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# ALABAMA COURT OF CIVIL APPEALS

OCTOBER TERM, 2018-2019

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2161079

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Ralph Eustace et al.

v.

James Ray Wilbourn et al.

Appeal from Jackson Circuit Court  
(CV-04-150)

After Remand from the Alabama Supreme Court

PER CURIAM.

On July 13, 2018, this court affirmed, without an opinion, a judgment of the Jackson Circuit Court. Eustace v. Wilbourn (No. 2161079, July 13, 2018), \_\_\_ So. 3d \_\_\_ (Ala.

2161079

Civ. App. 2018) (table). On April 5, 2019, our supreme court reversed the judgment of this court and remanded the cause, concluding that this court had "lacked jurisdiction over this case[] because the judgment from which [the appeal had been taken] was not a final judgment." Ex parte Eustace, [Ms. 1171103, April 5, 2019] \_\_\_ So. 3d \_\_\_, \_\_\_ (Ala. 2019). On remand to this court and in compliance with the instructions set forth in Ex parte Eustace, we "dismiss the appeal as being from a nonfinal judgment."<sup>1</sup> Id.

APPEAL DISMISSED.

All the judges concur.

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<sup>1</sup>After this court's certificate of judgment is issued, see generally Rule 41, Ala. R. App. P., and Ex parte Tiongson, 765 So. 2d 643 (Ala. 2000), the Jackson Circuit Court will reacquire jurisdiction to enter a final judgment in this case, which was originally commenced in 2004.