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Page 1 of 1

Attorney General's Office Announces Conviction and Sentence of Montgomery Attorney for Financial Exploitation of the Elderly

(MONTGOMERY) – The Attorney General's Office announced today the conviction and sentence of a Montgomery attorney on one count of financial exploitation of the elderly, a Class B felony. The charge against John Warren (J.W.) Godwin, 39, results from the misuse of his position as a guardian and conservator for an elderly military veteran in need of immediate and long-term care.

Earlier today, agents with the Attorney General's Office arrested Godwin, who pleaded guilty on information and was sentenced by the Montgomery County Circuit Court to a ten-year suspended sentence with five years' probation. The Attorney General's Office opened an investigation into Godwin's conduct in June 2022 after receiving information from a local bank that identified suspicious transactions from the victim's accounts. That investigation revealed that Godwin was court-appointed in 2018 to represent D.N., an elderly military veteran in need of emergency protective services who had no family to care for him.

As part of Godwin's plea agreement, he admitted that he recklessly breached his fiduciary duty to D.N. by failing to pay property taxes on his home. Godwin's breach led to D.N.'s property being sold to a third party at a tax sale. Godwin further breached his duty by recklessly failing to redeem that property within the statutory time period of three years. Because of his failure to reclaim the property, D.N.'s home was permanently lost.

As a condition of Godwin's plea, he agreed 1) to pay \$345,000 in restitution to the victim (the value of the home Godwin lost in the tax sale), 2) to permanently surrender his license with the Alabama State Bar, 3) to disclaim any and all bequests, interests, inheritances, and duties from any and all last wills and testaments of the victim, and 4) to pay all other court costs and fees. In exchange for Godwin's immediate cooperation, the State agreed to not bring any additional charges related to Godwin's service as a guardian and conservator.

Acting Attorney General (and Supernumerary District Attorney) Jill Lee thanked the attorneys and investigators of the Medicaid Fraud Control Unit and Special Prosecutions Division of the Attorney General's Office for their work on the case. Attorney General Marshall recused himself from this case early in the investigation due to Godwin's business association with former Attorney General Troy King.

