

REL: 11/16/2012

Notice: This opinion is subject to formal revision before publication in the advance sheets of Southern Reporter. Readers are requested to notify the **Reporter of Decisions**, Alabama Appellate Courts, 300 Dexter Avenue, Montgomery, Alabama 36104-3741 ((334) 229-0649), of any typographical or other errors, in order that corrections may be made before the opinion is printed in Southern Reporter.

SUPREME COURT OF ALABAMA

OCTOBER TERM, 2012-2013

1110363

Ex parte Richard Tolbert

PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF CRIMINAL APPEALS

(In re: Richard Tolbert

v.

State of Alabama)

(Jefferson Circuit Court, CC-10-1405;
Court of Criminal Appeals, CR-10-0690)

MURDOCK, Justice.

1110363

The petition for the writ of certiorari is quashed. See Jefferson Cnty. Comm'n v. Edwards, 32 So. 3d 572, 581 (Ala. 2009), and Rule 40(b), Ala. R. App. P.

Our quashing of the writ should not be construed as approving all the language, reasons, or statements of law in the Court of Criminal Appeals' opinion. See Ex parte Kelley, 870 So. 2d 711, 714 (Ala. 2003), and Horsley v. Horsley, 291 Ala. 702, 280 So. 2d 155 (1973).

WRIT QUASHED.

Malone, C.J., and Woodall, Stuart, Bolin, Parker, Shaw, Main, and Wise, JJ., concur.