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ALABAMA COURT OF CIVIL APPEALS

OCTOBER TERM, 2010-2011

2080178

Hurbert Maiers and Melissa Maiers

v.

Bennie Gibbs

Appeal from Houston Circuit Court
(CV-08-320)

After Remand from the Alabama Supreme Court

PITTMAN, Judge.

On November 20, 2009, this court affirmed a summary judgment entered by the Houston Circuit Court in an action filed pursuant to Ala. Code 1975, § 35-9A-101 et seq., by

Bennie Gibbs against Hurbert Maiers and Melissa Maiers. Maiers v. Gibbs (No. 2080178, November 20, 2009), ___ So. 3d ___ (Ala. Civ. App. 2009) (table). However, our judgment of affirmance has been reversed. Ex parte Maiers, [Ms. 1090626, August 20, 2010] ___ So. 3d ___ (Ala. 2010). On remand to this court, and in compliance with Ex parte Maiers, we now reverse the summary judgment and remand the cause for further proceedings.

REVERSED AND REMANDED.

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