

IN THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:

JOHN RANDALL "RANDY" JINKS
PROBATE JUDGE
TALLADEGA COUNTY

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CASE NO. 57

FILED

JUL 16 2021

COURT OF THE JUDICIARY
Rebecca C. Oates
Secretary

RESPONDENT'S RESPONSE TO JUDICIAL INQUIRY
COMMISSION'S OPPOSITION TO CONTINUE

Comes the Respondent Judge, Randall Jinks, and responds to the Judicial Inquiry Commission's (the JIC) opposition as follows:

1. The parties appeared before this Honorable Court on May 12, 2021 on Judge Jink's Motion to Quash a subpoena to depose the undersigned counsel. The May 12, 2021 hearing was set by this Court's order dated May 7, 2021. No other pretrial matters were pending at that time.

2. The JIC's opposition to a continuance consists primarily of inconsequential peripheral procedural allegations. The JIC has alleged that the Respondent, by August 16, 2021, "will have had ample opportunity to get ready for trial." With all due respect, the JIC is in no position to make such conclusions for Judge Jinks (especially considering the crucial impacts such a determination can have on the

issue of procedural due process).¹

3. Since entering this case, the undersigned counsel has moved with dispatch. The depositions of the four lead accusers were delayed by lawyers introduced into the case by the JIC itself. After the depositions, it became clear that remaining witnesses needed to be deposed.

4. Many of the claims charged against the Respondent are based on unsupported claims founded on hearsay, rumor or patently false statements (made under oath) and the Complaint filed by the JIC fails to disclose the identities of individuals material to their allegations. This case needs to be narrowed to claims which contain at least some measure of merit with respect to the Judicial Canons. The Respondent will be substantially impaired from putting forth his defense in this matter without full disclosure of the identities of the individuals the JIC failed and/or refused to name in the Complaint and of those individuals the JIC intends to call as witness in their prosecution of this case.

¹ While this statement may be correct for the JIC, the Respondent Judge has not had the same luxury of time due to the JIC's attempt to have counsel for the Respondent Judge removed (beginning 48 hours after a notice of appearance was filed and not resolved until on or around June 11, 2021).

5. The JIC finds fault with the Respondent on every action taken by him to defend himself. Respondent suggests that the numerous criticisms contained in the JIC's opposition are petty and tangential to the purpose and principles of these proceedings to fairly investigate and judiciously resolve claims consistent with due process.²

6. When resolving the ongoing and incessant conflicts and criticisms of the JIC, the Court should err on the side of caution, given the weighty considerations and severe consequences which bear on the Respondent Judge.

WHEREFORE, the Respondent Judge requests that the Court grant his pending motion to continue the trial setting and his motion to disclose witnesses.

AMANDA HARDY LAW, LLC

/s/ Amanda Hardy
Amanda Hardy (HAR388)
Attorney for Respondent Judge
P.O. Box 474
Alexander City, Alabama 35011
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² On July 2, 2021, undersigned counsel requested from the Commission its witness list, which was unequivocally denied on July 6, 2021 (email attached).

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing has been served on: the Judicial Inquiry Commission by delivering a copy via electronic mail to: jic@jic.alabama.gov, on this July 16, 2021, and by filing a copy with the Clerk of the Court of the Judiciary.

/s/ Amanda Hardy
Amanda Hardy



Amanda Hardy <amandahardylaw@gmail.com>

Trial Witnesses

2 messages

Amanda Hardy <amandahardylaw@gmail.com>
To: "Bern, Elizabeth" <elizabeth.bern@jic.alabama.gov>

Fri, Jul 2, 2021 at 1:02 PM

Good afternoon Mrs. Bern,

At the hearing before Judge Cole you stated you would have approximately 15 witnesses. Will you please send me a list of your witnesses?

Thanks so much,

Amanda Hardy

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Amanda M. Hardy
Attorney at Law
4 Office Park Circle, Suite 116
Birmingham, Alabama 35223
amandahardylaw@gmail.com
Office: 205-870-3700

Bern, Elizabeth <elizabeth.bern@jic.alabama.gov>
To: Amanda Hardy <amandahardylaw@gmail.com>
Cc: "Garrett, Jenny" <Jenny.Garrett@jic.alabama.gov>

Tue, Jul 6, 2021 at 9:05 AM

Good morning Mrs. Hardy,

I was out of the office Friday, and just read your email this morning along with the Court's Order scheduling trial. Usually, the Court enters a scheduling order with deadlines for exchanging witness lists, etc. Hopefully, we will receive that soon, and I will furnish you the information per the scheduling order.

Does Judge Jinks still wish to have an alternate-dispute-resolution hearing before the Commission? Please advise so that we can schedule it.

Thank you,

Elizabeth

Elizabeth Bern, Legal Counsel

Alabama Judicial Inquiry Commission

401 Adams Avenue, Suite 720

7/16/2021

Gmail - Trial Witnesses

P.O. Box 303400 * Montgomery, AL 36130

Telephone: 334.242.4089

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