

IN THE SUPREME COURT OF ALABAMA



September 4, 2009

1070980 Ex parte M. A. R. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: M. A. R. v. State of Alabama) (Cherokee Circuit Court: CC-06-464; Criminal Appeals : CR-06-1823).

CERTIFICATE OF JUDGMENT

WHEREAS, the appeal in the above referenced cause has been duly submitted and considered by the Supreme Court of Alabama and the judgment indicated below was entered in this cause on September 4, 2009:

Writ Quashed. No Opinion. Bolin, J. - Stuart, Smith, Parker, and Murdock, JJ., concur. Cobb, C.J., and Lyons, and Woodall, JJ., dissent. Shaw, J., recuses himself.

NOW, THEREFORE, pursuant to Rule 41, Ala. R. App. P., IT IS HEREBY ORDERED that this Court's judgment in this cause is certified on this date. IT IS FURTHER ORDERED that, unless otherwise ordered by this Court or agreed upon by the parties, the costs of this cause are hereby taxed as provided by Rule 35, Ala. R. App. P.

I, Robert G. Esdale, Sr., as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true, and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 4th day of September, 2009.

A handwritten signature in black ink, appearing to read "Robert G. Esdale, Sr.".

Clerk, Supreme Court of Alabama