  
JUDICIAL QUALIFICATIONS COMMISSION

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**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the foregoing  
Response on counsel for Coomer by placing a copy of same via United States Mail  
with adequate postage affixed thereon and via electronic transmission:

Dennis Cathey  
649 Irvin Street  
P.O. Box 689  
Cornelia, Georgia 30531  
[DCathey@catheyandstrain.com](mailto:DCathey@catheyandstrain.com)

Additionally, a copy of this Motion has been provided to all members of the  
JQC Investigative Panel by electronic transmission.

Respectfully submitted, this 30<sup>th</sup> day of December, 2020.

s:\CHARLES P. BORING  
CHARLES P. BORING 065131  
DIRECTOR  
JUDICIAL QUALIFICATIONS COMMISSION

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