

IN THE SUPREME COURT OF ALABAMA



October 19, 2018

1160887 Ex parte Clinton Carter, in his capacity as Director of Finance for the State of Alabama. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Jim Zeigler v. Clinton Carter, in his capacity as Director of Finance for the State of Alabama, et al.) (Montgomery Circuit Court: CV-16-900980).

CERTIFICATE OF JUDGMENT

WHEREAS, the ruling on the application for rehearing filed in this case and indicated below was entered in this cause on October 19, 2018:

While this case was pending on appeal, Clinton Carter resigned as Director of Finance and Kelly Butler was appointed acting Director of Finance. Rule 43(b), Ala. R. App. P., provides that, when a public officer resigns during the pendency of an appeal, the successor is automatically substituted as a party.

Application Overruled. No Opinion. Mendheim, J. - Stuart, C.J., and Bolin, Parker, Shaw, Wise, Bryan, and Sellers, JJ., concur. Main, J., recuses himself.

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 July 27, 2018:

Petition Granted. Writ Issued. Mendheim, J. - Stuart, C.J., and Bolin, Parker, Shaw, Wise, and Sellers, JJ., concur. Bryan, J., concurs in the result. Main, 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, Julia J. Weller, 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 19th day of October, 2018.

A handwritten signature in cursive script that reads "Julia Jordan Weller".

Clerk, Supreme Court of Alabama