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## ALABAMA COURT OF CIVIL APPEALS

OCTOBER TERM, 2012-2013

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2110061

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Carol Renee Hitt

v.

Melvin Loy Roden

Appeal from Lawrence Circuit Court  
(DR-03-190.02)

On Application for Rehearing

MOORE, Judge.

APPLICATION GRANTED; OPINION OF DECEMBER 21, 2012,  
WITHDRAWN; AFFIRMED. NO OPINION.

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See Rule 53(a)(1) and (a)(2)(A), Ala. R. App. P.; Spradlin v. Spradlin, 601 So. 2d 76, 79 (Ala. 1992); and Empiregas, Inc. of Ardmore v. Hardy, 487 So. 2d 244, 251 (Ala. 1985).

Pittman, Thomas, and Donaldson, JJ., concur.

Thompson, P.J., dissents, with writing.

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THOMPSON, Presiding Judge, dissenting.

This is a postdivorce proceeding in which, among other things, Carol Renee Hitt ("the wife") sought a finding of contempt against Melvin Loy Roden ("the husband") based on his alleged failure to comply with provisions in the parties' divorce judgment regarding the payment of periodic alimony and alimony in gross. I would reverse the trial court's judgment and remand this cause to the trial court for it to enter a judgment explaining how it determined a credit against its alimony-in-gross award to the wife based on the proceeds of the sale of a parcel of real property owned by the husband. See Blasdel v. Blasdel, 65 So. 3d 420, 433 (Ala. Civ. App. 2010). Therefore, I respectfully dissent.