

BEFORE THE ALABAMA COURT OF THE JUDICIARY

IN THE MATTER OF:

STATE OF ALABAMA JUDICIAL INQUIRY COMMISSION

v.

THE HONORABLE TRACIE A. TODD
CIRCUIT JUDGE, BIRMINGHAM DIVISION,
CRIMINAL DIVISION, JEFFERSON COUNTY, ALABAMA

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Case # 61

FILED

AUG - 2 2022

ALABAMA COURT OF THE JUDICIARY
Nathan P. Wilson
Secretary

MOTION FOR ONE-DAY EXTENSION OF TIME TO PROVIDE EXHIBITS

Comes now, Defendant, Judge Tracie A. Todd, (“Defendant”), by and through counsel, and hereby respectfully requests this Honorable Court to enter an order granting an extension of one day in which to provide exhibits. In support thereof, the undersigned states as follows:

1. Mr. Ungvarsky arrived in Birmingham on Sunday night, July 31st. The parties just completed all-day depositions on August 1 and 2, 2022.
2. Mr. Ungvarsky is scheduled to fly back to Virginia at 6:15 a.m. on August 3, 2022. Upon returning, Mr. Ungvarsky immediately travels to conduct a state court bench trial.
3. Mr. Ungvarsky was unable to work on exhibits last week, due to work on other case matters that included a scheduled trial, the need to prepare for the depositions, preparations to move the physical location of his office, and over the weekend before his Sunday night flight to Birmingham, a brief,

local hotel holiday with his wife apart from their children to celebrate their marriage's 20th wedding anniversary.

4. Mr. Ungvarsky has an endoscopic ultrasound scheduled for August 4, 2020. He is on an all-liquid diet as of the time of filing this motion and throughout all August 3, 2022 until the early morning of August 4, 2022. Upon completing the trial, he anticipates some inability to work and focus from preparation for the ultrasound, based upon recent experience with a colonoscopy.
5. Mr. Ungvarsky will endeavor to compile and provide exhibits by tomorrow, August 3, 2022; however, he anticipates difficulty in meeting the deadline. He requests, on behalf of Judge Todd, a one-day extension of time to identify, compile, and provide the exhibits on August 4, 2022 after the conclusion of his procedure.
6. The Commission will not be prejudiced by this one-day extension, and Judge Todd will agree to a commensurate one-day extension to file objections to Respondent's exhibits if requested by the Commission.
7. Mr. Ungvarsky advised counsel for the Commission of this Motion and its bases earlier today; and Mr. Selden authorized him to represent that the Commission opposes this motion.

WHEREFORE PREMISES CONSIDERED, Judge Tracie A. Todd respectfully requests that the Court enter an Order granting the relief

requested above along with such additional and further relief the Court deems just and proper.

Respectfully submitted,

/s/ Richard A. Rice (RIC086)

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CERTIFICATE OF SERVICE

¹ Please note that Mr. Ungvarsky's office is moving, effective August 4, 2022. The new address is 421 King Street, Suite 505, Alexandria, VA 22314. Mr. Ungvarsky advised Commission counsel of this new address earlier today. Much of last week was consumed with packing and organizing the move. Several hours on August 3, 2022 are devoted to the final packing of the office prior to the arrival of the movers on the morning of August 4, 2022, although Mr. Ungvarsky anticipates the assistance of student interns with the process after the completion of the court matter.

I hereby certify that we have on this 2nd day of August, 2022 electronically filed the foregoing with the Court of the Judiciary, and that I have further served a copy by sending the same via email, and properly addressed as follows:

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