

IN THE ALABAMA COURT OF THE JUDICIARY

In the Matter of:

ROY S. MOORE,
Chief Justice
Supreme Court of Alabama

CASE NO: 46



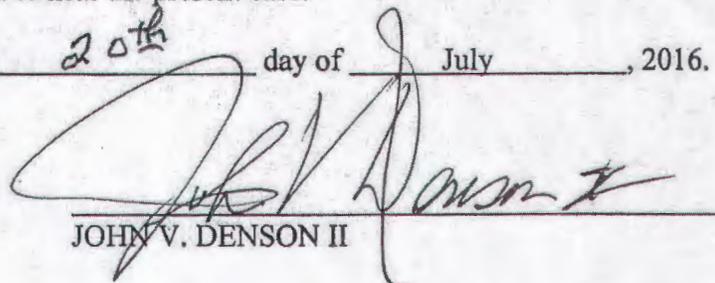
NOTICE OF RECUSAL

COMES NOW the undersigned member of the Court of the Judiciary which has jurisdiction in the above-styled case. The undersigned is the only member of this Court who also served on a previous case before the Court of the Judiciary involving Chief Justice Roy Moore in Case No: 33 in which it was unanimously decided on November 13, 2003 that Chief Justice Roy Moore should be removed from office. A copy of that Order was made Exhibit B to the Complaint in this case.

While the facts in the previous case and the present case involving Chief Justice Moore are different and the cases are distinguishable, it did not appear when the complaint was filed that there would be any conflict with the undersigned serving as a judge in this case. No trial date has been set but both sides have now filed Motions for Summary Judgment as of July 14, 2016 and the motions have been set to be heard on August 8, 2016. In the briefs of both parties they cite and rely upon either testimony, facts or rulings in the previous case involving Chief Justice Moore. It is alleged in the brief filed by the JIC that there is a "pattern of legal error" with Case No. 33 cited above.

In order to promote public confidence in the integrity and impartiality of the Judiciary and to avoid the appearance of impropriety, the undersigned hereby recuses himself and requests that a replacement for him be appointed to hear the present case.

Respectfully submitted this the 20th day of July, 2016.


JOHN V. DENSON II

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document has been served on all of the Parties and Attorneys of record in the above-styled cause First Class United States Mail, postage prepaid,, on this the 20th day of July, 2016.

ATTORNEY FOR STATE/JIC:

Hon. Rosa H. Davis
Attorney for JIC
401 Adams Avenue
Montgomery, AL 36104

Hon. John L. Carroll
Attorney for JIC
401 Adams Avenue
Montgomery, AL 36104

Hon. R. Ashby Pate
Attorney for JIC
400 North 20th Street
Birmingham, AL 35203

ATTORNEY FOR DEFENDANT:

Hon. Phillip Jauregui
Judicial Action Group
7013 Lake Run Drive
Birmingham, AL 36242

-alternate address-
1015 15th Street, NW
Suite 1100
Washington, DC 20005

PRO HAC VICE ATTORNEYS

Matthew D. Staver
Horatio G. Mihet
Liberty Counsel
P.O. Box 540774
Orlando, FL 32854

J. Michael Joiner
Chief Judge
Court of the Judiciary
300 Dexter Avenue
Montgomery, AL 36104

Rebecca C. Oates
Secretary
Court of the Judiciary
300 Dexter Avenue
Montgomery, AL 36104



JOHN V. DENSON, II