

Rel: 11/26/08

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SUPREME COURT OF ALABAMA

OCTOBER TERM, 2008-2009

1071293

Ex parte Jimmy Davis, Jr.

**PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF CRIMINAL APPEALS**

(In re: Jimmy Davis, Jr.)

v.

State of Alabama)

**(Calhoun Circuit Court, CC-93-534.60;
Court of Criminal Appeals, CR-03-2086)**

WOODALL, Justice.

The petition for the writ of certiorari is denied.

1071293

In denying the petition for the writ of certiorari, this Court does not wish to be understood as approving all the language, reasons, or statements of law in the Court of Criminal Appeals' opinion. Horsley v. Horsley, 291 Ala. 782, 280 So. 2d 155 (1973).

WRIT DENIED.

See, Lyons, Stuart, Smith, Bolin, and Parker, JJ., concur.

Murdock, J., dissents.

Cobb, C.J., recuses herself.