

FILED

COURTS COMMISSION
OF THE
STATE OF ILLINOIS

JAN 17 1997

Joseph B. Schuman
Courts Commission Secretary

IN RE JUDGE FRANK D. EDWARDS)
CIRCUIT JUDGE OF THE CIRCUIT COURT)
OF COOK COUNTY)

No. 96-CC-2

ORDER

This matter comes upon the motion of the respondent, Circuit Judge Frank D. Edwards (Respondent), to dismiss the Judicial Inquiry Board's (Board) complaint against him. The complaint, which was filed on October 17, 1996, charged respondent with conduct that is prejudicial to the administration of justice and conduct that brings the judicial office into disrepute.

On November 22, 1996, respondent filed a motion to dismiss the complaint, wherein he stated that he had withdrawn from the election and declared his intention to resign from the bench before December 2, 1996. Respondent asserted that because of this, the complaint should be dismissed as moot. The Judicial Inquiry Board has not filed a response in opposition to that motion.

The Courts Commission has determined that dismissal is proper, not because of mootness, but for lack of jurisdiction. In previous cases, the Courts Commission has held that it lacks jurisdiction over a case once the respondent leaves the bench. See, *In Re Dempsey*, 2 Ill. Cts. Com. 100; *In Re Pincham*, 2 Ill. Cts. Com. 130. Respondent's term as a Circuit Judge of the Circuit Court of Cook County expired on December 1, 1996. Because respondent is no longer an active, sitting judge, he is beyond the jurisdiction of this Commission.

Accordingly, the complaint of the Judicial Inquiry Board is hereby dismissed for lack of jurisdiction.

It is so ordered.

Complaint dismissed.