

IN THE SUPREME COURT OF ALABAMA



APPENDIX C

March 15, 2024

SC-2024-0074

Ex parte Moses Jackson PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Moses Jackson v. State of Alabama) (Calhoun Circuit Court: CC-01-1358, CC-01-1359, CC-01-1360, and CC-01-1361; Criminal Appeals: CR-2023-0817).

CERTIFICATE OF JUDGMENT

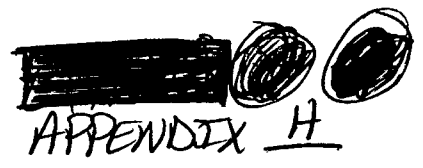
WHEREAS, the petition for writ of certiorari in the above referenced cause has been duly submitted and considered by the Supreme Court of Alabama and the judgment indicated below was entered in this cause on March 15, 2024:

Writ Denied. No Opinion. Mitchell, J. -- Parker, C.J., and Shaw, Bryan, and Mendheim, JJ., concur.

NOW, THEREFORE, pursuant to Rule 41, Ala. R. App. P., IT IS HEREBY ORDERED that this Court's judgment in this cause is certified on this date. IT IS FURTHER ORDERED that, unless otherwise ordered by this Court or agreed upon by the parties, the costs of this cause are hereby taxed as provided by Rule 35, Ala. R. App. P.

I, Megan B. Rhodebeck, certify that this is the record of the judgment of the Court, witness my hand and seal.

Megan B. Rhodebeck
Clerk, Supreme Court of Alabama



APPENDIX H

ALABAMA COURT OF CRIMINAL APPEALS

CR-2023-0817

Moses Jackson

v.

State of Alabama

Appeal from Calhoun Circuit Court Nos. CC-01-1358, CC-01-1359,
CC-01-1360, and CC-01-1361

ORDER

* Moses Jackson appeals from the Calhoun Circuit Court's order of October 25, 2023, denying his motion to set aside and deem void his convictions and sentences pursuant to Rule 60(b)(4), Ala. R. Civ. P. In his motion, he contended that his convictions and sentences from 2003 were due to be vacated because the court reporter failed to follow the Alabama Unified Judicial System's Record Retention Schedule upon her retirement with respect to the records of his trial. This Court directed Jackson to show cause why this appeal should not be dismissed as it appears that the order from which he is appealing is a nonappealable order. Jackson filed a response to this Court's show-cause order, and this Court has considered his response.

* "An appeal cannot be taken from an order subsequent to the judgment of conviction unless authorized by statute." Harris v. State, 44 Ala. App. 632, 632, 218 So. 2d 285, 286 (1969). All statutes that authorize appeals are to be strictly construed. See Wood v. Birmingham, 380 So. 2d 394 (Ala. Crim. App. 1980)." Dixon v. City of Mobile, 859 So. 2d 462, 463 (Ala. Crim. App. 2003). Jackson does not cite this Court to any statute or rule that allows him to appeal the trial court's denial of his motion nor is this Court aware of any such statute or rule. Accordingly,



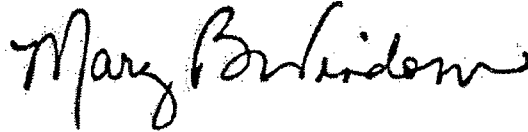
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APPENDIX H

this appeal is due to be, and the same is hereby, **DISMISSED**. It is further ordered that the certificate of judgment shall issue forthwith.

Windom, P.J., and Kellum, McCool, Cole, and Minor, JJ., concur.

Done this 26th day of Decemeber, 2023.



MARY B. WINDOM, PRESIDING JUDGE

cc: Hon. Louie Harold "Bud" Turner, Jr., Circuit Judge
Hon. Kim McCarson, Circuit Clerk
Moses Jackson, pro se
Office of the Attorney General

**Additional material
from this filing is
available in the
Clerk's Office.**