



IN THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:

HENRY P. ALLRED
DISTRICT JUDGE
WALKER COUNTY, ALABAMA

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CASE NO. 53

JANUARY 2020 ORDER ON PENDING MOTIONS

A hearing was held on the record on January 6, 2020, to address pending motions and other matters. Without waiving any other objections that may be applicable at trial, the parties agreed that records from any juvenile court proceedings will be deemed to be authenticated. The parties will exchange copies of all exhibits which the party may use at trial (other than materials solely used for impeachment and not substantively) on or before January 13, 2020, and will prepare redacted copies of stipulated exhibits for the court reporter and Court. No briefs should be filed without permission.

Regarding the motions in limine and objections to exhibits lists, discussions were held on the record. The rulings below may not address all of the points made in the discussions, but should memorialize the general position of the Court on the matters. All orders are subject to reconsideration upon request at trial. Regarding many documents and proposed exhibits, it was noted that unless the parties stipulate and agree otherwise, Rule 43, Ala. R. Civ. P., requires that "[i]n all trials, the testimony of witnesses shall be taken orally and in open court."

1. Judicial Inquiry Commission's motion in limine regarding the September 14, 2018

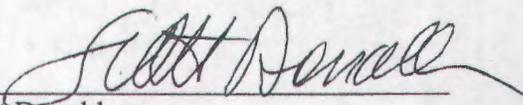
letter: Granted to the extent the letter is proposed to be used substantively or for the truth.

2. Judicial Inquiry Commission's objection to Judge Allred's witness list: The objections were reviewed individually at the hearing. For purposes of any letters or affidavits proposed to be used substantively, Rule 43 applies.

3. Judge Allred's motion in limine: The judgment in COJ case number 42 is not usable for conformity, but may be usable (if applicable) for other purposes under Alabama Rule of Evidence 404(b) and/or with respect to any sanction if any count is proven by clear and convincing evidence. It is not practical nor necessary to bifurcate the proceedings; however, upon request, the Chief Judge will give a limiting instruction to the Court regarding the proper and improper use of the prior adjudication.

4. Judge Allred's objections to the witness list of the Judicial Inquiry Commission: The use of any prior statements of witnesses to the proceedings is subject to, among other things, the application of Alabama Rule of Evidence 801(d).

This the 8th day of January, 2020.



Scott Donaldson
Chief Judge, Alabama Court of the Judiciary.