

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF RICHMOND

JIMMIE LEE JARVIS,

Plaintiff/Counterdefendant,

v.

Case No.: CL22005237-00

JOSEPH D. MORRISSEY,

Defendant/Counterplaintiff

MOTION FOR SUMMARY JUDGMENT

Plaintiff/Counterdefendant Jimmie Lee Jarvis (“Jarvis”) moves for summary judgment against Defendant/Counterplaintiff Joseph Morrissey (“Morrissey”) pursuant to Rule 3:20 and Code § 8.01-223.2 as follows:

1. On January 14, 2022, Jarvis tweeted “Joe Morrissey is a violent thug, a liar and a sexual predator.” We will refer to this three-part statement of unfitness for office as the “Statements.”
2. The Court should take judicial notice that when the Statements were made, Morrissey was a sitting state senator running for re-election. Rule 2:201.
3. The fitness of a public official for office is a matter of public concern and speech about it is protected by the First Amendment. As stated by the Virginia Supreme Court:

When, as in this case, allegedly defamatory statements discuss a candidate's fitness for elective office,

[T]he importance to the state and to society of such discussions is so vast, and the advantages derived are so great, that they more than counterbalance the inconvenience of private persons whose conduct may be involved, and occasional injury to the reputations of individuals

must yield to the public welfare, although at times such injury may be great.

Coleman v. MacLennan, 78 Kan. 711, 98 P. 281, 286 (Kan. 1908). "[T]here can be no doubt that discussion of public issues and debate on the qualifications of candidates for public office are integral to the operation of our system of government and are entitled to the broadest protection the *First Amendment* can afford."

Mahan v. National Conservative Political Action Comm., 227 Va. 330, 336, 315 S.E.2d 829, 833 (1984).

Jackson v. Hartig, 274 Va. 219, 645 S.E.2d 303 (2007).

4. Because the Statements regarded a matter of public concern and would be protected by the First Amendment, Jarvis is immune from liability for defamation under Code § 8.01-223.2, unless Morrissey proves by clear and convincing evidence that, when he uttered the Statements, Jarvis "knew or should have known [they] were false or [they] were made with reckless disregard for whether they were false."
5. This statute effectively codifies the "actual malice" standard of *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964).

"[A] media defendant in a defamation claim subject to the *New York Times* standard cannot be said to have acted with actual malice on account of its failure to investigate the accuracy of an allegedly defamatory statement before publishing it unless the defendant first "had a high degree of awareness of [its] probable falsity." *Shenandoah Publ'g House, Inc. v. Gunter*, 245 Va. 320, 324, 427 S.E.2d 370, 372, 9 Va. Law Rep. 1010 (1993); see also *St. Amant v. Thompson*, 390 U.S. 727, 731, 88 S. Ct. 1323, 20 L. Ed. 2d 262 (1968) ("[R]eckless conduct is not measured by whether a reasonably prudent man would have published, or would have investigated before publishing. **There must be sufficient evidence to permit the conclusion that the defendant in fact entertained serious doubts as to the truth of his publication.**"). Thus, in the context of the actual malice inquiry, a duty to investigate the accuracy of one's statements does not arise until the publisher of those statements has a high degree of subjective awareness

of their probable falsity. See *Harte-Hanks Commc'ns, Inc. v. Connaughton*, 491 U.S. 657, 688, 109 S. Ct. 2678, 105 L. Ed. 2d 562 (1989) (citing *Garrison v. Louisiana*, 379 U.S. 64, 74, 85 S. Ct. 209, 13 L. Ed. 2d 125 (1964))."

Id. 274 Va. at 236-243 (emphasis added).

6. In order to establish actual malice, a plaintiff "must demonstrate by clear and convincing evidence that the defendant realized that his statement was false or that he subjectively entertained serious doubt as to the truth of his statement." *Jordan v. Kollman*, 269 Va. 569, 577 (2005).
7. The holding in *Jackson v. Hartig*, 274 Va. 219 (2007), mandates summary judgment in this case. In *Jackson*, the plaintiff, an unsuccessful candidate for the Virginia House of Delegates, alleged he had been defamed by a newspaper that made statements it knew to be false or recklessly disregarded whether they were true or false. 274 Va. at 224.
8. Three days before the election, the newspaper had written, "It was on his watch [as a member of the School Board] that the schools went millions of dollars in the red, a disaster that took years to overcome. Jackson was indicted for malfeasance, but was exonerated, then resigned." *Id.*
9. In fact, Jackson was acquitted and did not resign; he served his entire term. And the newspaper knew not only that "the 1994-1995 School Board budget had already been approved when Jackson began his tenure on the School Board, but also that the School Board did not operate at a deficit during any of the years in which Jackson voted to approve the budget." *Id.*
10. Just five years earlier, when Jackson ran for City Council, the newspaper defendant had written:

Jackson has achieved much on the School Board and promises to be a strong voice for education on council. This former police sergeant has shown himself to be a man of integrity who refused to allow himself to be bullied off the School Board by the commonwealth's attorney two years ago. Jackson insisted he was blameless in the matter of the school system's \$12 million deficit — caused by the then school superintendent and his deputies. A jury agreed, and Jackson was exonerated.

Id. at 223.

11. Jackson alleged that the newspaper was reckless in utterly failing to investigate the truth of its statements just before the 2003 election because any such investigation—i.e., simply looking at its own archives—would have demonstrated that its statements in 2003 were blatantly false. *Id.* at 225.
12. The Circuit Court granted the newspaper's motion for summary judgment, and the Virginia Supreme Court upheld the ruling, stating:

In the context of this case, [plaintiff's] defamation claim can survive summary judgment only if the pleadings, orders, admissions, and answers to interrogatories reveal a genuine dispute of material facts that would allow a reasonable fact finder to conclude [defendant] published the [Statements] either knowing that the statements contained therein were false **or entertaining serious doubt that they were true.**

274 Va. at 228-29 (emphasis added).

13. In discovery in this case, Morrissey gave the following answers to Jarvis' interrogatories:
 1. State in detail the facts upon which you base your contention that when Jarvis tweeted “Sen. Joe Morrissey (@senmorrissey) is a violent thug, a liar and a sexual predator,” Jarvis knew or should have known the statement was false or made the statement with reckless disregard for whether it was false.

ANSWER: Joe Morrissey is not a violent thug, a liar or a sexual predator. For Jarvis to say so is defamation *per se*. There is absolutely no way for Morrissey to know either what was in Jarvis' mind or why Jarvis would inexplicably and indefensibly make false statements. That is why Mr. Morrissey is suing Jarvis.

2. State in detail the facts upon which you base your contention that Jarvis' statement was made with actual malice as defined in *New York Times v. Sullivan*, i.e., "with knowledge that it was false or with reckless disregard for the truth."

ANSWER: It appears from Jarvis' machinations that he hated Joe Morrissey. Not only did he campaign against Joe Morrissey when working for Jack Berry, but he repeatedly made dismissive, false statements about Morrissey. Jarvis knew that Morrissey was not a slaver (slave owner), and was not a liar, thug, or sexual predator, but he chose to post these false statements anyways.

3. State in detail the facts which you, as a public figure, believe will establish "by clear and convincing evidence that the defendant realized his statement was false or that he subjectively entertained serious doubts as to the truth of his statement," as required by *Jordan v. Kollman*, 269 Va. 569, 575, 612 S.E.2d 203 (2005).

ANSWER: See Answer to #2 above.

Morrissey's Answer to Interrogatories attached hereto as **Exhibit 1**.

14. Morrissey's answer to these interrogatories provide no basis for establishing anything close to malice on Jarvis' part.

15. On the other hand, Morrissey's admissions in this case establish beyond question that any investigation would have revealed a solid basis for believing that the Statements were true. Jarvis' Requests for Admission and Morrissey's Answers to Requests for Admission attached hereto as **Exhibits 2 and 3**, respectively.

16. Attached hereto as **Exhibit 4** is a summary of the documents whose authenticity Morrissey has admitted. The lettered exhibits referenced below refer to the lettered exhibits in Jarvis' Requests for Admission and in the **Exhibit 4** summary. All bolded words in the excerpts are emphasis added.

17. As for being "a **violent thug**," Morrissey admitted the authenticity of the following documents:

Exhibit B: 12/20/1991 Article from the Richmond Times-Dispatch
“Courthouse hallway fray pits Morrissey, Baugh in brawl”
https://richmond.com/news/local/from-the-archive-courthouse-hallway-fray-pits-morrissey-baugh-in-brawl/article_e10f25e8-5305-5b86-b367-426a154d75d8.html

"He pushed me in the chest," said Baugh, who left the courtroom bleeding and with his glasses broken. "I grabbed him and held on and he hit me on the top of the head" ...

"We were doing battle . . . and we went behind the bench and Joe threatened on the record to whip (me)," Baugh said...

Once in the hallway, Baugh said, Morrissey grew more and more agitated -- then started the fight. Baugh said his glasses were broken and he was cut on his head. He did not know yesterday afternoon whether his wound would require stitches

Exhibit C: 10/7/1999 Commonwealth v. Joseph D. Morrissey
Indictment for Aggravated Malicious Wounding from Circuit Court
of the City of Richmond
https://robertslaw.org/downloads/criminal_convict.pdf

“We, the jury, find the defendant guilty of assault and battery.”

Exhibit D: 10/8/1999 Article from Richmond Times-Dispatch
“Morrissey convicted of lesser charge; lawyer fined \$2,500 in
assault on worker”
https://richmond.com/news/local/from-the-archive-morrissey-convicted-of-lesser-charge-lawyer-fined-2-500-in-assault-on/article_fcab6dd0-b24f-5423-8ca7-a844c4387384.html

...

Wycoff said Morrissey punched him in the face, tackled him and slammed his face into a storm door and a brick wall.

...

Exhibit E: 8/16/2002 Ruling of Judge Hammond in Henrico
County Circuit Court. *Gary A. Wycoff v. Joseph W. Morrissey* Case
CL01-1107
<https://robertslaw.org/downloads/judgeopinion.pdf>

...

The evidence about Mr. Wycoff’s injuries was not really in conflict. During the fight, he suffered a broken nose, severe facial

lacerations, bruising, and brain injury. He needed surgery to repair wounds on his face as well as surgery later for injuries to his nose.

The jury was instructed on the claim of punitive damages over the defendant's objections. The evidence in support of this claim included corroborated testimony that **Mr. Morrissey repeatedly struck Mr. Wycoff in the face while Mr. Wycoff was lying on the ground defenseless, with Mr. Morrissey on top of him.** After Mr. Morrissey got up, he sprayed a garden hose into Mr. Wycoff's face which was bleeding heavily. Mr. Wycoff testified that this was "torture." The jury did not have to accept Mr. Wycoff's version of the event. However, **the testimony together with other evidence provided a sufficient basis for the jury to conclude that the defendant was prompted by ill will or a wicked intention.** Much of this had to do with the manner and appearance of witnesses on the stand.

...

... **"Further, it is clear that in awarding compensatory damages the jury did not accept Mr. Morrissey's testimony that he was defending himself."** ...

Exhibit I: 12/8/2014 Article from Richmond Magazine "Joe Morrissey is on Trial. Again."

<https://richmondmagazine.com/news/features/joe-morrissey-trials/>

...

The Post published a follow-up after the vote that detailed **two public brawls Morrissey was involved with (but not charged in)**

...

Exhibit T: 1/14/2015 Article from The Washington Post "Joe Morrissey: An embarrassment that Virginia voters support — and deserve"

https://www.washingtonpost.com/local/joe-morrissey-a-human-train-wreck-that-virginia-voters-support--and-deserve/2015/01/14/ea4223f2-9be0-11e4-bcfb-059ec7a93ddc_story.html

...

And for good reason. This guy is a human train wreck. He's faced disbarment; his law license has been suspended and revoked; he **was in jail before for a courthouse fistfight; and he was charged after another fight, then capitalized on it with his**

“fighter” campaign, decorating ads and his office with boxing gloves.

...

Exhibit U: 9/22/2005 Wycoff v. Morrissey et al. Case # CH03-992
First Amended Bill of Complaint to Enforce Judgment and for
Other Relief
<https://robertslaw.org/downloads/amendedcomplaint.pdf>

...

On July 3, 1999, Morrissey, an attorney and former Commonwealth Attorney, (Tr. 412-413) **stated to Wycoff, “I’m going to kill you. I’m going to beat your head in, (Tr. at 178.) Accordingly, Morrissey attacked Wycoff, beating Wycoff’s face and head with his fists causing severe injuries to Wycoff.** Suit was filed on Wycoff’s behalf on July 2, 2001.

...

Exhibit V: 5/22/2015 Article from The Journal “Former DIT lecturer turned politician admits affair with secretary in bizarre photo shoot”

<https://www.thejournal.ie/joe-morrissey-myrna-pride-law-lecturer-dublin-virginia-politician-2119714-May2015/>

...

As the commonwealth attorney (public prosecutor) for the city of Richmond, **he was jailed in 1991 after getting into a fist-fight with another lawyer outside the courthouse**, the Times-Dispatch reports.

In the last 20 years, Morrissey has been charged with bribery, perjury, misuse of public funds, convicted of assault and battery, and accused of violating the terms of his probation, among other offences.

...

18. As for being a **liar**, Morrissey admitted the authenticity of the following documents:

Exhibit F: 9/11/2002 U.S. 4th Circuit Court of Appeals Decision written by Judge Widener affirming disbarment of Joseph Morrissey in appeal
<https://caselaw.findlaw.com/court/us-4th-circuit/1003289.html>

This is a case in which we affirm the disbarment of an attorney, instituted by a motion of the United States, filed by the United

States Attorney for the Eastern District of Virginia on August 17, 2000, requesting the district court to enter an order that Joseph D. Morrissey show cause why he should not be disbarred due to violations of the Virginia Code of Professional Responsibility, specifically DR 1-102, A(3) and (4), which follow:

A. A lawyer shall not:

...

(4) Engage in **conduct involving dishonesty, fraud, deceit, or misrepresentation** which reflects adversely on a lawyer's fitness to practice law.

Exhibit G: U.S. District Court for the Eastern District of Virginia
In Re: Joseph D. Morrissey. Memorandum Opinion Granting Motion to Suspend or Disbar Joseph D. Morrissey.

<https://law.justia.com/cases/federal/appellate-courts/F3/305/211/593164/>

Frequent episodes of unethical, contumacious, or otherwise inappropriate conduct mar Joseph D. Morrissey's career as prosecutor and private defense attorney. Evidence gathered by F.R.D.E. Counsel and made a part of the record during the hearing before this panel demonstrates Morrissey's fifteen-year history of contempt citations, reprimands, fines, suspensions, and even incarcerations arising from unprofessional conduct mostly involving an uncontrollable temper, inappropriate responses to stress and **dishonesty**.

...

Morrissey's record, as summarized above, demonstrates a consistent problem with management of his temper, an inability to comply with court orders, and a **chronic disregard for truthfulness**. ...

Exhibit I: 12/8/2014 Article from Richmond Magazine “Joe Morrissey is on Trial. Again.”

<https://richmondmagazine.com/news/features/joe-morrissey-trials/>

...

... When Tedeschi later learned of Morrissey's disbarment, he stated in an affidavit that it “caused me much personal embarrassment” and that **he felt “betrayed” that Morrissey was not forthright with him**, according to public records.

Morrissey's application for a law license was denied in April 2006 by the New South Wales Bar, which wrote, "His character is marked by willful disobedience of court orders and rules, episodes of violence, a failure to make appropriate disclosure and **lack of candor** when dealing with his colleagues." (Emphasis added).

Exhibit K: 1/21/2015 Article from The Guardian "VA lawmaker who won re-election from jail cell faces new charges"
<https://www.theguardian.com/us-news/2015/jan/21/virginia-delegate-joe-morrissey-sex-with-minor-forgery-child-support-document>

A Virginia lawmaker who won re-election from a jail cell last week faces new felony charges related to the sex scandal that led to his conviction for contributing to the delinquency of a minor.

Delegate Joe Morrissey, 57, was charged with **forgery**, felony conspiracy and **perjury** on Wednesday, after special prosecutor William Neely unsealed an indictment that accused the lawmaker of **forging a document** and **lying under oath** about its authenticity. Morrissey is serving a 90-day sentence, reduced from six months, for a conviction relating to his relationship with a 17-year-old girl who worked in his office.

...

Exhibit L: 1/21/2015 Article from The Dailey Press "Del. Joe Morrissey, already spending nights in jail, charged with **forgery**, **perjury**"
<https://www.dailypress.com/2015/01/21/del-joe-morrissey-already-spending-nights-in-jail-charged-with-forgery-perjury/>

A Virginia lawmaker who was just re-elected despite being jailed for a sex scandal with a teenager has been indicted on four new felony charges.

The **forgery** and **perjury** indictment of Del. Joseph D. Morrissey was returned the day before that election and unsealed Wednesday in Henrico County Circuit Court.

The lawmaker now stands **accused of forging a document he vouched for in court, and persuading the girl's mother to swear to its authenticity as well**. That woman, Deidre Warren, also was indicted on perjury and forgery charges. Morrissey faces up to 10 years on each count if convicted, special prosecutor William J. Neely said.

...

Neely said Morrissey presented a document in court last month to support this version. It appears to be a court order showing that Coleman Pride had agreed to pay \$50 a month into a college fund for his daughter. But Neely said **there is no court record of any child support order, and that the document “appears to be a fabrication.”**

Exhibit M: 9/2/2016 Article from WTVR CBS 6 “Holmberg: OMG: Sextin’ Joe Morrissey is leading the mayor’s race!”

<https://www.wtvr.com/2016/09/02/holmberg-omg-sextin-joe-morrissey-is-leading-the-mayors-race>

...

Cited for contempt of court 10 times for being unprofessional, inappropriate, and **dishonest**. He’s been jailed for it several times.

...

Exhibit N: 10/28/2016 Article from RTD “EXCLUSIVE: Henrico judge releases Joe Morrissey law client from jail amid allegations of sexual impropriety”

https://richmond.com/news/local/exclusive-henrico-judge-releases-joe-morrissey-law-client-from-jail-amid-allegations-of-sexual-impropriety/article_85f4de0a-d387-5a69-b527-8209c6a72cf2.html

...

“I was never his girlfriend. Oh my God, no,” she said. “**He’s a liar.**”

...

Exhibit P: 11/5/2016 Article from The Huffington Post “Ex-Convict Who Slept With His Teenage Employee Is Set To Become Richmond’s Next Mayor”

https://www.huffpost.com/entry/joe-morrissey-richmond-mayor_n_581b95c2e4b0aac6248306e9

...

Another [detractor] is Myrna Morrissey’s estranged father, Coleman Pride. Pride regularly shows up at the candidate’s campaign events and press conferences and shouts “**Liar!**” into the crowd. He also started a website opposing Morrissey, sayno2joe.com. Pride told HuffPost that he feels his daughter has been “brainwashed.”

...

Exhibit Q: 11/1/2017 Article from The Richmond Times-Dispatch
“Virginia State Bar files ethics complaint against Joe Morrissey
alleging cover-up of sex scandal”

https://richmond.com/news/local/government-politics/virginia-state-bar-files-ethics-complaint-against-joe-morrissey-alleging-cover-up-of-sex-scandal/article_15384c5a-3a0f-576c-b15e-b36bdc2e3046.html

The Virginia State Bar charged former Del. Joseph D. Morrissey this week with destroying evidence and making false statements in court in an attempt to cover up a 2013 sexual relationship with a then-17-year-old receptionist in his law office.

...

It was that defense — and the court filing that laid it out — that drew the ethics investigation, which began in 2015 and focused on whether Morrissey committed professional misconduct by **lying to further his defense.**

According to the bar complaint, Morrissey did. **The seven-page document details allegations that he concocted the hacking defense, deleted incriminating text messages from his phone, fabricated alibis and instructed potential witnesses as to what their testimony should be.**

Exhibit S: 01/09/2020: US District Court of Eastern District of Virginia Morrissey v WTVR, LLC, Civil Action No. 3:19-cv-747-HEH – Memorandum Opinion (Granting Defendant’s Motion to Dismiss).

<https://casetext.com/case/morrissey-v-wtvr-llc>

... Morrissey contends that the comments by WTVR, LLC ("CBS 6") reporter, Mark Holmberg ("Holmberg"), were false, defamatory, and insulting. He describes Holmberg's remarks as imputing his unfitness to serve as mayor and portraying him as a "**stupid liar, who was a sex crazed maniac.**" (Compl. ¶ 12, ECF No. 1-2.) Morrissey seeks \$1,350,000 in damages. Defendant CBS 6 ("CBS 6") responds that the comments at issue were either the broadcaster's personal opinion of a public figure, which is "entitled to the broadest protection the First Amendment can afford," or factually true.

...

In the final analysis, this Court concludes that Holmberg's broadcast is clearly presented to CBS 6 viewers as political commentary. Consequently, it is entitled to broad First Amendment

protection warranting dismissal. **The content also appears to have a defensible factual basis.**

Exhibit U: 9/22/2005 Wycoff v. Morrissey et al. Case # CH03-992 First Amended Bill of Complaint to Enforce Judgment and for Other Relief

<https://robertslaw.org/downloads/amendedcomplaint.pdf>

...

6. After July 3, 1999, **Joseph D. Morrissey engaged in a course of conduct with presumptions or “badges” of fraud.**” [sic] The course of conduct was done with fraudulent intent, which is legitimately inferred by circumstances including but not limited to (1) the close relationship of the parties, (2) the grantor’s insolvency, (3) pursuit of the grantor by creditors at the time of the transfer, (4) inadequate consideration, and (5) retention of possession of the property by the grantor.” [sic] The transactions, gifts, conveyances, encumbrances and liens identified below are part of this course of conduct.

Exhibit V: 5/22/2015 Article from The Journal “Former DIT lecturer turned politician admits affair with secretary in bizarre photo shoot”

<https://www.thejournal.ie/joe-morrissey-myrna-pride-law-lecturer-dublin-virginia-politician-2119714-May2015/>

...

As the commonwealth attorney (public prosecutor) for the city of Richmond, he was jailed in 1991 after getting into a fist-fight with another lawyer outside the courthouse, the Times-Dispatch reports.

In the last 20 years, Morrissey has been charged with bribery, perjury, misuse of public funds, convicted of assault and battery, and accused of violating the terms of his probation, among other offences.

...

Exhibit W: 5/22/2015 Article from VOX “Pro tip to politicians: If you impregnate a teenager, don’t send out this photo”

<https://www.vox.com/2015/5/22/8645787/joe-morrissey-virginia-photo>

...

He was indicted and acquitted of five bribery, perjury, and misuse of public funds charges as commonwealth’s attorney, and was suspended and reinstated to the post a number of times.

Other notable incidents, summarized by the Richmond Times-Dispatch's Meredith Newman: a 90-day jail sentence in 1998 for breaking court rules by talking to reporters on a drug case, an assault and battery conviction in 1999, and a 90-day jail term in 2000 for a probation violation on the 1998 conviction after **Morrissey "lied when he denied attempting to bribe a Habitat for Humanity construction supervisor to falsely state that Morrissey had completed his community service."**

...

Exhibit Y: Joe Morrissey's Wikipedia Page as it appeared on January 13, 2022.

https://en.wikipedia.org/w/index.php?title=Joe_Morrissey&oldid=1065517359

... He was a lecturer of Law at Portobello College in Ireland from 2001–02, and taught in the law school at the Dublin Institute of Technology for two years (2001–03) and in Australia at the University of Adelaide and the University of Western Sydney in 2003 until he was **fired for failing to disclose the fact he had been disbarred.**[10]

... However, the disbarment was affirmed in a September 2002 opinion which concluded "Frequent episodes of unethical, contumacious, or otherwise inappropriate conduct mar Joseph D. Morrissey's career as prosecutor and private defense attorney." The appellate court said, "Evidence ... demonstrates Morrissey's 15-year history of contempt citations, reprimands, fines, suspensions, and even incarcerations arising from unprofessional conduct mostly involving an uncontrollable temper, inappropriate responses to stress, and **dishonesty.**"[10][26]

...

William Neely, the special prosecutor appointed to investigate the Morrissey case, secured **new felony indictments January 21, 2015, against Morrissey for perjury and for presenting forged documents** during his sentencing hearing.[34]

Second law license revocation

In March 2018, the Virginia State Bar brought new charges of misconduct against Morrissey. A three-judge panel convened on March 26, 2018 to hear three separate allegations of misconduct. First, the Bar contended that Morrissey's criminal conviction and improper contact with his 17-year-old intern violated rules

regarding criminal conduct by an attorney, and that Morrissey had destroyed evidence relating to the criminal case against him.[35] On March 28, the panel found that though the Bar had not shown that Morrissey destroyed evidence, they did find that the Bar had successfully demonstrated that **Morrissey's relationship with his intern was "a criminal or deliberately wrongful act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness to practice law."**[35]

19. As for being a sexual predator, Morrissey admitted the authenticity of the following documents:

Exhibit A: 1/14/2015 Article from The New York Times "Virginia Politician Serves 2 Terms: In Jail and in the State Legislature"
<https://www.nytimes.com/2015/01/15/us/virginia-joseph-morrissey-set-to-serve-in-jail-as-well-as-house.html>

Mr. Morrissey, 57, pleaded guilty last month to a misdemeanor count of contributing to the delinquency of a minor to avoid related felony charges after **law enforcement officials accused him of having sex with the 17-year-old receptionist at his law firm and carrying nude pictures of her on his cellphone.**

...

Exhibit I: 12/8/2014 Article from Richmond Magazine "Joe Morrissey is on Trial. Again."
<https://richmondmagazine.com/news/features/joe-morrissey-trials/>

...

The sharks Morrissey is referring to, of course, are the state attorneys and **Henrico County investigators who've levied four felony charges against him alleging that he had sex with a 17-year-old receptionist at his law firm and used his cell phone to distribute pornographic images of her.**

...

Exhibit J: 12/12/2014 Henrico County Circuit Court Commonwealth v Morrissey -Alford Plea Agreement,
<https://www.scribd.com/doc/253353234/PLEA-AGREEMENT-Commonwealth-v-Joseph-Dee-Morrissey>

4. STIPULATION OF FACTS: I agree that the following is a summary of the Commonwealth's evidence against me in the foregoing case, and I agree that the Court will accept this summary

in lieu of presentation of any evidence by the Commonwealth. I further stipulate that the Commonwealth's evidence constitutes a *prima facie* case in the instance of the crime to which I am entering this plea...

... I am admitting the Commonwealth has sufficient evidence to convict me on this charge (and potentially on the other indictments)....

Deidra Pearson, age 27, is the older sister of MP, would testify...when **MP, age 17**, went to work in August 2013 as a receptionist for the Defendant's law firm and when she noticed that MP was receiving after hours text messages from the Defendant, age 55, and staying out late with him, she became concerned for her naïve young sister...

...

... Thereafter, the two sisters confronted MP about having sexual intercourse with the Defendant, at which point MP conceded that the Defendant "had put (his penis) into her a little bit". Pearson recorded this conversation).

...

Det. Wright would further testify that found in MP's Apple iCloud stored text messages was the following 8/21/13 text exchange between the Defendant and MP:

i. 7:18 AM – MP to Defendant: "I woke up this morning and got in the shower and I was thinking about last night, which was wonderful. Now I'm laying here completely naked water dripping off my body and my hair dripping just fantasizing about what you would do to me right now."

ii. ... 7:22 AM Defendant to MP: "I wish I was there NOW! Your [sic] right, last night was great. Btw, how much time do you want me to spend caressing n luck inking you before I put my cock inside you?!"

iii. ... 7:29 AM Defendant to MP: "a pic you lying there fantasizing about me fucking you... send me a pic and then I'm gonna call you."

iv. 7:37 from MP to Defendant: "You got me with a fresh face (no makeup) and a fresh body" (Naked

photo of MP sent to the Defendant's cell phone – see Exhibit 1).

v. 7:37 from Defendant to MP: “GORGEOUS... simply GORGEOUS!!I could eat you... but then again I did already!”

Det. Wright would further testify that many of the incriminating sexual text messages between the Defendant and MP as well as other texts from them to third parties were confirmed and corroborated from multiple sources – MP’s seized iPhone; the Defendant’s Verizon SMS text message records; MP’s Apple iCloud digital storage records and photos of texts given to the police by MP’s sister, Ms. Pearson. (See attached text message chart as Exhibit # 1).

Furthermore, after reviewing all these seized cell phone records herself and also with former Apple Information Technology security chief, Derrick Donalley of Black Bag Technology, a nationally recognized electronics expert who also would testify if needed, Detective Wright would testify that both experts concluded that there is no evidence of any “hacking” (i.e. hijacking or altering texts / photos) pertaining to either the Defendant’s or MP’s cell phone text records, nor upon the iPod Touch devices belonging to MP or Brittany McKinney, as claimed by the defense.

Exhibit L: 1/21/2015 Article from The Dailey Press “Del. Joe Morrissey, already spending nights in jail, charged with forgery, perjury”

<https://www.dailypress.com/2015/01/21/del-joe-morrissey-already-spending-nights-in-jail-charged-with-forgery-perjury/>

A Virginia lawmaker who was just re-elected despite being jailed for a sex scandal with a teenager has been indicted on four new felony charges.

...

He accepted the misdemeanor conviction to avoid trial on charges of taking “indecent liberties” with a 17-year-old, child pornography and soliciting a minor — felonies that could have put him in prison for decades and caused the automatic loss of his legislative position.

...

Exhibit M: 9/2/2016 Article from WTVR CBS 6 “Holmberg: OMG: Sextin’ Joe Morrissey is leading the mayor’s race!”
<https://www.wtvr.com/2016/09/02/holmberg-omg-sextin-joe-morrissey-is-leading-the-mayors-race>

You may recall three summers ago Joe getting **busted for having a sexual relationship with a 17-year-old**, brand-new assistant in his law office he'd had his eye on.

He denied it and she denied it, even though prosecutors had tons of alleged texting and sexting evidence, including Morrissey bragging to a friend that he had all-caps sex with her on the conference room table "AND THEN ON THE FLOOR FOR GOOD MEASURE!" Meanwhile, the girl was texting a friend (lower-case) the same thing about the double action, freaking out a bit because the sex was unprotected. She got \$70 from Morrissey for a morning after pill, according to the graphic texts from the prosecution included in Morrissey's plea agreement.

...

Exhibit N: 10/28/2016 Article from RTD “EXCLUSIVE: Henrico judge releases Joe Morrissey law client from jail amid allegations of sexual impropriety”

https://richmond.com/news/local/exclusive-henrico-judge-releases-joe-morrissey-law-client-from-jail-amid-allegations-of-sexual-impropriety/article_85f4de0a-d387-5a69-b527-8209c6a72cf2.html

A Henrico County judge this week allowed a woman formerly represented by Joe Morrissey’s law firm to withdraw a guilty plea amid allegations that the Richmond mayoral candidate pressured her for sex.

Kanika Shani Morris, 35, said **Morrissey in February exposed himself to her in his law office and continued making advances through text messages.**

When she repeatedly refused him, she said he handed over her case to another lawyer in his office, who pushed her into taking a plea deal — telling her that she hadn’t paid enough to have Morrissey himself represent her at the jury trial she had requested.

...

Her description of her experience with Morrissey is consistent with text messages — some explicit — that she provided to the newspaper.

...

In 2014, while serving in the General Assembly, he pleaded guilty to a charge of contributing to the delinquency of a minor in connection with allegations that he had sex with a 17-year-old receptionist in his law office.

...

As in Morris' story, lewd text messages figured prominently in Morrissey's courtship with Myrna: Among other things, **prosecutors alleged Morrissey solicited nude photos from her, which he then sent to a friend to whom he boasted of his sexual exploits.**

Exhibit O: 11/4/2016 Article from The Washington Post

“Richmond has an Anthony Weiner of its own”

https://www.washingtonpost.com/opinions/richmond-has-an-anthony-weiner-of-its-own/2016/11/04/56380dae-a06e-11e6-8d63-3e0a660f1f04_story.html

...

He has served jail time for fistfights as well as for contributing to the delinquency of a minor — a young woman, 38 years his junior, whom he married in June. **(When she was 17, and working as a receptionist at his law office, he saw fit to send a nude photograph of her to a friend, along with boasting of his sexual relations with her; hence the criminal conviction, for which he served three months behind bars.)**

Now comes word that Mr. Morrissey, 59, admits having sent text messages to a client of his law firm inviting her to visit him in his office and urging her to wear "fresh panties" and shave her genitals — he used a lewder word, one also favored by Donald Trump. This took place in February, around the time Mr. Morrissey and his wife, now 20 years old, had their second child.

Mr. Morrissey, always quick with a facile justification, explained that he was merely being “flirtatious” with the client by sending her the lascivious text, along with other come-ons. The client herself, Kanika Morris, saw it differently — especially after, on her first meeting with him at his office, **she says he pulled out his penis in the vain hope she would fondle it...**

...

Exhibit P: 11/5/2016 Article from The Huffington Post “Ex-Convict Who Slept With His Teenage Employee Is Set To Become Richmond’s Next Mayor”

https://www.huffpost.com/entry/joe-morrissey-richmond-mayor_n_581b95c2e4b0aac6248306e9

...

Not getting caught sleeping with his teenage secretary in 2013 and serving a three-month jail sentence for contributing to the delinquency of a minor. Not recent allegations that he sexually harassed one of his clients. Not the fact that Virginia State Bar is trying to disbar him, or that the Democratic Party of Virginia and the Richmond City Democratic Committee have sued him.

...

Morrissey’s campaign did not make him available for an interview. But his biography is widely known — and reads like a saucy supermarket tabloid. He was in his third term as a state delegate when he began a relationship with a 17-year-old receptionist in his law office, Myrna Pride. A relative of Pride’s found sexually explicit text messages between her and Morrissey on the teen’s phone in August 2013. Family members sent Henrico County police officers to Morrissey’s home, where they found Pride.

...

“The daughter I know and raised is a strong, intelligent and independent woman that has always had a voice and mind of her own,” he said. **His website argues that Morrissey “preyed upon” his young daughter and “can not be trusted in public office.”**

And while the legal trouble related to his now-wife is behind him, Morrissey currently faces another sex scandal.

Kanika Shani Morris, one of Morrissey’s former clients, told The Richmond Times Dispatch last week that Morrissey exposed himself to her in his law office last year and sent her lewd texts messages. She claims that after she refused his advances, Morrissey gave her case to another attorney, who forced her to plead guilty to theft. A judge allowed Morris to withdraw her plea last week.

Morris provided a record of her explicit texts from Morrissey to the Times Dispatch, which included a request that she shave her genitals and “wear fresh panties” to their meeting to discuss her case. Morrissey hasn’t denied sending her those

texts, which he described as “flirtatious,” but he says he never did anything inappropriate with her. The Henrico County Commonwealth’s Attorney has said her office and local police are investigating the allegations.

Exhibit R: 7/18/2019 Supreme Court of Virginia Morrissey v. Va State Bar ex rel Third Dist. Comm.

<https://law.justia.com/cases/virginia/supreme-court/2019/181311.html>

...

The uncontested facts establish that Morrissey had sexual relations with a minor, Myrna Pride, who was seventeen years old at the time. Morrissey was fifty-five years old. The parties presented conflicting evidence concerning whether Morrissey knew Pride's actual age. Morrissey and Pride later married.

Morrissey entered a guilty plea pursuant to North Carolina v. Alford, 400 U.S. 25, 91 S. Ct. 160, 27 L. Ed. 2d 162 (1970). ...

...

2. In July 2014, Respondent was charged with possession of child pornography, distribution of child pornography, taking indecent liberties with a child by a person in a supervisory role, contributing to the delinquency of a minor, and use of a communications system to solicit certain offenses involving children.

3. Prior to the scheduled trial in December 2014, Respondent entered an Alford Plea to one misdemeanor charge of contributing to the delinquency of a minor. The recitation of the evidence that the Commonwealth would have presented to prove the charges is set forth in the Alford Plea (Exhibit A). The Alford Plea included an attached exhibit titled "Text Timeline" that included explicit and sexually graphic text messages to and from Respondent and MP and nude photographs of MP requested by Respondent.

Exhibit T: 1/14/2015 Article from The Washington Post “Joe Morrissey: An embarrassment that Virginia voters support — and deserve”

https://www.washingtonpost.com/local/joe-morrissey-a-human-train-wreck-that-virginia-voters-support--and-deserve/2015/01/14/ea4223f2-9be0-11e4-bcfb-059ec7a93ddc_story.html

...

Investigators said the 57-year-old legislator was having sex with a then-17-year-old receptionist at his law firm, had nude pictures of her on his phone and allegedly showed those photos to a pal.

...

In an Alford plea, a defendant doesn't have to admit wrongdoing but does admit that there is enough evidence for a conviction, and the court treats it as a guilty plea. Morrissey was sentenced to 12 months in jail with six months suspended. But he has a work-release arrangement that lets him practice law and campaign by day and serve his time at night.

...

Exhibit V: 5/22/2015 Article from The Journal "Former DIT lecturer turned politician admits affair with secretary in bizarre photo shoot"

<https://www.thejournal.ie/joe-morrissey-myrna-pride-law-lecturer-dublin-virginia-politician-2119714-May2015/>

...

In December, he was accused of having sex with his former receptionist when she was still 17 and under the legal age of consent, as well as possession and distribution of child pornography – for having and sharing nude photographs of her on his phone.

...

Exhibit W: 5/22/2015 Article from VOX "Pro tip to politicians: If you impregnate a teenager, don't send out this photo"

<https://www.vox.com/2015/5/22/8645787/joe-morrissey-virginia-photo>

Morrissey spent 90 days in jail after pleading guilty to "contributing to the delinquency of a minor," the minor in question being Pride.

That was the result of a plea deal. **Prosecutors initially charged him with felony counts of supervisory indecent liberties with a minor (for sleeping with Pride when she was 17), possession of child pornography (for soliciting and receiving a nude photo of her at 17), and distribution of child pornography (for sending that photo to a friend).**

Pride has given media outlets permission to identify her.

...

Exhibit X: 11/8/2019 Article from Snopes “Did Newly Elected Virginia Democrat Joe Morrissey in the Past Have Sex with His Teenage Receptionist?”

<https://www.snopes.com/fact-check/joe-morrissey-receptionist/>

Joe Morrissey was elected to the Virginia State Senate in November 2019 despite having had a sexual relationship with his teenage receptionist (who is now his wife) and being disbarred.

...

... By entering an Alford plea, Morrissey didn't admit to wrongdoing but acknowledged that prosecutors had evidence that could convict him had he gone to trial. He claimed that lewd texts on his phone were placed there by a hacker, but that defense was disputed in a complaint by the Virginia State Bar, which eventually led to Morrissey's losing his law license for the second time.

...

Exhibit Y: Joe Morrissey's Wikipedia Page as it appeared on January 13, 2022.

https://en.wikipedia.org/w/index.php?title=Joe_Morrissey&oldid=1065517359

...

Conviction for delinquency of a minor

In August 2013, police found Morrissey in his Henrico County home with a 17-year-old girl, now his wife, who was at the time an employee of his law office. Morrissey, the girl, and her mother denied any impropriety. A Henrico County court convened a grand jury to investigate a possible improper sexual relationship between Morrissey and the girl. **On June 30, 2014, Morrissey was indicted on felony charges of indecent liberties with a minor, possession and distribution of child pornography, and electronic solicitation of a minor, in addition to a misdemeanor charge of contributing to the delinquency of a minor, for which conviction he served three months of a 12-month sentence. After being convicted, Morrissey resigned as a delegate at the Virginia House.**

According to statements from the prosecutor in court documents, Morrissey had sex with the girl multiple times in his law office in August 2013, and possessed a nude photograph of the girl, which he also sent to a friend. Morrissey allegedly

continued the relationship with the girl after she left his law office in August 2013, and the two allegedly shared a hotel room overnight in October 2013.

...

CONCLUSION

20. Unlike the plaintiff in *Jackson*, Morrissey can point to nothing that would have caused Jarvis to “entertain[] serious doubt” that the Statements were true.
21. Instead, the evidence before the Court establishes that anyone investigating the truth of the Statements would have concluded that the Statements were not only **not reckless**, but were probably true.
22. Summary judgment is appropriate under Rule 3:20 because there is no “material fact genuinely in dispute” as to the following: (1) the Statements involved a matter of public concern, (2) the Statements would be protected by the First Amendment, and (3) Jarvis did not make the statements knowing them to be false or with reckless disregard for whether they were false.
23. In light of these facts, Jarvis is immune from tort liability for the Statements under Code § 8.01-223.2, and he is entitled to summary judgment on Morrissey’s tort claim of defamation.

Dated: December 10, 2024

Respectfully submitted,

JIMMIE LEE JARVIS

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CERTIFICATE OF SERVICE

I hereby certify that in this 10th day of December 2024, the foregoing was served hand delivery to the following counsel of record:

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Thomas M. Wolf, Esq.

The alleged defamatory statement is: "Joe Morrissey is a violent thug, a liar, and a sexual predator." Morrissey has admitted the authenticity of the documents attached hereto. This exhibit gives the links to find these documents on the internet and quotes from them to establish that any investigation into Morrissey's character would reveal ample basis to believe Jarvis' statements to be true.

1. **Exhibit A:** 1/14/2015 Article from The New York Times "Virginia Politician Serves 2 Terms: In Jail and in the State Legislature"

<https://www.nytimes.com/2015/01/15/us/virginia-joseph-morrissey-set-to-serve-in-jail-as-well-as-house.html>

Mr. Morrissey, 57, pledged guilty last month to a misdemeanor count of contributing to the delinquency of a minor to avoid related felony charges after law enforcement officials accused him of having sex with the 17-year-old receptionist at his law firm and carrying nude pictures of her on his cellphone.

The lawmaker — whose record has included being involved in a courthouse brawl and bringing an unloaded AK-47 assault rifle to the floor of the House of Delegates to make a point about gun control — denied the charges and said that the receptionist's phone had been hacked by a spurned female suitor.

2. **Exhibit B:** 12/20/1991 Article from the Richmond Times-Dispatch "Courthouse hallway fray pits Morrissey, Baugh in brawl"

https://richmond.com/news/local/from-the-archive-courthouse-hallway-fray-pits-morrissey-baugh-in-brawl/article_e10f25e8-5305-5b86-b367-426a154d75d8.html

Richmond Commonwealth's Attorney Joseph D. Morrissey and lawyer David P. Baugh, two of the area's most combative, irreverent and high-profile courtroom personalities, were ruled in contempt of court yesterday after coming to blows in the middle of a drug trial.

The brawl, one of the most extraordinary events to occur at the John Marshall Courts Building, followed a heated and profane exchange of insults between the two men.

"He pushed me in the chest," said Baugh, who left the courtroom bleeding and with his glasses broken. "I grabbed him and held on and he hit me on the top of the head," "I was simply defending myself," Morrissey said.

...

Baugh, Morrissey said, continued the histrionics during a conference behind Nance's bench. "David," Morrissey said he whispered, "if you keep this up I'll knock your ass into 1992."

...

In the hall, Morrissey said, he turned to Baugh and said, "You're a joke," at which point, he said, Baugh grabbed him by the lapels with both hands, called him a "punk faggot" and shoved him toward one of the black glass windows that encase the courts building.

Morrissey fought back.

"I just planted myself and lit into him," Morrissey said. "I didn't initiate it. I simply retaliated, and I retaliated with everything I had."

Morrissey, who works out regularly and weighs in at a trim 158 lbs., said he caught Baugh with a right, a left and another right, all of which landed on the defense attorney's face. Morrissey survived the imbroglio virtually unscathed.

Baugh, meanwhile, claims Morrissey shoved him first. He agreed that the oral exchanges between the two in the courtroom had been getting out of hand, but said it was Morrissey who did most of the goading.

"We were doing battle . . . and we went behind the bench and Joe threatened on the record to whip (me)," Baugh said. "I didn't know Joe's hold on his masculinity was so precarious."

Once in the hallway, Baugh said, Morrissey grew more and more agitated -- then started the fight. Baugh said his glasses were broken and he was cut on his head. He did not know yesterday afternoon whether his wound would require stitches.

3. **Exhibit C:** 10/7/1999 *Commonwealth v. Joseph D. Morrissey* Indictment for Aggravated Malicious Wounding from Circuit Court of the City of Richmond
https://robertslaw.org/downloads/criminal_convict.pdf

"We, the jury, find the defendant guilty of assault and battery."

...

"We, the jury, fix the defendant's punishment at [confinement in a state correctional facility for 0 year(s)] [confinement in jail for 0 months] and/or a fine of \$2,500.00."

4. **Exhibit D:** 10/8/1999 Article from Richmond Times-Dispatch "Morrissey convicted of lesser charge; lawyer fined \$2,500 in assault on worker"
https://richmond.com/news/local/from-the-archive-morrissey-convicted-of-lesser-charge-lawyer-fined-2-500-in-assault-on/article_fcab6dd0-b24f-5423-8ca7-a844c4387384.html

The verdict in the aggravated malicious wounding trial of Richmond lawyer Joseph D. Morrissey was the only possible one with something for both sides: guilty of the lesser charge of misdemeanor assault and battery and a fine of \$2,500.

Deputy Commonwealth's Attorney Claire G. Cardwell said afterward, "It's very clear that the jury found [Garien H.] Wycoff was the victim and Mr. Morrissey was the aggressor."

...

The jury had the option of convicting Morrissey, formerly Richmond commonwealth's attorney, of the misdemeanor assault charge or of any of three grades of felony assault. A felony conviction would have resulted in the automatic suspension of Morrissey's license to practice law. The misdemeanor conviction will have no immediate impact on it.

...

Shortly before 5 p.m., the jury announced it had a verdict.

Morrissey stood expressionless as Spencer read it and then sent the jury to decide his punishment. The panel deliberated less than half an hour before recommending the maximum fine - but no incarceration - for the offense.

...

Wycoff testified that Morrissey became enraged because Wycoff was working for one of his employees rather than repairing a Chesterfield County home that Morrissey wanted him to work on.

Wycoff said Morrissey punched him in the face, tackled him and slammed his face into a storm door and a brick wall.

Morrissey testified that Wycoff was upset with him because Morrissey had given the work on the home to someone else. Wycoff started the fight by kicking him in the groin, Morrissey said.

He testified that Wycoff fell backward and to the left when he pulled Wycoff's legs out from under him. Morrissey said he landed on Wycoff and wasn't sure at first which of them was bleeding.

Wycoff suffered a broken nose and a deep cut over his left eyebrow.

5. **Exhibit E:** 8/16/2002 Ruling of Judge Hammond in Henrico County Circuit Court. *Gary A. Wycoff v. Joseph W. Morrissey Case # CL01-1107*
<https://robertslaw.org/downloads/judgeopinion.pdf>

This personal injury case was tried to a jury on July 16, 17, and 18, 2002. The jury heard extensive evidence about a brawl between the parties on July 3, 1999. Each man testified that he was attacked and blamed the other. Not only the parties witnessed the event. Two independent witnesses, Mr. Wells and Mr. Daugherty, happened to be there and they were able to describe for the jury the conduct of the parties.

The evidence about Mr. Wycoff's injuries was not really in conflict. During the fight, he suffered a broken nose, severe facial lacerations, bruising, and brain injury. He needed surgery to repair wounds on his face as well as surgery later for injuries to his nose.

The jury was instructed on the claim of punitive damages over the defendant's objections. The evidence in support of this claim included corroborated testimony that Mr. Morrissey repeatedly struck Mr. Wycoff in the face while Mr. Wycoff was lying on the ground defenseless, with Mr. Morrissey on top of him. After Mr. Morrissey got up, he sprayed a garden hose into Mr.

Wycoff's face which was bleeding heavily. Mr. Wycoff testified that this was "torture." The jury did not have to accept Mr. Wycoff's version of the event. However, the testimony together with other evidence provided a sufficient basis for the jury to conclude that the defendant was prompted by ill will or a wicked intention. Much of this had to do with the manner and appearance of witnesses on the stand.

The court has carefully considered the argument that the Award was excessive, or motivated by passion or prejudice against Mr. Morrissey. The Award was much larger than the compensation for the plaintiff's injuries. But the jury's verdict of compensatory damages of \$40,000 did exceed the medical special damages by more than \$20,000, suggesting that some value for pain and suffering was determined. Further, it is clear that in awarding compensatory damages the jury did not accept Mr. Morrissey's testimony that he was defending himself. The jury was instructed (on consent) that it could award punitive damages only upon finding that the defendant acted "with actual malice ... or under circumstances amounting to a willful and wanton disregard of the plaintiff's rights" I cannot find anything to suggest that the jury's decision on punitive damages was based on anything other than the evidence. It was within the jury's duty to determine the need for deterrence and punishment and the jury did that.

6. **Exhibit F:** 9/11/2002 U.S. 4th Circuit Court of Appeals Decision written by Judge Widener affirming disbarment of Joseph Morrissey in appeal
<https://caselaw.findlaw.com/court/us-4th-circuit/1003289.html>

This is a case in which we affirm the disbarment of an attorney, instituted by a motion of the United States, filed by the United States Attorney for the Eastern District of Virginia on August 17, 2000, requesting the district court to enter an order that Joseph D. Morrissey show cause why he should not be disbarred due to violations of the Virginia Code of Professional Responsibility, specifically DR 1-102, A(3) and (4), which follow: ¹

A. A lawyer shall not:

- (3) Commit a crime or other deliberately wrongful act that reflects adversely on the lawyer's fitness to practice law.
- (4) Engage in conduct involving dishonesty, fraud, deceit, or misrepresentation which reflects adversely on a lawyer's fitness to practice law.

7. **Exhibit G:** U.S. District Court for the Eastern District of Virginia *In Re: Joseph D. Morrissey*. Memorandum Opinion Granting Motion to Suspend or Disbar Joseph D. Morrissey.
<https://law.justia.com/cases/federal/appellate-courts/F3/305/211/593164/>

Frequent episodes of unethical, contumacious, or otherwise inappropriate conduct mar Joseph D. Morrissey's career as prosecutor and private defense attorney. Evidence gathered by F.R.D.E. Counsel and made a part of the record during the hearing before this panel demonstrates Morrissey's fifteen-year history of contempt citations, reprimands, fines, suspensions, and even

incarcerations arising from unprofessional conduct mostly involving an uncontrollable temper, inappropriate responses to stress and **dishonesty**.

...

On December 19, 1991, Morrissey was held in contempt for engaging in a fist fight with opposing counsel during a criminal trial in Richmond Circuit Court. A three-judge panel subsequently reprimanded Morrissey for this conduct. *See Morrissey v. Virginia State Bar*, 538 S.E.2d at 680.

...

Although Morrissey subsequently participated in an anger management program, he got into a dispute with home-repair contractor Garien [sic] Wycoff while Wycoff was working at the home of one of Morrissey's associates on July 3, 1999. The altercation escalated into a fistfight, and Wycoff was badly injured. *See Hearing Transcript, July 6, 1999, F.R.D.E. Counsel Report, Ex. 26.* On July 6, 1999, Judge Payne revoked Morrissey's bond because of that fight, and Morrissey remained in jail until October 1, 1999. *See In re Morrissey*, Misc. No. 3:97ms16 (E.D. Va. July 6, 1999). On October 7, 1999, Morrissey was convicted by a jury of assault and battery in the Richmond Circuit Court for his role in the fight with Wycoff. *See Commonwealth v. Morrissey*, No. 99-F-2548 (Va.Cir.Ct. Oct. 7, 1999).

...

Morrissey's record, as summarized above, demonstrates a consistent problem with management of his temper, an inability to comply with court orders, and a **chronic disregard for truthfulness**. Unfortunately, the manner in which Morrissey approached the evidentiary hearing, rather than dispelling the panel's concerns with these problems, only reinforced its skepticism about Morrissey's fitness to practice law before this court.

Instead of presenting evidence of a diligent effort to address his anger control problem, which has plagued his legal career, Morrissey presented a series of character witnesses from the Richmond area and the legal community to develop two general themes: that he has been a good neighbor who has volunteered many hours to the elderly and needy and that he is a very capable criminal defense attorney. Neither of these two facts were at issue in the hearing, which necessarily focused on Morrissey's fitness to practice law before this Court.

8. **Exhibit H:** 4/28/2003: Virginia State Bar: Revocation of Joseph Morrissey's license to practice law in VA Docket #01-000-2648
<https://www.robertslaw.org/downloads/Morrissey%20Opinion%20-%202003.htm>

From the summary:

On April 25, 2003, the Virginia State Bar Disciplinary Board revoked Joseph Dee Morrissey's license to practice law. By unanimous decision, the board found that Mr. Morrissey did not comply with former Va. S. Ct. R. Part 6, §IV, ¶13.K(1) following the December 2000 suspension of his license. The rule requires an attorney whose license

has been suspended to promptly notify all clients, judges and opposing counsel in pending litigation and to furnish proof of the notifications to the Virginia State Bar. The rule also requires an attorney to make appropriate arrangements for the disposition of client matters in conformity with the clients' wishes. The board found that Mr. Morrissey's multiple violations of the rule, coupled with his lengthy disciplinary record, warranted the revocation of his license.

From the Order:

IN CONSIDERATION WHEREOF, THE BOARD FINDS: That the matters presented to the Board at the Hearing on April 25, 2003, showed by clear and convincing evidence that Respondent failed to comply with the requirements of Rule 13K, as to his obligation to give timely notice to his clients, opposing counsel and courts before which matters were pending, to make appropriate arrangements in compliance with the wishes of his clients and to furnish proof thereof to the Bar.

9. **Exhibit I:** 12/8/2014 Article from Richmond Magazine “Joe Morrissey is on Trial. Again.”

<https://richmondmagazine.com/news/features/joe-morrissey-trials/>

“How’s everyone’s summer going? Mine’s going just swimmingly. All kinds of sharks around,” says a jovial Joe Morrissey, flashing his Tommy Carcetti smile to the crowd of 150-plus at the Satellite Restaurant on Jefferson Davis Highway.

...

The sharks Morrissey is referring to, of course, are the state attorneys and Henrico County investigators who’ve levied four felony charges against him alleging that he had sex with a 17-year-old receptionist at his law firm and used his cell phone to distribute pornographic images of her.

...

The mythology of Joe Morrissey is filled with episodes bordering on outrageous, from a brawl outside of a courtroom to wielding an assault rifle on the floor of the Virginia House of Delegates, where the Democrat represents the 74th legislative district covering Charles City County and parts of Henrico and Prince George counties, as well as parts of Hopewell and Richmond.

...

What information is available in the reams of public record documenting Morrissey’s lowest moments casts him in an unfavorable light. There are contempt charges and reprimands and lawsuits, and a lengthy back-and-forth with the Virginia State Bar over his law license that runs the gamut of indiscretions. Public records form the bedrock of many news stories published on

Morrissey's legal troubles, which may explain why some of his supporters perceive the media as berating him.

...

At 23, Morrissey vied for the Republican nomination for a southwest Fairfax County House of Delegates seat. While pursuing a degree from the Georgetown Law Center, he campaigned door-to-door and enlisted his classmates to run his campaign. Morrissey's exuberance wasn't enough to distinguish him from his more experienced competitors, and he lost in the primary.

The Post published a follow-up after the vote that detailed two public brawls Morrissey was involved with (but not charged in), as well as nine traffic offenses he racked up in the seven months leading up to the primary. "I'm not ashamed of anything I've done. I'm the most honest person I know ... I'm not a menace," Morrissey is quoted as saying in the story.

...

An Oscar-worthy showman, Morrissey made his name as Richmond's commonwealth's attorney from 1989 to 1993. During that stint, and even before, his temper was his calling card. Morrissey was cited for contempt several times before his infamous fistfight outside of a jury trial with defense attorney David Baugh in 1991. Convicted of contempt again, he spent five days in jail after the incident. An inability to manage his anger in the courtroom foreshadowed later, more serious, problems.

In 1993, the State Bar suspended Morrissey's law license for unethically brokering a plea deal to reduce a felony rape charge to a misdemeanor. The defendant's father agreed to pay \$50,000, half of which would go to the victim and the other half to charities of Morrissey's choice — without the victim's knowledge, according to his professional disciplinary record. The incident led to criminal bribery charges filed against Morrissey ahead of his re-election bid for commonwealth's attorney, which he lost. A jury ultimately acquitted him of the charges, according to court records.

He returned to private practice in 1994, but again found himself embroiled in controversy in 1997, when he held a press conference to show video of a witness recanting grand jury testimony in a high-profile drug case involving Joel Harris, the city mayor's chief of staff. Morrissey's actions constituted a violation of legal procedure (Local Rule 57), a court found, and resulted in a 90-day jail sentence, 300 hours of community service and three years of probation, according to the disciplinary summary.

Then in July 1999 came another incident, this time with a handyman named Gary Wycoff, whom Morrissey had employed for many years. Wycoff told Morrissey he would not be able to complete work at Morrissey's office on a particular day because he would be out of state. When the two met unexpectedly — at a time when Wycoff was supposedly out of town — Morrissey accused Wycoff of lying to him, and a fight ensued. Morrissey "repeatedly struck Mr. Wycoff in the face while Mr. Wycoff was lying on the ground defenseless, with Mr. Morrissey on top of him," according to a 2002 Henrico County court summary of the case. "After Mr. Morrissey got up, he sprayed a garden hose into Mr. Wycoff's face, which was bleeding heavily. Mr. Wycoff testified that this was torture."

A jury found Morrissey guilty of misdemeanor assault and battery in October 1999. His punishment was a \$2,500 fine and about \$3,600 in court costs. In a subsequent civil trial, a jury awarded Wycoff punitive damages exceeding \$1 million because of injuries he sustained. A judge later reduced it to about \$400,000.

Morrissey was disbarred in 2001 from practicing law in federal court after a series of ethical missteps stemming from the Harris case.

In April 2003, the Virginia State Bar Disciplinary Board revoked his license for not giving “timely notice of the suspension of his law license to his clients, opposing counsel, and courts before which matters were pending; to make appropriate arrangements in compliance with the wishes of his clients; and to furnish proof thereof to the Virginia State Bar,” according to public records. By that time, Morrissey had left the country.

He first landed in Dublin, Ireland, where he earned a Master’s in Law degree from Trinity College and taught as a stand-out lecturer, described by the dean of Trinity Law School, Neville Cox, as “articulate, well researched, engaging, enthusiastic, humorous, and unbelievably dynamic,” according to public records.

Morrissey left Ireland after local media published reports about his disbarment and legal troubles in the United States. He moved to Australia in the fall of 2003 and began work at the University of New South Wales. Through a 13-week training program, he developed a relationship with Mark Tedeschi, the senior crown prosecutor for New South Wales. Morrissey, who sought to apply for a law license, courted Tedeschi’s support in the form of a recommendation. When Tedeschi later learned of Morrissey’s disbarment, he stated in an affidavit that it “caused me much personal embarrassment” and that he felt “betrayed” that Morrissey was not forthright with him, according to public records.

Morrissey’s application for a law license was denied in April 2006 by the New South Wales Bar, which wrote, “His character is marked by willful disobedience of court orders and rules, episodes of violence, a failure to make appropriate disclosure and lack of candor when dealing with his colleagues.”

10. **Exhibit J:** 12/12/2014 Henrico County Circuit Court *Commonwealth v Morrissey* -Alford Plea Agreement,
<https://www.scribd.com/doc/253353234/PLEA-AGREEMENT-Commonwealth-v-Joseph-Dee-Morrissey>

4. STIPULATION OF FACTS: I agree that the following is a summary of the Commonwealth’s evidence against me in the foregoing case, and I agree that the Court will accept this summary in lieu of presentation of any evidence by the Commonwealth. I further stipulate that the Commonwealth’s evidence constitutes a *prima facie* case in the instance of the crime to which I am entering this plea. However, given that this is an Alford plea, I also reserve the right to present the defense version of the evidence below:

[The aforementioned summary of the Commonwealth's evidence takes up pages two through nine of this publicly filed document, and provides examples of predatory behavior far too numerous to detail. Here is a small sample. Please note that Myrna Pride, now Myrna Morrissey, is referred to in the document as "MP."]

Deidra Pearson, age 27, is the older sister of MP, would testify that in the summer of 2013 MP and their mother, Deidra Warren, were all living in Pearson's home due to a fire having damaged Warren's home. Pearson was at that point helping to support MP financially as their mother recovered from the fire losses. Therefore, when MP, age 17, went to work in August 2013 as a receptionist for the Defendant's law firm and when she noticed that MP was receiving after hours text messages from the Defendant, age 55, and staying out late with him, she became concerned for her naïve young sister. She warned her sister to be careful around such an older man. She discussed her concerns with Brittaney McKinney, MP's older friend[,] and **she then learned that McKinney had observed sexual texts between the Defendant and MP on MP's cell phone.**

Pearson then secured from her mother the cell phone account passwords for MP's Apple iPhone and she advised McKinney to go out and purchase an Apple iPod, which they could use to monitor MP's sexual texts with the Defendant. Late on 8/21/14 [sic] McKinney then copied and forwarded to Pearson's cell phone **the first such sexual texts which had been monitored and photographed (via "screen shots") by McKinney using MP's Apple cell phone account.**

On 8/23/13 Pearson observed that MP had told their mother that she was "planning to spend the night out with girlfriends", but Pearson judged that MP actually intended to spend the night with the Defendant, so she watched her. She observed MP leave the housing wearing a dress and white blazer and carrying an over-night bag.

Pearson and McKinney then together followed MP to the Boathouse Restaurant, where they observed MP have dinner with the Defendant until about 9:30 PM. **Pearson then observed the Defendant kiss MP as they left the restaurant**, at which point MP followed the Defendant to his home at 588 Virginia Center Parkway in Henrico County. Since this is a gated community, Pearson could not follow MP and the Defendant into it, so she telephoned her father to come and assist. Once her father was there, he called the Henrico police to retrieve his daughter from the Defendant's home, which Henrico police officers Rhodes and Lt. Sperry did around mid-night on 8/23/13.

Pearson observed that when MP left the Defendant's house she was no longer wearing her dress, but had changed clothes and that MP's hair was wet as though she had showered. **Both Pearson and her father then complained to the police about the Defendant's conduct with MP and Pearson gave the police copies of the 8/21/13 sexual text messages exchanged between the Defendant and MP.**

(Pearson would later testify that after the police opened a criminal investigation, she and her sister Christina were present on 10/29/13 at Starbucks when the Henrico detectives spoke to their mother about the allegations and evidence against the Defendant. Thereafter, **the two sisters confronted MP about having sexual intercourse with the Defendant, at which point MP conceded that the Defendant "had put (his penis) into her a little bit". Pearson recorded this conversation.**)

...

Detective E.A. Wright of the Henrico Police Department, an electronic forensic expert assigned to the FBI Child Exploitation Task Force, would testify that upon receiving the Apple cell phone records as well as the Defendant's subpoenaed cell phone records from his Verizon SMS text message account, she discovered that the above quoted text messages were indeed transmitted to and from the cell phones belonging to the Defendant and MP.

Det. Wright would further testify that found in MP's Apple iCloud stored text messages was the following 8/21/13 text exchange between the Defendant and MP:

- i. 7:18 AM – MP to Defendant: “I woke up this morning and got in the shower and I was thinking about last night, which was wonderful. Now I’m laying here completely naked water dripping off my body and my hair dripping just fantasizing about what you would do to me right now.”
- ii. ... 7:22 AM Defendant to MP: “I wish I was there NOW! Your [sic] right, last night was great. Btw, how much time do you want me to spend caressing n luck inking you before I put my cock inside you? [”]
- iii. ... 7:29 AM Defendant to MP: “a pic you lying there fantasizing about me fucking you... send me a pic and then I’m gonna call you.”
- iv. 7:37 from MP to Defendant: “You got me with a fresh face (no makeup) and a fresh body” (Naked photo of MP sent to the Defendant’s cell phone – see Exhibit 1).
- v. 7:37 from Defendant to MP: “GORGEOUS... simply GORGEOUS!!I could eat you... but then again I did already!”

Det. Wright would further testify that many of the incriminating sexual text messages between the Defendant and MP as well as other texts from them to third parties were confirmed and corroborated from multiple sources – MP’s seized iPhone; the Defendant’s Verizon SMS text message records; MP’s Apple iCloud digital storage records and photos of texts given to the police by MP’s sister, Ms. Pearson. (See attached text message chart as **Exhibit # 1**).

Furthermore, after reviewing all these seized cell phone records herself and also with former Apple Information Technology security chief, **Derrick Donalley** of Black Bag Technology, a nationally recognized electronics expert who also would testify if needed, Detective Wright would testify that both experts concluded that there is no evidence of any “hacking” (i.e. hijacking or altering texts / photos) pertaining to either the Defendant’s or MP’s cell phone text records, nor upon the iPod Touch devices belonging to MP or Brittany McKinney, as claimed by the defense.

11. **Exhibit K**: 1/21/2015 Article from The Guardian “VA lawmaker who won re-election from jail cell faces new charges”
<https://www.theguardian.com/us-news/2015/jan/21/virginia-delegate-joe-morrissey-sex-with-minor-forgery-child-support-document>

A Virginia lawmaker who [won re-election from a jail cell](#) last week faces new felony charges related to the sex scandal that led to his [conviction for contributing to the delinquency of a minor](#).

Delegate Joe Morrissey, 57, was charged with forgery, felony conspiracy and perjury on Wednesday, after special prosecutor William Neely unsealed an indictment that accused the lawmaker of forging a document and lying under oath about its authenticity. Morrissey is serving a 90-day sentence, reduced from six months, for a conviction relating to his relationship with a 17-year-old girl who worked in his office.

Morrissey was accused of having sex with the girl, who is now 18 and denies she had any inappropriate relations with the lawmaker. She is also pregnant with a child the prosecutor said “perhaps” belongs to Morrissey. Sexual messages and a nude photo of the girl were found on Morrissey’s phone, and he bargained a plea deal to a misdemeanor conviction, [maintaining his innocence](#) while avoiding trial on charges of child pornography and indecent liberties with a minor.

...

Antagonistic relations with the police and prosecutors are nothing new for Morrissey: the Virginia bar suspended his law license after his 10th [citation for contempt of court](#), and court papers indicate he had been jailed or forcibly detained for misconduct five times, including once for [courthouse fisticuffs](#), before the allegations of sexual misconduct with a minor.

He continued to act as an attorney, until [Virginia revoked his license for failing to inform clients about his suspension](#). In 2012, the state supreme court [narrowly decided to restore](#) his license.

12. Exhibit L: 1/21/2015 Article from The Dailey Press “Del. Joe Morrissey, already spending nights in jail, charged with forgery, perjury”

<https://www.dailypress.com/2015/01/21/del-joe-morrissey-already-spending-nights-in-jail-charged-with-forgery-perjury/>

A Virginia lawmaker who was just re-elected despite being [jailed for a sex scandal with a teenager](#) has been indicted on four new felony charges.

The [forgery and perjury indictment of Del. Joseph D. Morrissey](#) was returned the day before that election and unsealed Wednesday in Henrico County Circuit Court.

The lawmaker now stands accused of forging a document he vouched for in court, and persuading the girl’s mother to swear to its authenticity as well. That woman, Deidre Warren, also was indicted on perjury and forgery charges. Morrissey faces up to 10 years on each count if convicted, special prosecutor William J. Neely said.

...

He accepted the misdemeanor conviction to avoid trial on charges of taking “indecent liberties” with a 17-year-old, child pornography and soliciting a minor — felonies that could have put him in prison for decades and caused the automatic loss of his legislative position.

...

Morrissey, 57, has denied having sex with Myrna Pride, who worked as a receptionist in his law office at the time.

The young woman's sisters and father said they got suspicious after finding a nude photo and an exchange of sexually explicit text messages on her phone. They tracked Morrissey and Pride from a restaurant one night in August 2013, and then called police, who found the teenager inside his home at midnight.

Pride — now 18 and pregnant — also has denied having sex with Morrissey, a bachelor who has fathered three children with three different women. But she said in a broadcast interview last week that she still cares and worries about him as a friend.

The Associated Press usually does not disclose the names of alleged sex crime victims, but Pride has gone public with her side of the story.

Morrissey claimed that Pride came to his home that night in August 2013 not to have sex, but to get his legal help recovering child support from her father, Coleman Pride.

Neely said Morrissey presented a document in court last month to support this version. It appears to be a court order showing that Coleman Pride had agreed to pay \$50 a month into a college fund for his daughter. But Neely said there is no court record of any child support order, and that the document "appears to be a fabrication."

...

Morrissey's issues began with the courthouse fistfight, which became known as the "brawl in the hall," as well as fisticuffs with a contractor, several contempt of court citations, and the loss and reinstatement of his license to practice law. He embraced the colorful image, decorating his law office with boxing gloves and advertising as a lawyer who would fight for his clients.

13. Exhibit M: 9/2/2016 Article from WTVR CBS 6 "Holmberg: OMG: Sextin' Joe Morrissey is leading the mayor's race!"

<https://www.wtvr.com/2016/09/02/holmberg-omg-sextin-joe-morrissey-is-leading-the-mayors-race>

You may recall three summers ago Joe getting busted for having a sexual relationship with a 17-year-old, brand-new assistant in his law office he'd had his eye on.

He denied it and she denied it, even though prosecutors had tons of alleged texting and sexting evidence, including Morrissey bragging to a friend that he had all-caps sex with her on the conference room table "AND THEN ON THE FLOOR FOR GOOD MEASURE!"

Meanwhile, the girl was texting a friend (lower-case) the same thing about the double action, freaking out a bit because the sex was unprotected. She got \$70 from Morrissey for a morning after pill, according to the graphic texts from the prosecution included in Morrissey's plea agreement.

Joe told me and everyone else the texts were fakes, ginned up by a jilted lesbian lover. They were hacked! High-tech lynching, and all that!

After he pleaded guilty to contributing to the delinquency of a minor - thereby avoiding a fistful of felonies - we learned the girl was pregnant.

Every few months in Morrissey's long and storied career, there's been a Dumbo eruption.

Jailed for fighting famed defense attorney David Baugh. Jailed for beating a contractor.

Cited for contempt of court 10 times for being unprofessional, inappropriate, and dishonest. He's been jailed for it several times.

Disbarred. Banned from practicing in federal court.

Early-on antics included losing borrowed assault-style weapons and failing to report the disappearance promptly. One of the weapons later turned up in the possession of a heroin dealer.

More recent antics include wielding a closed-chambered AK-47-style rifle - with high-capacity magazine in place and his thumb inside the trigger guard - on the floor of the General Assembly (gasps!) to make a point about the dangers of these weapons. (It was the same point he was trying to make years earlier with the borrowed firearms when they were lost or stolen.)

14. **Exhibit N:** 10/28/2016 Article from RTD "EXCLUSIVE: Henrico judge releases Joe Morrissey law client from jail amid allegations of sexual impropriety"

https://richmond.com/news/local/exclusive-henrico-judge-releases-joe-morrissey-law-client-from-jail-amid-allegations-of-sexual-impropriety/article_85f4de0a-d387-5a69-b527-8209c6a72cf2.html

A Henrico County judge this week allowed a woman formerly represented by Joe Morrissey's law firm to withdraw a guilty plea amid allegations that the Richmond mayoral candidate pressured her for sex.

Kanika Shani Morris, 35, said Morrissey in February exposed himself to her in his law office and continued making advances through text messages.

When she repeatedly refused him, she said he handed over her case to another lawyer in his office, who pushed her into taking a plea deal — telling her that she hadn't paid enough to have Morrissey himself represent her at the jury trial she had requested.

...

Her description of her experience with Morrissey is consistent with text messages — some explicit — that she provided to the newspaper.

...

Morris agrees that her alleged encounter with Morrissey this year is not her first. But she describes her prior experience in very different terms than he does.

“I was never his girlfriend. Oh my God, no,” she said. “He’s a liar.”

...

Morrissey, who is the apparent front-runner in the Richmond mayor’s race, was disbarred in 2003 for unethical behavior and, while he has had his law license reinstated at the state level, is still prohibited from practicing in federal court.

In 2014, while serving in the General Assembly, he pledged guilty to a charge of contributing to the delinquency of a minor in connection with allegations that he had sex with a 17-year-old receptionist in his law office.

He served three months in jail on the charge, but because a judge granted him work release, he was able to campaign for re-election to the House of Delegates while serving his sentence.

...

As in Morris’ story, lewd text messages figured prominently in Morrissey’s courtship with Myrna: Among other things, prosecutors alleged Morrissey solicited nude photos from her, which he then sent to a friend to whom he boasted of his sexual exploits.

15. **Exhibit O:** 11/4/2016 Article from The Washington Post “Richmond has an Anthony Weiner of its own”

https://www.washingtonpost.com/opinions/richmond-has-an-anthony-weiner-of-its-own/2016/11/04/56380dae-a06e-11e6-8d63-3e0a660f1f04_story.html

RICHMOND HAS lately come into its own as a vibrant small city whose bustling business district, lively cultural scene and buzzy restaurants are bragging points for civic leaders. So how can it be that the city seems poised to elect a creepy, ethically clueless embarrassment as its mayor?

Joe Morrissey, whose name rivals Anthony Weiner’s in the American pantheon of public sleazebags, is a disgraced former state lawmaker who was drummed out of the General Assembly in Richmond for his appalling personal conduct. Before that, ethical transgressions cost him his law license in Virginia for eight years; it was restored in 2011, but he remains ineligible to practice in federal court.

He has served jail time for fistfights as well as for contributing to the delinquency of a minor — a young woman, 38 years his junior, whom he married in June. (When she was 17, and working as a receptionist at his law office, he saw fit to send a nude photograph of her to a friend, along with boasting of his sexual relations with her; hence the criminal conviction, for which he served three months behind bars.)

Now comes word that Mr. Morrissey, 59, admits having sent text messages to a client of his law firm inviting her to visit him in his office and urging her to wear “fresh panties” and shave her genitals — he used a lewder word, one also favored by Donald Trump. This took place in February, around the time Mr. Morrissey and his wife, now 20 years old, had their second child.

Mr. Morrissey, always quick with a facile justification, explained that he was merely being “flirtatious” with the client by sending her the lascivious text, along with other come-ons. The client herself, Kanika Morris, saw it differently — especially after, on her first meeting with him at his office, she says he pulled out his penis in the vain hope she would fondle it. He denies it.

Ms. Morris's account prompted a judge, unusually, to vacate her conviction and nullify a deal under which she had pleaded guilty in connection with not returning a rental car. She said she accepted the plea only after she spurned the advances of Mr. Morrissey, who in turn shunted her to another lawyer at his firm who urged her to take the deal and refused to ask for the jury trial she wanted.

16. Exhibit P: 11/5/2016 Article from The Huffington Post “Ex-Convict Who Slept With His Teenage Employee Is Set To Become Richmond’s Next Mayor”

https://www.huffpost.com/entry/joe-morrissey-richmond-mayor_n_581b95c2e4b0aac6248306e9

It seems nothing can stop Joe Morrissey from winning in politics.

Not getting caught sleeping with his teenage secretary in 2013 and serving a three-month jail sentence for contributing to the delinquency of a minor. Not recent allegations that he sexually harassed one of his clients. Not the fact that Virginia State Bar is trying to disbar him, or that the Democratic Party of Virginia and the Richmond City Democratic Committee have sued him.

...

Morrissey’s campaign did not make him available for an interview. But his biography is widely known — and reads like a saucy supermarket tabloid. He was in his third term as a state delegate when he began a relationship with a 17-year-old receptionist in his law office, Myrna Pride. A relative of Pride’s found sexually explicit text messages between her and Morrissey on the teen’s phone in August 2013. Family members sent Henrico County police officers to Morrissey’s home, where they found Pride.

A grand jury later indicted Morrissey on felony charges including indecent liberties with a minor and possession and distribution of child pornography. Prosecutors said Morrissey and Pride had an ongoing sexual relationship and he possessed nude and semi-nude photos of Pride, at least one of which he allegedly sent to a friend. Morrissey denied the charges, even after prosecutors released more than 80 text messages — including some in which he boasted to a longtime friend about sleeping with Pride. Morrissey and his lawyers disputed the messages’ authenticity, claiming his phone had been hacked and that it was all a plot by Pride’s “jilted lesbian lover.” Pride also denied that Morrissey had broken any laws and told investigators she lied about her age on her job application.

Morrissey eventually took a plea deal for one misdemeanor count of contributing to the delinquency of a minor and a six-month jail sentence.

...

Even before his office relationship, Morrissey's past was filled with episodes that read like a movie plot. He'd been in several fist fights, including one with an opposing lawyer outside the courtroom. He threatened a judge, was found in contempt of court 10 times, been forcibly detained for misconduct five times and, in 2003, had his law license suspended for eight years over his disciplinary record.

...

Another [detractor] is Myrna Morrissey's estranged father, Coleman Pride. Pride regularly shows up at the candidate's campaign events and press conferences and shouts "Liar!" into the crowd. He also started a website opposing Morrissey, sayno2joe.com. Pride told HuffPost that he feels his daughter has been "brainwashed."

"The daughter I know and raised is a strong, intelligent and independent woman that has always had a voice and mind of her own," he said. His website argues that Morrissey "preyed upon" his young daughter and "can not be trusted in public office."

And while the legal trouble related to his now-wife is behind him, Morrissey currently faces another sex scandal.

Kanika Shani Morris, one of Morrissey's former clients, told The Richmond Times Dispatch last week that Morrissey exposed himself to her in his law office last year and sent her lewd texts messages. She claims that after she refused his advances, Morrissey gave her case to another attorney, who forced her to plead guilty to theft. A judge allowed Morris to withdraw her plea last week.

Morris provided a record of her explicit texts from Morrissey to the Times Dispatch, which included a request that she shave her genitals and "wear fresh panties" to their meeting to discuss her case. Morrissey hasn't denied sending her those texts, which he described as "flirtatious," but he says he never did anything inappropriate with her. The Henrico County Commonwealth's Attorney has said her office and local police are investigating the allegations.

17. **Exhibit Q:** 11/1/2017 Article from The Richmond Times-Dispatch "Virginia State Bar files ethics complaint against Joe Morrissey alleging cover-up of sex scandal"
https://richmond.com/news/local/government-politics/virginia-state-bar-files-ethics-complaint-against-joe-morrissey-alleging-cover-up-of-sex-scandal/article_15384c5a-3a0f-576c-b15e-b36bdc2e3046.html

The Virginia State Bar charged former Del. Joseph D. Morrissey this week with destroying evidence and making false statements in court in an attempt to cover up a 2013 sexual relationship with a then-17-year-old receptionist in his law office.

Morrissey, a flamboyant area defense attorney who was a front-runner in Richmond's mayoral contest last year, could face the suspension or loss of his law license if the ethics complaint is upheld.

The bar investigation follows a criminal prosecution that concluded in 2014, when he entered a plea deal in which he agreed to serve three months in jail on a single charge of contributing to the delinquency of a minor. Morrissey has since married the woman, Myrna Morrissey, and the couple have two children together.

Morrissey vigorously argued that he was innocent, including in a court filing attached to his plea. In the document, he claimed he was framed by the young woman's jilted lover, whom Morrissey said had planted lewd and incriminating text messages discovered by police.

It was that defense — and the court filing that laid it out — that drew the ethics investigation, which began in 2015 and focused on whether Morrissey committed professional misconduct by lying to further his defense.

According to the bar complaint, Morrissey did. The seven-page document details allegations that he concocted the hacking defense, deleted incriminating text messages from his phone, fabricated alibis and instructed potential witnesses as to what their testimony should be.

18. Exhibit R: 7/18/2019 Supreme Court of Virginia *Morrissey v. Va State Bar ex rel Third Dist. Comm.*

<https://law.justia.com/cases/virginia/supreme-court/2019/181311.html>

This document includes extensive discussion of Morrissey's predatory behavior. A salient excerpt reads as follows, but it does not constitute the document's whole evidentiary contribution. Said contribution could be fairly understood to equate with the document in its entirety.

The uncontested facts establish that Morrissey had sexual relations with a minor, Myrna Pride, who was seventeen years old at the time. Morrissey was fifty-five years old. The parties presented conflicting evidence concerning whether Morrissey knew Pride's actual age. Morrissey and Pride later married. Morrissey entered a guilty plea pursuant to *North Carolina v. Alford*, 400 U.S. 25, 91 S. Ct. 160, 27 L. Ed. 2d 162 (1970). He was convicted on December 12, 2014 of the crime of Contributing to the Delinquency of a Minor, in violation of Code § 18.2-371. He was sentenced to 12 months in jail with six months suspended for five years conditioned upon good behavior. The court gave him credit for time served and allowed him to serve his sentence on work release. *Id.*

The memorandum order recites the following stipulated facts in connection with the violation of Rule 8.4:

1. At all times referenced herein Respondent has been an attorney licensed to practice law in the Commonwealth of Virginia.
2. In July 2014, Respondent was charged with possession of child pornography, distribution of child pornography, taking indecent liberties with a child by a person in a supervisory role, contributing to the delinquency of a minor, and use of a communications system to solicit certain offenses involving children.

3. Prior to the scheduled trial in December 2014, Respondent entered an Alford Plea to one misdemeanor charge of contributing to the delinquency of a minor. The recitation of the evidence that the Commonwealth would have presented to prove the charges is set forth in the Alford Plea (Exhibit A). The Alford Plea included an attached exhibit titled "Text Timeline" that included explicit and sexually graphic text messages to and from Respondent and MP and nude photographs of MP requested by Respondent.

19. **Exhibit S:** 01/09/2020: US District Court of Eastern District of Virginia *Morrissey v WTVR, LLC*, Civil Action No. 3:19-cv-747-HEH – Memorandum Opinion (Granting Defendant's Motion to Dismiss).

<https://casetext.com/case/morrissey-v-wtvr-llc>

Plaintiff, Joseph D. Morrissey ("Morrissey"), is a well-known public figure in the Richmond, Virginia area. In fact, the immediate lawsuit is the result of hyperbolic and arguably deprecating commentary by a Richmond television station during his candidacy for Mayor of the City of Richmond. Morrissey contends that the comments by WTVR, LLC ("CBS 6") reporter, Mark Holmberg ("Holmberg"), were false, defamatory, and insulting. He describes Holmberg's remarks as imputing his unfitness to serve as mayor and portraying him as a "stupid liar, who was a sex crazed maniac." (Compl. ¶ 12, ECF No. 1-2.) Morrissey seeks \$1,350,000 in damages. Defendant CBS 6 ("CBS 6") responds that the comments at issue were either the broadcaster's personal opinion of a public figure, which is "entitled to the broadest protection the First Amendment can afford," or factually true.

...

In the final analysis, this Court concludes that Holmberg's broadcast is clearly presented to CBS 6 viewers as political commentary. Consequently, it is entitled to broad First Amendment protection warranting dismissal. The content also appears to have a defensible factual basis.

20. **Exhibit T:** 1/14/2015 Article from The Washington Post "Joe Morrissey: An embarrassment that Virginia voters support — and deserve"

https://www.washingtonpost.com/local/joe-morrissey-a-human-train-wreck-that-virginia-voters-support--and-deserve/2015/01/14/ea4223f2-9be0-11e4-bcfb-059ec7a93ddc_story.html

Morrissey, in case you haven't been following his crazy saga, is the delegate who entered an Alford plea last month to a misdemeanor charge of contributing to the delinquency of a minor.

Investigators said the 57-year-old legislator was having sex with a then-17-year-old receptionist at his law firm, had nude pictures of her on his phone and allegedly showed those photos to a pal.

She's now 18 and pregnant. A prosecutor said that Morrissey is "perhaps" the father. The bachelor already has three kids by three women.

In an Alford plea, a defendant doesn't have to admit wrongdoing but does admit that there is enough evidence for a conviction, and the court treats it as a guilty plea. Morrissey was sentenced to 12 months in jail with six months suspended. But he has a work-release arrangement that lets him practice law and campaign by day and serve his time at night.

On Tuesday, he had to report back to jail before the vote tally was finished. Not that there were many to count: The vast majority of residents couldn't be bothered to show up at the polls. (The district also includes parts of Richmond and Charles City County.)

...

The other Virginia delegates are now stuck. Some have pledged to find a way to get rid of Morrissey.

And for good reason. This guy is a human train wreck. He's faced disbarment; his law license has been suspended and revoked; he was in jail before for a courthouse fistfight; and he was charged after another fight, then capitalized on it with his "fighter" campaign, decorating ads and his office with boxing gloves.

When he was indicted in this sex scandal last summer, he said that the accusations were untrue and that he worried about his political career — which seems to be the one certain thing he keeps fighting for.

"Unless I'm entirely vindicated," he [told The Washington Post's Paul Schwartzman](#) over the summer, "it will be a career-ender."

21. **Exhibit U:** 9/22/2005 Wycoff v. Morrissey et al. Case # CH03-992 First Amended Bill of Complaint to Enforce Judgment and for Other Relief
<https://robertslaw.org/downloads/amendedcomplaint.pdf>

This document in its entirety pertains to Morrissey's dishonesty, but particularly salient excerpts are below:

3. A courts [sic] has determined that Morrissey has conclusively shown himself unworthy of this trust, has determined that he has a proclivity for unprofessional and unethical conduct, coupled with a lack of candor."

4. On July 3, 1999, Morrissey, an attorney and former Commonwealth Attorney, (Tr. 412-413) stated to Wycoff, "I'm going to **kill you**. I'm going to **beat** your head in, (Tr. at 178.) Accordingly, Morrissey **attacked** Wycoff, **beating** Wycoff's face and head with his fists causing **severe injuries** to Wycoff. Suit was filed on Wycoff's behalf on July 2, 2001.

5. After July 3, 1999, Joseph D. Morrissey began a course of conduct intending [to] delay, hinder, or defraud Wycoff of what [Wycoff] may be lawfully entitled to by gift, conveyance, assignment or transfer of, charge upon, estate, real or personal.

6. After July 3, 1999, Joseph D. Morrissey engaged in a course of conduct with presumptions or “badges” of fraud.” [sic] The course of conduct was done with fraudulent intent, which is legitimately inferred by circumstances including but not limited to (1) the close relationship of the parties, (2) the grantor’s insolvency, (3) pursuit of the grantor by creditors at the time of the transfer, (4) inadequate consideration, and (5) retention of possession of the property by the grantor.” [sic] The transactions, gifts, conveyances, encumbrances and liens identified below are part of this course of conduct.

22. **Exhibit V:** 5/22/2015 Article from The Journal “Former DIT lecturer turned politician admits affair with secretary in bizarre photo shoot”

<https://www.thejournal.ie/joe-morrissey-myrna-pride-law-lecturer-dublin-virginia-politician-2119714-May2015/>

AN AMERICAN POLITICIAN and former law lecturer at Portobello College in Dublin has hit the headlines in the US, for a bizarre photoshoot with his teenage lover and their baby.

Joe Morrissey, from Virginia, was a guest lecturer at the Dublin Institute of Technology, from 2001 to 2003, and taught law at the now defunct Portobello College, from 2001 to 2002.

He returned to the US in 2006, to resume his colourful and controversial political career.

In December, he was accused of having sex with his former receptionist when she was still 17 and under the legal age of consent, as well as possession and distribution of child pornography – for having and sharing nude photographs of her on his phone.

Morrissey, nicknamed “Fightin’ Joe”, denied all these charges, and claimed that a jealous ex-girlfriend had hacked into his phone to send out images of his secretary, local newspaper the [Daily Press](#) reports.

He had been an elected member of the Virginia House of Delegates since 2008, but was forced to give up his seat when he pleaded guilty to the lesser charge of “contributing to the delinquency of a minor,” and was sent to jail for three months.

...

Pride, who referred to her boyfriend as “Mr. Morrissey,” affirmed that Chase had been conceived when she was 18 years old, which would prevent any charges being brought against the 57-year-old, who has four children with four different mothers.

Controversy seems to have followed Morrissey throughout his career as a lawyer and politician.

As the commonwealth attorney (public prosecutor) for the city of Richmond, he was jailed in 1991 after getting into a fist-fight with another lawyer outside the courthouse, the [Times-Dispatch](#) reports.

In the last 20 years, Morrissey has been charged with bribery, perjury, misuse of public funds, convicted of assault and battery, and accused of violating the terms of his probation, among other offences.

...

In an Irish Times report on 2 February 2002, Morrissey said he was “not proud” of his criminal record and history of assault.

23. **Exhibit W:** 5/22/2015 Article from VOX “Pro tip to politicians: If you impregnate a teenager, don’t send out this photo”

<https://www.vox.com/2015/5/22/8645787/joe-morrissey-virginia-photo>

Morrissey spent 90 days in jail after pleading guilty to "contributing to the delinquency of a minor," the minor in question being Pride.

That was the result of a plea deal. Prosecutors initially charged him with felony counts of supervisory indecent liberties with a minor (for sleeping with Pride when she was 17), possession of child pornography (for soliciting and receiving a nude photo of her at 17), and distribution of child pornography (for sending that photo to a friend).

Pride has given media outlets permission to identify her.

...

- Despite taking the plea, Morrissey and Pride insist they did not have sex until she was 18, the same age at which he impregnated her.
- Morrissey and Pride additionally claimed that Pride’s “jealous ex-girlfriend hacked into their phones and sent a series of salacious text messages” in an attempt to set Morrissey up.
- After pleading guilty to the “contributing to the delinquency of a minor” charge, Morrissey resigned his House of Delegates seat.
- But he immediately ran for the seat again in a special election to replace himself, and won.
- Morrissey had served as a Democrat, but after the party adopted a candidate selection process for the special election intended to block him from the nomination, he won the seat back as an independent.
- He then resigned his seat *again* after deciding to move out of his district to run for state Senate in a primary against an incumbent Democrat.
- He’d initially intended to keep his seat, but it turns out serving after moving out of your district is totally unconstitutional in Virginia.
- The Pride imbroglio is hardly Morrissey’s first brush with the law. He has been cited with contempt of court numerous times, most notably, as commonwealth’s attorney (a.k.a. district attorney) for Richmond, for getting into a fistfight with a defense attorney outside of a jury trial. He served five days in jail for that.

- He was indicted and acquitted of **five bribery, perjury, and misuse of public funds charges** as commonwealth's attorney, and was suspended and reinstated to the post a number of times.
- Other notable incidents, summarized by the [Richmond Times-Dispatch's Meredith Newman](#): a 90-day jail sentence in 1998 for breaking court rules by talking to reporters on a drug case, an assault and battery conviction in 1999, and a 90-day jail term in 2000 for a probation violation on the 1998 conviction after Morrissey "lied when he denied attempting to bribe a Habitat for Humanity construction supervisor to falsely state that Morrissey had completed his community service."
- After that probation violation, he was [disbarred in Virginia and banned from practicing in federal court](#).

24. **Exhibit X:** 11/8/2019 Article from Snopes "Did Newly Elected Virginia Democrat Joe Morrissey in the Past Have Sex with His Teenage Receptionist?"

<https://www.snopes.com/fact-check/joe-morrissey-receptionist/>

Joe Morrissey was elected to the Virginia State Senate in November 2019 despite having **had a sexual relationship with his teenage receptionist (who is now his wife)** and being disbarred.

Neither Morrissey nor his wife, Myrna Morrissey, has confirmed allegations that they began their relationship when she was 17 and still underage. Both claim they did not have sex until she was 18.

Joe Morrissey has a long, complicated, and wild history in Virginia law and politics. A former attorney, he has been disbarred twice. He spent time in jail for a courthouse **fistfight** and for **misdemeanor charges related to contributing to the delinquency of a minor** — accusations stemming from a relationship with his then-teenage secretary who is now his wife.

...

The scandals involving Morrissey may be news to some outside Virginia, but they have been common knowledge for many years both in Virginia and also **sometimes internationally**. They have earned Morrissey **many pages of news coverage over the years**.

In terms of the Breitbart headline, Morrissey never admitted to having a sexual relationship with his wife before she came of age. In 2014, Morrissey **entered** an Alford plea, which is functionally similar to a no-contest plea. By entering an Alford plea, Morrissey didn't admit to **wrongdoing but acknowledged that prosecutors had evidence that could convict him had he gone to trial**. He claimed that lewd texts on his phone were placed there by a hacker, but that defense was **disputed** in a complaint by the Virginia State Bar, which eventually **led** to Morrissey's losing his law license for the second time.

...

The couple married in 2016 (Morrissey was then 58, Pride 20) and have a family together. They announced their nuptials in a joint 2015 [press conference](#), during which both maintained that they had not engaged in sex until Pride was 18 years old.

25. Exhibit Y: Joe Morrissey's Wikipedia Page as it appeared on January 13, 2022.

https://en.wikipedia.org/w/index.php?title=Joe_Morrissey&oldid=1065517359

Morrissey taught [government](#) as a [high school](#) teacher, and after admission to the Virginia bar, served as [Commonwealth's Attorney](#) of [Richmond, Virginia](#) 1989-93. He had a private legal practice from 1993-2000.^[9] He was a lecturer of Law at [Portobello College](#) in [Ireland](#) from 2001–02, and taught in the [law school](#) at the [Dublin Institute of Technology](#) for two years (2001–03) and in [Australia](#) at the [University of Adelaide](#) and the [University of Western Sydney](#) in 2003 until he was fired for failing to disclose the fact he had been disbarred.^[10]

...

Controversy

Reprimand, suspensions and first law license revocation

As an attorney, Morrissey was cited for [contempt of court](#) ten times and was jailed or arrested five times.^[23] He was [indicted](#) and [acquitted](#) of five bribery, perjury, and misuse of public funds charges as commonwealth's attorney, and was suspended and reinstated to the post a number of times.^[24] Records from the [Virginia State Bar](#) indicate that Morrissey received a public reprimand in March 1992, and had his law license suspended twice: once in December 1993 and then again in December 1999.^[25]

On December 21, 2001, Morrissey was [disbarred](#) in the [U.S. District Court for the Eastern District of Virginia](#), and on April 25, 2003, his license to practice law was revoked by the Virginia State Bar Disciplinary Board.^[2] He appealed the federal disbarment to the [U.S. Court of Appeals for the Fourth Circuit](#). However, the disbarment was affirmed in a September 2002 opinion which concluded "Frequent episodes of unethical, contumacious, or otherwise inappropriate conduct mar Joseph D. Morrissey's career as prosecutor and private defense attorney." The appellate court said, "Evidence ... demonstrates Morrissey's 15-year history of contempt citations, reprimands, fines, suspensions, and even incarcerations arising from unprofessional conduct mostly involving an uncontrollable temper, inappropriate responses to stress, and [dishonesty](#)."^{[10][26]}

On December 16, 2011, the Supreme Court of Virginia approved his petition for reinstatement to the [bar](#).^[27] However, that decision did not bind the federal courts, and as discussed below, he was disbarred again.

Conviction for delinquency of a minor

In August 2013, police found Morrissey in his Henrico County home with a 17-year-old girl, now his wife, who was at the time an employee of his law office. Morrissey, the girl, and her mother denied any impropriety. A [Henrico County](#) court convened a grand jury to investigate a

possible improper sexual relationship between Morrissey and the girl.^[23] On June 30, 2014, Morrissey was indicted on felony charges of indecent liberties with a minor, possession and distribution of child pornography, and electronic solicitation of a minor, in addition to a misdemeanor charge of contributing to the delinquency of a minor, for which conviction he served three months of a 12-month sentence. After being convicted, Morrissey resigned as a delegate at the Virginia House.^[23]

According to statements from the prosecutor in court documents, Morrissey had sex with the girl multiple times in his law office in August 2013, and possessed a nude photograph of the girl, which he also sent to a friend.^[23] Morrissey allegedly continued the relationship with the girl after she left his law office in August 2013, and the two allegedly shared a hotel room overnight in October 2013.^[23]

...

William Neely, the special prosecutor appointed to investigate the Morrissey case, secured new felony indictments January 21, 2015, against Morrissey for perjury and for presenting forged documents during his sentencing hearing.^[34]

Second law license revocation

In March 2018, the Virginia State Bar brought new charges of misconduct against Morrissey. A three-judge panel convened on March 26, 2018 to hear three separate allegations of misconduct. First, the Bar contended that Morrissey's criminal conviction and improper contact with his 17-year-old intern violated rules regarding criminal conduct by an attorney, and that **Morrissey had destroyed evidence relating to the criminal case against him.**^[35] On March 28, the panel found that though the Bar had not shown that Morrissey destroyed evidence, they did find that the Bar had successfully demonstrated that Morrissey's relationship with his intern was "a criminal or deliberately wrongful act that **reflects adversely on the lawyer's honesty, trustworthiness, or fitness to practice law.**"^[35]