

Rel: March 17, 2023

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SUPREME COURT OF ALABAMA

OCTOBER TERM, 2022-2023

SC-2022-0767

City of Dothan

v.

Carroll Ben Powell, Jr.

**Appeal from Dale Circuit Court
(CV-19-900102)**

MENDHEIM, Justice.

AFFIRMED. NO OPINION.

See Rule 53(a)(1) and (a)(2)(E), Ala. R. App. P.

SC-2022-0767

Shaw, Wise, Bryan, Sellers, Stewart, and Mitchell, JJ., concur.

Parker, C.J., concurs in part and dissents in part, with opinion,
which Cook, J., joins.

PARKER, Chief Justice (concurring in part and dissenting in part).

I concur in affirming the summary judgment in favor of Carroll Ben Powell, Jr., with regard to the City of Dothan's public-nuisance claim. I dissent from affirming the judgment in favor of Powell on the City of Dothan's interference-with-easement claim. I would reverse the judgment as to that claim.

Cook, J., concurs.