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## Gentleman Jim

J. Dickson Phillips Jr.

*United States Court of Appeals for the Fourth Circuit*

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## GENTLEMAN JIM

J. DICKSON PHILLIPS, JR.

Senior United States Circuit Judge

United States Court of Appeals

for the Fourth Circuit

When Judge James M. Sprouse came on this court by appointment of President Jimmy Carter on September 13, 1979, he brought to the court a wealth of legal experience as practicing trial lawyer and state appellate judge, great political acumen honed on the hustings in Wild-and-Wonderful West Virginia's special brand of electoral combat, high intelligence, and the obvious fruits of a fine post-World War II legal education at Columbia. He also brought rock-ribbed integrity, independence of mind and spirit, steadiness, devotion to duty, and consummate civility. These in combination have made him a great judge of this court and a blessing to all of us who have served with him on it.

As a year-earlier Carter appointee, I had anxiously awaited his advent on the court and I remember well the first time I saw him and my immediate physical impression. You couldn't fail to note the slightly relocated nose in the Jimmy Cagney visage, and I thought, "this fellow looks like he's been through a few wars." It of course turned out that he had: amateur boxing wars, World War II battles with the 104th Infantry Division in Europe, and, as noted, West Virginia political wars. I hope neither he nor June will be offended if I say that life had given him a slightly pugnacious look. As things developed, there was certainly an element of pugnacity there, and it has served him and the court well. But pugnacity surely is not his defining characteristic. Jim has not been a judge to be pushed around, but neither has he been one interested in pushing others around. As well as it can be done, he's kept his own counsel, avoided "entangling alliances," and kept his eye on the ball rather than on peripheral matters such as making points, "standing on principle," and the like. His opinions and

his intra-court correspondence have been models in this respect. They have studiously avoided acrimony, contentiousness, or even the occasional sly dig that is so hard for some of us to avoid. Courtesy and plain good manners have marked his work and his life on the court. His opinions have been well-crafted, intellectually sound, free of pretentious literary allusions and other flamboyances, and — from the standpoint of this admiring friend — almost invariably “right” on the merits.

In sum, in his deportment and in his work, Jim Sprouse has been a marvelous colleague and an adornment to our court and to the federal judiciary. He will be sorely missed and fondly remembered by all of us fortunate enough to have served with him.

Well done, old friend.