

IN THE SUPREME COURT OF ALABAMA
September 23, 2008

1951985

Ex parte Thomas Douglas Arthur. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Thomas Douglas Arthur v. State of Alabama) (Jefferson Circuit Court: CC-87-577; Criminal Appeals : CR-91-0718).

ORDER

The State of Alabama having filed an application for rehearing and the same having been duly submitted to the Court,

IT IS ORDERED that the application for rehearing is overruled.

The Court notes that a Rule 32, Ala. R. Crim. P., petition is currently pending in Jefferson Circuit Court, CC-87-577.62.

Cobb, C.J., and Lyons, Woodall, Smith, and Murdock, JJ., concur.

See, Stuart, Bolin, and Parker, JJ., dissent.

I Robert G. Esdale, Sr., as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 23^d day of September, 2008

Robert G. Esdale, Sr.
Clerk, Supreme Court of Alabama

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ORDER

The State of Alabama having filed a renewed motion to set an execution date, and the same having been duly submitted to the Court,

IT IS ORDERED that the motion is denied.

The Court notes that a Rule 32, Ala. R. Crim. P., petition is currently pending in Jefferson Circuit Court, CC-87-577.62.

Cobb, C.J., and Lyons, Woodall, Smith, Parker, and Murdock, JJ., concur.

Stuart and Bolin, JJ., dissent.

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