

BEFORE THE COURT OF THE JUDICIARY
OF
ALABAMA



In the Matter of)
PATRICIA D. WARNER,)
Former Circuit Judge of the) Court of the Judiciary
Fifteenth Judicial Circuit) Case No. 40
of Alabama)

Amended Motion Objecting To Issuance of Subpoena

The Respondent, former Judge Patricia Warner, has previously objected to the issuance of a subpoena by the Alabama Judicial Inquiry Commission ("AJIC") to Mr. Jimmie Clay Benson. In addition to the grounds set forth in her prior motion, the Respondent further objects because AJIC has failed to comply with Rule 45 of the Alabama Rules of Civil Procedure, which govern the proceedings in this case. Rule 45 requires a party to give fifteen days notice prior to the issuance of a subpoena and allows any party the right to object to the issuance of said subpoena.

AJIC has issued the subpoena in violation of Rule 45 and Respondent objects. If the given the opportunity, Respondent will object to the issuance of the subpoena in accordance with Rule 45.

Respectfully submitted,

s/ Charles A. Dauphin
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CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2011, I electronically filed the foregoing with the Court of the Judiciary of Alabama and served the following counsel by email:

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