



IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA

DINA MOOR,

Plaintiff,

v.

THOMAS J. PALMER; THE ESTATE
OF KEITH ARVID PETERSON,
deceased,

Defendants.



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Shelby Cnty Judge of Probate, AL
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Civil Action No.: CV-07-1092

ORDER

This cause came before the Court on the Motion for Summary Judgment of Defendant Thomas Jerry Palmer ("Defendant" or "Palmer"). Upon due consideration of Defendant's motion, the evidence and legal authority offered in support thereof, and the argument of counsel, the Court finds that no genuine issue of material fact exists and Palmer is entitled to a judgment as a matter of law. Specifically, the Court notes that neither the Texas judgment nor Plaintiff's Notice of Lis Pendens were recorded in an Alabama court until more than six months *after* Keith Peterson deeded his interest in the subject property to Palmer. Accordingly, the Court finds that Palmer is a bona fide purchaser the property without notice of Plaintiff's alleged interest. Therefore, Palmers' Motion for Summary judgment is hereby GRANTED. This case is hereby dismissed with prejudice, costs taxed paid.

Done and ordered this the 6th day of October, 2009.

H. Harris

Circuit Court Judge