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SUPREME COURT OF ALABAMA

OCTOBER TERM, 2012-2013

1111480

Ex parte Willie B. Smith III

PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF CRIMINAL APPEALS

(In re: Willie B. Smith III

v.

State of Alabama)

(Jefferson Circuit Court, CC-92-1289.60;
Court of Criminal Appeals, CR-08-1583)

STUART, Justice.

The petition for the writ of certiorari is denied.

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In denying the petition for the writ of certiorari, this Court does not wish to be understood as approving all the language, reasons, or statements of law in the Court of Criminal Appeals' opinion. Horsley v. Horsley, 291 Ala. 782, 280 So. 2d 155 (1973).

WRIT DENIED.

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

Murdock, J., dissents.

Main and Wise, JJ., recuse themselves.*

*Justice Main and Justice Wise were members of the Court of Criminal Appeals when that court considered this case.