



Court Historical Society NEWSLETTER *Eastern District of Tennessee*

MARCH 2009

Unique Court Post

Sevier County lawyer **Ronald E. Sharp** held a unique position with the Eastern District of Tennessee federal court from 1984 to 1991.

He served as a part-time magistrate judge in a judgeship that was created mainly to deal with the petty offense cases that occur each year in the Great Smoky Mountains National Park. During the first half of his tenure, Sharp held court at the park headquarters building, but in the late 1980s, he moved the court sessions to the Gatlinburg City Hall. "I was city attorney for Gatlinburg and made arrangements with the city for us to hold court there," Sharp said.

Before this judgeship was established, petty offense cases were heard by the Knoxville magistrate judge, and in earlier years, by a part-time U.S. commissioner, both of whom traveled to the park to hold court.

Most of the cases Sharp handled were traffic violations, but there were also hunting violations, littering cases, environmental violations, such as harvesting ginseng in the park, illegal camping and others. In addition, he was often called on by rangers to set bond for those arrested.

He recalls three unusual cases that he heard. One involved the theft of a bear cub, another involved bear gallbladders, and the third a homeless man who set up an illegal, permanent campsite in the park.

The bear cub thief, who was caught one winter day near Townsend coming out of the park with the cub under his coat, was fined and sentenced by Sharp to six months in jail, the only case in which Sharp recalls giving that kind of sentence. Rangers said the man had shot the mother bear and stolen the cub.

The defendant appealed the case to a district judge, and the case was to be heard by **Judge James H. Jarvis**. Sharp said, "I was told by one of the officers involved that Judge Jarvis asked what kind of sentence the man had received, and when he learned that it was six months, he said, 'Is that all he gave him!' When the man heard that, he dropped his appeal."

In the gallbladder case, a man from Korea had come to the mountains to meet some North Carolina hunters to buy bear gallbladders. When the rangers caught him, he had 40 of them in his possession, Sharp said. "I understand the Koreans grind the gallbladders into a powder for use as an aphrodisiac. He was going to make a lot of money from them, something like \$40,000."

In the other unusual case, rangers arrested a man who had built a semi-submerged dome structure in the park and was living in it. The way they caught him was unusual, Sharp said.

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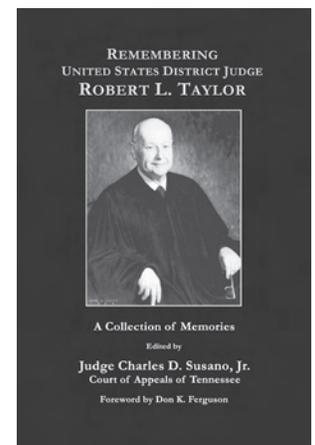


TOKEN OF APPRECIATION--**Ronald E. Sharp** holds a wooden arrowhead given to him by Great Smoky Mountains National Park officials upon completion of his tenure as a U.S. magistrate judge in 1991. The arrowhead was hand-crafted by park personnel from wood from a fallen park tree.

Judge Susano Publishes A Book

Tennessee Court of Appeals **Judge Charles D. Susano, Jr.**, is publishing a book of stories and memories about the late U.S. District **Judge Robert L. Taylor**, due off the press this spring.

He said he undertook the book project because he felt that the many stories about the legendary judge needed "to be preserved for future generations." Four years ago, Judge Susano sent letters to attorneys, judges, court personnel and others who knew or had dealt with Judge Taylor, asking for their stories and memories of the judge, who served from 1949 through 1985, longer than any other judge who has held an Eastern District of Tennessee judgeship.



Judge Susano's Book

In his letter, Judge Susano, a longtime member of the U.S. District Court Historical Society, said, "My purpose is neither to canonize nor vilify Judge Taylor. I'm just looking for a truthful rendition of the 'Judge Taylor' experience."

The foreword was written by **Don K. Ferguson**, retired chief deputy clerk of the court, who now serves as executive director of the U.S. District Court Historical Society.

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Rangers noticed a man regularly walking along the Spur between Gatlinburg and Pigeon Forge late at night. “They would drive past him and then return in five minutes or so and the man would be gone,” Sharp said. “There was nowhere he could have gone except into the park.”

“They got curious and started checking and found the man’s campsite about 100 yards off the road. He was working as a dishwasher at a Gatlinburg restaurant, and when he got off from work at night, he would start walking to that campsite.

“He had a bed with some coils of plastic or metal underneath the bedding. He had built a little fire and let water pass through those pipes near the fire, making sort of a heated water bed.

“The rangers arrested him and brought him before me. He was very humble and didn’t have anything. I fined him \$50, because it’s illegal to live in the park. The rangers asked that I order the structure be torn down, and the man broke down and started crying.”

“The man had done such a good job of building what was actually a survival structure that the Park Service hired him to teach other people how to do it,” Sharp said.

Park Cases Today

Today, petty offense cases arising in the Great Smoky Mountains National Park are heard in the Knoxville federal court building by the two full-time magistrate judges in the Knoxville division, **C. Clifford Shirley** and **H. Bruce Guyton**, on a rotating basis. They also try defendants charged with petty offenses on other federal properties in the Knoxville division.

The district’s other magistrate judges try defendants charged on federal properties in their respective divisions.

Many of the tickets issued are not contested, and defendants make payment by mail to the Central Violations Bureau in San Antonio, Texas. More serious offenses carry a mandatory court appearance. The clerk’s office handles the courtroom support for these cases, which are prosecuted by the U.S. Attorney’s Office and by rangers.

Of the nation’s 94 districts, this district ranks 26th in number of petty offense cases handled each year. Last year, there were nearly 2,500 such cases in the Eastern District of Tennessee. Not all of these occurred in the Smokies. A number took place in the Cherokee National Forest and on other federal properties in the district, but because of the millions who visit the Smokies each year, it is this park that produces the bulk of the violations. ■

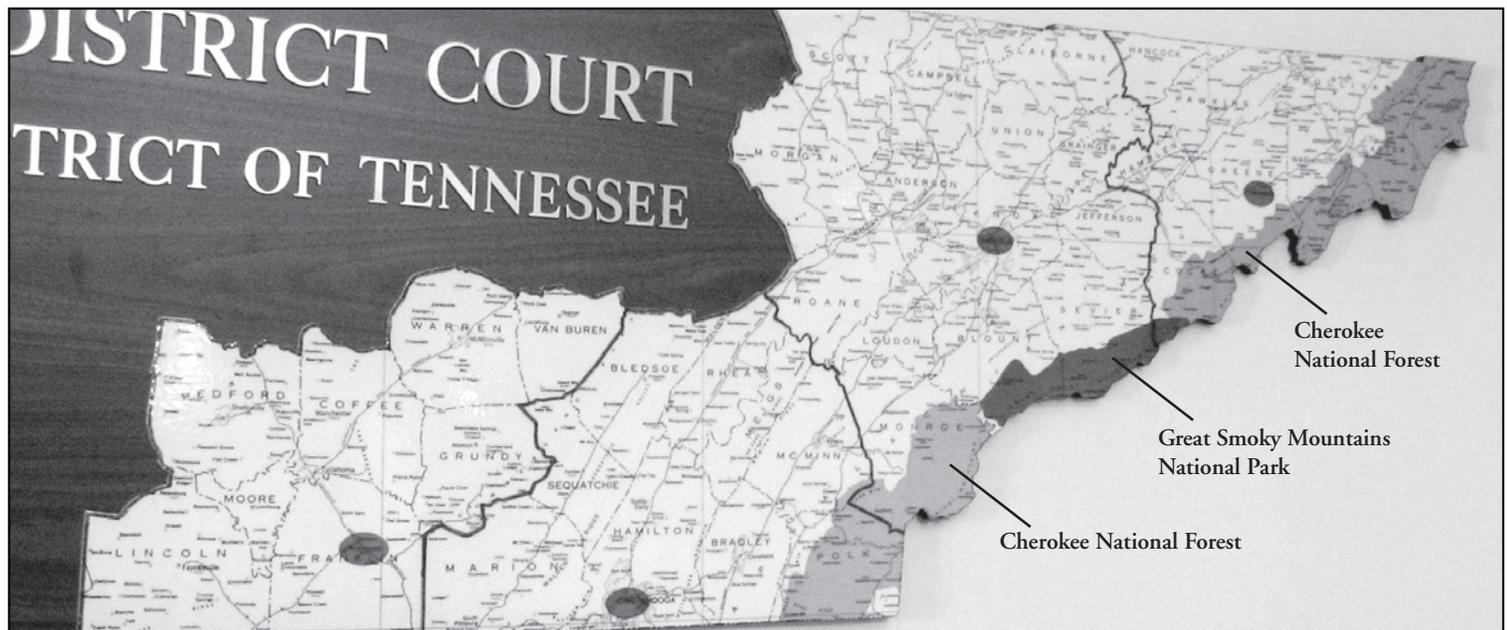
Judge Susano Book

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The 200-page, hardback book, titled *Remembering United States District Judge Robert L. Taylor*, contains 145 stories, some short, some longer, submitted by 96 people. It is priced at \$19.95, plus \$6 for shipping and handling and \$2.40 for sales tax, making a total of \$28.35. It is available by mail from Tennessee Valley Publishing, P.O. Box 52527, Knoxville 37950-2527. Or it may be purchased at the publisher’s offices at 5227-E North Middlebrook Pike, Knoxville 37921, or online at www.tvp1.com and choosing “Bookstore.” Tennessee Valley Publishing’s telephone number is 865-584-5235. ■

THE HISTORICAL SOCIETY
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DISTRICT MAP--A plaque like this one is displayed in each office of the clerk of the Eastern District of Tennessee--in Greeneville, Knoxville, Chattanooga, and Winchester. The court divisions are indicated by the lines, and the dots show the location of each office. The national park and national forest, shown at the right, are where many petty offenses occur.