IN THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:	)	
ANITA KELLY,	)	Court of the
Circuit Judge,	)	Judiciary
15th Judicial Circuit	)	Case No. 50
	)	

MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT

COMES NOW the Judicial Inquiry Commission ("Commission"), and respectfully moves the Court, pursuant to Ala. R. Civ. P. 15, for leave to file a Second Amended Complaint, a copy of which is attached. The Second Amended Complaint adds a charge related to Judge Kelly's failure or refusal to timely submit accurate Canon 3A(5) 6-month reports; includes summaries of 26 additional cases the Commission intends to introduce as evidence at trial; modifies Section V.E by reorganizing the 6-month report charts and adding further evidence in support of the new charge; and corrects several typographical errors, incorrect dates and formatting mistakes in the First Amended Complaint.

1. On August 16, 2017, the Commission filed a Complaint against Judge Anita Kelly in the Court of the Judiciary, giving rise to the instant action.

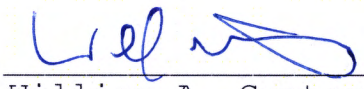
2. On September 15, 2017, Judge Kelly filed an answer and a motion to dismiss.

3. On Dec. 6, 2017, the Commission filed a motion for leave to file an Amended Complaint, which this Court granted on Dec. 11, 2017.

4. On January 29, 2018, this Court entered a scheduling order which requires any motion for leave to amend the complaint in this matter be filed by February 5, 2018.

WHEREFORE, the Commission respectfully requests that this Court enter an Order granting this Motion for Leave to File a Second Amended Complaint.

Respectfully submitted, this 5th day of February, 2018.



William A. Gunter V
Attorney for the Commission

CERTIFICATE OF SERVICE

I certify that, on this 5th day of February, 2018, a copy of the foregoing has been filed electronically with the Court of the Judiciary and a copy of the same has been served on attorneys for Respondent, through electronic mail with a hard copy sent via regular U.S. mail to:

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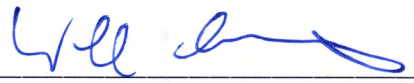

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