

BEFORE THE COURT OF THE JUDICIARY OF ALABAMA



In the Matter of)
PATRICIA D. WARNER,)
Circuit Judge of the) Court of the Judiciary
Fifteenth Judicial Circuit) Case No. 40
of Alabama)

MOTION FOR EXTENSION OF TIME OF ONE BUSINESS DAY TO
FILE AMENDED COMPLAINT

COMES NOW the Judicial Inquiry Commission of Alabama ("the Commission"), by and through counsel, and hereby respectfully requests this Honorable Court grant the Commission an extension of time, until Tuesday, October 11, 2011, to file an amended complaint with the Court.

1. During a pre-trial conference held on September 7, 2011, the Court ordered that the Commission had 30 days to file an amended complaint to clarify matters raised during the conference. As such, the Commission's current deadline to file its amended complaint is Friday, October 7, 2011.

2. The Commission's original Complaint is 125 pages long, and although the Commission's counsel has been working on the Commission's amended complaint, in order to further clarify the matters raised at the

September 7, 2011 pre-trial conference the Commission requests a short extension of one business day until Tuesday, October 11, 2011 (Monday, October 10, 2011 is Columbus Day), to file the Commission's amended complaint with the Court.

3. The next pre-trial conference in this matter is scheduled for October 26, 2011, and as such, the short extension requested will in no way prejudice Judge Warner.

4. Prior to filing the present motion, the undersigned attempted to contact counsel for Judge Warner by telephone to inquire whether there would be any objection to the requested extension of time, but the undersigned was informed by Mr. Dauphin's staff that Mr. Dauphin was out of the office.

WHEREFORE, ABOVE-PREMISES CONSIDERED, the Commission respectfully requests an extension until Tuesday, October 11, 2011, to file the Commission's Amended Complaint.

Respectfully submitted,

/s/Richard Trehella
RICHARD E. TREWHELLA, JR. (TRE010)
Counsel for the Judicial Inquiry
Commission

OF COUNSEL:

CARR ALLISON
100 Vestavia Parkway
Birmingham, AL 35216
(205) 822-2006
rtrewhella@carrallison.com

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing pleading upon all counsel of record in this cause via electronic mail and by placing a copy of same in the United States mail, postage prepaid, addressed as follows on this the 5th day of October, 2011:

Charles A. Dauphin, Esq.
Baxley, Dillard, Dauphin, McKnight, James
2008 Third Avenue South
Birmingham, AL 35223
cdauphin@baxleydillard.com

/s/Richard Trewhella
OF COUNSEL