

REL: 01/10/2006 EP Whiteside

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# SUPREME COURT OF ALABAMA

OCTOBER TERM, 2005-2006

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1050339

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**Ex parte Kathy Whiteside**

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

**(In re: Kerns Trucking, Inc.**

**v.**

**Kathy Whiteside)**

**(Jefferson Circuit Court, CV-03-2722;**

**Court of Civil Appeals, 2040212)**

LYONS, Justice.

The petition for the writ of certiorari is denied.

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 Civil Appeals' opinion. Horsley v. Horsley, 291 Ala. 782, 280 So. 2d 155 (1973).

WRIT DENIED.

Nabers, C.J., and Woodall, Smith, and Parker, JJ., concur.