

Ex parte Cooper

Following the conviction of his client, an attorney failed to file a brief on appeal. The court issued an order to file an appeal by a given date. The attorney failed to file by the deadline. The court ordered the attorney to appear in court and explain his failure to comply with the court order. The attorney failed to appear and was cited for contempt. The contempt order was set aside on appeal because no show cause order was issued prior to entering the judgment of contempt and the failure to appear before a judge was considered to be indirect contempt, requiring notice and hearing before imposing punishment.