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# ALABAMA COURT OF CRIMINAL APPEALS

OCTOBER TERM, 2018-2019

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CR-16-0890

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Jeffery Ray Duncan

v.

State of Alabama

Appeal from Clay Circuit Court  
(CC-16-148 and CC-16-149)

After Remand from the Alabama Supreme Court

KELLUM, Judge.

On December 15, 2017, this Court reversed and remanded the judgment of the circuit court on the basis that the court imposed a jail sentence that departed from the requirements of the presumptive sentencing standards. See Duncan v. State,

CR-16-0890

[Ms. CR-16-0890, Dec. 15, 2017] \_\_\_ So. 3d \_\_\_ (Ala. Crim. App. 2017). The State petitioned the Alabama Supreme Court for certiorari review, which that Court granted. On August 31, 2018, the Supreme Court reversed this Court's judgment and held that the circuit court did not exceed its discretion in sentencing Jeffery Ray Duncan to jail. See Duncan v. State, [Ms. 1170446, August 31, 2018] \_\_\_ So. 3d \_\_\_ (Ala. 2018).

In light of the Supreme Court's holding, we affirm the judgment of the circuit court imposing a jail sentence.

AFFIRMED.

Windom, P.J., and Welch and Joiner, JJ., concur.