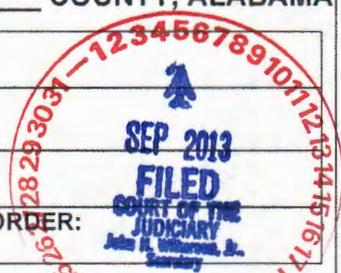


State of Alabama Unified Judicial System  Form ARAP-1 (front)      Rev.1/97	<b>NOTICE OF APPEAL TO THE</b> (Check appropriate block) <input type="checkbox"/> SUPREME COURT OF ALABAMA <input type="checkbox"/> COURT OF CIVIL APPEALS OF ALABAMA	Civil Action Number:  <b>COJ#43</b>
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IN THE \_\_\_\_\_ COURT OF \_\_\_\_\_ The Judiciary \_\_\_\_\_ COUNTY, ALABAMA

<b>APPELLANT</b>	Judge Dorothy Batiste
<b>V. APPELLEE</b>	The Judicial Inquiry Commission
<b>TRIAL JUDGE</b>	JIC Panel
<b>DATE OF JUDGMENT:</b>	August 6, 2013
<b>DATE OF POST – JUDGMENT ORDER:</b>	



**NOTICE IS HEREBY GIVEN THAT** Judge Dorothy Batiste \_\_\_\_\_ appeal(s) to the above-named court from the  Final Judgment  Order \_\_\_\_\_ Final Judgment entered in this cause. (describing it)

CHECK THE PROPER DESCRIPTION OF THE APPEALED CASE UNDER THE APPROPRIATE COURT:

<p style="text-align: center;"><b>SUPREME COURT</b></p> <p>1. <input type="checkbox"/> Summary Judgment, amount claimed more than \$ 50,000</p> <p>2. <input type="checkbox"/> Judgment Amount exceeds \$50,000</p> <p>3. <input type="checkbox"/> Amount Sought in trial court more than \$50,000, Judgment for defendant</p> <p>4. <input type="checkbox"/> Equitable Relief, except for domestic relations</p> <p>5. <input checked="" type="checkbox"/> Other: <u>Court of the Judiciary</u></p>	<p style="text-align: center;"><b>COURT OF CIVIL APPEALS</b></p> <p>1. <input type="checkbox"/> Summary Judgment, amount claimed \$ 50,000 or less</p> <p>2. <input type="checkbox"/> Judgment Amount \$50,000 or less</p> <p>3. <input type="checkbox"/> Amount Sought \$50,000 or less, judgment for defendant</p> <p>4. <input type="checkbox"/> Workmen's Compensation</p> <p>5. <input type="checkbox"/> Domestic Relations</p> <p>6. <input type="checkbox"/> Other: _____</p>
--	--

**APPELLANT FILES WITH THIS NOTICE OF APPEAL:**

1.  Security for costs of appeal

2.  A supersedeas bond in the amount of \$ \_\_\_\_\_

3.  Deposited cash security in the amount of \$ \_\_\_\_\_

4.  Is exempted by law from giving security for costs of appeal by virtue of Not a monetary judgment

Filed <u>9/5/13</u> (Date)	<u>1020 Ninth Ave. SW</u> Address <u>Bessemer, Alabama 35022</u> <u>2055658909</u> Telephone Number	Austin Burdick, Esq. Appellant or Attorney for Appellant Email <u>austin.burdick@gmail.com</u>
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CERTIFIED AS A TRUE COPY  
 \_\_\_\_\_  
 Circuit Clerk

**SECURITY FOR COSTS**

We hereby acknowledge ourselves security for costs of appeal. For the payment of all costs secured by this undertaking, we hereby waive our right of exemption as to personal property under the Constitution and laws of the State of Alabama.

Executed with our seals this \_\_\_\_\_ day of \_\_\_\_\_.

Filed and approved: \_\_\_\_\_ (Date) \_\_\_\_\_ (L.S.)  
 Appellant-principal

\_\_\_\_\_ (L.S.)  
 Surety

\_\_\_\_\_ (L.S.)  
 Surety

Circuit Clerk  
 (Amended November 9, 1976; October 1, 1991.)

**SUPERSEDEAS BOND**

We, the undersigned principal and sureties, hereby acknowledge ourselves bound unto \_\_\_\_\_ Dollars, for the payment of which we bind ourselves, and each other, our heirs, executors, (for amount of bond see Rule 8(a) and administrators, jointly and severally, and as part of this undertaking we hereby waive our rights of exemption as to personal property under the Constitution and laws of the State of Alabama.

WHEREAS, the above-named appellee (s) recovered a judgment against appellant (s) for the sum of \_\_\_\_\_ Dollars (and the further acts or duty \_\_\_\_\_) [describing judgment in addition to or other than for money only] \_\_\_\_\_ Dollars, the costs in that behalf expended.

NOW, therefore, the condition of the foregoing obligation is such that, if the appellant shall prosecute this appeal to effect, and satisfy such judgment, penalties, and costs including costs of appeal as may be rendered in this case, then the said obligation to be null and void, otherwise to remain in full force and effect.

Executed with our seals this \_\_\_\_\_ day of \_\_\_\_\_.

Filed and approved: \_\_\_\_\_ (Date) \_\_\_\_\_ Appellant-principal (L.S.)

\_\_\_\_\_  
Surety (L.S.)

\_\_\_\_\_  
Surety (L.S.)

\_\_\_\_\_  
Circuit Clerk

**EXECUTION OF JUDGMENT STAYED:**

Bond fixed at: \$ \_\_\_\_\_ (Not required for money judgment only.) \_\_\_\_\_ (L.S.)  
Circuit Judge

**DESIGNATION OF RECORD ON APPEAL**

DESIGNATION OF CLERK'S RECORD: Appellant requests the clerk to include the following checked materials in the clerk's record:

1.  Complaint
2.  Answer
3.  Counter-claim
4.  Cross-Claim
5.  Third-party Complaint
6.  Third-party Answer
7.  Motion to dismiss
8.  Pretrial order

9.  Entire record (less those items set forth in Rule 10 (a))
10.  Motion for summary judgment
11.  Opposition to motion for summary judgment
12.  Final (Judgment) (Order)
13.  Motion for New Trial
14.  Ruling on Motion
15.  Others: \_\_\_\_\_
16.  Exhibit Number: \_\_\_\_\_

**TRANSCRIPT STATUS**

- Transcript will not be ordered. [See Rule 10(b), ARAP.]  
 Transcript will be ordered. [See Rules 10(b)(2) and 11 (a)(2), ARAP. Form 1A or 1B.] Court reporter(s):  
 \_\_\_\_\_  
 \_\_\_\_\_

NOTE: If more than one court reporter was involved in this case, you must file a Transcript Purchase Order Form in compliance with Rules 10(b) and 11(c), Form 1A or 1B of the ARAP, for each court reporter.  
(Amended October 1, 1991.)

**CERTIFICATE OF FILING**

I certify that I have this date filed with the clerk of the trial court the original and 3 copies of the foregoing notice of appeal (along with \$ 200 docket fee), and such other instruments as have been completed and included herein. A true copy of each of these items will be served by the clerk of the trial court on each of the following:

- 1) Clerk of the appellate court, (the \$ 200 docket fee shall be transmitted with this filing) or affidavit of hardship.
- 2) Court Reporter.
- 3) Counsel for appellee, or appellee if no counsel.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_

DATED this 5 day of September, 2013.

\_\_\_\_\_  
s/Austin Burdick

\_\_\_\_\_  
Attorney for Appellant

(Amended October 1, 1991.)

**State of Alabama Unified Judicial System**  
**Form ARAP-24 (front) 1/97**

**DOCKETING STATEMENT**  
**Appeal to the Supreme Court of Alabama**  
*NOTE: completed Civil Case Cover Sheet must be attached*

**Appellate Case Number**  
 (to be filled in by appellate court)

COUNTY Court of Judiciary CIVIL ACTION NUMBER COJ#43 TRIAL JUDGE COJ

**I. PARTY/ PARTIES FILING APPEAL (Appellant):** Judge Dorothy Batiste  
**APPELLANT'S ATTORNEY:** Austin Burdick ( 205 ) 565-8909  
 1020 Ninth Ave. SW Bessemer Alabama Telephone Number 35022  
 Address City State Zip Code

**II. PARTY/ PARTIES APPEALED APPEAL (Appellee):** Judicial Inquiry Commission  
**APPELLEE'S ATTORNEY:** Griffin Sykes ( 334 )  
 401 Adams St. Montgomery Alabama Telephone Number 36104  
 Address City State Zip Code

**III. APPELLANT IS THE TRIAL COURT:**  Plaintiff  Defendant  Other **IV. IS THIS A CROSS-APPEAL?**  Yes  No

**V. RELIEF AWARDED/REQUESTED:** please check the appropriate block (s):  
 A.  Monetary damages were either sought or awarded, as set out below:  
 1. Compensatory damages were: (a)  awarded in the amount of \$ \_\_\_\_\_; (b)  not awarded, but sought in the amount of \$ \_\_\_\_\_; (c)  sought, but not awarded - the amount sought was not specified in the complaint.  
 2. Punitive damages were: (a)  awarded in the amount of \$ \_\_\_\_\_; (b)  not awarded, but sought in the amount of \$ \_\_\_\_\_; (c)  sought, but not awarded - the amount sought was not specified in the complaint.  
 3. A general award of damages ( not differentiating between compensatory and punitive) was: (a)  made in the amount of \$ \_\_\_\_\_; (b)  not made, but sought in the amount of \$ \_\_\_\_\_; (c)  sought, but not made - the amount sought was not specified in the complaint.  
 4. Other monetary damages (Type: \_\_\_\_\_ ) were: (a)  awarded in the amount of \$ \_\_\_\_\_; (b)  not awarded, but sought in the amount of \$ \_\_\_\_\_; (c)  sought, but not awarded - the amount sought was not specified in the complaint.  
 5. Was there a remittitur or additur at issue in the trial court?  Yes  No  
 (if yes, please provide the details in the "FACTS" section on the back of this form)  
 B.  Equitable and/or declaratory relief was sought in the trial court  
 C.  Other  
 (Please provide in the details of the issue(s) before the Court in the "ISSUES" section on the back of this form.)



**VI. TYPE OF JUDGMENT OR ORDER APPEALED. (Please check one):**  
 A  Judgment based on a jury Verdict D  Order granting a New Trial G  Dismissal  
 B  Judgment based on a Non-jury Decision E  Judgment as a Matter of Law H  Default Judgment  
 C  Judgment Notwithstanding the Verdict (JNOV) F  Summary Judgment I  Other

**VII. IF THE CASE WENT TO TRIAL, HOW MANY DAYS DID THE TRIAL TAKE?** \_\_\_\_\_

**VIII. FINALITY OF JUDGMENT:** Date of entry of judgment or order appealed from: August 6 2013  
 Month Day Year  
 1. Is the judgment or order appealed from in compliance with rule 58, A.R.Civ.P.?  Yes  No  
 2. Does the order appealed from constitute a disposition of all claims as to all parties?  Yes  No  
 3. If not, did the trial court enter an order intended to make the order final pursuant to rule 54(b)?  Yes  No  
 4. If the trial court intended to make the order appealed from final pursuant to rule 54 (b), did the court in the Rule 54 (b) order expressly determine that there was no just reason for delay and expressly direct that final judgment be entered?  Yes  No  
 5. If the answer to question 2 is "NO", and the trial court did not make the order final by full compliance with Rule 54(b), please explain the basis for seeking appellate review and cite the authority for this appeal:  
 \_\_\_\_\_

**IX. POST-JUDGMENT MOTIONS:** List all post-judgment motions by date of filing, type, and date of disposition (whether by trial court order or by the provisions of Rule 59.1, A.R.Civ.P.):

DATE OF FILING			TYPE OF POST-JUDGMENT MOTION	DATE OF DISPOSITION		
Month	Date	Year		Month	Date	Year

Form ARAP-25 (back)	1/97	<b>DOCKETING STATEMENT Appeal to the Supreme Court of Alabama</b>	
<b>X. CONSTITUTIONAL ISSUES:</b>		1. Are the provisions of Rule 44, A.R.App.P., applicable to this appeal? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	2. If so, have the provisions been complied with? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>
<b>XI. NATURE OF CASE ON APPEAL:</b> In the left column of boxes preceding the categories listed below, check the box ( <u>check only one</u> ) that best describes or categorizes the basis or theory of the primary issue on appeal. In the right column of boxes, check any secondary theories that are applicable to the suit.			
<b>TORTS:</b> 01 <input type="checkbox"/> Bad Faith 02 <input type="checkbox"/> Fraud 03 <input type="checkbox"/> Legal Malpractice 04 <input type="checkbox"/> Medical Malpractice 05 <input type="checkbox"/> Other Malpractice 06 <input type="checkbox"/> Products/AEMLD 07 <input type="checkbox"/> Negligence (Vehicular) 08 <input type="checkbox"/> Negligence (Gen./other) 09 <input type="checkbox"/> Personal Property	10 <input type="checkbox"/> Real property 11 <input type="checkbox"/> Wrongful Death (All Types) 12 <input type="checkbox"/> Wantonness 13 <input type="checkbox"/> Conversion 14 <input type="checkbox"/> Wrongful Employ Termination 15 <input type="checkbox"/> Premises Liability 16 <input type="checkbox"/> Outrage 29 <input type="checkbox"/> Other: _____ <b>CONTRACTS</b> 30 <input type="checkbox"/> Commercial	31 <input type="checkbox"/> Personal 32 <input type="checkbox"/> Pension 33 <input type="checkbox"/> Insurance 34 <input type="checkbox"/> Employment 38 <input type="checkbox"/> Other: _____ <b>OTHER:</b> 40 <input type="checkbox"/> Real Property 41 <input type="checkbox"/> Civ Rights (Prisoner) 42 <input type="checkbox"/> Civil Rights (Other) 43 <input type="checkbox"/> Wills/Trusts/ Estates	44 <input type="checkbox"/> Declaratory judgment 45 <input type="checkbox"/> Injunction (Commercial) 46 <input type="checkbox"/> Injunction (Employment) 47 <input type="checkbox"/> Injunction (Other) 48 <input type="checkbox"/> Extraordinary Writ 49 <input type="checkbox"/> Pub. Service Comm 50 <input type="checkbox"/> RR/Seaman(FELA) 51 <input type="checkbox"/> RICO 99 <input checked="" type="checkbox"/> Other: <u>JIC</u>
<b>XII. APPELLATE REVIEW:</b> Please take notice that your case may be initially reviewed by the Court of Civil Appeals. Pursuant to § 12-2-7, <i>Code of Alabama 1975</i> , the Supreme Court has the authority to transfer any civil case within its jurisdiction to the court of Civil Appeals, except cases presenting a substantial question of federal or state constitutional law; cases involving a novel legal question, the resolution of which will have significant statewide impact; utility rate cases appealed pursuant to § 31-1-140, <i>Code of Alabama 1975</i> , bond validation cases appealed pursuant to § 6-6-754, <i>Code of Alabama 1975</i> , or Alabama State bar disciplinary proceedings.			
If you believe this case should not be transferred to the Court of Civil Appeals, please state with specificity the reason(s) why it should <u>not</u> be transferred, referring to pertinent sections of § 12-2-7. Reasons should be supported in the ISSUES and FACTS sections of this docketing statement.			
<u>The Supreme Court has exclusive jurisdiction over this matter.</u> _____ _____			
<b>XIII. ISSUES:</b> Briefly summarize the issue(s) on appeal.			
<p style="margin-left: 40px;">The Court of the Judiciary's order is plainly and palably wrong and not based on the evidence presented. The issues raised at the trial were such that could have been raised through appellate or mandamus review of the complained of rulings. The Court of the Judiciary lacks jurisdiction to review legal conclusions of a trial court judge. Errors of law are not proper for review by the Court of the Judiciary.</p>			
<b>XIV. FACTS:</b> without argument, briefly summarize the facts to inform the court of the nature of the case.			
<p style="margin-left: 40px;">The Court of the Judiciary undertook to review the legal decisions of a trial court. The proper avenue for redress of alleged errors of law is appellate or mandamus review. It is beyond the scop of authority granted to the Court of the Judiciary to review alleged errors of law made by the trial court. Judicial Immunity applies and the trial court judge is immune from prosecutions for errors of law.</p>			
9/5/13 _____ <small>Date</small>		s/Austin Burdick _____ <small>Signature of Attorney/Party Filing this Form</small>	

State of Alabama Unified Judicial System  Form ARAP-1A      Rev. 8/91	<b>TRANSCRIPT PURCHASE ORDER          OF APPELLANT – CIVIL</b>  <i>(See Rules 10(b) and 11(a) of the Alabama Rules of Appellate Procedure)</i>	<b>Appellate Case Number</b> (To be filled in by appellate court)  <hr/>
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APPELLANT	<b>Judge Dorothy Batiste</b>
v. APPELLEE	<b>Judicial Inquiry Commission</b>

Civil Action Number	COJ#43	Trial Judge	The Court of the Judiciary
Court Reporter	County	Date of Notice of Appeal 9/5/13	

**PART I. TO BE COMPLETED AND FILED WITH THE COURT REPORTER BY APPELLANT WITHIN 7 DAYS OF THE FILING OF THE NOTICE OF APPEAL.**

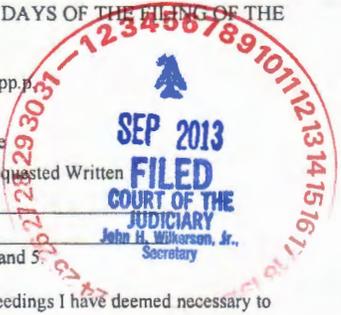
A. Request is hereby made to the reporter for a transcript of the following proceedings (give particulars):  
 NOTE: exhibits are included in the clerk's record and need not be specified - see Rule 10 (b)(1), A.R.App.p.

<input checked="" type="checkbox"/> Entire Transcript	<input type="checkbox"/> Oral Charges to the Jury
<input type="checkbox"/> Testimony of Plaintiff	<input type="checkbox"/> Objection to Oral Charge
<input type="checkbox"/> Testimony of Defendant	<input type="checkbox"/> Objection to Refused Requested Written Charge(s), Numbers
<input type="checkbox"/> Testimony of Witness _____	<input type="checkbox"/> Others: _____
<input type="checkbox"/> Testimony of Witness _____	

NOTE: Unless the entire transcript is ordered, appellant must attach a statement of the issues to pages 4 and 5.

B. I CERTIFY that I HAVE paid the Court Reporter the estimated cost of transcribing that part of the proceedings I have deemed necessary to be included in the record.

9/5/13      Please Provide Estimated Cost      205.565.8909  
 Date      Signature      Telephone Number



NOTE: Upon Completion of PART I, appellant should distribute pages as follows:

* Pages 1, 2 and 3 – Court Reporter	Page 4 – Trial Court	Pages 5 – Appellee	Pages 6 – Retained by appellant
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**PART II. TO BE COMPLETED BY COURT REPORTER ON SAME DATE TRANSCRIPT PURCHASE ORDER IS RECEIVED.**

A.

Date Transcript Purchase Order Received	Estimated Completion Date
Estimated Number of Pages	Estimated Cost

B. I CERTIFY THAT  I HAVE  I HAVE NOT (Check one) been paid the estimated cost of the transcript.

\_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_  
 Date      Signature      Telephone Number

NOTE: Upon Completion of PART II, Court Reporter should distribute pages as follows:

* Pages 1 and 2 – Retained by the Court Reporter	Pages 3 – Transmitted to the Appropriate Appellate Court on Same Date Transcript Purchase Order is Received.
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**PART III. CERTIFICATE OF COMPLETION OF REPORTER'S TRANSCRIPT**

NOTE: This is to be completed by court reporter on date of filling of transcript in trial court. On the day of completion, this certificate must be forwarded to the appropriate appellate court (page 2) and copies thereof shall be served on the clerk of the trial court and each of the parties.

I CERTIFY that I have this date completed and filled with the clerk of the trial court the original of a true and correct transcript of the evidence and matters designated by the parties. All pages are numbered serially in the upper right corner of the pages, prefaced by an index, and ending with the following number: \_\_\_\_\_

I CERTIFY that photocopies of this certificate are this date being served on the clerk of the trial court and each of the parties, along with a copy of the index (with copies of the transcript as ordered).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Court Reporter

NOTE: Upon Completion of PART III, Court Reporter should distribute pages as follows:

* Pages 1 - Retained by the Court Reporter	Pages 2 – Transmitted to the Appropriate Appellate Court
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* Distribution Code:	Page 1: White	Page 2: Blue	Page 3: Green	Page 4: Canary	Page 5: Pink	Page 6: Goldenrod
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