

# 'Ten Commandments Judge' Roy Moore poised to return to Ala. court

by [Debbie M. Lord](#) and [Brendan Kirby](#)

March 14, 2012

c. 2012 Religion News Service

MOBILE, Ala. (RNS) With 98 percent of state precincts counted, Roy Moore held on to 51 percent of the vote in his bid to retake his former job as chief justice of the state's supreme court.

Moore received 279,381 votes to Mobile Judge Charlie Graddick's 139,673 votes (25 percent), and incumbent Chief Justice Chuck Malone's 136,050 votes (24 percent).

If Moore slips below the magical 50 percent mark once all precincts are reported, he would face either Graddick or Malone in a Republican run-off on April 24.

"I'm very happy at what we thought was going to happen. The people support me. So many tried to disparage me," Moore said after the vote on Tuesday (March 13). "My opponents are very good men, qualified judges. I've never made any disparaging remarks."

Moore is hoping to regain a position he lost in 2003 when a state panel expelled him from office for failing to comply with a federal court order to remove a 5,280-pound granite monument to the Ten Commandments that he had placed in the Alabama Judicial Building in Montgomery.

Moore argued -- and continues to maintain -- that he had a right to acknowledge God and that following the order would have been a violation of his oath to the Constitution.

Moore went on to run for governor in 2006 and 2010 and lost. His name was also floated as a presidential candidate in 2004 and 2008 for the Constitution Party but he never ran.

Moore, 65, was poised to win his old job back despite getting badly outspent by his two GOP opponents. "That should tell you something," he said, giving credit to God.

Malone, the incumbent chief justice, said he believes Moore had an advantage since he could devote his full attention to campaigning while the other candidates have full-time jobs.

"At this point, we're not conceding anything," Malone said. "I knew (Moore) would do well. I didn't expect it would be at this level. He's run five times statewide. I know name recognition has a lot to do with it."

Graddick said the vote is close enough that it could change when the final results are in. "If it does, we're prepared to hit the ground running, and if it doesn't, I'll call Judge Moore and congratulate him," he said.

Attorney Harry Lyon is running as the Democratic candidate for chief justice; voters will decide between Lyon and the final Republican nominee in November, but the GOP winner is widely expected to be the favorite.

In an attempt to sidestep any lingering controversy over the Ten Commandments monument, Moore promised repeatedly throughout this campaign that he would not try to bring it back if elected.

On the campaign trail, Moore also downplayed his open defiance with the federal court that ordered the monument removed.

"I can't envision a set of circumstances or an order that would cause me to be in conflict with a higher court," he said. "This is the only conflict I've had with a higher court, and I can't envision another conflict."

Moore sought to make the race about his experience running the court system during a financial crisis. He depicted himself as a steady hand who had previously guided the judiciary through difficult budget cuts.