

Rel: July 12, 2019

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ALABAMA COURT OF CRIMINAL APPEALS

OCTOBER TERM, 2018-2019

CR-17-0675

Moses Siedlik

v.

State of Alabama

Appeal from Jefferson Circuit Court
(CC-15-83.70)

COLE, Judge.

AFFIRMED BY UNPUBLISHED MEMORANDUM.

Windom, P.J., and Minor, J., concur. Kellum, J., concurs in the result. McCool, J., dissents, with opinion.

CR-17-0675

McCOOL, Judge, dissenting.

I respectfully dissent. For the reasons set forth in my dissent in McGowan v. State, [Ms. CR-18-0173, July 12, 2019] ___ So. 3d ___ (Ala. Crim. App. 2019), I would reverse Moses Siedlik's sentence, which is illegal, and remand this case to the trial court to conduct a new sentencing hearing. Therefore, I would not reach the issues dealt with by the majority in its unpublished memorandum; thus, I respectfully dissent.