

case, the pending issue of sanctions available against Judge Steensland, and the law submitted by the Commission in support of its Motion, none of Judge Steensland's arguments has any merit, and this Court should not reconsider its Order Granting Costs.

Statement of Facts

1. On December 14, 2010, the Commission filed its Complaint against Judge Steensland in this Court. Its seven counts encompassed sixty charges.

2. On that same date, after the Complaint was filed, Judge Steensland unilaterally issued a press release announcing a resolution to the complaint filed against him by Stacie R. ("Ms. R") and to the Commission's subsequent investigation of her complaint. See Ex. A. In his press release, Judge Steensland proclaimed he had admitted to the Commission that his treatment of Ms. R (charged in Count I) was misconduct, but he falsely (as subsequently established at the trial of this matter) depicted the circumstances of that mistreatment and explained his verdict finding her

guilty. More specifically, his press release states,
in part:

Retired Houston County District Court judge John Steensland has announced a resolution to the complaint and subsequent investigation regarding the judge placing a lady in custody after she was found guilty of a speeding violation. Steensland admitted to the Judicial Inquiry Commission (Commission) that it was misconduct and that he was wrong

....

The Commission felt compelled to further investigate the matter by attempting to contact virtually everyone who had been in Steensland's court in the last several years and as far back as fourteen years ago to find people who felt mistreated by Steensland or who "had a bone to pick" with Steensland or the court system.

Although many people gave statements of praise about Steensland's service as a judge, several people were dissatisfied with their court appearance and some gave perceptions of what occurred in court, which the Commission took as the truth even though other attorneys and observers gave a different and contradictory account of what occurred. Numerous affidavits and recorded statements were filed with the Commission stating that Steensland conducted court properly on the occasions in question, but the Commission chose to believe those who were dissatisfied with Steensland. "I deeply regret that anyone who appeared before me in court felt that justice was not served. If anyone's appearance in court was met with offensive or less than judicial demeanor from me, I ask for your forgiveness," Steensland said.

Since Steensland has retired from the bench and does not seek to serve as a judge again, he chose to consent/agree to the Commission's eighty-five

page complaint even though many of the allegations and statements attributed to Steensland might not survive cross examination. Steensland stated, "When you have retired and moved on with your life, I feel it is better to go ahead and resolve the complaint even though many disputed allegations and misquotes were contained in the complaint." The complaint of the Judicial Inquiry Commission along with the resolution agreement between the Commission and Steensland shall be filed with the Court of the Judiciary for a final disposition of the matter.

(Emphasis added.) Judge Steensland delivered his press release to the Dothan Eagle news agency, which cited portions of that press release in its December 15, 2010 update to its December 14, 2010 article "Judicial Commission files complaint against Steensland." See Ex. B. The press release, in its entirety, was also disseminated by several websites, e.g., DothanFirst.com and RickeyStokesNews.com.

3. Despite Judge Steensland's proclamation that he and the Commission had reached a resolution, no joint alternate-dispute-resolution motion, pursuant to Rule 10,¹ Rules of Procedure of the Judicial Inquiry

¹Rule 10.A states the following:

At any time during the pendency of a charge or investigation but more than 10 days before the trial, the judge being charged or investigated may demand, and the whole commission must conduct, a hearing

Commission, was subsequently filed in this Court, and, on December 21, 2010, the Commission filed a Motion to Set Trial Date in this Court.

4. Shortly thereafter, on January 5, 2011, Judge Steensland's counsel withdrew from representing him.

5. On January 19, 2011, this Court set the case for trial on February 24, 2011. After multiple continuances pursuant to requests by Judge Steensland, the trial was set for April 20, 2011. On April 14, 2011, Judge Steensland's new attorney, Mr. Bill Baxley ("Mr. Baxley"), proposed a resolution by which Judge Steensland would admit to two to three counts (out of the seven charged) in the Complaint in exchange for a public censure and Judge Steensland's commitment never to again serve as a judge. In addition, in a closed hearing on the morning of trial, April 20, 2011, Judge Steensland also offered to admit to specific counts to

before the whole commission to discuss the charge or suspected conduct and to attempt to resolve the charge or investigation on terms to be presented by joint motion to the Court of the Judiciary. A majority of the commission may bind it to any such resolution. Any such resolution reduced to writing and signed by the judge and majority of the commission shall bind the judge and the commission unless and until the proposed resolution is rejected by the Court of the Judiciary.

be selected by the Commission in exchange for a public censure and his commitment to never serve as a judge again. (These are the proposals referenced in Judge Steensland's July 19, 2011 Brief and Response to Costs.)

6. After the conclusion of the trial, on May 2, 2011, this Court issued a Final Judgment and Censure, finding Judge Steensland guilty of numerous violations of the Alabama Canons of Judicial Ethics, ordering a public censure, and ordering that he never again serve as a judge in the State of Alabama. In that nine-page order, this Court recounted witnesses' testimonies in support of its judgment and sanctions; specifically found Judge Steensland's conduct, including his pattern and practice of intemperance on the bench, to be "without reasonable excuse or justification"; and concluded the Commission proved Judge Steensland's violations of the law by "clear and convincing evidence." Final Judgment and Public Censure at 6.

7. On May 27, 2011, the Commission filed a Motion to Tax Costs and a Memorandum of Law in support of that motion. This Court granted the Motion to Tax Costs in

an Order dated June 14, 2011. On June 17, 2011, Judge Steensland filed a Motion for Reconsideration of Assessment of Costs, with a supporting Brief filed on July 19, 2011.

Argument

I. JUDGE STEENSLAND IS SOLELY RESPONSIBLE FOR THE NECESSITY OF AN EVIDENTIARY TRIAL ON THE COMMISSION'S COMPLAINT AND, THUS, SHOULD BEAR THE COSTS OF THAT TRIAL.

In his Brief and Response to Costs Claimed by Judicial Inquiry Commission, Judge Steensland argues that he offered to settle the complaints filed against him by agreeing to be censured and accepting a permanent prohibition from serving as a judge. He further argues that the Commission refused to accept those offers, instead opting to proceed to trial and thereby necessitating the costs of a trial.

On the day the Complaint was filed, Judge Steensland issued his press release, publicly disputing the truthfulness of the allegations in the Complaint, vilifying the Commission's investigation, and declaring

his motive in settling the matter was simply to put an end to it. Judge Steensland's press release included spurious accusations against the Commission, i.e., the Commission had expanded its investigation of Ms. R's case by contacting everyone who had been in his court in the prior several years; it ignored the statements, affidavits, and recorded statements of the many who allegedly praised his service as a judge or had observed the occasions in question; and it based its Complaint on the mere "perceptions" of the few who were dissatisfied with him.

In light of Judge Steensland's accusations and false statements, which were published online and in a Dothan Eagle news article, the Commission could address the public perceptions created by Judge Steensland's press release only by proving to this Court in a public trial the truthfulness of each count and each charge in the Complaint and allowing this Court to weigh positive evidence concerning Judge Steensland's conduct on the bench against the evidence of his unethical conduct. Through his press release, Judge Steensland's conduct

alone prevented this case from being resolved by any joint settlement.

When Mr. Baxley proposed offers on April 14 and April 20, 2011, a Rule 10 alternate-dispute-resolution agreement was no longer possible. In addition to the compelling need for an evidentiary trial, as further discussed in Part III, infra, the new proposals did not provide that Judge Steensland would agree to all allegations of the Complaint and also agree to forfeit part of his retirement pay, a remedy available to the Court of the Judiciary. Moreover, Judge Steensland did not make these offers in accordance with Rule 10 -- the only authorized means of reaching a settlement between a judge and the Commission -- by demanding and receiving a Rule 10 hearing before the whole Commission more than ten days before trial, i.e., his April 14 and April 20, 2011 proposals were too late under Rule 10. In short, the Commission simply could not have accepted Mr. Baxley's April 14 and April 20, 2011 offers. Judge Steensland could have, of course, amended his January 14, 2011 one-sentence Answer by publically stipulating to all of the Complaint's factual allegations

supporting all charges and clarifying publically that his stipulation was made because he committed the acts alleged, not merely to resolve the matter. Such concessions, made orally in open court, leaving only the question of sanction for this Court, might have been sufficient to dispose of the necessity for an open public trial of this matter. This Judge Steensland did not choose to do, thus necessitating a trial before an impartial body that would weigh the evidence and report to the public its findings.

II. JUDGE STEENSLAND'S APRIL 14 AND APRIL 20, 2010 PROPOSALS FOR RESOLUTION DID NOT ENCOMPASS ALL REMEDIES AVAILABLE TO THE COURT OF THE JUDICIARY.

Judge Steensland's Brief also claims, as grounds for rescinding the taxing of costs, that the settlement offers presented by Mr. Baxley on April 14 and April 20, 2011 encompassed all remedies available to this Court and that the trial was therefore unnecessary. The Commission disagrees. Even if the Commission could have considered Mr. Baxley's offers, the Commission pursued a full trial to seek from this Court the

sanction of suspension or removal of Judge Steensland from the office of retired judge. See Commission's Pre-Trial Brief at 11-14 and 22.

This Court's authority to suspend or remove a district judge from the office of retired judge, thereby ordering the forfeiture of the judge's retirement pay, is rooted in the statutory scheme providing for judicial retirement. Chapter 18 of Title 12, Code of Alabama 1975, provides for the retirement of appellate and circuit judges. District judges are included pursuant to § 12-18-12, effective on September 18, 1973, which provides the following:

Should there hereafter be created a different or additional state judicial office, then the provisions of this article [which pertains to judicial retirement for appellate and circuit judges] shall be applicable to such state judicial officeholders; provided, however, that ... , if the different or additional judicial office is a trial position, then the provisions of this article applicable to a circuit judge shall be applicable to the different or additional judicial position.

This section (effective September 18, 1973) anticipated the impending establishment of the office of district judge through the Judicial Article in Amendment 328 to the Alabama Constitution of 1901 (specifically Article

VI, § 143, ratified on December 27, 1973) and § 12-12-1(a) (establishment of the district court, effective January 16, 1977). Because § 12-18-12 became effective prior to the creation of the office of district judge, the provisions of Chapter 18, Article 1 apply to district judges.

Thus, the provisions of § 12-18-7(b) apply to a retiring district judge. That statute provides in part that, after the retiring judge files his written declaration of intent to elect to retire and upon retiring, the judge "shall take the oath of office as a retired ... judge and thereupon become an extra or additional judge of the state." (Emphasis added.) Section 12-18-10(g), which also applies to retired district judges, states in pertinent part: "Except as provided in subsection (f) of this section [which is not applicable here], a retired ... judge shall hold office as such additional or extra judge during good behavior and may be removed only for causes specified in the constitution." (Emphasis added.) See, e.g., Hogan v. Bronner, 491 So. 2d 226 (Ala. 1986) (upon taking the oath of office of retired judge, a judge

immediately assumes the office of retired judge and may be removed from that office).

Thus, removal of a judge holding the office of retired district judge is an authorized sanction within this Court's jurisdiction, as conferred by Article VI § 157. While Hogan involved an Article IV, § 60 provision, providing, "[n]o person convicted of embezzlement of the public money, bribery, perjury, or other infamous crime, shall be ... capable of holding any office of trust or profit in this State," Article VI, § 157, Alabama Constitution of 1901, grants this Court the authority "to remove from office, suspend without pay, or censure a judge, or apply such other sanction as may be prescribed by law, for violation of a Canon of Judicial Ethics [and] misconduct in office."

Pursuant to this Court's authority to remove a judge from the office of retired judge, as outlined above, it follows that, if this Court suspends or removes a judge from that office, the judge loses his retirement benefits. In fact, this Court has already exercised its authority to suspend a judge from the office of retired judge. In its prior holding in In re

William H. Robertson, No. 27 (C.O.J. 1997), this Court ruled that it has jurisdiction to sanction a retired judge for misconduct he had committed before retirement and recognized its authority to suspend him from the office of retired judge without pay for a time certain. In the Final Judgment in that case, issued after an evidentiary trial, this Court stated, "Under all the facts and circumstances, the Court finds that proper sanctions in this matter are a public censure and suspension from his office as a retired judge for a period of one month without pay." (Judge Robertson had also filed a motion to dismiss the proceeding on his claim that the Court did not have jurisdiction over him as a retired judge. The Court rejected that motion after considering briefs.)

Based on statutory law, case law, and this Court's own precedent, this Court clearly has jurisdiction to suspend or remove a judge from the office of retired judge, necessarily stripping that judge of his retirement pay. Judge Steensland undoubtedly committed, before his retirement, the acts described in the Commission's Complaint. Even upon retiring, Judge

Steensland continued to hold a judicial office, § 12-18-10(g), and, accordingly, took the oath of office of retired judge, as required by § 12-18-7(b). See Ex. C. Judge Steensland's argument, that his April 14 and April 20, 2011 resolution offers -- which included only a censure and permanent prohibition from serving as a judge -- encompassed all remedies available to this Court, is incorrect. Regardless of the sanctions actually imposed on Judge Steensland by this Court in its Final Judgment and Censure, the issue of loss of retirement pay or suspension without pay remained a viable issue before this Court before and during the trial. The gravity of the facts overwhelmingly supporting the Commission's sixty-charge complaint left the Commission with no choice but to proceed to trial and leave the matter of the appropriate sanctions to this Court's exercise of its jurisdiction and discretion.

III. AN EVIDENTIARY TRIAL WAS NECESSARY TO RESTORE THE INTEGRITY OF THE JUDICIARY, INCLUDING ITS DISCIPLINARY

SYSTEM, PARTICULARLY AFTER JUDGE STEENSLAND'S PRESS
RELEASE.

Lastly, in his Brief and Response to Costs, Judge Steensland argues that his trial was unnecessary and unwarranted and that, as a result, the taxation of costs would be purely punitive, serve no legitimate purpose, and encourage vindictive prosecution. Judge Steensland's argument fails to recognize the fundamental goals of judicial discipline.

The most important goal of judicial discipline is the preservation of the integrity of the judiciary in the eyes of the public. See Matter of Probert, 308 N.W.2d 773, 776 (Mich. 1981) ("[W]hen one commits judicial misconduct he not only marks himself as a potential subject of judicial discipline, he denigrates an institution. Accordingly, a decision on judicial discipline must also be responsive to a significant institutional consideration, 'the preservation of the integrity of the judicial system.'") Judicial discipline operates not for purposes of punishment, vengeance, or retribution, In re Florom, 784 N.W.2d 897, 904 (Neb. 2010), but instead to repair the damaged

public trust, In re Lokuta, 11 A.3d 427, 450 (Pa. 2011); to maintain and enhance the honor and dignity of the judiciary, In re Canales, 113 S.W.3d 56, 64 (Tex. Rev. Trib. 2003); to reassure the public that judicial misconduct will not be tolerated, In re Carpenter, 17 P.3d 91, 93 (Ariz. 2001); to deter similar conduct in the future, In re Thayer, 761 A.2d 1052, 1056 (N.H. 2000); to impress upon the judge the severity and significance of his unethical conduct and/or misconduct, Cynthia Gray, A Study of State Judicial Discipline Sanctions, American Judicature Society (2002), at 3; and to foster public confidence in the judiciary's self-policing system, id.

Here, these objectives could not have been achieved without an evidentiary trial. As discussed above, Judge Steensland's press release consisted of sweeping, false statements and reckless, unsubstantiated accusations, all of which clearly indicated Judge Steensland's utmost failure to understand the severity of his unethical conduct and to accept responsibility for that conduct. His press release in effect gutted the validity and propriety of

Alabama's judicial disciplinary system, thereby undermining public confidence in the judiciary. Had the Commission not established by clear and convincing evidence the allegations against Judge Steensland, his press release, falsely depicting his prosecution, would have gone unanswered. Under Rule 5, Rules of Procedure of the Judicial Inquiry Commission, the Commission had no recourse to refute Judge Steensland's claims, other than to prove each and every fact and charge in the Complaint at a public trial and to allow this Court, as an impartial body, to decide the facts and the degree of guilt.

The Commission takes utmost caution in deciding whether to charge a judge in the Court of the Judiciary, as exemplified by the fact that, of the 5,540 complaints filed with the Commission since its creation in 1973, the Commission has brought only 40 prosecutions in this Court. Judge Steensland's accusations that the Commission actively sought and based its prosecution on false, biased, or otherwise suspect testimonies and ignored alleged overwhelming evidence in his behalf to maliciously prosecute him for

conduct that supposedly never occurred could not have been the last word regarding his prosecution. Under the circumstances of this case, the only way to fully inform Judge Steensland and the public that the people of the State of Alabama would not tolerate or condone his actions was to invoke the authority of this Court and move forward with a trial.

IV. CONCLUSION

In addition to the reasons cited in the Commission's May 27, 2011 Memorandum of Law in Support of its Motion to Tax Costs, Judge Steensland should bear the costs of his prosecution for unethical conduct for the following reasons: (1) nothing short of a full evidentiary trial would have adequately addressed his December 14, 2010 press release; (2) because his April 2011 proposals were not timely, the Commission could not have considered them under the constraints of Rule 10; (3) those proposals did not include a full admission to all allegations of the Complaint and did not provide for suspension or removal from the office of retired judge; (4) Judge Steensland did not elect to

amend his answer by stipulating to the allegations of the Complaint so as to forego an evidentiary trial; and (5) the Commission's pursuit of a full evidentiary trial was neither punitive nor vindictive, but essential to its constitutional mandate to execute its duties to maintain the integrity of the judiciary and to restore public confidence in the judiciary and its disciplinary system.

Based on the foregoing, the Commission respectfully requests this Court deny Judge Steensland's Motion to Reconsider its Order granting the Commission's Motion to Tax Costs against Judge Steensland.

DATED this the 12th day of August, 2011.

Respectfully Submitted,

/s/Richard Trehella
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CERTIFICATE OF SERVICE

I hereby certify that on this the 12th day of August, 2011, I electronically filed a copy of the foregoing motion with the Clerk of the Court of the Judiciary, and I served a copy of the same by electronic mail and through the United States mail, first class postage prepaid, on:

Hon. William J. Baxley
Baxley, Dillard, Dauphin, McKnight & James
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/s/Richard Trewhella
Richard E. Trewhella, Jr.
Attorney for the
Judicial Inquiry Commission

Retired Judge John Steensland Responds to Complaint

1.

Viewed: 2728

Posted by: JSKeppy

Date: Dec 14 2010 7:34 PM

Press Release: December 14, 2010. Retired Houston County District Court Judge John Steensland has announced a resolution to the complaint and subsequent investigation regarding the judge placing a lady in custody after she was found guilty of a speeding violation. Steensland admitted to the Judicial Inquiry Commission (Commission) that it was misconduct and that he was wrong for placing the lady, who was suffering from post traumatic stress disorder, in custody in the court room for a couple of hours after being found guilty at her bench trial on February 24, 2010. After the lady was overcome with emotion in the courtroom, Steensland realized that she suffered from a very serious medical condition, then Steensland amended the sentenced to a \$50.00 fine and court costs. The video tape of the traffic stop and the testimony of the state trooper conclusively proved that the lady was in the passing lane, passing many cars, traveling 83 mph in a 65 mph zone on U. S. Highway 84 west of Dothan and was "drafting" behind another vehicle who was also speeding in the same lane. Both vehicles were stopped by the state trooper and issued traffic citations. The driver of the other vehicle pled guilty to the speeding violation. Steensland, the next day, wrote the lady a letter of apology regarding the incident.

The Commission felt compelled to further investigate the matter by attempting to contact virtually everyone who had been in Steensland's court in the last several years and as far back as fourteen years ago to find people who felt mistreated by Steensland or who "had a bone to pick" with Steensland or the court system. Although many people gave statements of praise about Steensland's service as a judge, several people were dissatisfied with their court appearance and some gave perceptions of what occurred in court, which the Commission took as the truth even though other attorneys and observers gave a different and contradictory account of what occurred. Numerous affidavits and recorded statements were filed with the Commission stating that Steensland conducted court properly on the occasions in question, but the Commission chose to believe those who were dissatisfied with Steensland. "I deeply regret that anyone who appeared before me in court felt that justice was not served. If anyone's appearance in court was met with offensive or less than judicial demeanor from me, I ask for your forgiveness," Steensland said.

Since Steensland has retired from the bench and does not seek to serve as a judge again, he chose to consent/agree to the Commission's eighty-five page complaint even though many of the allegations and statements attributed to Steensland might not survive cross examination. Steensland stated, "When you have retired and moved on with your life, I feel it is better to go ahead and resolve the complaint even though many disputed allegations and misquotes were

contained in the complaint." The complaint of the Judicial Inquiry Commission along with the resolution agreement between the Commission and Steensland shall be filed with the Court of the Judiciary for a final disposition of the matter.

Steensland has served as district court judge since January 1989. During the 21 years that Steensland served on the bench he disposed of over 20,000 cases and was commended by the Alabama Community Corrections Association as judge of the year. On April 30, 2010, Chief Justice Sue Bell Cobb wrote to Steensland on the occasion of his retirement and expressed her appreciation for his dedicated service to the people of this state and the citizens of Houston County.

<http://www2.dothaneagle.com/news/2010/dec/14/5/judicial-commission-files-complaint-against-steens-ar-1224116/>

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EXHIBIT

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Judicial commission files complaint against Steensland

By Greg Phillips



The Alabama Judicial Inquiry Commission formally filed an 85-page complaint in the Court of the Judiciary Tuesday against retired Houston County District Judge John Steensland.

The complaint, which follows a months-long investigation, cites Steensland for seven counts and 60 charges of unethical conduct dating from 1996 to 2010.

Steensland released a statement Tuesday night that he has reached a resolution agreement with the commission that will be filed with the Court of the Judiciary.

The investigation came about following a February incident in which Steensland sentenced a Dothan woman, Stacie Rae, to 10 days in jail and ordered her to be handcuffed and held in court for nearly two

hours after finding her guilty for a speeding violation.

Though Steensland later changed Rae's sentence to zero days, Rae and her husband filed a complaint to the judicial commission, leading to the investigation.

According to the release, Steensland "admitted to the Judicial Inquiry Commission ... that it was misconduct and that he was wrong for placing the lady, who was suffering from post traumatic stress disorder, in custody in the court room (sic) for a couple of hours after being found guilty at her bench trial on Feb. 24, 2010."

Rae's case is one of many listed in the complaint, which covers a variety of subjects, including some juvenile cases.

The charges all cite Steensland's violation of the Alabama Canon of Judicial Ethics.

The complaint cites numerous instances of Steensland cursing in the courtroom and insulting defendants.

In one count, a mother who was unable to pay her son's entire court costs was advised by a court employee to ask Steensland's permission for a payment plan.

The mother told the employee she was "scared to go back in there and ask him."

Another count listed in the complaint took place during a protection-from-abuse case involving an elderly female seeking protection from her sons, who had burglarized her.

According to the complaint, Steensland told her, "You must be the sorriest mother on earth to have raised not one bad child, but two."

Steensland said he consented to the commission's report, but his press release indicated dissatisfaction with the investigation.

"The commission felt compelled to further investigate the matter by attempting to contact virtually everyone who had been in Steensland's court in the last several years and as far back as (14) years ago to find people who felt mistreated by Steensland or who 'had a bone to pick' with Steensland or the court system," the release states. "Although many people gave statements of praise about Steensland's service as a judge, several people were dissatisfied with their court appearance and some gave perceptions of what occurred in court, which the commission took as the truth even though other attorneys and observers gave a different and contradictory account of what occurred. Numerous affidavits and recorded statements were filed with the commission stating that Steensland conducted court properly on the occasions in question, but the commission chose to believe those who were dissatisfied with Steensland."

Joseph Rae, Stacie's husband, said he was pleased with the commission's findings.

"Our goal from the beginning is to make sure the things that happened to my wife and other people don't continue to happen in Houston County," he said. "For the next several years, I imagine this case will be used as a teaching technique or training tool for other judges by the inquiry commission on what not to do. We can't let our public officials behave this way."

In his statement, Steensland apologized, though he disputed the report's accuracy.

"I deeply regret that anyone who appeared before me in court felt that justice was not served," he said. "When you have retired and moved on with your life, I feel it is better to go ahead and resolve the complaint even though many disputed allegations and misquotes were contained in the complaint."

The complaint and its resolution agreement will now be overseen by the Court of the Judiciary.

Steensland voluntarily retired May 7 after more than 20 years in the district judge's seat.

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State of Alabama
Unified Judicial System

**OATH OF OFFICE
FOR RETIRED JUDGE OR JUSTICE**

Date Filed in Office of
Secretary of State:

EXHIBIT

C

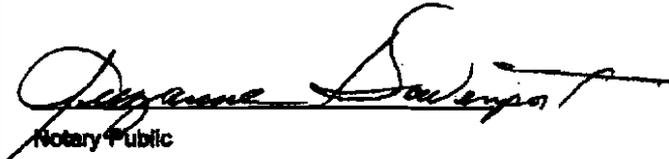
STATE OF ALABAMA

HOUSTON COUNTY

I, MAURICE JOHN STARNESLAND, JR, do solemnly swear (or affirm as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Alabama, so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter RETIRED JUDGE to the best of my ability. So help me God.

Sworn to and subscribed before me

This 28th day of April, 2010


Notary Public

My Commission expires: 11-10-2013


Signature

MAURICE JOHN Starnesland, Jr.
Please Print Name JA

CERTIFICATE OF OFFICER ADMINISTERING OATH

The oath of office was administered by me to the above-named judge or justice, in compliance with sections 36-4-1 et. seq. Code of Alabama, 1975 and Article XVI, §279, Constitution of Alabama of 1901.

Carla H. Woodall
Printed or Typed Name of Person Administering Oath


Signature of Person Administering Oath

Houston County Circuit Clerk 4-28-2010
Title Date