



**IN THE MATTER OF:
ROY S. MOORE
Chief Justice, Supreme Court of Alabama**

ORDER

Chief Justice Roy S. Moore has pending before this Court (1) a motion to dismiss filed on June 21, 2016, and (2) a motion filed on June 23, 2016, for oral argument before the entire Court on the motion to dismiss.

The motion to dismiss, having been filed pursuant to Rule 12(b)(6), Ala. R. Civ. P., includes evidentiary submissions by the Chief Justice as well as other exhibits. This Court is treating the motion to dismiss as a motion for a summary judgment pursuant to Rule 56, Ala. R. Civ. P. See Rule 10, R.P. Ala. Ct. Jud. ("Except where inappropriate, or otherwise provided for by these rules, the provisions of the Alabama Rules of Civil Procedure ... shall govern proceedings before the court"); Rule 12(b)(6), Ala. R. Civ. P. ("If, on a motion asserting the defense numbered (6) to dismiss for failure of the pleading to state a claim upon which relief can be granted, matters outside the pleading are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 56,

and all parties shall be given reasonable opportunity to present all material made pertinent to such a motion by Rule 56.").

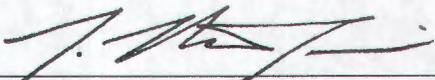
Accordingly, this Court orders the following:

1. The Judicial Inquiry Commission ("the Commission") is given until 5:00 p.m. on July 15, 2016, to file (a) any brief and materials opposing the Chief Justice's motion for a summary judgment and (b) any other related motion, responsive pleading, or a cross-motion seeking summary disposition of this matter.
2. The Chief Justice, should he elect to file a reply or other responsive pleading to any filings submitted by the Commission on or before July 15, 2016, shall file such reply or other responsive pleading by 5:00 p.m. on July 22, 2016.
3. The Chief Justice's motion for a summary judgment, as well as any motion subsequently filed by the Commission, shall be heard before the Court of the Judiciary on August 8, 2016, at 1:30 p.m. in the Alabama Supreme Court Courtroom, 300 Dexter Avenue, Montgomery, Alabama. Each party shall be allowed 30 minutes for argument at that hearing.
4. Should any issue or issues remain after the Court rules on the matters addressed at the August 8, 2016, hearing, a final hearing, including a trial if necessary, will be set.

Members of this Court have received an increasing number of phone calls and emails about this case from members of the public. These points of contact have come primarily from individuals expressing support for the Chief Justice. Although this Court does not have reason to believe that the Chief

Justice has encouraged members of the public to initiate contact with this Court, the Court nevertheless encourages the parties to in fact discourage such contact. Members of this Court, as the parties are well aware, are prohibited by the Canons of Judicial Ethics from any public comment about a pending proceeding in the Court of the Judiciary. The Court would remind the parties, as well as the public, that its members serve without compensation, and the Court simply does not have the resources to respond to every request for information by members of the public. All publicly available filings with this Court and orders of this Court are posted on its website, typically within hours of filing.

ORDERED this 27th day of June, 2016.



J. MICHAEL JOINER
CHIEF JUDGE
COURT OF THE JUDICIARY