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# SUPREME COURT OF ALABAMA

SPECIAL TERM, 2012

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Ex parte Gregory Lenard Weaver

PETITION FOR WRIT OF CERTIORARI  
TO THE COURT OF CRIMINAL APPEALS

(In re: Gregory Lenard Weaver

v.

State of Alabama)

(Houston Circuit Court, CC-09-1880;  
Court of Criminal Appeals, CR-10-1851)

MALONE, Chief Justice.

WRIT DENIED. NO OPINION.

Woodall, Stuart, Bolin, Parker, Shaw, and Main, JJ.,  
concur.

Murdock and Wise, JJ., dissent.

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WISE, Justice (dissenting).

For the reasons set forth, while I was serving as the presiding judge on the Alabama Court of Criminal Appeals, in my dissent in Sykes v. State, 25 So. 3d 485, 485 (Ala. Crim. App. 2009), and in Presiding Judge Baschab's dissent in Gargis v. State, 998 So. 2d 1092, 1100 (Ala. Crim. App. 2007), which I joined, I respectfully dissent from the denial of certiorari review in this case.