

BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

In the Matter of:)
)
THOMAS B. SLAYTON,)
) Commission No. 2026PR00046
Attorney-Respondent,)
)
No. 6330457.)

COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Ann R. Pieper, pursuant to Supreme Court Rules 753(b) and 761(c), complains of Respondent Thomas B. Slayton, who was licensed to practice law in Illinois on November 8, 2018, and alleges that Respondent has engaged in the following conduct which subjects him to discipline pursuant to Supreme Court Rule 770:

Convictions for Driving Under the Influence and Possession of a Controlled Substance

1. At all times alleged in this complaint, 720 ILCS 520/402 provided that a person unlawfully possessed a controlled substance if they knowingly possessed any amount of a controlled substance or a controlled substance analog, including cocaine.

2. At all times alleged in this complaint, 625 ILCS 5/11-501 (a)(6) provided that a person shall not drive or be in the actual physical control of any vehicle within this State if there was any amount of a drug, substance, or compound in the person’s breath, blood, other bodily substance, or urine, resulting from the unlawful use or consumption of a controlled substance listed in the Illinois Controlled Substances Act and the Use of Intoxicating Compounds Act. Cannabis and cocaine are among the substances listed in the Illinois Controlled Substances Act and the Use of Intoxicating Compounds Act.

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3. On the evening of August 1, 2023, Respondent consumed cannabis, cocaine, and alcohol while visiting his girlfriend in Plainfield. At or around 7:30 p.m., Respondent left his girlfriend's home in Plainfield and began driving the approximately 130 miles to his home in Peoria. While driving from Plainfield to Peoria, Respondent had an unsealed and partially full bottle of Evan Williams bourbon whiskey in his vehicle and, at some point, stopped and purchased two one-liter bottles of Pepsi and a bottle of Jim Beam bourbon whiskey. Respondent added the Evan Williams bourbon whiskey to one of the bottles of Pepsi that he had purchased and began consuming the Pepsi and whiskey while he continued driving to Peoria.

4. At 9:39 p.m., Woodford County Sheriff's Department Deputy Sergeant Dakota Park observed Respondent speeding in a 2016 Audi at the intersection of State Route 116 and Timberlan Road in Germantown Hills, activated his emergency siren and lights, and conducted a traffic stop of Respondent's Audi.

5. As Sgt. Park approached Respondent's Audi, he smelled the odor of alcohol coming from the inside of the car and noticed that Respondent had bloodshot eyes and appeared to be overly nervous; his hands were shaking and he was taking rapid, shallow breaths. Sgt. Park observed an open container of Evan Williams whiskey and a half-full one-liter bottle of cold Pepsi on the passenger side floorboard of the vehicle. Sgt. Park's observations lead to the following exchange between Respondent and Sgt. Park:

Sgt. Park: What have you had to drink tonight?

Respondent: Nothing, Officer. Well, I had a margarita with dinner tonight, approximately two hours ago.

Sgt. Park: You haven't had anything out of that bottle of liquor right there on the passenger floorboard?

Respondent: No, that was from, I brought that up for last night and I threw it all in my bag. I threw it all in there (*inaudible*) I wasn't trying to conceal anything. I know that I'm not supposed to have it up here, I apologize for

that, but I have not been drinking that tonight. I had a glass of margarita and that's it.

Sgt. Park: OK, and when did you say that bottle was from?

Respondent: That's a brand-new bottle. I bought [Jim Beam whiskey] tonight on my way back about an hour ago when I wanted to stop. That one's [*pointing to the Evan Williams*] from last week. I threw it into my bag because I went up to my girlfriend's house and I knew we were going to have a few drinks and (*inaudible*) money's tight and I basically didn't want to have to buy a new one. And then, it should be in the trunk. I know, I apologize.

Sgt. Park: Ok, will you hand [the Evan Williams whiskey] that to me please?

Sgt. Park: And you haven't dumped any of this [Evan Williams whiskey] into that Pepsi?

Respondent: No.

Sgt. Park: So, if I use the PBT [preliminary breath test machine] with the sensor on it to go over drinks it's not going to have any indication that there's alcohol poured into that [Pepsi]?

Respondent: No.

Sgt. Park: Ok, I'm going to do that.

Respondent: Ok.

Sgt. Park asked Respondent to hand him the bottle of Pepsi and returned to his patrol car with the bottles of Pepsi and Evan Williams whiskey where he tested the liquid inside the Pepsi bottle for alcohol utilizing his preliminary breath test machine and a handheld microprocessor-driven alcohol testing instrument in passive mode. While Sgt. Park was testing the Pepsi bottle, another officer, Woodford County Deputy Seth Zehr, arrived on the scene. The preliminary breath test machine registered that the liquid in the Pepsi bottle was positive, meaning that the Pepsi bottle contained alcohol. Sgt. Park asked Respondent

to step out of his car and join him at the front of his squad car with Deputy Zehr. The following exchange then took place between Sgt. Park, Deputy Zehr, and Respondent:

Sgt. Park: All right, so, I'm looking for honesty here, ok?

Respondent: Yep.

Sgt. Park: I asked you if [the Pepsi bottle]this was going to come back with a positive indication for alcohol.

Respondent: Yea.

Sgt. Park: You told me no. It did.

Respondent: Ok.

Sgt. Park: So, let's try a little bit of honesty here.

Respondent: I'm sorry, I might have grabbed the wrong one, but I did not think that had alcohol in it. We had a number of those . . .

Sgt. Park: Where did you get this one?

Respondent: That one's from my girlfriend's house.

Sgt. Park: Which is where?

Respondent: Which is in Plainfield.

Sgt. Park: Ok, how far of a drive?

Respondent: I've been driving for about an hour and a half . . .

Sgt. Park: It's [The Pepsi bottle is] ice cold.

Respondent: Yep, well . . .that's where I got it from.

Sgt. Park: You touch it, I'm just asking your opinion, is that more than an hour's worth of driving cold?

Respondent: Sir, I'm telling you the truth here.

Sgt. Park: Deputy Zehr, what's your opinion on [the Pepsi bottle] that?

Deputy Zehr: That's pretty cold for an hour and a half drive.

Sgt. Park: Did somebody have mixed drinks that you say you might have grabbed the wrong one?

Respondent: Yea, that's what they were doing, we were doing last night, we were pouring mixed drinks, we put them all in the fridge, I thought I grabbed a clean Pepsi, I didn't think I grabbed one that had alcohol in it. That's the story, I'm sorry, I know it seems cool, but...

Sgt. Park: Yea, but this is Evan Williams [whisky] and Pepsi.

Respondent: Yea.

Sgt. Park: It's going to have a distinct different taste than just normal Pepsi.

Respondent: I haven't been drinking that Pepsi though; it was on the floorboard.

Sgt. Park: Right. Right next to the bottle.

Respondent: Yea, I threw everything, like, I grabbed my stuff . . .

Sgt. Park: So was this [the Pepsi bottle] like this [half consumed] when you got it?

Respondent: Yes.

6. Respondent's statements to Sgt. Park that he brought the bottle of Pepsi from his girlfriend's house in Plainfield, that he had not dumped whisky in the bottle of Pepsi, and that he had not been drinking the Pepsi with whisky as described in paragraph five, above, were false because Respondent had purchased the one-liter bottle of Pepsi after he left his girlfriend's home, added whiskey to the Pepsi bottle, and had been drinking the whiskey and Pepsi while driving prior to the traffic stop.

7. At the time Respondent made the statements to Sgt. Park described in paragraph five, above, he knew the statements were false.

8. Sgt. Park asked Respondent to perform field sobriety testing and Respondent refused. Sgt. Park then placed Respondent under arrest for suspicion of driving under the influence of alcohol.

9. After Sgt. Park placed Respondent under arrest, he asked Deputy Zehr to search and safeguard Respondent's car while waiting for a tow truck to transport it to Woodford County's impound lot.

10. Sgt. Park transported Respondent to Carle Hospital in Eureka and contacted the Woodford County assistant state's attorney on call to request a search warrant for Respondent's blood and urine.

11. At 11:18 p.m. on August 1, 2023, Sgt. Park received notice that a search warrant for Respondent's blood and urine had been issued. Sgt. Park brought Respondent into Carle Hospital in Eureka where a hospital employee collected Respondent's blood at 11:50 p.m. and his urine at 11:55 p.m. Sgt. Park then transported Respondent to the Woodford County Jail. The hospital sent the tests to the lab for analysis.

12. Deputy Zehr conducted a search of Respondent's Audi and located an orange container that contained a powdery substance underneath the driver's seat. Deputy Zehr returned to the Woodford County Jail with the orange container in a sealed evidence bag. Deputy Zehr met Sgt. Park and Respondent at the Woodford County Jail. Deputy Zehr asked Respondent if he knew anything about the orange container that had been located underneath the driver's seat in his Audi. Respondent stated he did not. Deputy Zehr attempted to field-test the white powdery substance with an ampoule test kit out of the direct view of Respondent. The ampoule test kit is carried by law enforcement officers to determine if a powdery substance contains any amount of an illegal drug compound. The test kit utilizes small vacuum sealed containers containing a clear liquid that will change color if mixed with cocaine. While Deputy Zehr was trying to test the powder,

Respondent asked: “Doesn’t there have to be enough powder left over to send to the lab?” Deputy Zehr could not get a conclusive reading with the ampoule test kit. Subsequently, Sgt. Park located a cocaine swipe field-kit, which uses a small white wipe soaked with a liquid that will turn the wipe a certain color if cocaine is present. Sgt. Park swiped the orange container that contained the powder. The swipe turned blue, indicating that the powdery substance in the orange container was cocaine.

13. Respondent’s statement to Deputy Zehr, described in paragraph 12, above, that he did not know anything about the orange container under the driver’s seat of his car was false because the orange container belonged to Respondent, he had placed the container under the front seat of his Audi, and he had consumed the majority of the cocaine that had been in the container prior to the traffic stop and his subsequent arrest.

14. At the time Respondent made the statement to Deputy Zehr described in paragraph 12, above, he knew the statement was false.

15. Sgt. Park issued Respondent citations for speeding, driving under the influence of alcohol, and illegal transportation of alcohol. The citation stated that Respondent was required to appear in court on September 6, 2023. After Respondent posted his driver’s license and \$100 cash bond, he was released from jail. On September 15, 2023, Sgt. Park sent Respondent an additional ticket charging Respondent with driving after the consumption of any amount of a controlled substance when the lab results confirmed the presence of cannabinoids and cocaine in Respondent’s blood and urine.

16. Respondent appeared *pro se* in Woodford County Circuit Court for his criminal traffic matter on September 6, October 6, and November 3, 2023. On November 3, 2023, the court entered an order continuing the criminal traffic matter to December 6, 2023 for a pre-trial hearing.

Respondent was aware of the December 6, 2023 court date because he was present in court when it was set and he was provided with a copy of the court's order by the court's clerk.

17. On December 6, 2023, Respondent did not appear in court for the pre-trial hearing. In Respondent's absence, the trial court issued a warrant for Respondent's arrest and entered an order setting a hearing on the state's attorney's motion for forfeiture of Respondent's bond for January 5, 2024 at 10:00 a.m. The circuit clerk emailed a copy of the trial court's order to Respondent at the email address that he had previously filed with the Woodford County circuit clerk and Respondent received the email.

18. On December 7, 2023, attorney Burt Dancey entered his appearance as counsel for Respondent in the criminal traffic matter and filed a motion to continue the matter, but did not set the motion for a hearing or file any additional pleadings.

19. On January 4, 2024, a Woodford County grand jury returned a one-count criminal indictment against Respondent charging him with one count of possession of a controlled substance, in violation of 720 ILCS 570/402(c), a Class 4 felony. Assistant state's attorney, C. Matthew Miller, set the arraignment on the indictment for January 5, 2024 at the same time and in the same courtroom as the previously scheduled pre-trial and bond forfeiture hearing for Respondent's criminal traffic matter. The circuit clerk sent notice of the indictment and arraignment setting to Respondent and Mr. Dancey by email, at the email addresses that Respondent and Mr. Dancey had previously filed with the circuit clerk.

20. After neither Respondent nor Mr. Dancey appeared in court on January 5, 2024, for the previously scheduled pre-trial hearing on the state's attorney's motion for bond forfeiture, as well as the arraignment on the indictment, the trial court granted the state's attorney's motion and ordered the bond that Respondent had previously posted in the criminal traffic matter be forfeited.

21. In September of 2025, 18 months later, Mr. Miller learned that Respondent was employed as an assistant public defender at the Office of the Will County Public Defender.

22. On Thursday, September 18, 2025, Mr. Miller caused a second felony warrant to issue for Respondent's arrest in Woodford County for his failure to appear at the January 5, 2024 arraignment. After the second warrant issued for Respondent's arrest, Mr. Miller notified the Will County Sheriff's Office of the warrants and requested that Will County Sheriff's Office arrest Respondent.

23. On September 18, 2025, a Will County sheriff's deputy contacted Respondent in the Will County courthouse and asked Respondent to turn himself in at the Woodford County Sheriff's Department. Respondent told the deputy that he would turn himself in at the Woodford County Sheriff's Department to avoid arrest.

24. As of September 19, 2025, Respondent had not turned himself in at the Woodford County Sheriff's Department, had not shown up to work at the Will County Public Defender's Office, nor appeared in court on September 19, 2025 for hearings that the trial court had previously scheduled for his client's cases.

25. On Friday, September 19, 2025, Will County sheriff's deputies went to Respondent's apartment to arrest him on the outstanding Woodford County warrants. When deputies first arrived, they met Respondent's fiancée at the door of the apartment building. Respondent's fiancée stated she would tell Respondent to leave the apartment and come talk to the deputies because she did not want the deputies to disturb their four-month-old baby. Respondent's fiancée went into the apartment and locked the door behind her. Respondent did not come out and talk to the deputies. The deputies knocked on Respondent's door for just over twenty minutes explaining that they had a warrant and that they would be forced to make entry if Respondent would not open the door. Respondent did not open the door. The deputies began breaching the

apartment door utilizing a battering ram, at which point Respondent finally unlocked and opened the door. Respondent was placed under arrest and transported to the Will County Jail. Woodford County sheriff's deputies later took custody of Respondent and transported him to the Woodford County Jail.

26. On January 21, 2026, Respondent pled guilty to one count of unlawful possession of a controlled substance, a Class 4 felony, in violation of 720 ILCS 570/402(c), and one count of driving a vehicle with any amount of a drug in a person's blood as a result of the unlawful consumption of a controlled substance, a Class A misdemeanor, in violation of 625 ILCS 5/11-501(a)(6).

27. On March 18, 2026, the Honorable Michael Stroh sentenced Respondent to 200 days in the Woodford County Jail, a 30-month period of conditional probation, and ordered him to pay \$500 in fines and costs. The terms of Respondent's probation required that he abstain from the consumption of alcohol and drugs, participate in drug and alcohol treatment, and wear an alcohol monitoring device until further order of the court.

28. Respondent did not notify the Administrator of his convictions described in paragraph 26, above, as required by Supreme Court Rule 761(a).

29. As a result of the conduct described above, Respondent has engaged in the following misconduct:

- a. knowingly disobeying obligations under the rules of a tribunal by conduct including failing to appear in court on December 6, 2023 and January 5, 2024, despite being ordered to appear by the trial court, failing to turn himself in to the Woodford County Sheriff's Department by September 19, 2025, when he knew warrants had been issued for his arrest, and failing to obey lawful orders of the Will County sheriff's deputies to open his door and forcing the deputies to begin to breach the door, in violation of Rule 3.4(c) of the Illinois Rules of Professional Conduct (2010);
- b. committing criminal acts that reflect adversely on an attorney's honesty, trustworthiness, or fitness as a lawyer in other respects by conduct including

committing the criminal offenses of possession of a controlled substance in violation of 720 ILCS 570/402(c), and driving a vehicle with any amount of a drug in the person's blood as a result of the unlawful consumption of a controlled substance in violation of 625 ILCS 5/11-501(a)(6) in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010);

- c. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation by conduct including making false statements to Woodford County Sheriff's Deputy Sgt. Park and Deputy Zehr on August 1, 2023, described in paragraphs five and 12, above, making a false statement to a Will County deputy on September 18, 2025, as described in paragraph 23, above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010); and
- d. engaging in conduct that is prejudicial to the administration of justice by conduct including failing to appear in court on December 6, 2023 and January 5, 2024 in Woodford County and failing to turn himself in to the Woodford County Sheriff's Department despite knowing that warrants were issued for his arrest, and failing to comply with the Will County sheriff's deputies' requests to open his apartment door, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator respectfully requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, that the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Lea S. Gutierrez, Administrator
Attorney Registration and Disciplinary Commission

By: 
Ann R. Pieper

Ann R. Pieper
Counsel for Administrator
3161 W. White Oaks Drive, Suite 301
Springfield, IL 62704
Telephone: (217)546-3523
E-mail: apieper@iadc.org
Email: ARDCeService@iadc.org
4937-8784-2993, v. 1