

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>BOBBY TARVER,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 07-00294-CG-B</b>
	)	
<b>Kim T. Thomas,<sup>1</sup> Commissioner,</b>	)	
<b>Alabama Department of Corrections,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER**

In accordance with the order entered on September 24, 2012 (Doc. 30), it is **ORDERED** that the sentence of death imposed upon petitioner Bobby Tarver is **VACATED**. It is further **ORDERED** that the Circuit Court of Mobile County, Alabama resentence Bobby Tarver to a term of life imprisonment without the possibility of parole. The resentencing shall occur within 90 days from the date of this order.

DONE and ORDERED this 27th day of September, 2012.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, the Court has substituted Kim T. Thomas, the current Commissioner of the Alabama Department of Corrections, for Richard Allen, who formerly served in that capacity.