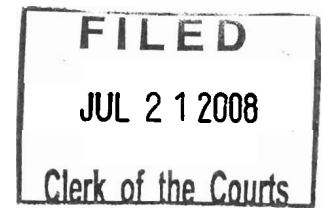


COPY

IN THE TENNESSEE COURT OF THE JUDICIARY

IN RE: THE HONORABLE JOHN A. BELL
JUDGE, GENERAL SESSIONS COURT
COCKE COUNTY, TENNESSEE



DOCKET NO. M2008-00932-CJ-CJ-CJ

Complainant: Dan Metcalf
File No. 06-2741

ANSWER TO FORMAL CHARGES

NOW INTO COURT comes The Honorable John A. Bell, Judge, General Sessions Court, Cocke County, Tennessee ("Judge Bell"), pursuant to Tenn. Code Ann. §17-5-307(c), and answers the Formal Charges filed against him by Disciplinary Counsel of the Tennessee Court of the Judiciary as follows:

I. COUNTS I-IV

1. Judge Bell and his counsel have been advised by Tennessee law enforcement officials that in addition to these proceedings in the Court of Judiciary, a criminal investigation has been commenced – based upon the same factual allegations and charges – under the auspices of the Tennessee Attorney General & Reporter's Law Enforcement and Special Prosecution Division for alleged official corruption, in conjunction with the Tennessee Bureau of Investigation. As a result, Judge Bell has been advised by counsel to assert and invoke, and hereby does respectfully assert and invoke, his privilege against self-incrimination guaranteed by the Fifth Amendment of the United States Constitution and under Article I, Section 9 of the Tennessee Constitution.

II. GENERAL DEFENSE

2. The Formal Charges fail to state a judicial offense for which Judge Bell might be disciplined under the Tennessee Code of Judicial Conduct or the Tennessee Code.

III. AFFIRMATIVE DEFENSES

A. First Affirmative Defense – Collateral Estoppel/Judicial Estoppel


3. The issues contained in Counts I and II of the Formal Charges were the subject of prior complaints against Judge Bell and have previously been litigated and decided by the Tennessee Court of the Judiciary in favor of Judge Bell. Specifically, the Tennessee Court of the Judiciary found that the facts now alleged by Disciplinary Counsel in Counts I and II do not rise to the level of an ethical violation. The Court found the utilization of East Tennessee Probation, Inc.'s private misdemeanor probation service in 1999 by Judge Bell was appropriate, that such use did not amount to an ethical violation, and further, that an improper relationship did not exist between Judge Bell and East Tennessee Probation, Inc. Finally, the Court also found that no improper family relationship existed between Judge Bell and Mr. Large. The Tennessee Court of the Judiciary made Findings of Fact that Judge Bell was not related to Mr. Large by blood or a marriage (in fact, Judge Bell and Mr. Large are not related, but are merely connected through two separate marriages).

B. Second Affirmative Defense – Estoppel

4. Disciplinary Counsel is further estopped from charging Judge Bell with alleged judicial offenses for which he merely followed or adhered to Tennessee law, including case law, statutory law, rules, regulations, and judicial ethics opinions.

WHEREFORE, Judge Bell demands that the Formal Charges issued against him
by Disciplinary Counsel be dismissed.

Respectfully submitted, this 21st day of July, 2008.

A handwritten signature in black ink, appearing to read "Gordon Ball", is written over a horizontal line.

Gordon Ball

Ball & Scott Law Offices
550 W Main Street, Suite 601
Knoxville, TN 37902
Telephone: (865) 525-7028

CERTIFICATE OF SERVICE

A copy of the foregoing was served upon the following by US Mail, first class
postage prepaid, upon:

Joseph S. Daniel
Disciplinary Counsel
503 North Maple Street
Murfreesboro, Tennessee 37130

This 21st day of July, 2008.



Gordon Ball