

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION
STATE OF GEORGIA

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)
In re: Inquiry Concerning) Complaint No. 2020-053
William Allen Wigington)
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Report of Disposition Pursuant to O.C.G.A. § 15-1-21(k)(1) and Rule 11(A) of the Rules of the Judicial Qualifications Commission

This matter originated before the Judicial Qualifications Commission (hereinafter, “JQC”) Investigative Panel with a complaint concerning allegations of judicial misconduct on the part of William Allen Wigington, formerly the Chief Magistrate Judge of Pickens County and an Associate Probate Judge of Pickens County. The Investigative Panel commenced an investigation into the allegations of judicial misconduct, including:

1. Whether Wigington, while serving as Chief Magistrate Judge and Associate Probate Judge, committed crimes involving felony theft by taking (O.C.G.A § 16-8-2), misuse of a government issued financial transaction card (O.C.G.A. § 16-9-37), and violating the oath of office (O.C.G.A. § 16-10-1). These crimes involved allegations of the theft of funds from Pickens County and the Magistrate Court of Pickens County.

If true, these acts would have violated Rules 1.1, 1.2 (A), 2.4 (B), and 2.5 (A), of the Code of Judicial Conduct;

During the Investigative Panel's investigation, Wigington resigned from his positions as Chief Magistrate Judge of Pickens County and Associate Probate Judge of Pickens County. The JQC Investigative Panel and Judge Wigington have mutually agreed upon a disposition of Complaint 2020-053. The disposition and agreement between the JQC Investigative Panel and Wigington, in which Wigington has agreed not to seek judicial office in the future in light of the JQC investigation, is set forth in the Consent Agreement dated February 18, 2021, which is attached to this filing (see Exhibit 1).

This Report of Disposition is submitted for filing in the public records of the Supreme Court of Georgia pursuant to O.C.G.A. § 15-1-21(k)(1) and JQC Rule 11 (A).

Respectfully submitted this 22nd day of February, 2021.

s:\CHARLES BORING
Charles P. Boring, Director
Judicial Qualifications Commission
1995 North Park Place SE, Suite 570
Atlanta, GA 30339
cboring@gajqc.gov
Georgia Bar Number: 065131

BEFORE THE JUDICIAL QUALIFICATIONS COMMISSION

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In re: Inquiry Concerning
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CONSENT AGREEMENT

Pursuant to the Rules of the Judicial Qualifications Commission (hereinafter, “JQC”), the JQC Investigative Panel and William Allen Wigington hereby resolve the above-styled matter as follows:

1. Wigington was formerly the Chief Magistrate Court Judge for Pickens County and an Associate Probate Judge for Pickens County, and was serving in those judicial offices when he was arrested on or about January 29, 2020. Wigington was charged with six counts of felony theft by taking (O.C.G.A. § 16-8-2), three counts of misuse of a government issued financial transaction card (O.C.G.A. § 16-9-37), and one count of violating the oath of office (O.C.G.A. § 16-10-1).
2. The charges alleged that the offenses were committed by Wigington while serving in his official role as Chief Magistrate Judge of Pickens County, and involved the theft of funds from Pickens County and the court over which Wigington presided.

3. On or about January 29, 2020, the Director of the JQC (“Director”) became aware of Wigington’s arrest and initiated a JQC complaint against Wigington. At the time, the Director was only aware of Wigington’s position as Chief Magistrate Judge.
4. On or about January 31, 2020, Wigington signed and submitted a resignation letter regarding his position as the Chief Magistrate Court Judge of Pickens County to the Governor of Georgia via U.S. Mail, and provided the Director the letter via email. (See attached Exhibit A). The letter made Wigington’s resignation effective April 30, 2020. Governor Brian Kemp accepted Wigington’s resignation on February 3, 2020, effective April 30, 2020. (See attached Exhibit B).
5. On February 4, 2020, upon the motion of the Director, the Supreme Court of Georgia suspended Wigington pursuant to JQC Rule 15 (C) pending a final determination of the JQC’s investigation.
6. The Director subsequently became aware that Wigington was also serving as an Associate Probate Judge in Pickens County, and Wigington submitted an amended resignation letter on February 10, 2020 to include his resignation from the Associate Probate Judge position. (See attached Exhibit C). Governor Kemp accepted Wigington’s amended resignation on February 11, 2020, effective April 30, 2020. (See attached Exhibit D).

7. After Wigington's resignations became effective on April 30, 2020, Wigington no longer held judicial office, but the JQC retained jurisdiction over this complaint. JQC Rule 2 (B) (2).
8. Wigington was indicted by a Pickens County Grand Jury on November 19, 2020. The indictment charges Wigington with 57 counts, including alleged offenses related to the above-stated arrest and other alleged offenses discovered after further investigation. (See Pickens County Superior Court Indictment No. 2020SUCR0304).
9. In light of the pending JQC investigation into his conduct, Wigington hereby agrees that he will not seek, request, or accept an elected or appointed judicial office in the future. Wigington also will not seek appointment as a senior judge on any court. This agreement is effective immediately and carries forward permanently.
10. Wigington understands that should he violate this agreement, the Investigative Panel and Director may to seek enforce this agreement or rescind the agreement and file formal charges regarding this complaint.
11. After the signing of this Consent Agreement, the Director will file this Agreement with the Supreme Court of Georgia, along with the *Report to the Supreme Court of Georgia* pursuant to O.C.G.A. § 15-1-21(k)(1) and JQC Rule 11 (A). This Consent Agreement resolves any complaints or

charges in the above-styled matter as provided herein, as well as any additional complaints or charges that may arise as the result of any future accusation/indictment, additional criminal charges, or reindictment(s) against Wigington related to the above-described offenses and acts.

Respectfully submitted this 18th day of February, 2021.

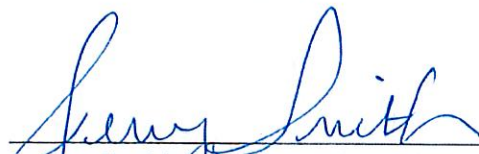


Charles P. Boring, Director
Judicial Qualifications Commission
1995 North Park Place SE, Suite 570
Atlanta, GA 30339
cboring@gajqc.gov
Georgia Bar Number: 065131

Consented and agreed to by:



William Allen Wigington



Jenny Smith (Attorney for Wigington)
The Law Office of Jenny C. Smith, LLC
P.O. Box 1813
Woodstock, GA 30188
jennysmith@jennysmithlaw.com
Georgia Bar Number 435159

EXHIBIT A

**MAGISTRATE COURT OF PICKENS COUNTY
APPALACHIAN JUDICIAL CIRCUIT
STATE OF GEORGIA
50 North Main Street
Jasper, Georgia 30143**

January 31, 2020

Honorable Brian P. Kemp
Governor of the State of Georgia
206 Washington Street
111 State Capitol
Atlanta, Georgia 30334

Mr. Governor,

I am writing today to inform you of my intent to resign from the office of Chief Judge of the Magistrate Court of Pickens County effective April 30, 2020. It has been an honor and a pleasure to serve the people of Pickens County and the State of Georgia for the last 12 years.

I appreciate the people of Pickens County for the opportunity to serve them and I am grateful to all of the judicial officers across the state that I have served with and learned from. Should you have any questions, please let me know.

With regards,



Chief Judge W. Allen Wigington
Magistrate Court of Pickens County

EXHIBIT B



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0800

Brian P. Kemp
GOVERNOR

February 3, 2020

The Honorable W. Allen Wigington
Magistrate Judge of Pickens County
50 North Main Street
Jasper, Georgia 30143

Dear Judge Wigington:

I am in receipt of your letter regarding your resignation as Chief Judge of the Magistrate Court of Pickens County, effective April 30, 2020. Your resignation is hereby accepted.

Sincerely,

A handwritten signature in black ink that reads "B. Kemp".

Brian P. Kemp

BPK/rbw

cc: The Honorable Brad Raffensperger, Secretary of State
The Honorable David W. Lindsey, Judge, Probate Court of Pickens County

EXHIBIT C

January 31, 2020

Honorable Brian P. Kemp
Governor of the State of Georgia
206 Washington Street
111 State Capitol
Atlanta, Georgia 30334

Mr. Governor,

I am writing today to inform you of my intent to retire and resign from the office of the Chief Judge of the Magistrate Court of Pickens County and the Associate Judge of the Probate Court of Pickens County effective April 30, 2020. It has been an honor and a pleasure to serve the people of Pickens County and the State of Georgia for the last 12 and 8 years respectively.

I appreciate the people of Pickens County for the opportunity to serve them and I am grateful to all of the judicial officers across the state that I have served with and learned from. Should you have any questions, please let me know.

With regards,

A handwritten signature in black ink, appearing to read 'W. Allen Wigington', with a long horizontal stroke extending to the right.

Judge W. Allen Wigington

EXHIBIT D



STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Brian P. Kemp
GOVERNOR

February 11, 2020

The Honorable W. Allen Wigington
Magistrate Judge of Pickens County
50 North Main Street
Jasper, Georgia 30143

Dear Judge Wigington:

I am in receipt of your letter regarding your resignation as Chief Judge of the Magistrate Court of Pickens County and as Associate Judge of the Probate Court of Pickens County, effective April 30, 2020. Your resignation is hereby accepted.

Sincerely,

A handwritten signature in black ink that reads "B.P.K." in a stylized, cursive font.

Brian P. Kemp

BPK:rbw

cc: The Honorable Brad Raffensperger, Secretary of State
The Honorable David W. Lindsay, Judge, Probate Court of Pickens County

CERTIFICATE OF SERVICE

Pursuant to Judicial Qualifications Commission Rule 13, the Director certifies that he has this day served the following:

Report of Disposition

by placing a true and correct copy of the same in the United States mail in an envelope properly addressed with adequate postage thereon to ensure delivery upon the following:

Jenny Smith
The Law Office of Jenny C. Smith, LLC
P.O. Box 1813
Woodstock, GA 30188

This 22nd day of February, 2021.

s:\CHARLES BORING
Charles P. Boring, Director
Judicial Qualifications Commission
1995 North Park Place SE, Suite 570
Atlanta, GA 30339
cboring@gajqc.gov
Georgia Bar Number: 065131