

IN THE STATE COURT OF GWINNETT COUNTY

STATE OF GEORGIA

FILED IN OFFICE  
CLERK OF STATE COURT  
GWINNETT COUNTY, GA  
22 MAR 28 PM 2:12  
TERRY L. WALKER, CLERK

IN RE: BRIAN W. WHITESIDE,  
SOLICITOR-GENERAL OF GWINNETT  
STATE COURT.

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CASE NUMBER 2022-D-00099-RCQ

**CONSENT ORDER FOR ATTACHMENT OF CRIMINAL CONTEMPT**

It appearing to the Honorable Charles S Wynne, Senior Judge, Georgia State Courts that the Honorable Ronda Colvin Leary, Judge, Gwinnett State Court, Division IV (hereinafter referred to as the “Judge Colvin Leary”) filed on January 6, 2022, her *Petition for Attachment of Criminal Contempt* against Brian W. Whiteside, Solicitor-General of Gwinnett State Court (hereinafter referred to as the “Solicitor-General”), and four employees of his Office<sup>1</sup>, which was amended on January 18, 2022, by *the Amendment to Petition for Attachment of Criminal Contempt*<sup>2</sup>, and it appearing that the parties have agreed to a resolution of the same resolving all issues.

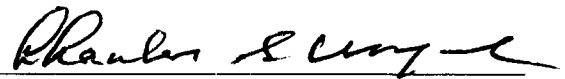
IT IS HEREBY ORDERED AND ADJUDGED that the Solicitor-General is found to be in willful criminal contempt for unilaterally cancelling the Criminal Arraignment Calendar on January 3, 2022, at 9:00 am in Courtroom 3E without the consent and approval of Judge Colvin Leary, which was done without authority of law and obstructed the justice and order of the proceedings before Judge Colvin Leary on January 3, 2022.

<sup>1</sup> A Dismissal Without Prejudice was filed on February 10, 2022, in favor of the four employees.

<sup>2</sup> All allegations and statements set forth in the *Petition for Attachment of Criminal Contempt* and *Amendment to Petition for Attachment of Criminal Contempt* are incorporated herein by reference and shall be as if fully set forth herein as findings of fact.

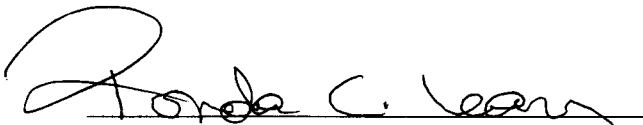
IT IS FURTHER ORDERED that Brian W. Whiteside, Solicitor-General of the Gwinnett State Court is sanctioned in accordance with OCGA § 15-7-4(a)(5) by a fine of \$1,000.00 and imprisonment of three(3) days in the common jail of Gwinnett County. Provided, however, that the sanctions may be purged and suspended by the Solicitor-General apologizing in open court and in writing to Judge Colvin Leary and the other judges of the Gwinnett State Court<sup>3</sup> for his wrongful actions and that the Solicitor-General shall not cancel or continue any case or calendar without the approval of Judge Colvin Leary or any other judge of the Gwinnett State Court.

This 28th day of March 2022.

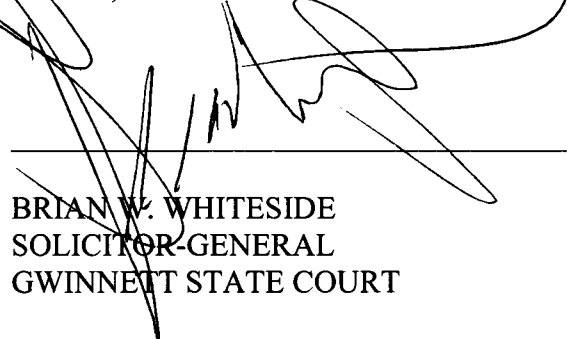


CHARLES S. WYNNE, SENIOR JUDGE  
GEORGIA STATE COURTS

CONSENTED TO BY:



HONORABLE RONDA COLVIN LEARY  
JUDGE, GWINNETT STATE COURT



BRIAN W. WHITESIDE  
SOLICITOR-GENERAL  
GWINNETT STATE COURT

<sup>3</sup> Attached hereto as Exhibit "A" is the original letter of apology required by this Order.



STATE COURT  
75 Langley Drive  
Lawrenceville, GA 30046-6900  
(770) 822-8300  
Fax (770) 822-8339

OFFICE OF THE SOLICITOR-GENERAL  
GWINNETT COUNTY

Brian Walton Whiteside  
Brian.Whiteside@gwinnettcountry.com  
Solicitor-General

RECORDER'S COURT  
115 Stone Mountain Street  
Lawrenceville, GA 30046-5661  
(770) 619-6140  
Fax (770) 619-6006

March 28, 2022

Dear Judge Colvin Leary:

Please accept this letter to accept complete responsibility for the actions that I took to close the Solicitor-General's Office and to cancel Gwinnett State Court for the month of January 2022, and specifically your Criminal Arraignment on January 3, 2022, as all my actions were improper, irresponsible, and not authorized by law. This apology is extended to not only you but the entire Gwinnett State Court bench as my actions obstructed the administration of justice and order not just your Division, but all the Gwinnett State Courts. I personally assure you that there will be no future acts that can be considered contemptuous, and I pledge respect and cooperation to all the courts, employees, and citizens.

Sincerely,

Brian Walton Whiteside  
Gwinnett Solicitor-General

EXHIBIT "A"