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**From:** Columbia Christians for Life <CCL@spiritcom.net>  
**Sent:** Tuesday, August 9, 2016 3:03 PM  
**Subject:** (Photos) Report on Chief Justice Roy Moore Hearing on Unjust Charges -  
Montgomery, AL - August 8, 2016

[Columbia Christians for Life \(CCL\)](#)  
Columbia, South Carolina  
August 9, 2016

(Photos)

## Report on Chief Justice Roy Moore Hearing on Unjust Charges

- Montgomery, AL - August 8, 2016

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**Results of August 8, 2016 Court of the Judiciary Hearing on Removal of Alabama State Supreme Court Chief Justice Roy Moore ( [Elected](#) by Alabama voters November 6, 2012 ):**

1. "The Court of the Judiciary did not issue a ruling after the hearing ..." [ [Montgomery Advertiser](#), Aug. 9, 2016 ]
2. The Court of the Judiciary denied summary judgment in an order issued late Monday.  
[ [Montgomery Advertiser](#), Aug. 9, 2016 ]
3. Alabama State Supreme Court Chief Justice Roy Moore will go on trial on [ **CCL: unjust** ] ethics charges on Wednesday, September 28, 2016.  
[ [Montgomery Advertiser](#), Aug. 9, 2016 ]
4. Prosecuting the case against Christian Roy Moore is the Alabama [Judicial Inquiry Commission](#), which is being represented by John Carroll, a Cumberland School of Law professor, and retired federal judge, and former Legal Director for the [ **CCL: "hate-group" attack industry's** ] Southern

## Poverty Law Center in Montgomery, Alabama (1975 - 1984).

**John L. Carroll, Professor of Law, Cumberland School of Law**

<http://www.samford.edu/cumberlandlaw/directory/Carroll-John-L>

**John L. Carroll, wiki**

[https://en.wikipedia.org/wiki/John\\_L.\\_Carroll](https://en.wikipedia.org/wiki/John_L._Carroll)

### 5. Alabama [Court of Judiciary - 08/08/2016 Order](#)

**IN THE MATTER OF: ROY S. MOORE**

**Chief Justice, Supreme Court of Alabama**

"All pending summary-judgment motions in this matter are DENIED."

"The trial of this matter is set for September 28, 2016, beginning at 9 a.m. in the Supreme Court Courtroom,

300 Dexter Avenue, Montgomery, Alabama."

"ORDERED this 8th day of August, 2016."

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**Montgomery Advertiser ( Alabama )**

### **Roy Moore case: Was SSM order defiance or guidance?**

<http://www.montgomeryadvertiser.com/story/news/politics/southunionstreet/2016/08/08/roy-moore-case-ssm-order-defiance-guidance/88397266/>

[Brian Lyman](#), Montgomery Advertiser

8:52 a.m. CDT August 9, 2016

### **VIDEOS: ROY MOORE CONTROVERSY [ 1 of 12 videos ]**

Silent Session: The Roy Moore case | 1:35

Silent Session reviews the events that led to ethics charges against Alabama Chief Justice Roy Moore,

who faces penalties up to removal from the bench over a Jan. 6 same-sex marriage order.

Brian Lyman / Advertiser

[ CCL: Portion omitted, comments added ]

Prosecutors and defense attorneys agreed on this Monday afternoon: They don't need a trial to determine

whether Alabama Chief Justice Roy Moore should stand trial on ethics charges.

That was the only point of overlap in an hour-long hearing over whether the court should remove the chief justice

from office over a Jan. 6 order that told probate judges not to issue marriage licenses to same-sex couples.

That order came despite the U.S. Supreme Court's ruling striking down such bans in [ **CCL: the**

**unconstitutional,  
and evil SCOTUS Opinion ]** *Obergefell v. Hodges* six months earlier.

Mat Staver, a Florida-based attorney representing Moore, told the Court of the Judiciary that the order aimed to guide probate judges on a pending court matter, and tell them that the Alabama Supreme Court had yet to rule on a challenge to same-sex marriage, brought after a federal judge struck down the state bans in January 2015.

“Nothing had been done,” Staver told the panel. “The probate judges were wondering, ‘What do we do?’”

The Judicial Inquiry Commission, which said the order violated the state's Canons of Judicial Conduct, said Moore should follow federal rulings. John Carroll, a Cumberland School of Law professor and retired federal judge representing the JIC, said that Moore, an outspoken social conservative, had for months signaled his opposition to federal law through letters to Gov. Robert Bentley, the state’s probate judges and memos to fellow justices in which he paraphrased “First they came for” by Martin Niemöller, a German pastor who opposed the Nazis.

“We can’t allow this chief justice to pretend away any of these charges,” Carroll told the court. “All his actions leading to his Jan. 6 order ... all of these show from the (January) day he first sent a letter to the governor he was on a mission not to recognize federal law [ **CCL: FALSE - Supreme Court OPINIONS do not make law** ] on same-sex couples.”

The Court of the Judiciary did not issue a ruling after the hearing, but denied summary judgment in an order late Monday. Moore will go to trial on his ethics charges Sept. 28.

#### **‘It was their decision’**

Speaking outside the court to a crowd of supporters after the hearing, Moore repeated arguments made in many briefs over the past year that a March 2015 Alabama Supreme Court order that stopped same-sex marriage [remained in effect](#) at the time of the January order, regardless of the U.S. Supreme Court ruling. The state court at the time was considering a lawsuit against same-sex marriage brought by the Alabama Policy Institute (API) and the Alabama Citizens Action Program (ALCAP), despite an 11th U.S. Circuit Court of Appeals order last year abrogating the case.

**(STORY CONTINUES BELOW)**

[ 18 Photos ]

**Roy Moore's hearing before the Court of the Judiciary [ August 8, 2016 ]**



[ Photo #1 of 18 ]

Roy Moore listens to oral arguments during his hearing before the Court of the Judiciary at the state judicial building

in Montgomery, Ala., on Monday August 8, 2016.

Mickey Welsh / Advertiser



[ Photo #2 of 18 ]

Supporters stand and clap as Roy Moore takes his seat for his hearing before the Court of the Judiciary at the state judicial building in Montgomery, Ala., on Monday August 8, 2016.  
Mickey Welsh / Advertiser



[ Photo #3 of 18 ]

Roy Moore's hearing before the Court of the Judiciary is held at the state judicial building in Montgomery, Ala., on Monday August 8, 2016.

Mickey Welsh / Advertiser



[ Photo #9 of 18 ]

Roy Moore listens to oral arguments during his hearing before the Court of the Judiciary at the state judicial building in Montgomery, Ala., on Monday August 8, 2016.

Mickey Welsh / Advertiser



[ Photo #16 of 18 ]

Roy Moore and his attorneys listen to Judicial Inquiry Commission attorney John Carroll during Moore's hearing before the Court of the Judiciary at the state judicial building in Montgomery, Ala., on Monday August 8, 2016.

Mickey Welsh / Advertiser



[ Photo #17 of 18 ]

J. Michael Joiner, Chief Judge of the Court of the Judiciary, asks questions during Roy Moore's hearing before the Court of the Judiciary at the state judicial building in Montgomery, Ala., on Monday August 8, 2016.  
Mickey Welsh / Advertiser



[ Photo #18 of 18 ]

Roy Moore listens to oral arguments during his hearing before the Court of the Judiciary at the state judicial building in Montgomery, Ala., on Monday August 8, 2016.  
Mickey Welsh / Advertiser

“It’s the objective of my Jan. 6 order to get the Supreme Court to rule on this case,” Moore said in his first public statement since his suspension on May 6. “It was their decision. I said, ‘I can’t give any guidance to the probate judges on this matter. I’m not at liberty to do that.’”

Moore’s four-page order said he could not give guidance on the issue, which Staver stressed in his presentation, insisting he was not trying to make law but [provide updates](#) on the API case.

“You cannot read, you cannot construe, you cannot misunderstand ... that anywhere in that four-page order the chief justice changed the status quo or told probate judges to disobey the U.S. Supreme Court,” Staver said.

Moore made it more direct following the hearing.

“There is no evidence we violated the law,” he said. “It is a legal order,” adding later that “it wasn't about how I feel.”

Carroll, speaking to the court, said the case was not about an individual’s feelings about same-sex marriage but Moore’s “repeated refusal to follow the rule of law,” citing the current case and Moore’s refusal in 2003 to obey a federal order to remove a Ten Commandments monument from the Heflin-Torbert Judicial Building, where the state’s appellate courts meet. The refusal led to Moore’s removal from the bench.

Carroll noted that Moore at first recused himself from the API case, but later rejoined it to pen [an angry critique](#) of the *Obergefell* decision in March.

“He got back in the case because his view is a state law trumps a federal law; probate judges were not following state law and they had to be ordered to do so,” he said.

Carroll also noted Moore’s [paraphrase of Niemöller ’s statement](#) in the memos to the justices, saying “he’s essentially accusing federal judges enforcing same-sex marriage laws of being like the Nazis in Germany.” Staver called that “offensive” and said it was not what the chief justice was saying.

### **Supporters and protesters**

A crowd of about 100 people came out in support of Moore. While the chief justice and his attorneys argued the Jan. 6 order did not order disobedience of the U.S. Supreme Court, many said they saw Moore standing up for traditional marriage.

“I don’t believe any court can make any laws,” said Jeremiah Campana, a landscaper who traveled from Florida to attend the rally.

“I believe it’s up to the state to decide to make laws.”

**(STORY CONTINUES BELOW)**

[ 17 Photos ]

### **Roy Moore rallies 8/8/2016**



[ Photo #2 of 17 ]

Ante Paukovic leads a prayer during a rally prior to Roy Moore's hearing before the Court of the Judiciary

at the state judicial building in Montgomery, Ala., on Monday, Aug. 8, 2016.

Mickey Welsh / Advertiser



[ Photo #8 of 17 ]

A rally is held prior to Roy Moore's hearing before the Court of the Judiciary at the state judicial building in Montgomery, Ala., on Monday August 8, 2016.  
Mickey Welsh / Advertiser



[ Photo #12 of 17 ]

Rusty Thomas carries his bible during a rally prior to Roy Moore's hearing before the Court of the Judiciary at the state judicial building in Montgomery, Ala., on Monday August 8, 2016.

Mickey Welsh / Advertiser



[ Photo #16 of 17 ]

Young men carry signs during a rally prior to Roy Moore's hearing before the Court of the Judiciary

at the state judicial building in Montgomery, Ala., on Monday August 8, 2016.

Mickey Welsh / Advertiser

Tim Yarbrough, an energy consultant from Moulton, said that he considered the U.S. Supreme Court a political, unstable body.

“As a nation, we’ve gone to a place where ethics have gone to a totally relativistic system,” he said. “No nation has survived that. Never has, never will.”

The rally also presented a jarring mix of lilting Christian hymns fighting the sounds of Moore supporters heckling and in some cases screaming at a smaller group from the Human Rights Campaign of Alabama, which gathered to urge Moore’s removal. Some yelled at the protesters that homosexuality was "vile" and many attempted to interrupt them when they spoke with members of the media.

"You're not going to have a lesbian judge to protect you when you die," yelled Ken Scott of Denver.

Ambrosia Starling [ CCL: [drag queen](#), "[male ... who presents himself as a woman](#)" ], who Moore singled out for criticism after his suspension, said Monday there was “no greater sin” than “putting bigotry

in God's mouth.”

Starling, like other protesters, said Moore's presence on the high court meant LGBTQ people would not get a fair hearing in court.

“Regardless of whether you're black, white, pink or blue, it doesn't matter,” she [ **CCL: sic - "he"** ] said. “We're all entitled to equal protection under the law.”

continued...

Richard Cohen, president of the Southern Poverty Law Center, which brought many complaints against Moore, said the chief justice's removal was the only option.

“He has absolutely told 68 probate judges to violate a federal court order,” he said after the hearing. “Now he's trying to save his skin by playing word games. It's unseemly and it's dishonest.”

Carroll said he took “no joy” in recommending Moore's removal. Carroll, however, said former chief justices like Howell Heflin or Bo Torbert would have opposed same-sex marriage, “but not one of them would have done what this chief justice did.” Moore afterward said the JIC would have to face the fact that “they take great joy in this.”

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