

IN THE SUPREME COURT OF ALABAMA



December 15, 2023

1210055

City of Orange Beach v. Ian Boles. (Appeal from Baldwin Circuit Court: CV-16-900955).

CERTIFICATE OF JUDGMENT

WHEREAS, the ruling on the application for rehearing filed in this case and indicated below was entered in this cause on December 15, 2023:

Application Overruled. No Opinion. Shaw, J. -- Parker, C.J., and Mendheim and Stewart, JJ., concur. Wise, Bryan, and Sellers, JJ., dissent. Mitchell and Cook, JJ., recuse themselves.

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 June 16, 2023:

REVERSED AND REMANDED. Shaw, J. -- Stewart, J., concurs. Shaw, J., concurs specially, with opinion, which Mendheim, J., joins. Parker, C.J., concurs in the result, with opinion. Sellers, J., dissents, with opinion, which Wise and Bryan, JJ., join. Mitchell and Cook, JJ., recuse themselves..

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, Megan B. Rhodebeck, certify that this is the record of the judgment of the Court, witness my hand and seal.

Megan B. Rhodebeck
Clerk, Supreme Court of Alabama