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# ALABAMA COURT OF CRIMINAL APPEALS

OCTOBER TERM, 2009-2010

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CR-05-0912

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Thomas Chester Ray, Jr.

v.

State of Alabama

Appeal from Etowah Circuit Court  
(CC-05-907.01)

On Remand from the Alabama Supreme Court

KELLUM, Judge.<sup>1</sup>

The appellant, Thomas Chester Ray, Jr., was convicted of sexual abuse in the first degree, a violation of § 13A-6-66(a)(1), Ala. Code 1975. The circuit court sentenced Ray to

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<sup>1</sup>Judge Kellum was not a member of the Court of Criminal Appeals when the original decision in this case was released. This case was assigned to Judge Kellum on January 20, 2009.

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10 years' imprisonment. This Court affirmed Ray's conviction and sentence on April 27, 2007. See Ray v. State, [Ms. CR-05-0912, April 27, 2007] \_\_\_ So. 3d \_\_\_ (Ala. Crim. App. 2007).

Ray petitioned the Alabama Supreme Court for certiorari review, arguing that the circuit court erred in admitting evidence relating to a prior juvenile adjudication in Ohio in which Ray pleaded guilty to an offense involving sexual contact with a child. The Supreme Court granted certiorari review and, on May 29, 2009, reversed this Court's judgment, holding that "the evidence regarding Ray's juvenile adjudication in Ohio and the incident made the basis of that adjudication was not admissible under the completeness doctrine." Ex parte Ray, [Ms. 1061459, May 29, 2009] \_\_\_ So. 3d \_\_\_, \_\_\_ (Ala. 2009).

In light of the Supreme Court's holding, we reverse the circuit court's judgment and remand this case for further proceedings consistent with the Supreme Court's opinion.

REVERSED AND REMANDED.

Wise, P.J., and Welch, Windom, and Main, JJ., concur.