



IN THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:

CASE NO. 46

ROY S. MOORE,  
Chief Justice  
Supreme Court of Alabama

MOTION FOR ADMISSION  
PRO HAC VICE AND  
DESIGNATION OF LEAD  
COUNSEL

The undersigned attorneys, MATHEW D. STAVER ("Staver") and HORATIO G. MIHET ("Mihet"), respectfully move the Court of the Judiciary for leave to appear *pro hac vice* in this matter on behalf of Hon. Roy S. Moore, Chief Justice of the Supreme Court of Alabama ("Chief Justice Moore"), and in support hereof show the Court as follows:

1. Attorneys Staver and Mihet are employed by Liberty Counsel, a non-profit public interest legal firm. Attorney Staver is Liberty Counsel's Founder and Chairman. Attorney Mihet is Vice President of Legal Affairs and Chief Litigation Counsel. Their business address is P.O. Box 540774, Orlando, FL 32854. Their phone number is 407-875-1776, and their fax number is 407-875-0770. Their respective email addresses are court@lc.org and hmihet@lc.org.

2. Attorneys Staver and Mihet are members in good standing of the Florida Bar, as reflected in their attached

respective Certificates of Good Standing issued on May 3, 2016, and of the following additional Bars:

a. Attorney Staver: District of Columbia; United States Supreme Court; United States Court of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh and D.C. Circuits; and United States District Court for the Northern, Middle and Southern Districts of Florida, the Eastern and Western District of Wisconsin, the Southern District of Texas, the Eastern and Western Districts of Arkansas, the Western District of Michigan, the District of Colorado, and the District of Columbia.

b. Attorney Mihet: State of Ohio; United States Supreme Court; United States Court of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth and Eleventh Circuits; and United States District Court for the Northern, Middle and Southern Districts of Florida, and the Northern and Southern Districts of Ohio

3. Attorneys Staver and Mihet have never been disbarred, suspended or otherwise disciplined by any of the Bars or governing professional bodies to which they belong.

4. Attorneys Staver and Mihet agree to be bound by this Court's jurisdiction, to follow all of this Court's applicable rules and regulations, including the Alabama Rules of Professional Conduct, and to be subject to this Court's discipline authority.

5. Attorneys Staver and Mihet are not residents of the State of Alabama, and do not regularly engage in the practice of law in the State of Alabama.

6. In the past three years, Attorneys Staver and Mihet and one additional Liberty Counsel attorney were granted leave to appear *pro hac vice* on behalf of the petitioner in *Ex parte State of Alabama ex rel. Alabama Policy Institute*, Case No. 1140460, Alabama Supreme Court. Attorney Staver and one additional Liberty Counsel attorney have also previously appeared on behalf of Chief Justice Moore in a case currently under seal at the Alabama Supreme Court.

7. Attorneys Staver and Mihet have associated with the undersigned local counsel who is a permanent member in good standing of the Alabama Bar: Phillip L. Jauregui ("Jauregui") (Ala. Bar No. 9217-G43P), Judicial Action Group, 1015 15<sup>th</sup> Street NW, Suite 1100, Washington, DC 20005. His phone number is 202-216-9309, and his e-mail address is

plj@judicialactiongroup.com. Attorney Jauregui has entered his appearance on behalf of Chief Justice Moore in this matter, and agrees to be jointly responsible with Attorneys Staver and Mihet for the handling of this case.

8. Also, pursuant to Rule VII.F, undersigned attorneys designate Attorney Staver as lead counsel. In addition, the undersigned attorneys request that all counsel of record for Chief Justice Moore, including local counsel with whom the undersigned have associated, Attorney Jauregui, be served with all filings and other papers in this case.

WHEREFORE, for good cause shown, Attorneys Staver and Mihet respectfully request that this motion be granted, and that they be granted leave to appear as counsel for Chief Justice Moore in this cause only.

Respectfully Submitted,

s/ Phillip L. Jauregui

**Phillip L. Jauregui**

Ala. Bar No. 9217-G43P

Judicial Action Group

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(202) 216-9309 (tel)

Dated: May 26, 2016

*Attorneys for Hon. Roy S. Moore,  
Chief Justice of the Supreme  
Court of Alabama*

s/ Mathew D. Staver

**Mathew D. Staver**

Fla. Bar No. 0701092

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s/ Horatio G. Mihet

**Horatio G. Mihet**

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**LIBERTY COUNSEL**

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(407) 875-1776 (tel)

(407) 875-0770 (fax)

# Supreme Court of Florida

## Certificate of Good Standing

*I JOHN A. TOMASINO, Clerk of the Supreme Court of the State of Florida, do hereby certify that*

**MATHEW DUANE STAVER**

*was admitted as an attorney and counselor entitled to practice law in all the Courts of the State of Florida on October 6, 1987, is presently in good standing, and that the private and professional character of the attorney appear to be good.*

*WITNESS my hand and the Seal of the*

*Supreme Court of Florida at Tallahassee,*

*the Capital, this May 3, 2016.*



A handwritten signature in black ink, appearing to read "J. A. Tomasino", is written over a horizontal line.

*Clerk of the Supreme Court of Florida.*

# Supreme Court of Florida

## Certificate of Good Standing

*I JOHN A. TOMASINO, Clerk of the Supreme Court of the State of Florida, do hereby certify that*

**HORATIO GABRIEL MIHET**

*was admitted as an attorney and counselor entitled to practice law in all the Courts of the State of Florida on September 21, 2006, is presently in good standing, and that the private and professional character of the attorney appear to be good.*

*WITNESS my hand and the Seal of the  
Supreme Court of Florida at Tallahassee,  
the Capital, this May 3, 2016.*



A handwritten signature in black ink, appearing to read "J. A. Tomasino", is written over a horizontal line.

*Clerk of the Supreme Court of Florida.*

CERTIFICATE OF SERVICE

I certify that I have this 26th day of May, 2016, served a copy of this motion by e-mail and regular mail, as follows:

John L. Carroll  
Rosa H. Davis  
Judicial Inquiry Commission of the State of Alabama  
401 Adams Avenue, Suite 720  
Montgomery, AL 36104  
jic@jic.alabama.gov  
RosaH.Davis@jic.alabama.gov

s/ Phillip L. Jauregui  
Phillip L. Jauregui  
*Attorney for Hon. Roy S.  
Moore, Chief Justice of the  
Supreme Court of Alabama*