

# IN THE SUPREME COURT OF ALABAMA



April 12, 2019

**1170222** Ex parte Alabama Surface Mining Commission. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: John T. Crane et al. v. Alabama Surface Mining Commission and Black Warrior Minerals, Inc.) (Jefferson Circuit Court: CV-17-900352; Civil Appeals : 2160876).

## CERTIFICATE OF JUDGMENT

WHEREAS, the ruling on the application for rehearing filed in this case and indicated below was entered in this cause on April 12, 2019:

**Application Overruled. No Opinion.** Sellers, J. - Bolin, Mendheim, and Mitchell, JJ., and Lyons, J., Special Justice,\* concur. Parker, C.J., and Shaw, Bryan, and Stewart, JJ., dissent. Wise, J., recuses herself.

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 January 11, 2019:

**Petition Granted. Writ Issued.** Sellers, J. - Stuart, C.J., and Bolin, Main, and Mendheim, JJ., concur. Parker, Shaw, and Bryan, JJ., dissent.

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 12th day of April, 2019.

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

Clerk, Supreme Court of Alabama

\*Retired Justice Champ Lyons, Jr., was appointed by Chief Justice Parker on April 3, 2019, to serve as a Special Justice in regard to the application for rehearing in this petition for the writ of mandamus. See § 12-2-14, Ala. Code 1975.