

**BEFORE THE COMMISSION ON JUDICIAL CONDUCT**

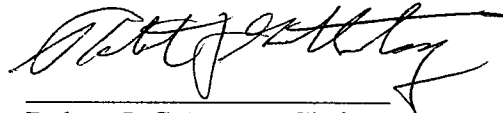
**Complaint Number 2006-9**

The Commission on Judicial Conduct (“the Commission”) makes this complaint against the Honorable Ernest B. Murphy (“Judge Murphy”), Associate Justice of the Superior Court Department, pursuant to M.G.L. c. 211C, § 5(1), by its own motion, upon the receipt of reasonable information as to conduct that appears to constitute grounds for discipline.

The conduct alleged below, if true, constitutes willful misconduct which brings the judicial office into disrepute, as well as conduct prejudicial to the administration of justice and unbecoming a judicial officer. This conduct also violates the Code of Judicial Conduct (Supreme Judicial Court Rule 3:09).

The Commission alleges that Judge Murphy used official Superior Court letterhead for a letter addressed to Patrick J. Purcell, publisher of the *Boston Herald*, on February 20, 2005, as well as for a post-script to this letter dated February 19, 2005. The subject of this correspondence was personal business, i.e., Judge Murphy’s litigation with the *Herald*.

For the Commission,



Robert J. Guttentag, Chairman

Date: January 10, 2006