

IN THE ALABAMA COURT OF THE JUDICIARY



IN THE MATTER OF:)
ANITA KELLY) Court of the
Circuit Judge,) Judiciary – Case No.: 50
15th Judicial Circuit)

**JUDGE ANITA KELLY’S MOTION FOR ORDER SHORTENING TIME FOR
RESPONSE**

Judge Anita Kelly, pursuant to Rule 34(b), *Alabama Rules of Civil Procedure*, and Rule 10, Rules of Procedure for the Alabama Court of the Judiciary, moves the Court of the Judiciary for an Order shortening the time, until 12:00 noon on Thursday, August 31, 2017. for the Judicial Inquiry Commission (“JIC”) to respond to Judge Kelly’s First Request for Production. (Those requests, served this date, are marked as Exhibit “A” and annexed hereto.)

Judge Kelly has less than 30 days (i.e., 17 days) remaining to file her Answer to the Complaint in this case, which case will be prosecuted “as expeditiously as possible.” For Judge Kelly, time is of the essence; and the requested documents, notes, recordings, transcripts and other matters are necessary for her to prepare her defense in this case.

The requested items are in possession of JIC, and many of the items covered by the requests likely have previously been produced to Judge Kelly by JIC. Upon information and belief, identification of the remaining items and preparation of a written response are not likely to be overly burdensome to JIC, such that they would be able to produce the same to Judge Kelly within the shortened time frame requested.

Respectfully submitted, this 28th day of August, 2017.

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Attorney^s for Judge Anita Kelly

Certificate of Service

I hereby certify that a copy of the foregoing has been FILED electronically with the Court of the Judiciary and a copy of the same emailed and/or hand delivered to the person(s) shown below on this 28th day of August, 2017, as follows:

Billy C. Bedsole – Chairman
Mrs. Jennie Garrett – Executive Director
Rosa H. Davis, Esq.
William A. Gunter V, Esq.
Judicial Inquiry Commission
401 Adams Avenue, Suite 720
Montgomery, AL 36104

/s/ H. Lewis Gillis
OF COUNSEL

IN THE ALABAMA COURT OF THE JUDICIARY

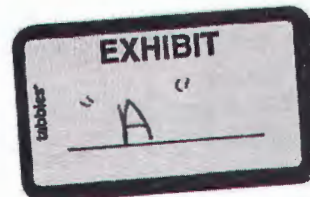
IN THE MATTER OF:)
ANITA KELLY) Court of the
Circuit Judge,) Judiciary – Case No.: 50
15th Judicial Circuit)

FIRST REQUEST FOR PRODUCTION

Judge Anita Kelly, pursuant to Rule 34, *Alabama Rules of Civil Procedure*, and Rule 10, *Rules of Procedure for the Alabama Court of the Judiciary*, submits her First Request for Production to the Judicial Inquiry Commission (“JIC”), for production of documents and other things as follows:

1. A copy of all recordings, statements, transcripts of testimony, or other documents generated or received from any witnesses or other persons with whom JIC has had contact regarding the above-styled case¹;
2. A copy of any and all subpoenas issued to any person or entity in regard to the above-styled case, and a copy of any notes, writings, statements, other forms of recording, and other documents generated in response to the issued subpoena, whether said notes, writings, statements, other forms of recordings, or documents were generated by the witness, JIC Staff or JIC attorneys, or others;
3. A list of all persons interviewed via telephone or in person regarding the above-styled case, and the subject or topic(s) covered in the interview with said persons, to include any note(s), summary(ies), written impressions, or statement(s) taken from all such persons;

¹ “Regarding the above-styled case” includes but is not limited to the investigation leading up to and resulting in the complaint filed in the Court of the Judiciary in this matter.



4. All exculpatory evidence in JIC's possession regarding the above-styled case.

Judge Kelly respectfully requests the above listed documents be produced immediately, i.e., not later than 12:00 noon on Thursday, August 31, 2017, as time is of the essence; and the requested statements, transcripts, recordings, and other documents and items are necessary for her to file her answer to the complaint in this matter, and for her to prepare her defense in this case. To the extent that it may be required, Judge Kelly is filing contemporaneously a motion to shorten the time for JIC to respond to this First Request for Production.

Respectfully submitted, this 28th day of August, 2017.

/s/ H. Lewis Gillis
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Attorneys for Judge Anita Kelly

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