

Jerold W. Barringer

Appeal of tax evasion case denied

Sunday, November 25, 2007

A Shelby County man has lost his appeal of a federal tax evasion case, and his Nokomis attorney is in hot water with the chief judge of the U.S. 7th Circuit Court of Appeals.

Chief Judge Frank Easterbrook wrote in his opinion earlier this month that all 19 issues raised by Denny Patridge' attorney in his appeal of criminal convictions for tax evasion, money laundering and wire fraud were "frivolous," as was his appeal from tax court.

Chief Judge Frank Easterbrook wrote scathingly of **Jerold W. Barringer**, Patridge's attorney during the original trial, in tax court and during his three appeals. **Barringer** "has performed below the standard of a pro se litigant" (an untrained person who acts as his own lawyer), Easterbrook said, adding that he has doubts about **Barringer's** fitness to practice law.

Easterbrook gave **Barringer** 14 days to show why he shouldn't be fined \$10,000 "for his frivolous arguments and non-compliance with the rules," and why he shouldn't be suspended from practice until he demonstrates "an ability to litigate an appeal competently and responsibly."

Barringer was admitted to practice in Illinois in 1983.

Easterbrook has the authority to suspend **Barringer** from practice in federal court within the 7th Circuit. But only the state Supreme Court can suspend an attorney's license to practice law in Illinois.

Easterbrook said many of the 19 issues raised by Patridge' attorney in the criminal appeal "are in the style of tax-protest arguments that we might expect from a layman representing himself but do not expect to see in a brief filed by a member of the bar."

Of **Barringer**, the judge wrote: "The problem is not simply his inability to distinguish between plausible and preposterous arguments. It is his disdain for the norms of legal practice and the rules of procedure."

Barringer's statement of facts in the case "contains not a single fact and verges on illiteracy," Easterbrook wrote.

Barringer was censured by the state Supreme Court in 2001. In a 1999 divorce case, the court said, **Barringer** filed a motion for a judge substitution that contained statements about the judge that **Barringer** knew or should have known were false.

Peter Rotskoff, manager of the state Attorney Registration and Disciplinary Commission's Springfield office, said he couldn't comment on any specific case. However, he indicated that the ARDC regularly reviews appellate court opinions in which sanctions against lawyers are requested.