

US Court rules Circuit Court terminations not politically motivated

Written by George Browning
Tuesday, 05 March 2013 00:00 -

Washington Circuit Court Judge Larry Medlock was on the other side of the bench as former court employees Dora Ray and Lori Gilstrap filed a complaint of the termination of their employment.

According to papers acquired from the United States District Court Southern District of Indiana New Albany Division, Ray and Gilstrap claimed they were discharged for political reasons, in violation of the first amendment, against Medlock in an individual capacity.

On March 1, chief Judge Richard L. Young ruled in favor of Medlock.

“To say that I am pleased with the results is an understatement,” Medlock said in a phone interview Monday.

Young’s ruling states that the Plaintiffs’ (Ray and Gilstrap) subjective beliefs regarding the motivation behind Judge Medlock’s decision to terminate their employment is nothing more than speculation, and, as a result, is insufficient to raise a genuine issue of material fact.

The ruling goes on to say that because the plaintiffs did not suffer a constitutional deprivation, Judge Medlock cannot be held individually liable.

Young approved Medlock’s motion for summary judgment.

Ray and Gilstrap were hired by former Judge Robert Bennett as court reporters in Washington County Circuit Court in the 1980s.

According to the papers acquired from the court, Ray, Gilstrap and other court reporters Nancy Roberts and Rita Martin, supported the candidacy of Judge Bennett by participating in parades, wearing campaign T-shirts, attending fundraisers and working the polls on election day.

The document says plaintiffs also went door-to-door campaigning for Judge Bennett.

Judge Medlock defeated Judge Bennett in the general election.

In January of 2011, Judge Medlock took office as the judge of Washington Circuit Court.

The court document states that Medlock formerly served as a public defender in the Washington Circuit Court, and, as a result was familiar with the work product of the Roberts and Martin.

On January 4, 2011, the recent ruling states, Medlock terminated the employment of Ray and Gilstrap, but maintained the employment of Roberts and Martin.

Medlock testified that he terminated the plaintiffs to fulfill a campaign promise to improve the quality of efficiency of the Washington Circuit Court.

“I had pure intentions and none of them were politically motivated,” Medlock said. “I have a number of employees who still work here, who worked for Judge Bennett and none of them were terminated. They were all allowed to continue working.”

Medlock said the changes he made when taking office have made the Circuit Court more efficient and he knows that because of the feedback he hears who worked in the court before he took office and after.

The summary judgment was requested because federal rule of civil procedure provides that a “Court shall grant summary judgment if the movant shows that there is no genuine issue of material fact that the movant is entitled to judgment as a matter of law.” The moving party bears the burden demonstrating the absence of genuine issue of material fact.

Medlock said in simple terms the plaintiffs could not produce one piece of evidence to show that his actions were politically motivated.

“They couldn’t show a thing, because there was nothing to show,” he said.

Medlock said the plaintiffs have 30 days to appeal the ruling to the court of appeals.

US Court rules Circuit Court terminations not politically motivated

Written by George Browning

Tuesday, 05 March 2013 00:00 -

“The attorney general indicated to me that most likely this is over with,” Medlock said.