

BEFORE THE COMMISSION ON JUDICIAL CONDUCT AND ETHICS

STATE OF WYOMING

An inquiry concerning )  
The Honorable Ruth Neely )  
Municipal Court Judge and )  
Circuit Court Magistrate )  
Ninth Judicial District )  
Pinedale, Sublette County )

COMMISSION ON JUDICIAL CONDUCT  
AND ETHICS  
No. 2014-27  
Official Record  
Date: 10/30/15  
Wendy I. Soto

**STATEMENT OF UNDISPUTED FACTS**

COMES NOW the Commission on Judicial Conduct and Ethics, by and through its attorney Patrick Dixon, and hereby submits the Statement of Undisputed Facts.

1. The Honorable Ruth Neely serves in two judicial capacities. She sits as Municipal Court Judge for the Town of Pinedale pursuant to appointment by the Town Mayor and approval of the Town Council. She also serves as a Circuit Court Commissioner, pursuant to appointment by the Honorable Curt Haws.

2. Her most recent and current magisterial appointment is a general appointment. Although Judge Neely can and, occasionally does perform other duties as a Circuit Court Magistrate, the primary purpose for her appointment is to perform civil marriage ceremonies.

3. Sometime around December 8, 2014, Judge Neely received a call from Ned Donovan, a reporter for the Pinedale Roundup. In the course of the conversation, Judge Neely told Mr. Donovan that her religious beliefs and

opinions regarding same sex marriage precluded her from performing same sex marriages

4. This conversation and two additional conversations with Mr. Donovan on the same day resulted in the publication in the Sublette Examiner on December 11, 2014 of an article identified as Deposition Exhibit 4.

5. In the article, Mr. Donovan quotes Judge Neely as making the following statements:

“I will not be able to do them,” Neely told the Examiner. “We have at least one magistrate who will do same sex marriages but I will not be able to.”

...

“When law and religion conflict, choices have to be made. I have not yet been asked to perform a same sex marriage,” Neely said.

Donovan also explained that Judge Neely’s inability to perform same sex marriages was not based upon her schedule, but on her religious beliefs.

7. Judge Neely agrees that she was accurately quoted in the article by Mr. Donovan.

8. The Donovan article, in one form or another appeared in three other publications in Sublette County and generated at least two subsequent editorials.

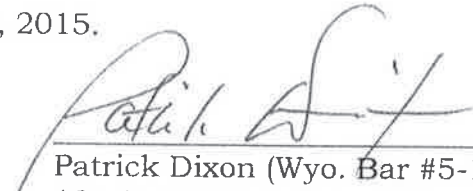
9. Judge Neely continued to perform traditional ceremonies until December 31, 2014.

10. As a result of these publications, on January 15, 2015 Judge Haws suspended Judge Neely from her magisterial duties in Circuit Court.

Judge Neely continues to serve in her capacity as a Municipal Court Judge for the Town of Pinedale.

11. On October 17, 2014, United States District Court Judge Scott Skavdahl rendered his decision in the case of *Guzzo v. Mead*, 2014 WL 5317797 (Wyo.2014). The effect of *Guzzo* was to legalize same sex marriage in the state of Wyoming.

DATED this 30 day of October, 2015.

  
Patrick Dixon (Wyo. Bar #5-1504)  
104 S. Wolcott, Suite 600  
Casper, Wyoming 82601  
(307) 234-7321  
(307) 234-0677 (facsimile)  
Disciplinary Counsel

**CERTIFICATE OF SERVICE**


I, Patrick Dixon, do hereby certify that on the 30 day of October, 2015, I served the above and foregoing **Statement of Undisputed Facts** by placing a true and correct copy in the United States mail, duly postmarked and addressed to:

**VIA EMAIL [dobylaw@embarqmail.com](mailto:dobylaw@embarqmail.com)**  
Herbert K. Doby  
Attorney at Law  
P.O. Box 130  
Torrington, Wyoming 82240

**VIA EMAIL [kconnelly@adfllegal.org](mailto:kconnelly@adfllegal.org)**  
James A. Campbell  
Kenneth J. Connelly  
Douglas G. Wardlow  
Alliance Defending Freedom  
15100 N. 90<sup>th</sup> Street  
Scottsdale, Arizona 85260

**VIA [orchard@spencelawyers.com](mailto:orchard@spencelawyers.com)**  
Melvin C. Orchard, III  
Presiding Officer/Hearing Officer  
The Spence Law Firm, LLC  
Spence & McCalla  
P.O. Box 548  
Jackson, Wyoming 83001-0548

**VIA U.S. MAIL**  
Wendy Soto, Executive Director  
Commission on Judicial Conduct and  
Ethics  
P.O. Box 2645  
Cheyenne, WY 82003

  
Patrick Dixon