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# ALABAMA COURT OF CRIMINAL APPEALS

OCTOBER TERM, 2007-2008

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CR-06-1310

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State of Alabama

v.

Steven Lewis Finley

Appeal from Montgomery Circuit Court  
(CC-06-986)

SHAW, Judge.

AFFIRMED BY UNPUBLISHED MEMORANDUM.

McMillan, Wise, and Welch, JJ., concur. Baschab, P.J.  
dissents, with opinion.

CR-06-1310

BASCHAB, PRESIDING JUDGE, dissenting.

I respectfully dissent for the reasons set forth in my dissent in State v. Clemons, [Ms. CR-05-1950, November 2, 2007] \_\_\_ So. 2d \_\_\_ (Ala. Crim. App. 2007).