D-13 September Term 2024 089766

In the Matter of

Gary N. Wilcox

ORDER

A Judge of the Superior Court :

The Advisory Committee on Judicial Conduct having submitted to the Court a report and recommendation in ACJC 2023-218, pursuant to Rule 2:15-15A(b), granting an application for discipline by consent of Gary N. Wilcox, a Judge of the Superior Court; and

The Disciplinary Counsel/Presenter and Respondent having entered into a stipulation of discipline by consent in which it was agreed that Respondent violated Canon 1, Rule 1.1 (requiring judges to observe high standards of conduct so that the integrity and independence of the Judiciary may be preserved), Canon 2, Rule 2.1 (requiring judges to avoid impropriety and the appearance of impropriety and to act at all times in a manner that promotes public confidence in the integrity and impartiality of the Judiciary), and Canon 5, Rule 5.1(A) (requiring judges to conduct their extrajudicial activities

in a manner that would not cast reasonable doubt on the judge's capacity to act impartially as a judge, demean the judicial office, or interfere with the proper performance of judicial duties); and

The parties having agreed that Respondent's judicial misconduct in violation of Canon 1, <u>Rule</u> 1.1; Canon 2, <u>Rule</u> 2.1, Canon 5, <u>Rule</u> 5.1(A) of the <u>Code of Judicial Conduct</u> warrants a suspension, without pay, within the range of one to three months; and

The Advisory Committee on Judicial Conduct having recommended to the Court that the appropriate sanction for Respondent's misconduct is a threemonth suspension, without pay; and

The Court having determined to accept the tendered discipline by consent, including the recommendation of a three-month suspension, without pay, as the appropriate disciplinary sanction;

And good cause appearing;

It is ORDERED that **Gary N. Wilcox**, a Judge of the Superior Court, is hereby suspended from judicial office, without pay, for a period of three months, from October 8, 2024 through January 8, 2025; and it is further

ORDERED that the stipulation of discipline by consent, Respondent's affidavit of consent, and supporting documentation in the certified record

submitted to the Court are hereby incorporated by reference into this Order, in accordance with Rule 2:15-15A(b)(4).

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this 1st day of October, 2024.

CLERK OF THE SUPREME COURT