rel: 04/03/2009

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## ALABAMA COURT OF CIVIL APPEALS

OCTOBER TERM, 2008-2009

2070445

Lisa Puckett Steward

v.

William Don Steward

Appeal from Etowah Circuit Court (DR-06-460)

PITTMAN, Judge.

AFFIRMED. NO OPINION.

See Rule 53(a)(1) and (a)(2)(F), Ala. R. App. P.; Rule

45, Ala. R. App. P.; Rule 32(A)(1)(a), Ala. R. Jud. Admin.;

D.A. v. Calhoun County Dep't of Human Res., 976 So. 2d 502,

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504 (Ala. Civ. App. 2007); and <u>Allen v. Allen</u>, 565 So. 2d 653, 655-56 (Ala. Civ. App. 1990).

Thomas and Moore, JJ., concur.

Thompson, P.J., and Bryan, J., concur specially.

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THOMPSON, Presiding Judge, concurring specially.

This case involves a custody dispute. At this time, this Court cannot address whether the trial court's joint-custody order complies with § 30-3-153(b), Ala. Code 1975, because the mother failed to raise the issue in the trial court.

Bryan, J., concurs.