

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 #46
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IN THE ALABAMA COURT OF _____ THE JUDICIARY

APPELLANT	Roy S. Moore, Chief Justice of the Supreme Court of Alabama
V. APPELLEE	Alabama Judicial Inquiry Commission
TRIAL JUDGE	J. Michael Joiner (Chief Judge)
DATE OF JUDGMENT:	September 30, 2016
DATE OF POST – JUDGMENT ORDER:	

NOTICE IS HEREBY GIVEN THAT Chief Justice Roy S. Moore appeal(s) to the above-named court from the Final Judgment Order of "suspension" without pay for the remainder of term entered in this cause. (describing it)

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

<p align="center">SUPREME COURT</p> <p>1. <input type="checkbox"/> Summary Judgment, amount claimed more than \$ 50,000</p> <p>2. <input type="checkbox"/> Judgment Amount exceeds \$50,000</p> <p>3. <input type="checkbox"/> Amount Sought in trial court more than \$50,000. Judgment for defendant</p> <p>4. <input type="checkbox"/> Equitable Relief, except for domestic relations</p> <p>5. <input checked="" type="checkbox"/> Other: <u>Final COJ Judgment (Al. Const. Sec. 157(b))</u></p>	<p align="center">COURT OF CIVIL APPEALS</p> <p>1. <input type="checkbox"/> Summary Judgment, amount claimed \$ 50,000 or less</p> <p>2. <input type="checkbox"/> Judgment Amount \$50,000 or less</p> <p>3. <input type="checkbox"/> Amount Sought \$50,000 or less. judgment for defendant</p> <p>4. <input type="checkbox"/> Workmen's Compensation</p> <p>5. <input type="checkbox"/> Domestic Relations</p> <p>6. <input type="checkbox"/> Other: _____</p>
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APPELLANT FILES WITH THIS NOTICE OF APPEAL:

- Security for costs of appeal
- A supersedeas bond in the amount of \$ _____
- Deposited cash security in the amount of \$ _____
- Is exempted by law from giving security for costs of appeal by virtue of _____

Filed 09/30/2016
(Date)

Horatio G. Mihet
Address
P.O. BOX 540774 407-875-1776
Telephone Number

CERTIFIED AS A TRUE COPY

Circuit Clerk

Orlando, FL 32854
Appellant or Attorney for Appellant
Email hmihet@lc.org

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 30th day of September, 2016 Roy S. Moore (L.S.)
Roy S. Moore, Chief Justice

Filed and approved: _____
(Date)

Horatio G. Mihet, V.P. Legal Affairs, Liberty Counsel (L.S.)
Surety

Circuit Clerk
(Amended November 9, 1976; October 1, 1991.)

Surety (L.S.)

SUPERSEDEAS BOND

We, the undersigned principal and sureties, hereby acknowledge ourselves bound unto _____ 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.

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: _____ (L.S.)
(Date) Appellant-principal

Surety (L.S.)

Surety (L.S.)

Circuit Clerk

EXECUTION OF JUDGMENT STAYED:

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

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):
Jeanne Boggs

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 5 copies of the foregoing notice of appeal (along with ~~\$400~~^{\$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 ~~\$400~~^{\$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: John L. Carroll, Rosa H. Davis, P.O. Box 303400, Montgomery, AL 36130
Address: R. Ashby Pate, 400 N. 20th St., Birmingham, AL 35203

DATED this 30th day of September, 2016.

Harry Clark
Attorney for Appellant

(Amended October 1, 1991.)