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ALABAMA COURT OF CIVIL APPEALS

OCTOBER TERM, 2009-2010

2070465

M.D.C.

v.

K.D.

**Appeal from DeKalb Circuit Court
(DR-03-20.01)**

After Remand from the Alabama Supreme Court

BRYAN, Judge.

The prior judgment of this court -- affirming the judgment of the DeKalb Circuit Court -- has been reversed and the cause remanded by the Supreme Court of Alabama. Ex parte

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M.D.C., [Ms. 1071625, September 30, 2009] ___ So. 3d ___ (Ala. 2009). On remand to this court and in compliance with the supreme court's opinion, we reverse the circuit court's judgment holding that M.D.C.'s obligation to pay child support was extinguished when his parental rights were terminated, and we remand the cause for further proceedings consistent with the supreme court's opinion.

REVERSED AND REMANDED.

Thompson, P.J., and Pittman, Thomas, and Moore, JJ., concur.

Bryan, J., concurs specially.

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BRYAN, Judge, concurring specially.

I write specially to note that I believe that the particular circumstances of this case demand attention by our legislature. As Justice Murdock noted in his dissent to the Supreme Court's opinion in this case: "[I]f such a change of course is to be had, the legislature is the deliberative body that should balance the various interests at issue and make the determination of how best to proceed, rather than [the Supreme] Court." Ex parte M.D.C., [Ms. 1071625, September 30, 2009] ___ So. 3d ___, ___ (Ala. 2009) (Murdock, J., dissenting).