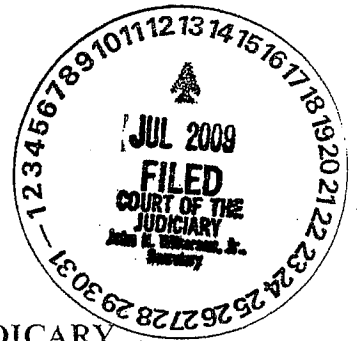


BEFORE THE COURT OF THE JUDICIARY
OF
ALABAMA



IN THE MATTER OF MARVIN
W. WIGGINS, Circuit Judge of
The Fourth Judicial Circuit
of Alabama

§
§
§
§

COURT OF THE JUDICIARY
CASE NO.: 37

ANSWER

COMES NOW, Marvin W. Wiggins, Circuit Court Judge, Fourth Judicial Circuit of Alabama, by and through counsel and submits the following as his answer to the complaint filed in the above styled matter. There are certain factual recitations in the complaint which Judge Wiggins can neither admit nor deny; however, Judge Wiggins can admit and stipulate that the facts as outlined in the complaint will be what the Judicial Inquiry Commission will present to the Court Of The Judiciary. Judge Wiggins ANSWERS, as follows:

1. Admit
2. Judge Wiggins admits all the allegations of paragraph 2 of the complaint except that portion of the paragraph regarding the "42 percent of votes cast by absentee ballot," to elect Senator Bobby Singleton. Judge Wiggins is without knowledge or information sufficient to form a belief as to the truth of the percentage of votes stated in the averment.
3. Judge Wiggins is without knowledge or information sufficient to form a belief as to the truth of the averment, except as to rumor when the Attorney General started his investigation into these matters.
4. Admit

5. Judge Wiggins admits he granted the motion to convene a special grand jury. He is without information or knowledge sufficient to form a belief as to the truth or extent of the investigation the attorney general was conducting.

6. Judge Wiggins admits that indictments were returned by the grand jury; he is without knowledge or information sufficient to form a belief as to the truth of the averment when the Attorney General's investigation commenced.

7. Admit

8. Judge Wiggins was not present at the Judge William A. Ryan proceedings for handwriting exemplars and he can neither admit nor deny the averments.

9. Admit

10. Admit

11. Admit, except that Coleman amended her motion to cover additional matters.

12. Admit, except that Judge Wiggins only knew through rumor what the grand jury was investigating

13. Admit, except that Judge Wiggins more accurately "stayed" process of giving handwriting exemplars until a later hearing. Judge Wiggins ruling was ex parte, he did not, however, have an ex parte meeting with anyone.

14. Admit

15. Admit, except that on information and belief the regular process of random selection and reassignment, if necessary, was followed by the clerk.

16. Admit, except see paragraph 13, above.

17. Admit

18. Admit

19. Admit

20. Admit

21. Admit, except that the portion of the transcript cited does not outline all of

the transcript's statements on the subject.

22. Admit

23. Admit

24. Admit

25. Admit

26. Admit

27. Admit

28. Admit

29. Admit, except that the Court of Criminal Appeals ordered the recusal

within 21 days from the date of its order, that is, not later than March 26, 2008.

CHARGES

CHARGE ONE

30. Judge Wiggins denies charge one of the complaint.

CHARGE TWO

31. Judge Wiggins denies charge two of the complaint.

CHARGE THREE

32. Judge Wiggins denies charge three of the complaint.

CHARGE FOUR

33. Judge Wiggins denies charge four of the complaint.

CHARGE FIVE

34. Judge Wiggins denies charge five of the complaint.

CHARGE SIX

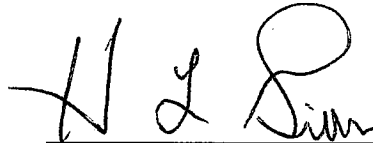
35. Judge Wiggins denies charge six of the complaint.

CHARGE SEVEN

36. Judge Wiggins denies charge seven of the complaint.

Judge Wiggins reserves the right to amend his answer and the right to assert any affirmative defense to the allegations of this complaint.

Respectfully submitted this the 13th day of July, 2009.



H. LEWIS GILLIS

Attorney for Judge Marvin W. Wiggins

OF COUNSEL:

THOMAS, MEANS, GILLIS & SEAY, P.C.

3121 Zelda Court

P.O. Drawer 5058

Montgomery, Alabama 36106

(334) 270-1033

(334) 260-9396 (fax)

SOLOMON S. SEAY, JR. ESQ.

P.O. Box 210998

3200 Old Wetumpka Hwy

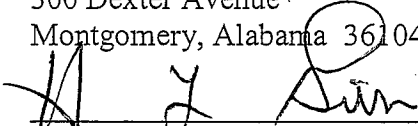
Montgomery, Alabama 36110

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon the following by placing a copy of same in the United States mail, postage prepaid and properly addressed this the 13th day of July, 2009.

Randall L. Cole, Esq.
Judiciary Inquiry Committee
300 Dexter Avenue
Montgomery, Alabama 36104-3741

Doug Jones, Esq.
Judiciary Inquiry Committee
300 Dexter Avenue
Montgomery, Alabama 36104-3741



OF COUNSEL