

**SUPREME COURT OF TENNESSEE
SUPREME COURT DISCRETIONARY APPEALS
Grants & Denials List**

Monday, August 21, 2006

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Wayford Demonbreun, Jr. v. Ricky Bell, Warden M2005-01741-SC-R11-HC	Davidson County Criminal Judge Cheryl A. Blackburn No. 94-B-1131	Wade, J Reversed and Remanded	Rule 11	Granted - Application of the Warden Ricky Bell (To be placed on docket for oral argum on the February 2007 docket in Nashvi
Dickey Brothers Broadcasting Co., LLC, <u>et al.</u> v. Jay W. Shim, <u>et al.</u> M2003-02593-SC-R11-CV	Davidson County Chancery Chancellor Ellen H. Lyle No. 01-3248-III	Koch, P.J. Reversed and Remanded	Rule 11	Granted - Application of Cumulus Broadcasting, Inc. and Phoenix of Hendersonville, Inc. (To be placed on docket for oral argum upon the completion of briefing)
Ronnie Finch v. State of Tennessee M2004-02887-SC-R11-PC	Davidson County Criminal Judge Cheryl Blackburn No. 98-D-2428	Smith, J. Reversed and Remanded	Rule 11	Granted - Applications of Ronnie Fin and the State of Tennessee (To be placed on docket for oral argum upon the completion of briefing)
Elizabeth Lanier v. Stephen L. Rains, et al. M2005-00128-SC-R11-CV	Fentress County Chancery Chancellor Billy J. White No. P-04-30	Franks, J Affirmed and Remanded	Rule 11	Granted - Application of Elizabeth Lanier. (To be placed on docket for oral argum upon the completion of briefing)
Pamela C. Lichtenwalter v. Chris Edward Lichtenwalter M2003-03115-SC-R11-CV	Davidson County Circuit Judge Muriel Robinson No. 91D-575	Koch, J Affirmed in Part, Vacated in Part, and	Rule 11	Granted - Application of Pamela C. Lichtenwalter (To be placed on docket for oral argum

		Remanded		upon the completion of briefing) Application of Chris Edward Lichtenwalter is Denied.
Roger Shoulders v. Jersey Miniere Zinc, Inc., <u>et al.</u> M2004-02318-SC-WCM-CV	Smith County Chancery Nos. 5538, 61122 & 5995 Putnam County Chancery No. 2002-276		Motion for Review	Granted - Motion for Review filed by Roger Shoulders (Clerk of the Court directed to schedule oral argument when briefing completed Clark, J., not participating
Terry Sullivan, Administrator v. Chattanooga Medical Investors, <u>et al.</u> M2004-02264-SC-R11-CV	Hickman County Circuit No. 02-5088C-II	Susano, J. Reversed and Remanded	Rule 11	Granted - Application of Centerville Health Care Center (To be placed on docket for oral argument upon the completion of briefing)
<u>Knoxville</u>				
Bonnie Turner v. Homecrest Corporation, et al. E2005-01598-SC-WCM-CV	Anderson County Circuit Judge Buddy Scott No. A4LA0026			Motion for Review filed by the Plaintiff Bonnie Turner, is Granted. (To be placed on docket for oral argument upon the completion of briefing)
<u>Jackson</u>				
DeWayne Edward Holloway v. State of Tennessee W2005-01520-SC-R11-CV	TN Claims Commission Judge Nancy C. Miller-Herron No. 20401895	Crawford, P. J. Affirmed	Rule 11	Granted - Application of DeWayne Edward Holloway (To be placed on docket for oral argument upon the completion of briefing)
In the Matter of: Deshundra Yvonne Hunt W2005-00684-SC-R11-CV	Madison County Circuit Roy B. Morgan No. C-04-445	Highers, J. Appeal of Juvenile Ct. Order-Original Dependency/ Neglect Proceeding- Dismissed -	Rule 11	Granted - Application of Shelly Bryan (To be placed on docket for oral argument upon the completion of briefing) (Motion Requesting Permission to Participate in this case filed by Attorney General is granted to the extent that the

		Affirmed in Part, Vacated in Part and Remanded		memorandum of law and affidavit attached to the Motion may be filed and the A.G. may file a brief. A.G.'s participation in oral argument is limited to the extent the appellant, Shelly Bryant, is willing to yield a portion of the time allotted appellant for oral argument)
State of Tennessee v. Eric Berrios W2005-01179-SC-R11-CD	Shelby County Criminal Judge Paula Skahan No. 04-03042	Witt, J Affirmed and Remanded	Rule 11	Granted - Application of the State of Tennessee (To be placed on docket for oral argument upon the completion of briefing) *Designated SCALES case*
UT Medical Group, Inc. v. Val Y. Vogt, M.D. W2005-00256-SCR11-CV	Shelby County Chancery Judge Alan E. Highers No. CH04-0303-2	Highers, J Affirmed in Part, Reversed in Part and Remanded	Rule 11	Granted - Application of Val Y. Vogt (To be placed on docket for oral argument upon the completion of briefing) Application of UT Medical Group, Inc. Denied.

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DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Hugh Peter Bondurant and Kenneth Patterson Bondurant v. State of Tennessee M2004-02882-SC-R11-PC	Giles County Circuit Judge Stella Hargrove Nos. 10266 and 02374	Wells, J Affirmed	Rule 11	Denied - Application of Hugh Peter Bondurant
James Charles Cavaye v. State of Tennessee M2004-01535-SC-R11-PC	Davidson County Criminal Judge Steve Dozier No. 2000-C-1625	Welles, J Affirmed	Rule 11	Denied - Application of James Charles Cavaye
William Dorning, Sheriff of Lawrence County, Tennessee v. Ametra Bailey, County Mayor of Lawrence County, Tennessee M2004-02392-SC-R11-CV	Lawrence County Circuit Judge Donald P. Harris No. CC-1446-03	Highers, J Affirmed in Part as Modified; Reversed in Part	Rule 11	Denied - Application of William Dorning
Phillip Dorrrough v. The Tennessee Board of Probation and Parole M2004-01696-SC-R11-CV	Davidson County Chancery Chancellor Ellen H. Lyle No. 03-2770-III	Clement, J Affirmed and Remanded	Rule 11	Denied - Application of Phillip Dorrrough
Louis J. Federico v. Aladdin Industries, LLC M2004-01693-SC-R11-CV	Davidson County Chancery Chancellor Richard H. Dinkins No. 04-120-IV	Clement, J Affirmed and Remanded	Rule 11	Denied - Application of Louis J. Federico
Debbie Harris v. Robertson County, et al. M2005-01827-SC-R11-CV	Robertson County Circuit Judge Ross Hicks No. 10793	Koch, J Cottrell, J Clement, J Dismissed	Rule 11	Denied - Application of Robertson County and Don Horton
Willie Johnson v. Corrections	Davidson County Circuit	Cottrell, J	Rule 11	Denied - Application of Willie

Corporation of America M2004-01301-SC-R11-CV	Judge Hamilton Gayden No. 03C-2963	Affirmed and Remanded		Johnson
Joe W. King, Jr. and Joanne King v. General Motors Corporation, Saturn Corporation and Alfred A. Soulliere M2004-00616-SC-R11-CV	Maury County Circuit Judge Stella L. Hargrove No. 9481	Highers, J Affirmed in Part, Reversed in Part and Remanded	Rule 11	Denied - Application of Joe W. King, Jr. and Joanne King
Terry T. Lewis v. State of Tennessee M2005-01673-SC-R11-PC	Davidson County Criminal Judge Seth Norman No. 96-D-02173	Welles, J Affirmed	Rule 11	Denied - Application of Terry T. Lewis
John Moore, Gloria McKissack, Arvazena Clardy and Juanita Drake v. Metropolitan Board of Zoning Appeals and Villa Way, LLC M2004-00353-SC-R11-CV	Davidson County Chancery Chancellor Carol. L. McCoy No. 03-1011-I(II)	Koch, J Affirmed and Remanded	Rule 11	Denied - Application of John Moore
Richard L. Northcott v. Tennessee Board of Paroles, et al. M2004-00524-SC-R11-CV	Davidson County Chancery Chancellor Claudia Bonnyman No. 03-2983-I	Koch, J Affirmed and Remanded	Rule 11	Denied - Application of Richard . Northcott
Marvin Ramsey v. State of Tennessee M2005-02581-SC-R11-CV	Davidson County Chancery Chancellor Richard H. Dinkins No. 04-3296-IV	Koch, J Cain, J Cottrell, J Dismissed	Rule 11	Denied - Application of Marvin Ramsey
State of Tennessee v. Joseph Bryan Adair M2005-01138-SC-R11-CD	Clay County Criminal Judge Lillie Ann Sells No. V-4270	Wedemeyer, J Affirmed	Rule 11	Denied - Application of Joseph Bryan Adair
State of Tennessee v. Johnny Burroughs M2006-00900-SC-R11-CD	Dickson County Circuit Judge George Sexton No. CR-6715	Smith, J Affirmed	Rule 11	Denied - Application of Johnny M. Burroughs
State of Tennessee v. Ricky Carl Davis M2004-00565-SC-R11-CD	White County Criminal Judge Lillie Ann Sells No. CR-1297	Wade, J Affirmed	Rule 11	Denied - Application of Ricky Carl Davis
State of Tennessee v. Steven Kelly Fraze M2005-01213-SC-R11-CD	Davidson County Criminal Judge Cheryl Blackburn No. 2003-D-2722	Wedemeyer, J Affirmed	Rule 11	Denied - Application of Steven Kelly Fraze
State of Tennessee v. Paul Neil Laurent M2005-00289-SC-R11-CD	Davidson County Criminal Judge Mark J. Fishburn No. 2003-B-1165	Smith, J Affirmed	Rule 11	Denied - Application of Paul Neil Laurent
State of Tennessee v. James W.	Davidson County Criminal	Tipton, J	Rule 11	Denied - Application of James W.

Mintlow M2005-01208-SC-R11-CD	Judge Mark Fishburn No. 2004-D-2571	Affirmed		Mintlow
State of Tennessee v. Frank Peake, III M2005-01674-SC-R11-CD	Putnam County Criminal Judge Leon Burns No. 03-0820	Wedemeyer, J Affirmed	Rule 11	Denied - Application of Frank Peake, III
State of Tennessee v. Christa G. Pike M2005-00738-SC-R11-CD	Davidson County Criminal Judge J. Randall Wyatt, Jr. No. 2002-D-2294	Williams, J Affirmed	Rule 11	Denied - Application of Christa G. Pike
State of Tennessee v. Albert James Saavedra M2004-02889-SC-R11-CD	Humphreys County Circuit Judge Robert Burch No. 10385	Wedemeyer, J Affirmed	Rule 11	Denied - Application of Albert James Saavedra
State of Tennessee v. Adam Fielder Steele M1998-01048-SC-R11-CD	Montgomery County Circuit Judge John Gasaway, III No. 34345	Peay, J Smith, J Woodall, J Rule 20 Affirmed	Rule 11	Denied - Application of Adam Fielder Steele
Patrick Thurmond v. State of Tennessee M2005-00214-SC-R11-PC	Davidson County Criminal Judge Seth W. Norman No. 95-B-1027	Tipton, J Affirmed	Rule 11	Denied - Application of Patrick Thurmond

Knoxville

Roger Bennett, et al. v. VISA U.S.A and MasterCard International, Inc. E2005-00659-SC-S09-CV	Washington County Chancery Judge G. Richard Johnson No. 35126	Franks, J Affirmed in Part, Reversed in Part, and Remanded	Rule 9	Denied - Application of Roger Bennett, et al.
City of Cleveland v. Mike Wade d/b/a Babylon Adult Bookstore E2004-02633-SC-R11-CV	Bradley County Circuit Judge John B. Hagler No. V-04-546	Susano, J Affirmed and Remanded	Rule 11	Denied - Application of Mike Wade d/b/a Babylon Adult Bookstore
Kathryn Headrick v. Bradley County Memorial Hospital, et al E2005-00925-SC-R11-CV	Bradley County Circuit Judge Lawrence Puckett No. V-99-380	Lee, J Reversed and Remanded	Rule 11	Denied - Application of Daniel Johnson, M.E.
Allen Hodgkinson v. State of Tennessee E2005-00254-SC-R11-PC	Washington County Circuit Judge Robert E. Cupp No. 25407	Tipton, J Affirmed	Rule 11	Denied - Application of Allen Hodgkinson
In the Matter of: N. T. B. E2005-01246-SC-R11-JV	Johnson County Circuit Judge Thomas J. Seeley, Jr. No. 2652/2659	Swiney, J Affirmed and Remanded	Rule 11	Denied - Application of Michael Blevins
Shirley Jackson v. Wellmont Health System d/b/a Wellmont Holston Valley	Sullivan County Law Court Chancellor Richard Ladd	Franks, J Susano, J	Rule 9	Denied - Application of Wellmont Health System d/b/a Wellmont Valley

Medical Center E2006-00780-SC-S09-CV		Swiney, J Rule 9 Denied		Medical Center
Brian Michael Newman State of Tennessee E2005-01967-SC-R11-PC	Washington County Circuit Judge Ray Jenkins No. 78179	Williams, J Affirmed	Rule 11	Denied - Application of Brian Michael Newman
Connie J. Ottinger v. Patricia E. Stooksbury No. E2005-00381-SC-R11-CV	Knox County Chancery Chancellor Daryl Fansler No. 160833-2	Swiney, J Affirmed and Remanded	Rule 11	Denied - Application of Patricia E. Stooksbury
Christa Gail Pike v. State of Tennessee E2006-00520-SC-S09-PD	Knox County Criminal Judge Mary Beth Leibowitz No. 68280	Tipton, J Wade, J Ogle, J Rule 9 Denied	Rule 9	Denied - Application of Christa Gail Pike
State of Tennessee v. Michael Wayne Belcher E2005-00532-SC-R11-CD	Sullivan County Circuit Judge Phyllis Miller No. S44,889	Witt, J Affirmed	Rule 11	Denied - Application of Michael Wayne Belcher
State of Tennessee v. Walter Creamer E2005-02100-SC-R11-CD	Knox County Criminal Judge Mary Beth Leibowitz No. 66586	Ogle, J Wade, J Tipton, J Dismissed	Rule 11	Denied - Application of Walter Creamer
State of Tennessee v. Steve Allen Click E2004-02655-SC-R11-CD	Blount County Circuit Judge D. Kelly Thomas No. C-14572	Wade, J Affirmed	Rule 11	Denied - Application of Steve Allen Crick
State of Tennessee v. Albert Freeman Cox E2005-01066-SC-R11-CD	Knox County Criminal Judge Richard Baumgartner No. 81040	Witt, J Affirmed	Rule 11	Denied - Application Albert Freeman Cox
State of Tennessee v. Randolph Jennings E2001-02118-SC-R11-CD	Hamilton County Criminal Judge Douglas Meyer No. 229104	Witt, J Affirmed	Rule 11	Denied - Application of Randolph Jennings
State of Tennessee v. Lionel Lindsey E2005-00137-SC-R11-CD	Sullivan County Criminal Judge Jerry Beck No. S46,409	Woodall, J Affirmed	Rule 11	Denied - Application of Lionel Lindsey
State of Tennessee v. Tony Allan Phipps E2005-00647-SC-R11-CD	Sullivan County Circuit Judge Phyllis Miller No. S45,670	Woodall, J. Affirmed	Rule 11	Denied - Application of Tony Allan Phipps (Applicant's "motion for appointment of counsel" is Overruled)
State of Tennessee v. William Kirk Riley E1987-00091-SC-DAS-CD	Hamilton County Criminal Judge Russell C. Hinson No. 166381 & 166747	Daughtrey, J Affirmed	Rule 11	Denied - Application of William Kirk Riley

State of Tennessee v. Jermeil Tarter E2005-01013-SC-R11-CD	Sullivan County Circuit Judge Jerry Scott No. S48,596	Wade, J Affirmed in Part, Reversed in Part, and Modified	Rule 11	Denied - Application of Jermeil Tarter
Leslie Randolph (Brown) Walker v. Ralph Truman Brown, Jr. E2005-00464-SC-R11-CV	Hamilton County Circuit Judge L. Marie Williams No. 90DR-1623	Franks, J Affirmed	Rule 11	Denied - Application of Leslie Randolph (Walker) Brown
Wal-Mart stores, Inc. v. Standard Aero (Alliance), Inc. E2006-00296-SC-S09-CV	Blount County Circuit Judge William D. Young No. L-13261	Susano, J Swiney, J Lee, J Rule 9 Denied	Rule 9	Denied - Application of Standard Aero (Alliance), Inc.
Robert A. Williams v. Cedar Bluff Towing, Inc., et al. E2005-02654-SC-R11-CV	Knox County Circuit Judge Dale C. Workman No. 1-543-04	Susano, J Swiney, J Lee, J Dismissed	Rule 11	Denied - Application of Robert A. Williams
Jackson				
Edward Coleman v. State of Tennessee W2005-01335-SC-R11-PC	Shelby County Criminal Judge Arthur T. Bennett No. P-28251	Ogle, J Affirmed	Rule 11	Denied - Application of Edward Coleman
James Dubose v. Tony Parker, Warden, State of Tennessee W2005-01320-SC-R11-HC	Lake County Circuit Judge R. Lee Moore, Jr. No. 05-CR-8705	Welles, J Affirmed	Rule 11	Denied - Application of James Dubose
Tavares Ford v. Toys 'R Us, Inc. W2005-01117-SC-R11-CV	Shelby County Circuit Judge James F. Russell No. CT-003710-04	Highers, J Affirmed	Rule 11	Denied - Application of Tavares Ford
Marlon Hayes v. State of Tennessee W2005-01026-SC-R11-PC	Tipton County Circuit Judge Joe H. Walker, III No. 4532	Hayes, J Affirmed	Rule 11	Denied - Application of Marlon Hayes
Heather and LaQuinn Hill v. Andrea Gibbens, M.D., Memphis OB/GYN Assoc., P.C. & William David Stinson, M.D.	Shelby County Circuit Judge Karen Williams No. CT-002530-02	Farmer, J Highers, J Rule 9 Denied	Rule 9	Denied - Application of Heather and LaQuinn Hill
N. Victoria Holladay v. Charles Speed, et al. W2005-01045-SC-R11-CV	Shelby County Chancery Judge Arnold B. Goldin No. 99-1112-2	Farmer, J Affirmed in Part, Reversed in Part and Remanded	Rule 11	Denied - Application of Charles Speed Contractors, Inc.
Monumental Life Insurance Company	Hardeman County Circuit	Judge Alan	Rule 11	Denied - Application of Lindsay

v. Lindsay Puckett and the Personal Representative of the Estate of Norman Christopher Puckett W2005-00083-SC-R11-CV	Judge Jon Kerry Blackwood No. 9574	Highers Reversed and Remanded		Puckett
Shon Maurice Pierce v. State of Tennessee W2005-01493-SC-R11-PC	Dyer County Circuit Judge Lee Moore No. C03-262	Ogle, J Affirmed	Rule 11	Denied - Application of Shon Maurice Pierce
Coleen L. Powers, <u>et al.</u> v. Milton H. Hamilton, <u>et al.</u> W2005-02695-SC-R11-CV	Shelby County Circuit Karen Williams No. CT-003265-04	Crawford, J Highers, J Farmer, J Dismissed	Rule 11	Denied - Application of Coleen Powers (Joint motions of appellants requesting Court order the trial court to transmit record, the appellate clerk to file certain exhibits, the appellate clerk to serve notice of filing of application upon Shelby Co. Circuit Ct. Clerk are denied)
State of Tennessee v. Raymond Griggs W2005-00198-SC-R11-CD	Fayette County Circuit Judge Jon Kerry Blackwood No. 5320	Woodall, J Affirmed	Rule 11	Denied - Application of Raymond Griggs
State of Tennessee v. David Jones Milton W2005-00646-SC-R11-CD	Carroll County Circuit Judge C. Creed McGinley No. 04CR-21	Hayes, J. Affirmed	Rule 11	Denied - Application of David Jones Milton
State of Tennessee v. Abbigail Morton W2005-00308-SC-R11-CD	Shelby County Criminal Judge W. Fred Axley No. 03-08490	Woodall, J Affirmed	Rule 11	Denied - Application of Abbigail Morton
State of Tennessee v. Allan Joseph Robles W2005-00516-SC-R11-CD	Henry County Circuit Judge Julian P. Guinn No. 13673	Glenn, J Affirmed	Rule 11	Denied - Application of Allan Joseph Robles
State of Tennessee v. Charles F. Wilkerson W2005-01750-SC-R11-CD	Fayette County Circuit Judge J. Weber McCraw No. 5569	Ogle, J Affirmed	Rule 11	Denied - Application of Charles Edward Wilkerson
Byron C. Wells v. A. C. Wharton, Jr., et al. W2005-00695-SC-R11-CV	Shelby County Chancery Judge D. J. Alissandratos No. CH 04-1826-3	Highers, J Affirmed in Part, Reversed in Part, and Remanded	Rule 11	Denied - Application of Byron C. Wells