

IN THE ALABAMA COURT OF THE JUDICIARY



IN THE MATTER OF:)
 ARMSTEAD LESTER HAYES III)
 Municipal Judge,)
 Municipal Court,) Court of the Judiciary
 City of Montgomery, Alabama) Case No. 49

MOTION TO EXPEDITE

Comes now the Judicial Inquiry Commission of the State of Alabama and moves the Court for an order expediting the setting of the public hearing required by Article VI, § 157 of the Constitution of Alabama, as amended, and expediting the determination of the Complaint previously filed in this case. Judge Hayes consents to the granting of this motion and the expedited determination of this matter.

As grounds for this motion, the parties show to the Court that:

- a. the interest of the administration of justice would best be served by an expeditious resolution of this Complaint;
- b. the spirit of the Rules of Procedure promulgated for the Court of the Judiciary by the Alabama Supreme Court favor the prompt, expeditious resolution of complaints, e.g., see Rule 7, Ala. R. P. Ct. Jud., which favors "the prompt disposition of the

proceedings pending before the court" and the avoidance of undue delay; and Rule 8, Ala. R. P. Ct. Jud., which provides that "the court shall fix a date for hearing upon the complaint as expeditiously as possible";

c. for purposes of this expedited hearing, Judge Hayes waives his right under Rule 5, Ala. R. P. Ct. Jud., to file an answer or other responsive pleading to the Complaint herein within thirty (30) days of its service upon him; and waives his right under Rule 8, Ala. R. P. Ct. Jud., to thirty (30) days' notice of the date and time for a hearing of the Complaint in this case and consents to a more expeditious setting of the hearing.

Respectfully submitted,



William A. Gunter V
Attorney for the Commission

P.O. 303400
Montgomery, AL 36130-3400
Telephone: (334) 242-4089
Facsimile: (334) 353-4043
Bill.Gunter@jic.alabama.gov

Certificate of Service

I hereby certify that on this the 18th day of November, 2016, I have served a copy of the forgoing on counsel for Judge Hayes by placing a copy in the U.S. mail, First Class and postage pre-paid, and addressed as follows:

Joe Espy III
MELTON ESPY & WILLIAMS, P.C.
255 Dexter Avenue
Montgomery, Alabama 36104



William A. Gunter V

P.O. 303400
Montgomery, AL 36130-3400
Phone: (334) 242-4089
Fax: (334) 353-4043
Bill.Gunter@jic.alabama.gov