

LETTER OF TRANSMITTAL OF
NOTICE OF APPEAL TO APPELLATE CLERK
BY TRIAL CLERK

Appellate Case Number

Form ARAP - 2

Rev. 2 / 92

COJ #57

IN THE CIRCUIT COURT OF _____ ALABAMA COURT OF THE JUDICIARY _____ COUNTY, ALABAMA

APPELLANT

JUDGE JOHN RANDALL "RANDY" JINKS

V. APPELLEE

ALABAMA JUDICIAL INQUIRY COMMISSION

Civil Action Number

COJ #57

Date of Judgment

October 29, 2021

Date of Post - Judgment Order

Written notice of appeal has been filed on the date indicated hereon (within 42 days from the entry of judgment or post-judgment order).

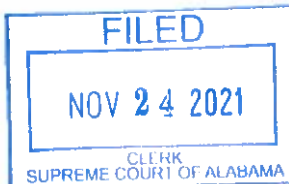
A certified copy of the written notice of appeal is forwarded herewith for filing with the Clerk of the (Supreme) Court (of Civil Appeals) along with the \$ 200 docket fee.

I certify that I have served a copy of this letter of transmittal along with a copy of the notice of appeal on each of the following:

1. Court Reporter Lisa Bailey, Haley Tunnell, and Ashley Lindsey (Cite Court Reporting)
2. Appellant's Counsel Amanda Hardy and Benita Jenkins
3. Appellee's Counsel Elizabeth Bern, John Selden, and Jenny Garrett

DATED this 24th day of November, 2021

Rebecca C. Oates
Secretary, Court of the Judiciary



FILED

NOV 24 2021

COURT OF THE JUDICIARY
Rebecca C. Oates
Secretary

State of Alabama Unified Judicial System Form ARAP-1 (front) Rev. 1/97	NOTICE OF APPEAL TO THE (Check appropriate block) <input checked="" type="checkbox"/> SUPREME COURT OF ALABAMA <input type="checkbox"/> COURT OF CIVIL APPEALS OF ALABAMA	Civil Action Number: COJ # 57
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FILED

IN THE _____ COURT OF _____ THE JUDICIARY _____ COUNTY, ALABAMA

APPELLANT	JUDGE JOHN RANDALL "RANDY" JINKS
V. APPELLEE	ALABAMA JUDICIAL INQUIRY COMMISSION
TRIAL JUDGE	JUDGE J. WILLIAM COLE
DATE OF JUDGMENT:	October 29, 2021
DATE OF POST - JUDGMENT ORDER:	N/A

NOV 24 2021

COURT OF THE JUDICIARY
Rebecca C. Oates
Secretary

NOTICE IS HEREBY GIVEN THAT Judge John Randall Jinks appeal(s) to the above-named court from the Final Judgment Order of removal from the bench entered in this cause. (describing it)

CHECK THE PROPER DESCRIPTION OF THE APPEALED CASE UNDER THE APPROPRIATE COURT:

<p>SUPREME COURT</p> <p><input type="checkbox"/> Summary Judgment, amount claimed more than \$ 50,000</p> <p><input type="checkbox"/> Judgment Amount exceeds \$50,000</p> <p><input type="checkbox"/> Amount Sought in trial court more than \$50,000. Judgment for defendant</p> <p><input type="checkbox"/> Equitable Relief, except for domestic relations</p> <p><input checked="" type="checkbox"/> Other: appealable directly to Supreme Court</p>	<p>COURT OF CIVIL APPEALS</p> <p><input type="checkbox"/> Summary Judgment, amount claimed \$ 50,000 or less</p> <p><input type="checkbox"/> Judgment Amount \$50,000 or less</p> <p><input type="checkbox"/> Amount Sought \$50,000 or less, judgment for defendant</p> <p><input type="checkbox"/> Workmen's Compensation</p> <p><input type="checkbox"/> Domestic Relations</p> <p><input type="checkbox"/> Other: _____</p>
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APPELLANT FILES WITH THIS NOTICE OF APPEAL:

1. Security for costs of appeal

2. A supersedeas bond in the amount of \$ _____

3. Deposited cash security in the amount of \$ _____

4. Is exempted by law from giving security for costs of appeal by virtue of _____

Filed November 24, 2021 (Date)

4 Office Park Circle, Suite 116
Address
Birmingham, Alabama 35223
Amanda Hardy
Appellant or Attorney for Appellant
Email amandahardylaw@gmail.com

256-794-1131
Telephone Number

CERTIFIED AS A TRUE COPY
Rebecca C. Oates
Circuit Clerk Secretary Court of the Judiciary

SECURITY FOR COSTS

We hereby acknowledge ourselves security for costs of appeal. For the payment of all costs secured by this undertaking, we hereby waive our right of exemption as to personal property under the Constitution and laws of the State of Alabama.

Executed with our seals this 23 day of November 2021

Filed and approved: November 24, 2021 (Date)

Amanda Hardy (L.S.)
Appellant-principal

Amanda Hardy (L.S.)
Surety

Rebecca C. Oates (L.S.)
Circuit Clerk Secretary Court of the Judiciary Surety
(Amended November 9, 1976; October 1, 1991.)

SUPERSEDEAS BOND

We, the undersigned principal and sureties, hereby acknowledge ourselves bound unto _____ in the sum of _____ Dollars, for the payment of which we bind ourselves, and each other, our heirs, executors, (for amount of bond see Rule 8(a) and administrators, jointly and severally, and as part of this undertaking we hereby waive our rights of exemption as to personal property under the Constitution and laws of the State of Alabama.

FILED
NOV 24 2021
CLERK
SUPREME COURT OF ALABAMA

WHEREAS, the above-named appellee (s) recovered a judgment against appellant (s) for the sum of _____ Dollars (and the further acts or duty _____) [describing judgment in addition to or other than for money only] _____ Dollars, the costs in that behalf expended

NOW, therefore, the condition of the foregoing obligation is such that, if the appellant shall prosecute this appeal to effect, and satisfy such judgment, penalties, and costs including costs of appeal as may be rendered in this case, then the said obligation to be null and void, otherwise to remain in full force and effect.

Executed with our seals this _____ day of _____

Filed and approved: _____ (Date) Appellant-principal (L.S.)

Surety (L.S.)

Surety (L.S.)

Circuit Clerk

EXECUTION OF JUDGMENT STAYED:

Bond fixed at: \$ _____ (Not required for money judgment only.) Circuit Judge (L.S.)

DESIGNATION OF RECORD ON APPEAL

DESIGNATION OF CLERK'S RECORD: Appellant requests the clerk to include the following checked materials in the clerk's record:

- 1. Complaint
- 2. Answer
- 3. Counter-claim
- 4. Cross-Claim
- 5. Third-party Complaint
- 6. Third-party Answer
- 7. Motion to dismiss
- 8. Pretrial order

- 9. Entire record (less those items set forth in Rule 10 (a))
- 10. Motion for summary judgment
- 11. Opposition to motion for summary judgment
- 12. Final (Judgment) (Order)
- 13. Motion for New Trial
- 14. Ruling on Motion
- 15. Others: _____
- 16. Exhibit Number: _____

TRANSCRIPT STATUS

- Transcript will not be ordered. [See Rule 10(b), ARAP.]
- Transcript will be ordered. [See Rules 10(b)(2) and 11 (a)(2), ARAP. Form 1A or 1B.] Court reporter(s):

Transcript has been ordered and received from Cite, LLC, P.O. Box 6173, Montgomery, AL 36106

NOTE: If more than one court reporter was involved in this case, you must file a Transcript Purchase Order Form in compliance with Rules 10(b) and 11(c), Form 1A or 1B of the ARAP, for each court reporter. (Amended October 1, 1991.)

CERTIFICATE OF FILING

I certify that I have this date filed with the clerk of the trial court the original and _____ copies of the foregoing notice of appeal (along with \$ 200 docket fee), and such other instruments as have been completed and included herein. A true copy of each of these items will be served by the clerk of the trial court on each of the following:

- 1) Clerk of the appellate court, (the \$ 200 docket fee shall be transmitted with this filing) or affidavit of hardship.
- 2) Court Reporter.
- 3) Counsel for appellee, or appellee if no counsel.

Name: Elizabeth Bern
Address: 401 Adams Avenue, Montemery, AL 36104

DATED this 23 day of November

2021
Elizabeth Bern

Attorney for Appellant

(Amended October 1, 1991.)

State of Alabama
 Unified Judicial System
 Form ARAP-25 (front) 3/2007

DOCKETING STATEMENT
Appeal to the Court of Civil Appeals

Appellate Case Number
 (to be filled in by appellate court)

NOTE: COMPLETED CIVIL CASE COVER SHEET MUST BE ATTACHED

COUNTY COURT OF JUDICIARY	CIVIL ACTION NUMBER COJ # 57	TRIAL JUDGE J. WILLIAM COLE
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PARTY FILING APPEAL (Appellant) :
 JUDGE JOHN RANDALL "RANDY" JINKS

v. PARTY APPEALED AGAINST (Appellee) :
 JUDICIAL INQUIRY COMMISSION

APPELLANT'S ATTORNEY: AMANDA HARDY		Telephone Number 256-794-1131	
Address 4 OFFICE PARK CIRCLE, # 116	City BIRMINGHAM	State AL	Zip Code 35223

APPELLEE'S ATTORNEY: ELIZABETH BERN		Telephone Number 334-242-4089	
Address 401 ADAMS AVENUE	City MONTGOMERY	State AL	Zip Code 36104

TYPE OF APPEAL: Appeal Cross-Appeal

JURISDICTION (TYPE OF CASE): Please check the proper description of the appealed case:

<input type="checkbox"/> A Summary Judgment, amount claimed equal to or less than \$ 50,000	<input type="checkbox"/> E Workmen's Compensation
<input type="checkbox"/> B Judgment Amount equal to or less than \$ 50,000	<input type="checkbox"/> F Administrative Agency
<input type="checkbox"/> C Amount Sought in trial court \$ 50,000 or less, judgment for defendant	<input type="checkbox"/> G Juvenile
<input type="checkbox"/> D Domestic Relations	<input checked="" type="checkbox"/> H Other: <u>FINAL JUDGMENT</u>

JURISDICTION (FINALITY): Date of entry of judgment appealed from: 10 / 29 / 2021
 Month Day Year

- Is the order or judgment appealed from in compliance with Rule 58, A.R.Civ.P.? Yes No
- Is the order or judgment appealed from a final judgment (i.e., does it dispose of the case as to all claims by all parties)? Yes No
- If the judgment was not final, did the trial court direct the entry of a judgment pursuant to Rule 54(b), A.R.Civ.P.? Yes No
- If judgment was entered pursuant to rule 54(b), A.R.Civ.P., did the trial court expressly determine that there was no just reason for delay and expressly direct that judgment be entered? Yes No
- If there is no final judgment or if there has not been full compliance with Rule 54(b), A.R.Civ.P., please explain the basis for seeking appellate review and cite the authority for the appeal:

POST-JUDGMENT MOTIONS: List all post-judgment motions by date of filing, type, and date of disposition (whether by trial court order or by the provisions of Rule 59.1, A.R.Civ.P.):

DATE OF FILING			TYPE OF POST-JUDGMENT MOTION	DATE OF DISPOSITION		
Month	Day	Year		Month	Day	Year

FILED
 NOV 24 2021
 CLERK
 SUPREME COURT OF ALABAMA

DOCKETING STATEMENT Appeal to the Court of Civil Appeals

CONSTITUTIONAL ISSUES: 1. Are the provisions of Rule 44, A.R.App P., applicable to this appeal? Yes No
 2. If so, have the provisions been complied with? Yes No

NATURE OF CASE ON APPEAL: In the left column of boxes preceding the categories listed below, check the box (check only one) that best describes or categorizes the basis or theory of the primary issue on appeal. In the right column of boxes, check any secondary theories that are applicable to the suit. These topics need to be checked only if the issues on appeal vary from the information supplied in the same columns on the civil case "cover sheet" filed in the trial court.

TORTS – Personal Injury A <input type="checkbox"/> Bad Faith B <input type="checkbox"/> Fraud C <input type="checkbox"/> Legal Malpractice D <input type="checkbox"/> Med. Malpractice E <input type="checkbox"/> Other Malpractice F <input type="checkbox"/> Products/AEMLD G <input type="checkbox"/> Gen. Negligence H <input type="checkbox"/> Vehicular Negligence I <input type="checkbox"/> Other _____	TORTS – Property Damage J <input type="checkbox"/> Personalty K <input type="checkbox"/> Realty CONTRACTS L <input type="checkbox"/> Commercial M <input type="checkbox"/> Personal N <input type="checkbox"/> Pension O <input type="checkbox"/> Insurance P <input type="checkbox"/> Employment Q <input type="checkbox"/> Other _____	R <input type="checkbox"/> REAL PROPERTY S <input type="checkbox"/> CIV RTS. Prisoner T <input type="checkbox"/> CIV RTS. Other U <input type="checkbox"/> Other _____ EQUITY/Non-Damages Action V <input type="checkbox"/> Domestic Relations W <input type="checkbox"/> Declar. Judgment X <input type="checkbox"/> Injunc. Commercial Y <input type="checkbox"/> Injunc. Employment	Z <input type="checkbox"/> Injunc. Other 1 <input type="checkbox"/> Extrord. Writ 2 <input checked="" type="checkbox"/> Other <u>COURT OF JUDICIARY APPEAL</u> STATUTES/RULES 3 <input type="checkbox"/> Admin. Agency 4 <input type="checkbox"/> Term. Parental Rts. 5 <input type="checkbox"/> Workmen's Comp. 6 <input type="checkbox"/> Wrongful Death 7 <input type="checkbox"/> Other: _____
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IF THE CASE WENT TO TRIAL, HOW MANY DAYS DID THE TRIAL TAKE? **5 DAYS**

BRIEFLY SUMMARIZE THE ISSUE(S) ON APPEAL. THIS INFORMATION IS FOR CASE PROCESSING AND STATISTICAL PURPOSES ONLY.
 The Appellant believes the judgment of trial court was inconsistent with the evidence adduced at trial. In addition, the punishment given was excessive given the severity of the infractions found by the trial court.

WITHOUT ARGUMENT, BRIEFLY SUMMARIZE THE FACTS TO INFORM THE COURT OF THE NATURE OF THE CASE. THIS INFORMATION IS FOR CASE PROCESSING AND STATISTICAL PURPOSES ONLY.
 Judge Jinks was charged with violations of the Judicial Canons of Judicial Ethics and a five day trial was completed in October, 2021 before the Alabama Court of the Judiciary. Jinks was found to have violated several of the canons. The Court of the Judiciary imposed the most severe sanction available - removal of from office. This appeal followed.

SETTLEMENT CONFERENCE: The court may require that this appeal be subject to a moderated settlement conference. Do you think the case on appeal would be appropriate for such a conference? Yes No
 Explain: Alternative resolution dispute has already been attempted without success.

FILING DATE OF NOTICE OF APPEAL: November 24, 2021
November 24, 2021
 Date: _____


 Signature of Attorney / Party Filing this Form