

JUDICIAL CONDUCT BOARD

TELEPHONE: (802) 777-9198

P.O. BOX 310
RUTLAND, VT 05701-0310

BARBARA R. BLACKMAN, ESQ.
CHAIR

February 3, 2023

CLOSURE REPORT OF THE VERMONT JUDICIAL CONDUCT BOARD

Re: Docket No.: 22.029

This Complaint contained allegations of bias, errors of law, allowing experts to testify without proper qualifications, allowing inadmissible evidence to be presented, and being untruthful.

The Judicial Conduct Board conducted an extensive initial inquiry, including a review of the filings in the case, listening to the audio of all hearings in the case, conducted an analysis of the allegations and found no evidence of violations of the Code of Judicial Conduct.

In addition, some of the allegations showed the Complainant was dissatisfied with the outcome of the litigation, which is a matter for an appellate court, not this Board. **Rule 6(17) of the Rules for Disciplinary Control of Judges states:**

The Board shall not function as an appellate court to review the decisions of a court or judge nor exercise superintending or administrative control over determinations of courts or judges.

To the extent the Complaint alleges ethical impropriety or a violation of the Code of Judicial Conduct, the Board has determined that the Complaint is unfounded and there is no cause for further proceedings. *Rules of the Supreme Court for the Disciplinary Control of Judges*, Rules 6(17) & 7(1).

Accordingly, the Complaint in Docket No. 22.029 is DISMISSED.

JUDICIAL CONDUCT BOARD

By: Electronically signed 2/3/2023 7:47 AM pursuant to V.R.E.F. 9(d).



Cortland Corsones

Judicial Conduct Board

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CHAIR

February 3, 2023

Daniel S. Banyai
541 West Pawlet
Vermont 05775-4415

Re: Judicial Conduct Board Docket 22.029

Dear Mr. Banyai:

The Complaint in this matter has been dismissed by the Vermont Judicial Conduct Board for the reasons specified in the enclosed Closure Report. Pursuant to Rule 6 of the Rules of Supreme Court for Disciplinary Control of Judges, this matter shall remain confidential, except that the Closure Report shall be a public record pursuant to Rule 11.

Sincerely

JUDICIAL CONDUCT BOARD

By: _____
Lynn C. Wdowiak, RP®, ACP
Board Clerk

/lcw
Enclosure: Closure Report

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PERSONAL AND CONFIDENTIAL

Hon. Thomas Durkin
503 Bonnyvale Road
Brattleboro, VT 05301

Re: Judicial Conduct Board Docket No.: 22.029

Dear Judge Durkin:

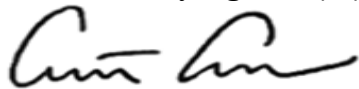
The Complaint in this matter has been dismissed by the Vermont Judicial Conduct Board. A copy of the Closure Report is enclosed for your information.

Pursuant to Rule 6 of the Rules of Supreme Court for Disciplinary Control of Judges, this matter shall remain confidential, except that the Closure Report shall be a public record pursuant to Rule 7(1).

Very truly yours,

JUDICIAL CONDUCT BOARD

Electronically signed 2/3/2023 7:47 AM pursuant to V.R.E.F. 9(d).



Cortland Corsones
Judicial Conduct Board

BB/lcw
Enclosure: Closure Report