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ALABAMA COURT OF CIVIL APPEALS

SPECIAL TERM, 2010

2071171

Aletha Brown Thomas

v.

Brian Thomas

**Appeal from Montgomery Circuit Court
(CV-07-266)**

On Remand from the Alabama Supreme Court

THOMAS, Judge.

The Alabama Supreme Court has held that the prior judgment of this court is void for lack of subject-matter jurisdiction. See Ex parte Thomas, [Ms. 1081447, July 16,

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2010] ___ So. 3d ___, ___ (Ala. 2010). On remand to this court, and in compliance with the supreme court's opinion, we vacate our judgment, dismiss the appeal, and instruct the trial court to vacate its judgment.

APPEAL DISMISSED WITH INSTRUCTIONS.

Thompson, P.J., and Pittman, Bryan, and Moore, JJ.,
concur.