



ELECTRONICALLY FILED  
 2/23/2010 2:34 PM  
 DV-2009-900445.00  
 CIRCUIT COURT OF  
 SHELBY COUNTY, ALABAMA  
 MARY HARRIS, CLERK

IN THE DISTRICT COURT OF SHELBY COUNTY, ALABAMA

GUTTER GUARD, LLC,	)	
	)	
Plaintiff,	)	
	)	
V.	)	Case No.: DV-2009-900445.00
	)	
NIX JAMES,	)	
	)	
Defendant,	)	

ORDER

This case was dismissed by the Court's order of 2-3-10. Plaintiff filed a Motion to Set Aside the dismissal 2-10-10 and that motion was denied 2-16-10. Plaintiff then filed the instant Motion to Alter, Amend, or Vacate nominally directed to the 2-16-10 denial but in which motion the actual relief sought is for the Court "to reconsider its Order dismissing the Complaint." There being no provision by statute or rule of procedure for the rehearing of an ARCP Rule 59 motion and Plaintiff's offer to amend not being made in the first motion, Plaintiff's 12-18-10 Motion to Alter, Amend, or Vacate is denied as moot.

DONE this 23<sup>rd</sup> day of February, 2010.

AS JOHN H. ALSBROOKS

DISTRICT JUDGE



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 Shelby Cnty Judge of Probate, AL  
 05/25/2012 08 51-21 AM FILED/CERT