



U.S. Department of Justice

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FOR IMMEDIATE RELEASE
January 9, 2015

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FORMER JUDGE PLEADS GUILTY TO BRIBERY
FOR ACCEPTING A BRIBE DURING HIS CAMPAIGN TO BE ELECTED TO THE
ARKANSAS COURT OF APPEALS

Patrick Harris, First Assistant United States Attorney for the Eastern District of Arkansas, along with Assistant Attorney General Leslie R. Caldwell of the Justice Department's Criminal Division, and David T. Resch, Special Agent in Charge of the Little Rock Field Office of the Federal Bureau of Investigation (FBI), announced today that a former state circuit judge pleaded guilty to accepting a bribe in exchange for reducing a negligence jury verdict against a Conway, Arkansas business during his campaign to be elected to the Arkansas Court of Appeals.

Michael A. Maggio, age 53, of Conway, Arkansas, pleaded guilty before U.S. District Chief Judge Brian S. Miller to a one-count Information charging Maggio with bribery concerning programs receiving federal funds.

At his plea hearing in open court on December 9, 2015, and in his plea documents, Maggio admitted that in 2013 he served as an elected circuit judge for the State of Arkansas, Twentieth Judicial District, Second Division, presiding over a civil matter filed in Faulkner County Circuit Court. The plaintiff in that matter, the estate of a decedent, filed a complaint alleging, among other things, that a Conway business, its owner, and others had neglected and mistreated the decedent leading to the decedent's death while he was in their care. In early May 2013, the lawsuit proceeded to trial, with the business as the only defendant. On May 16, 2013, a jury returned a verdict in the plaintiff's favor, awarding damages against the business in the amount of \$5.2 million. Approximately one month later, on June 17, 2013, the business filed a motion for new trial or remittiture, seeking, among other things, to reduce the amount of damages awarded by the jury to the plaintiff.

According to court documents, Maggio formally announced his candidacy for the Arkansas Court of Appeals on June 27, 2013, while the defendant's post-trial motions were pending. On June 29, 2013, Maggio's campaign fundraiser told him that the first \$50,000 from the business was "on the way." Maggio knew at the time that his money included

donations from the business owner. On or about July 8, 2013, Maggio's campaign fundraiser received approximately \$24,000 in donations from the business owner. Two days later—and after the campaign fundraiser and Maggio had communicated extensively regarding the litigation and the campaign—Maggio reduced the plaintiff's verdict to \$1 million.

As part of his plea, Maggio admitted that his decision to remit the judgment was improperly influenced by the donations that his campaign received from the business owner. Maggio further acknowledged that he attempted to delete text messages between the campaign fundraiser and himself after the contributions from the business owner were disclosed by the media.

The maximum potential penalty for a violation of Title 18, United States Code, Section 666(a)(1)(B) (Bribery Concerning Programs Receiving Federal Funds) is up to ten years imprisonment, up to three years supervised release, and a fine of up to \$250,000 or twice the pecuniary gain or loss. The Court will set a sentencing hearing at a later date.

The case was investigated by the FBI's Little Rock Field Office, and is being prosecuted by Assistant U.S. Attorney Julie Peters of the Eastern District of Arkansas and Trial Attorney Edward P. Sullivan of the Criminal Division's Public Integrity Section.

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