

BEFORE THE COURT OF THE JUDICIARY
OF ALABAMA



IN THE MATTER OF M. JOHN)
STEENSLAND, JR., RETIRED)
DISTRICT JUDGE OF HOUSTON) Court of the Judiciary
COUNTY IN THE TWENTIETH) Case No. 39
JUDICIAL CIRCUIT OF ALABAMA)

MOTION TO CONTINUE

COMES NOW Undersigned Counsel for M. John Steensland, Jr., Retired District Judge of Houston County, and files this Motion to Continue and as grounds therefore would say as follows:

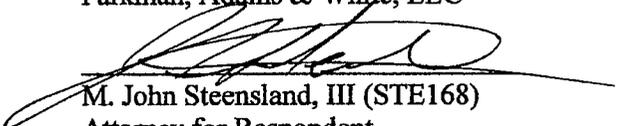
1. The trial in this matter is set to begin March 2, 2011 at 9:00 A.M.
2. On the afternoon of Friday, February 25, 2011, Undersigned Counsel received an email from counsel for the Judicial Inquiry Commission ("JIC"). Said email contained transcribed statements from four (4) witnesses. Said email also contained a copy of a 2004 complaint to JIC filed by a Beverly Walker and other related documents.
3. On Saturday, February 26, 2011, Undersigned Counsel received another email from JIC that contained two (2) more transcribed witness statements.
4. Said discovery totals approximately **139 pages**, including six (6) new witness statements. Further, said discovery has not previously been provided to Undersigned Counsel and it is not simply cumulative in nature. It contains new information from new witnesses interviewed by JIC. The Court's scheduling order instructed discovery to be completed ten (10) days prior to trial.
5. It appears two (2) of said statements were taken on February 17, 2011 but not provided to Undersigned Counsel until February 25, 2011. It appears four (4) others were taken on February 23, 2011 and provided to counsel on February 26, 2011.

6. Due to pressing family obligations, Undersigned Counsel did not have any opportunity to review the newly disclosed discovery during this past weekend. Further, it would be unfair and improper for JIC to argue that Undersigned Counsel could have used Saturday, February 26, 2011 and Sunday, February 27, 2011 to review the new discovery.
7. Undersigned Counsel cannot be adequately prepared for trial in this matter having just received on the eve of trial the amount of discovery referenced above. Undersigned Counsel still has not received hard copies of said discovery via US Mail. Further, it is impossible to obtain and listen to the audio recordings of these six (6) statements on such short notice.
8. It would be unfair, unjust, and contrary to the interests of due process not to allow Undersigned Counsel a continuance, even a short one, so that he may adequately review and determine what, if any actions, need to be taken once a thorough review of said discovery is completed.
9. While Undersign Counsel realizes that JIC has made certain travel arrangements for witnesses in the case, the importance of affording Judge Steensland a fair and just trial and due process is of far greater importance.

WHEREFORE, Steensland moves this Honorable Court to continue the trial currently set for March 2, 2011 for those reasons stated above.

Dated this the 28th day of February, 2011.

Parkman, Adams & White, LLC



M. John Steensland, III (STE168)

Attorney for Respondent

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and exact copy of the foregoing has been furnished via U.S. Mail postage prepaid to Thomas E. Harrison, 503 Government Street, Mobile, AL 36602, on this the 28th day of February, 2011.


Of Counsel