

**COMMONWEALTH OF KENTUCKY
HOUSE OF REPRESENTATIVES**

IN THE MATTER OF:

THE IMPEACHMENT OF GOVERNOR ANDREW BESHEAR

PETITIONER'S MOTION TO
WITHDRAW AS
PARTY

Comes now Petitioner Randall L. Daniel by counsel, and he moves the Committee for leave to withdraw as a Petitioner in the above-referenced matter. As grounds, he states as follows:

1. Having consulted with counsel, Petitioner is of the opinion that the Respondent, Governor Beshear, acted under the color of law as to matters set forth in the Petition.

2. While citizens remain always free to approve of or disapprove of policy decisions made by the Governor, the election process, in and of itself, is an adequate and plenary remedy by which the Citizens of the Commonwealth may generally resolve policy differences with their elected officials.

3. Having reviewed the law with counsel, Petitioner is of the opinion that Impeachment is an extraordinary remedy, reserved for cases where an elected official commits illegal, fraudulent, corrupt or seditious acts. Having reviewed the pleadings with counsel, Petitioner is of the opinion that this instance is not of that nature.

4. Having reviewed all pleadings with counsel, Petitioner is of the opinion that the election process adequately protects the interests of the People in this instance.

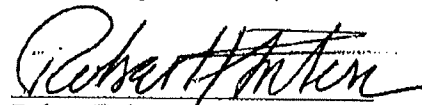
5. Having reviewed the pleadings with counsel, Petitioner is of the opinion that the Governor has obeyed Court rulings adverse to his policy decisions.

6. Petitioner wishes to be disassociated from any harsh, intemperate, or disrespectful language directed towards the Governor, the Supreme Court of Kentucky, or the General Assembly in any pleadings filed in his name. He wishes to be disassociated from any personal attacks, as any may appear, especially those intended to or tending to cause the Governor to be personally distressed. Personal attacks have no place in Government process.

7. Petitioner, in short, simply and respectfully disagrees with several policy decisions made by the Governor. He also respectfully disagrees with the Kentucky Supreme Court's reasoning in the case of *Beshear v Acree*, and he hopes that the General Assembly will appropriately act within its scope of authority to address the legal issues set forth in that Opinion. He, however, upon consulting with counsel, does not view policy disagreements as grounds for Impeachment.

WHEREFORE , and for all the reasons set forth herein, Petitioner Randall Daniel moves the Committee for leave to withdraw as a Petitioner in the instant action, and he prays that his withdrawal be dated nunc pro tunc to the time of the filing of Petition.

Respectfully Submitted,



Robert F. Sexton
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Owensboro, KY 42303
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**COMMONWEALTH OF KENTUCKY
HOUSE OF REPRESENTATIVES**

IN THE MATTER OF:

THE IMPEACHMENT OF GOVERNOR ANDREW BESHEAR

AFFIDAVIT OF PETITIONER
RANDALL L. DANIEL, PETITIONER

Comes the Affiant and states as follows:

1. My name is Randall Daniel, I am the same Randall L. Daniel who is one of the Petitioners in the above-referenced action, now pending before a special committee of the House of Representatives.
2. I have reviewed the attached Motion, prepared by my attorney. It accurately states my position, and, as such, I adopt it as my own.
3. I request the Committee to grant me the relief I seek in my Motion.

Further the Affiant saith not.

Randall Daniel
Randall L. Daniel

COMMONWEALTH OF KENTUCKY

COUNTY OF BULLITT

On the 9th, day of February, 2021, came Randall L. Daniel, before me in the City of Shepherdsville, and he took the oath required of witnesses. He then established his identity by a tender of good proof. He thereupon deposed that he had reviewed the Motion prepared by his attorney at his request, and that it accurately stated his position. He then signed the Affidavit above in my presence.

Daniel Sexton
 NOTARY PUBLIC, STATE AT LARGE
 Name: Daniel Sexton
 My commission expires: 02/20/22
 Notary #: 0001408

* @ First Harrison Bank
1612 Hwy 44 E Shep Ky 40105

NOTICE AND CERTIFICATE OF SERVICE

Please take notice that the forgoing Motion has been served by Fax to: 502-564-2922 and 502-564-6543 and by First Class Mail to: Jason Nemes, 700 Capital Avenue, Frankfort, KY 40601, George Brown Jr, 700 Capital Avenue, Frankfort, KY 40601, Angie Hatton, 700 Capital Avenue, Frankfort, KY 40601, Kim King, 700 Capital Avenue, Frankfort, KY 40601, C. Ed Massey, 700 Capital Avenue, Frankfort, KY 40601, Suzanne Miles, 700 Capital Avenue, Frankfort, KY 40601, Patti Minter, 700 Capital Avenue, Frankfort, KY 40601, Felicia Rabourn, 700 Capital Avenue, Frankfort, KY 40601, Buddy Wheatley, 700 Capital Avenue, Frankfort, KY 40601, Amy D. Cabbage, Office of Governor Andy Beshear, 700 Capitol Avenue, Suite 106, Frankfort, KY 40601.

This the 9th day of February, 2021.


Robert F. Sexton
Attorney at Law

FAX

Date: 02.09.2021 15:18

Remaining pages: 4

From:	rec.svlaw@gmail.com
Company:	Sexton and Vallandingham, PLLC
Location:	326 St. Ann Street, Owensboro, KY 42303
Phone number:	2709267777
Fax number:	844 273-3652

To:	JASON NEMES
Company:	2021 Impeachment Committee
Location:	
Phone number:	502-564-8100
Fax number:	502 564-2922
Regarding:	Attorney for Randall Daniel - RE - Matter of Impeachment of
Comments:	Please contact our office if you have any questions. Thank you.
	Attorney for Randall Daniel
	Hon. Robert F. Sexton
	Sexton & Vallandingham, PLLC
	270-926-7777