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# **SUPREME COURT OF ALABAMA**

**SPECIAL TERM, 2014**

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**1131077, 1131081, and 1131082**

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**Ex parte V.S.T.**

**PETITIONS FOR WRIT OF CERTIORARI  
TO THE COURT OF CIVIL APPEALS**

**(In re: V.S.T.**

**v.**

**R.W. and B.W.)**

**(Bessemer Probate Court, No. 50041554, No. 50041555,  
and No. 50041556;  
Court of Civil Appeals, 2130112, 2130113, and 2130114)**

WISE, Justice.

1131077, 1131081, and 1131082

1131077 -- WRIT DENIED. NO OPINION.

1131081 -- WRIT DENIED. NO OPINION.

1131082 -- WRIT DENIED. NO OPINION.

Stuart, Bolin, Main, and Bryan, JJ., concur.

Moore, C.J., and Parker and Murdock, JJ., dissent.

1131077, 1131081, and 1131082  
MURDOCK, Justice (dissenting).

The Court of Civil Appeals dismissed all of these appeals as untimely. It appears that a final judgment was entered in V.S.T.'s favor in a collateral action under § 26-10A-25(d), Ala. Code 1975; that she then filed a timely postjudgment motion pursuant to Rule 59, Ala. R. Civ. P.; and that she timely appealed within 42 days of the denial of that motion. Also, I find the petitions before us sufficiently compliant with the requirements of Rule 39, Ala. R. App. P. I therefore dissent from the Court's decision refusing to consider the petitions.