

IN THE ALABAMA COURT OF THE JUDICIARY



IN THE MATTER OF: *
*
MARVIN W. WIGGINS, * CASE NO. 54
CIRCUIT JUDGE *
FOURTH JUDICIAL CIRCUIT *

JOINT MOTION TO DISMISS WITH PREJUDICE

Pursuant to Rule 10 of the Rules of Procedure for the Alabama Court of the Judiciary and Rule 41 of the Alabama Rules of Civil Procedure, the Judicial Inquiry Commission ("Commission") and Judge Marvin Wiggins ("Judge Wiggins") hereby file this Joint Motion to Dismiss with Prejudice, and request that the Court dismiss all of the Commission's claims against Judge Wiggins with prejudice.

1. In light of this Court's recent decisions and rulings in COJ 51 and COJ 53, and in the interest of judicial economy, this Complaint is due to be dismissed.
2. Each party shall bear its own costs and attorneys' fees.
3. A proposed order for dismissal is attached.

Respectfully submitted this 3rd day of February, 2020.

/s/ William A. Gunter
William A. Gunter

/s/ Elizabeth C. Bern
Elizabeth C. Bern

/s/ Rosa H. Davis
Rosa H. Davis
Attorneys for the Commission
Alabama Judicial Inquiry
Commission
P.O. Box 303400
Montgomery, AL 36130-3400
bill.gunter@jic.alabama.gov
elizabeth.bern@jic.alabama.gov
rosa.davis@jic.alabama.gov
(334) 242-4089

/s/ Robert D. Segall
Robert D. Segall
COPELAND, FRANCO, SCREWS & GILL,
P.A.
P.O. Box 347
Montgomery, Alabama 36101-0347
segall@copelandfranco.com
334-834-1180

CERTIFICATE OF SERVICE

I certify that, on this the 3rd day of February, 2020, 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 the Respondent, through electronic mail and/or regular U.S. mail to:

Joe Espy, III
William M. Espy
MELTON, ESPY & WILLIAMS, P.C.
P.O. Drawer 5130
Montgomery, AL 36103
334-263-6621
jespy@mewlegal.com
wespy@mewlegal.com

Robert D. Segall
COPELAND, FRANCO, SCREWS & GILL, P.A.
P.O. Box 347
Montgomery, Alabama 36101-0347
334-834-1180
segall@copelandfranco.com

Attorneys for Judge Marvin W. Wiggins

/s/ William A. Gunter
William A. Gunter
Attorney for the Commission

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[PROPOSED] ORDER

THIS MATTER having come before the Court on the Joint Motion to Dismiss with Prejudice, submitted by the Judicial Inquiry Commission and Judge Marvin Wiggins (collectively, "the Parties"), and upon consideration thereof and for good cause shown,

IT IS HEREBY ORDERED that the Parties' Joint Motion to Dismiss with Prejudice is **GRANTED**. The Court orders that all counts shall be dismissed, with prejudice, with each party to bear its own attorneys' fees, expenses, and costs.

This the ___ day of February, 2020.

Judge Scott Donaldson
Chief Judge, Court of the Judiciary