

AlaFile E-Notice

03-CV-2023-000231.00 Judge: JAMES H ANDERSON

To: BLOOM HAROLD WILLIAM III wbloom@maynardnexsen.com

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

ALABAMA ALWAYS, LLC V. STATE OF ALABAMA MEDICAL CANNABIS COMMISSION 03-CV-2023-000231.00

The following matter was FILED on 1/31/2024 4:46:03 PM

[Filer: WEBSTER WILLIAM HOUSTON]

Notice Date: 1/31/2024 4:46:03 PM

GINA J. ISHMAN CIRCUIT COURT CLERK MONTGOMERY COUNTY, ALABAMA 251 S. LAWRENCE STREET MONTGOMERY, AL, 36104

334-832-1260

DOCU	JMENT 862	ELECTRONIC		
State of Alabama Unified Judicial System Form ARAP-1 Rev. 10/2019 Notice of Appeal C SUPREME COURT ALABAMA COURT OF	OF ALABAMA	ELECTRONICALLY FILEI 1/31/2024 4:46 PM 03-CV-2023-000231.00 CIRCUIT COURT OF MONTGOMERY COUNTY, ALA GINA J. ISHMAN, CLERK		
IN THE COURT OF (Circuit, District, or Juvenile) (Name of County)	_ COUNTY, ALABAMA	Civil Action Number:		
APPELLANT(S):				
[The name of each party appealing must be listed – see Rule 3(c), Alabama Rules of Appe V. APPELLEE(S):	llate Procedure. Attach additional pages	if necessary.]		
The name of each party against whom appeal is taken must be listed – see Rule 3(c), Alal FRIAL JUDGE:	nama Rules of Appellate Procedure. Attac	h additional pages if necessary.]		
DATE OF JUDGMENT:	DATE OF POST-JUDGMENT ORDER:			
Notice is Hereby Given that the above-named appellant(s) ap	(describe order) entered	in this cause.	
CHECK THE PROPER DESCRIPTION OF THE APP SUPREME COURT OF ALABAMA		HE APPROPRIATE C		
 Summary judgment amount claimed more than \$50,000 Judgment amount exceeds \$50,000 Amount sought in trial court more than \$50,000, judgment for defendant Equitable relief, except for domestic relations Other:	 Summary judgment amount claimed \$50,000 or less Judgment amount \$50,000 or less 			
APPELLANT FILES WITH THIS NOTICE OF API	PEAL:			
 Security for costs of appeal. A supersedeas bond in the amount of \$ Deposited cash security of \$ Is exempted by law from giving security for costs of appear 		(Specify)		
Filed	(Name of Appella.	nt or Attorney for Appellant)		
(Date) –	(Address of Appella	ant or Attorney for Appellant)		
-	(City)	,(State)	(Zip)	
CERTIFIED AS A TRUE COPY Certification is not required if the Notice of Appeal is filed electronically. See Rule 3(d)(3), Ala. App. P.)		phone Number)		
Signature of Circuit (1-1)	(E-	mail Address)		
Signature of, Circuit Clerk) (Printed Name)	<i></i>	1		
	(Signature of Appel	lant or Attorney for Appellant)		

Form ARAP 1 (back) Notice of Appeal to the Suprem	ne Court of Alabama 🗆 Alabama Court of Civil Appeals
Rev. 10/2019 SECURITY F	
We hereby acknowledge ourselves security for costs of appeal waive our right of exemption as to personal property under the Consti- day of	For the payment of all costs secured by this undertaking, we hereby tution and laws of the State of Alabama. Executed with our seals this 0
day of, 2	(Year)
Date Filed and Approved:	(Signature of,
	Appellant-Principal) (Printed Name)
(Signature of, Circuit Clerk) (Printed Name)	
*Note: If you are filing this Notice of Appeal electronically, the trial-court clerk's portion of the Security for Costs will be completed <u>after</u> the Notice of Appeal has been filed.	(Signature of, Surety) (Printed Name)
DESIGNATION OF TH	Surety) (Printed Name) E RECORD ON APPEAL
	include the following checked materials in the clerk's record:
□ Complaint □ Entire record (less items set forth in □ Answer	n Rule 10(a), \Box Others:
 □ Counterclaim □ Motion for summary judgment □ Cross-claim □ Opposition to motion for summary 	iudgment
 □ Third-party complaint □ Final judgment/order □ Third-party answer □ Motion for new trial 	Exhibit numbers:
 Motion to dismiss Ruling on motion for new trial Pretrial order 	
that I have this date hand-filed the original and(<i>number</i>) copies of instruments as have been completed and included herein. If I filed the notice <i>directly to the appropriate appellate court clerk within seven (7) days.</i> [†] A true or court or by the trial court's electronic-filing system on each of the following: (1)	A or 1B. NG AND OF SERVICE It the foregoing notice of appeal through the trial court electronic-filing system or the foregoing notice of appeal (along with the \$200 docket fee) and such other of appeal electronically, I acknowledge that I must pay the \$200 docket fee electronic copy of each of these items will be served by the clerk of the trial
I further certify pursuant to Rules 3(d), 25(d), and 57(h)(5), copy of this Notice of Appeal on each party to the proceedings in the trial court in the main Name Method of Service (AlaFile, U.S. Mail, Hand I	
Done on thisday of, 20	[‡] If electronic service is selected, the e-mail address at which service was made via AlaFile must be listed as the service address.
(Signature of	Appellant or Attorney for Appellant) (Printed Name)
NOTE: If the Notice of Appeal is filed electronically, payment of the \$200 docket fee must be mail	led or hand delivered to the attention of the clerk of the appropriate appellate court at 300 Dexter

[†]NOTE: If the Notice of Appeal is filed electronically, payment of the \$200 docket fee must be mailed or hand delivered to the attention of the clerk of the appropriate appellate court at 500 Dex Avenue, Montgomery, AL 36104. The payment shall be accompanied by a means of identifying the appeal to which the payment is applicable. See Rule 35A(a)(1), Ala. R. App. P.

State of Alabama Unified Judicial System Form ARAP-25 (front) 10/2	Арг	OCKETING	STATEMENT	(()) MONT	ELECTRON 1/31/202 03-CV-202 CIRCUIT GOMERY (GINA J. ISF	24 4:46 23-0002 COUR COUNT	PM 231.00 RT OF TY, ALABA
			OVER SHEET MUST B	_			CLLIII
COUNTY	CIVIL ACTION N	UMBER	TRIAL JUDGE				
PARTY FILING APPE	AL (Appellant)	:					
v. PARTY APPEALED	AGAINST (Ap	pellee)					
APPELLANT'S ATTOR	NEY:				Telephone Number		
Address		City			State	Zip	o Code
APPELLEE'S ATTORN	EY:				Telephone Number		er
Address		City			State	Zip	o Code
 A □ Summary Judgment, B □ Judgment Amount en C □ Amount Sought in tr D □ Domestic Relations 	qual to or less than	\$ 50,000	F 🗆 t for defendant G 🗌	Workmen's Cor Administrative Juvenile Other	•		
 Is the judgment or order a Is the order or judgment a Is the order or judgment a If the judgment was not fi If judgment was entered preason for delay and exp If there is no final judgmen 	appealed from in compli appealed from a final juc nal, did the trial court dir pursuant to Rule 54(b), ressly direct that judgme nt or if there has not bee	ance with Rule 58, / Igment (i.e., does it rect the entry of a jud Ala. R. Civ. P., did th ent be entered? en full compliance w	Month Ala. R. Civ. P.? dispose of the case as to all dgment pursuant to Rule 54(ne trial court expressly deterr	b), Ala. R. Civ. P.? nine that there wa	s no just	Yes Yes Yes Yes	No No No
OST-JUDGMENT MOTIONS			e of filing, type, and date o sions of Rule 59.1, Ala. R.		DATE OF D	DISPOS	ITION
Month Day Year	E OF POST-JUD	GMENT MOTION		Month	Day	Year	

Form ARAP-25 (back) 10/2019 DOCKETING STATEMENT Appeal to the Court of Civil Appeals						
	CONSTITUTIONAL ISSUES: 1. Are the provisions of Rule 44, Ala. R. App. P., applicable to this appeal? Yes No					
2. If so, have the provisions been complied with? Yes No						
NATURE OF CASE ON APPEAL: In the left column of boxes preceding the categories listed below, check the box (check only one) that best describes or categorizes the basis or theory of the primary issue on appeal. In the right column of boxes, check any secondary theories that are applicable to the suit. These topics need to be checked only if the issues on appeal vary from the information supplied in the same columns on the civil case "cover sheet" filed in the trial court.						
TORTS – Personal Injury A Bad Faith B Fraud C Legal Malpractice D Med. Malpractice E Other Malpractice F Products/AEMLD G Gen. Negligence H Vehicular Negligence I Other	TORTS – Property Damage J Personalty K Realty CONTRACTS L Commercial M Personal N Pension O Insurance P Employment Q Other	R REAL PROPERTY S CIV RTS: Prisoner T CIV RTS: Other U Other EQUITY/Non-Damages Action V Domestic Relations W Declar. Judgment X Injunc. Commercial Y Injunc. Employment	z Injunc. Other 1 Extrord. Writ 2 Other			
IF THE CASE WENT TO TRIAL, HOW	WMANY DAYS DID THE TRIAL	TAKE?	·			
BRIEFLY SUMMARIZE THE ISSUE(S) ON APPEAL. THIS INFORMATION IS FOR CASE PROCESSING AND STATISTICAL PURPOSES ONLY. WITHOUT ARGUMENT, BRIEFLY SUMMARIZE THE FACTS TO INFORM THE COURT OF THE NATURE OF THE CASE. THIS INFORMATION IS FOR CASE PROCESSING AND STATISTICAL PURPOSES ONLY. SETTLEMENT CONFERENCE: The court may require that this appeal be subject to a moderated settlement conference. Do you think the case on appeal would be appropriate for such a conference? Yes No Explain: Date of Filing of the Notice of Appeal:						
Date		Bignature of Attorney / Party Fili	ng this Form			
Certificate of Service I certify I have this date filed electronically with the clerk of the trial court the foregoing docketing statement through the trial court electronic-filing system or that I have this date hand- filed the original and (number) copies of the foregoing docketing statement. A true or electronic copy of the docketing statement will be served by the clerk of the trial court or by the trial court's electronic-filing system on each of the following: (1) the clerk of the appellate court; (2) the court reporter; and (3) attorney for each appellee or the appellee if no attorney as follows (provide names and addresses):						
I further certify pursuant to Rules 3(d), 25(d), a in the manner indicated below (attach addition <u>Name of Party</u>	and 57(h)(5), Ala. R. App. P, that I have th al pages if necessary): <u>Method of Service (us</u>		on each party to the proceedings in the trial court			
		*If electronic service is selec AlaFile must be listed as the	ted, the e-mail address at which service was made via service address.			
(Signature of Appellant or Attorney for Appella	int) (Printed	d Name)	, 20			

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Form ARAP-1A				
APPELI ANT				

Unified Judicial System

State of Alabama

TRANSCRIPT PURCHASE ORDER OF APPELLANT – CIVIL

Rev. 8/91 (See Rules 10(b) and 11(a) of the Alabama Rules of Appellate Procedure)

APPELLA	APPELLANT								
v. APPE	v. APPELLEE								
Civil Actio	n Number		Trial Judge						
Court Repo	orter			Coun	ty		Date of Notice of A	Appeal	
	 ART I. TO BE COMPLETED AND FILED WITH THE COURT REPORTER BY APPELLANT WITHIN 7 DAYS OF THE FILING OF THE NOTICE OF APPEAL. A. Request is hereby made to the reporter for a transcript of the following proceedings (give particulars): NOTE: exhibits are included in the clerk's record and need not be specified - see Rule 10 (b)(1), A.R.App.p. 								
	□ Entire	Transcript			□ (Oral Charges to the J	iry		
	🗆 Testin	nony of Plaintiff				Objection to Oral Ch	irge		
	□ Testin	nony of Defendant				Objection to Refused	Requested Written		
	🗆 Testin	nony of Witness			(Charge(s), Numbers			
		nony of Witness				Others:			
	NOTE: U	Unless the entire tr	anscript is ordered, appellar	it must at	tach a statement	of the issues to pages	4 and 5.		
	B. I CERTIFY that I HAVE paid the Court Reporter the estimated cost of transcribing that part of the proceedings I have deemed necessary to be included in the record.								
	Date		Signature					hone Number	
		of PART I, appella	ant should distribute pages a	as follow:	s:		Telep		
*	Pages 1, 2 and	d 3 – Court Reporte	r Page 4 – Trial Court	Pages 5	– Appellee	Pages 6	- Retained by appellant		
PART II. T	O BE COMPL	ETED BY COUR	FREPORTER ON SAME I	DATE TH	RANSCRIPT PU	RCHASE ORDER I	RECEIVED.		
	A. Date Tran	nscript Purchase O	rder Received		Estimated Completion Date				
	Estimated	l Number of Pages		Estimated Cost					
B. I CERTIFY THAT I HAVE I HAVE NOT (<i>Check one</i>) been paid the estimated cost of the transcript.									
NOTE: U	Date	on of PART II. Co	Signature art Reporter should distribu	te nages :	as follows:		Telephone Number		
*	Pages 1 and		y the		- Transmitted to	o the Appropriate Ap ranscript Purchase O			
PART III. CERTIFICATE OF COMPLETION OF REPORTER'S TRANSCRIPT NOTE: This is to be completed by court reporter on date of filling of transcript in trial court. On the day of completion, this certificate must be forwarded to the appropriate appellate court (page 2) and copies thereof shall be served on the clerk of the trial court and each of the parties. I CERTIFY that I have this date completed and filled with the clerk of the trial court the original of a true and correct transcript of the evidence and matters designated by the parties. All pages are numbered serially in the upper right corner of the pages, prefaced by an index, and ending with the following number:									
* Distribution Code: Page 1: White Page 2: Blue		Page	3: Green	Page 4: Canary	Page 5: Pink	Page 6: Goldenrod			

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EXHIBIT A TO NOTICE OF APPEAL

ADDITIONAL PARTIES SERVED (ELECTRONIC VIA ALAFILE)

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EXHIBIT A TO DOCKETING STATEMENT

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