



Tennessee Supreme Court
DISCRETIONARY APPEALS

Grants & Denials List

May 13, 2024 - May 17, 2024

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Knoxville</u>			
MATTHEW LONG v. CHATTANOOGA FIRE AND POLICE PENSION FUND E2022-01151-SC-R11-CV	Hamilton County Chancery Court Jeffrey M. Atherton 21-0179	Davis, Kristi M.: Affirm	GRANTED - Application of Chattanooga Fire and Police Pension Fund; Order filed 05-16-2024 (Copy attached).

DENIALS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Nashville</u>			
WANDA SUE AVERWATER v. JAMES PAUL AVERWATER M2020-00851-SC-R11-CV	Rutherford County Chancery Court Philip E. Smith 15CV-1326	McBrayer, W. Neal: Affirm in Part	DENIED - Application of Wanda Sue Averwater; Order Filed 05-15-2024.

ELVIN PEARSON v. STATE OF TENNESSEE
M2021-01560-SC-R11-PC

Davidson County Criminal Court
Monte Watkins
2007-C-1912

Wedemeyer, Robert W.: Affirm
McMullen, Camille R.: Dissent

DENIED - Application of Elvin Pearson; Court waives filing deadline in the interest of justice (TRAP Rule 11(b));

Order filed 05-15-2024.

STATE OF TENNESSEE v. CHARLES D. PERRY
M2022-00643-SC-R11-CD

Cheatham County Circuit Court
Larry J. Wallace
17851

Wedemeyer, Robert W.: Affirm

DENIED - Application of Charles D. Perry;

CCA Opinion designated "Not For Citation" in accordance with Tenn. Sup. Ct. R. 4 § E.

Order filed 05-15-2024.

STATE OF TENNESSEE v. WILLIAM ANDREWS
M2022-00812-SC-R11-CD

Williamson County Circuit Court
James G. Martin, III
M-CR210102

Wedemeyer, Robert W.: Affirm

DENIED - Application of William James Andrews;

Order filed 05-15-2024.

STATE OF TENNESSEE v. WILLIAM MICHAEL BOWERS
M2022-00949-SC-R11-CD

Maury County Circuit Court
Stella L. Hargrove
28513

Hixson, Kyle A.: Affirm
McMullen, Camille R.: Concur in Part/Dissent in Part

DENIED - Application of William Michael Bowers;

CCA Opinion designated "Not For Citation" in accordance with

Tenn. Sup. Ct. R. 4 § E.

Order filed 05-17-2024.

ELIZABETH RUTAN-RAM ET AL. v. TENNESSEE
DEPARTMENT OF CHILDREN'S SERVICES ET AL.
M2022-00998-SC-R11-CV

Davidson County Chancery Court
Ellen Hobbs Lyle
22-80-III

Bennett, Andy D.: Reverse

DENIED - Application of the
Tennessee Department of
Children's Services and the
Commissioner of the
Department of Children's
Services;

Order filed 05-16-2024.

SYLVIA COBBINS v. MICHAEL FEENEY ET AL
M2022-01357-SC-R11-CV

Davidson County Chancery Court
Anne C. Martin
20-0684-II

Bennett, Andy D.: Affirm

DENIED - Application of Sylvia
Cobbins;

Order filed 05-17-2024.

STATE OF TENNESSEE v. ROBERT W. PITT, II
M2022-01730-SC-R11-CD

Sumner County Criminal Court
Dee David Gay
2020-CR-540

Easter, Timothy L.: Affirm

DENIED - Application of Robert
William Pitt, II;

Order filed 05-16-2024.

STATE OF TENNESSEE v. HAMID HOUBBADI M2022-01751-SC-R11-CD	Montgomery County Circuit Court Robert Bateman 63CC1-2019-CR-400	Campbell Sr., John W.: Affirm	DENIED - Application of Hamid Houbbadi; GRANTED - Motion to Dismiss Counsel; Order filed 05-15-2024.
STATE OF TENNESSEE v. PERCY D. THOMPSON M2023-00051-SC-R11-CD	Davidson County Criminal Court Mark J. Fishburn 2020-B-1005	Ayers, Jill Bartee: Affirm	DENIED - Application of Percy Thompson; Order filed 05-16-2024.
STATE OF TENNESSEE v. DANTIS LAKKA-LAKO M2023-00080-SC-R11-CD	Davidson County Criminal Court Jennifer Smith 2019-A-739	Wedemeyer, Robert W.: Affirm	DENIED - Application of Dantis Lakka-Lako; Order filed 05-15-2024.
STATE OF TENNESSEE v. TIMOTHY HUTCHERSON M2023-00116-SC-R11-CD	Montgomery County Circuit Court William R. Goodman, III CC-18-CR-342	Campbell Sr., John W.: Affirm	DENIED - Application of Timothy Hutcherson; Order filed 05-17-2024.

TERRANCE LAWRENCE v. STATE OF TENNESSEE M2023-00471-SC-R11-PC	Davidson County Criminal Court Jennifer Smith 2017-B-1168	Montgomery Jr., Robert H.: Affirm	DENIED - Application of Terrance Lawrence; Declaration of Gerald S. Green and Application to Proceed Without Prepayment of Filing Fee; Order filed 05-16-2024.
EDWARD RONNY ARNOLD v. ALLSTATE INSURANCE COMPANY M2023-00536-SC-R11-CV	Davidson County Circuit Court Lynne T. Ingram 22-C2097	Usman, Jeffrey: Affirm	DENIED - Application of Edward Ronny Arnold; Order filed 05-17-2024 (Dwight E. Tarwater, J., not participating).
CRYSTAL GREGOIRE v. STATE OF TENNESSEE M2023-00715-SC-R11-PC	Lawrence County Circuit Court Russell Parkes 33670, 37278	Dyer, J. Ross: Affirm	DENIED - Application and Motions of Crystal Lee Gregoire; Order filed 05-15-2024
PEDRO IGNACIO HERNANDEZ v. STATE OF TENNESSEE M2023-00796-SC-R11-PC	Davidson County Criminal Court Monte Watkins 2011-A-525	Dyer, J. Ross: Affirm	DENIED - Application of Pedro Ignacio Hernandez; Order filed 05-15-2024.

IN RE PANDORA G.
M2023-01223-SC-R11-PT

Davidson County Juvenile Court
Sheila Calloway
273157

Armstrong, Kenny W.: Affirm in Part

DENIED - Application of Michael
K.;
Order filed 05-17-2024.

Knoxville

STATE OF TENNESSEE v. ROGER DEAN GUIN
E2022-00391-SC-R11-CD

Knox County Criminal Court
G. Scott Green
118055

Witt Jr., James Curwood: Affirm in
Part

DENIED - Application of Roger
Dean Guin;
Order filed 05-16-2024.

STATE OF TENNESSEE v. JOHN SHAFFIGHI,
ALIAS
E2022-00525-SC-R11-CD

Knox County Criminal Court
G. Scott Green
56097

Greenholtz, Tom: Affirm in Part

DENIED - Application of Jahangir
John Shaffighi; Court waives filing
deadline in the interest of justice
(TRAP Rule 11(b));
Order filed 05-17-2024.

SARAH ELIZABETH PARKER v. KENTON STONE
PARKER
E2022-00644-SC-R11-CV

Sullivan County (Bristol) Chancery Court
E. G. Moody
20-CB-27358C

McClarty, John W.: Affirm

DENIED - Application of Kenton
Stone Parker;
Order filed 05-16-2024.

STATE OF TENNESSEE v. JAMAAL MONDREW MAYES E2022-00824-SC-R11-CD	Hamilton County Criminal Court Don W. Poole 303827, 304869	McMullen, Camille R.: Affirm	DENIED - Application of Jamaal Mondrew Mayes; Order filed 05-16-2024.
STATE OF TENNESSEE v. KIM OWEN ALLEY E2022-01523-SC-R11-CD	Hawkins County Criminal Court Alex E. Pearson 18-CR-79	McMullen, Camille R.: Affirm	DENIED - Application of Kim Owen Alley; Order filed 05-16-2024.
ERIC WAYNE BARTON v. MECHELLE SCHOLMER BARTON E2022-01574-SC-R11-CV	Blount County Chancery Court Telford E. Forgety, Jr. 2015-021	Swiney, D. Michael: Affirm in Part	DENIED - Application of Eric Wayne Barton; Order filed 05-16-2024.
STATE OF TENNESSEE v. MICHAEL NOTARO E2022-01642-SC-R11-CD	Sullivan County Criminal Court William K. Rogers S59383	Easter, Timothy L.: Affirm	DENIED - Application of Michael Notaro; Order filed 05-16-2024.
STATE OF TENNESSEE v. TONY MANNING E2022-01715-SC-R11-CD	Knox County Criminal Court G. Scott Green 111041	Greenholtz, Tom: Dismiss	DENIED - Application of Tony Darnell Manning; GRANTED - Motion for

			Substitution of an Amended Brief; Order filed 05-16-2024.
KIM COVARRUBIAS v. GERALD EDWARD BAKER E2023-00025-SC-R11-CV	Knox County 4th Circuit Court Gregory S. McMillan 107966	Swiney, D. Michael: Reverse	DENIED - Application of Kim Covarrubias; Order filed 05-16-2024.
STATE OF TENNESSEE v. TIMOTHY ALAN STEPHENSON E2023-00241-SC-R11-CD	Knox County Criminal Court G. Scott Green 121902	Ayers, Jill Bartee: Affirm	DENIED - Application of Timothy Alan Stephenson; Order filed 05-16-2024.
JAMES L. COXWELL EX REL v. WATCO COMMUNITIES LLC ET AL. E2023-00258-SC-R11-CV	Sevier County Chancery Court James H. Ripley 21-9-212	Swiney, D. Michael: Affirm	DENIED - Application of John A. Watson; Order filed 05-17-2024.
STATE OF TENNESSEE v. JEREMY WAYNE STEPHENS E2023-00334-SC-R11-CD	Hamblen County Criminal Court Alex E. Pearson 19CR400	Hixson, Kyle A.: Affirm	DENIED - Application of Jeremy Wayne Stephens; Order filed 05-16-2024.

THE STATE OF TENNESSEE ET AL v.
WHORISKEY, INC.
E2023-00505-SC-R11-CV

Bledsoe County Chancery Court
Melissa Thomas Willis
2019-DT-3368, 2020-DT-3400

Clement Jr., Frank G.: Affirm

DENIED - Application of
Whoriskey, Inc.;

Order filed 05-16-2024.

STATE OF TENNESSEE v. JEROME NCHIYAKO
DOOLEY
E2023-00881-SC-R11-CD

Knox County Criminal Court
G. Scott Green
116372

Easter, Timothy L.: Affirm

DENIED - Application of Jerome
Nchiyako Dooley;

Order filed 05-17-2024.

STATE OF TENNESSEE v. ALEXANDER RUBEN
CARINO
E2023-01089-SC-R11-CD

Cumberland County Criminal Court
Wesley Thomas Bray
09-0016A

Greenholtz, Tom: Affirm

DENIED - Application of
Alexander Ruben Carino;

Order filed 05-17-2024.

JOHN SCHMEECKLE v. BRITTANY DEKREEK ET
AL.
E2023-01297-SC-R11-CV

Hamilton County Circuit Court
Kyle E. Hedrick
22C874

Per Curiam: Dismiss

DENIED - Application of John
Schmeeckle;

Order filed 05-16-2024.

FLETCHER BRIGHT REALTY, INC. v. A. BERNICE
SALE ET AL.
E2023-01599-SC-R11-CV

Hamilton County Circuit Court
Mike Dumitru
23C264

Per Curiam: Case Dispositional
Decision

DENIED - Application of A.
Bernice Sale;
Order filed 05-16-2024.

Jackson

LAUREL TREE II HOMEOWNERS ASSOCIATION
INC. v. DORA WILSON MOORE
W2021-01275-SC-R11-CV

Shelby County Circuit Court
Valerie L Smith
CT-0069-20

Goldin, Arnold B.: Affirm

DENIED - Application of Dora
Wilson Moore;
Order filed 05-16-2024.

J.E. ALLEN COMPANY, LLC v. PROGRESS
CONSTRUCTION INC., ET AL.
W2022-00648-SC-R11-CV

Shelby County Chancery Court
JoeDae L. Jenkins
CH-19-1610

McBrayer, W. Neal: Reverse

DENIED - Application of Yogesh
Purohit;
Order filed 05-16-2024.

TRACEY SMITH ET AL. v. OAKWOOD
SUBDIVISION HOMEOWNERS ASSOCIATION
INC.
W2022-00845-SC-R11-CV

Shelby County Circuit Court
Rhynette N. Hurd
CT-002982-18, CT-002983-18,
CT-003139-18

McGee, Carma Dennis: Affirm

DENIED - Application of Jessica
Hill, Tracey Smith, Brandon
Smith, and Justin Harris;
Order filed 05-16-2024.

CHRISTINA N. LEWIS ET AL. v. WALTER FLETCHER ET AL. W2022-00939-SC-R11-CV	Weakley County Circuit Court Clayburn Peeples 2015-CV-18	McGee, Carma Dennis: Affirm	DENIED - Application of Christina Lewis; Order filed 05-16-2024.
ANTOINE HINTON v. STATE OF TENNESSEE W2022-01135-SC-R11-PC	Shelby County Criminal Court Chris Craft 16-06788	Montgomery Jr., Robert H.: Affirm	DENIED - Application of Antoine Hinton; Court waived filing deadline in the interest of justice (TRAP Rule 11(b)); Order filed 05-16-2024.
STATE OF TENNESSEE v. KELVIN MONTGOMERY W2022-01160-SC-R11-CD	Shelby County Criminal Court Paula L. Skahan 14-06509	McMullen, Camille R.: Affirm	DENIED - Application of Kelvin Montgomery; Order filed 05-16-2024.
DONALD GWIN v. STATE OF TENNESSEE W2022-01704-SC-R11-PC	Shelby County Criminal Court Jennifer Johnson Mitchell 15-00010	Montgomery Jr., Robert H.: Affirm	DENIED - Application of Donald Gwin; Order filed 05-16-2024.

JAMES MOORE v. STATE OF TENNESSEE W2022-01785-SC-R11-PC	Shelby County Criminal Court James Jones, Jr. 19-05109, C1907079	McMullen, Camille R.: Affirm	DENIED - Application of James Moore; Order filed 05-16-2024.
COURTNEY ANDERSON v. STATE OF TENNESSEE W2023-00067-SC-R11-PC	Shelby County Criminal Court Paula L. Skahan 9701093, 9701094, 9701095, 9701096, 9701097, 9706852, 9706853, 9706854, 9706855, 9706856, 9706857, 9708272, 9708273, 9708497, 9708498, 9709654, 9709655, 9709656, 9709657, 9709658, 9709659, 9709660, 9709924	Dyer, J. Ross: Reverse	DENIED - Application of Courtney Anderson; Order filed 05-16-2024.
STATE OF TENNESSEE v. GUILLERMO ZAPATA W2023-00111-SC-R11-CD	Shelby County Criminal Court Paula L. Skahan 12-04926	Campbell Sr., John W.: Affirm	DENIED - Application of Guillermo Zapata; Order filed 05-16-2024.
JERRY P. HALEY v. GRADY PERRY, WARDEN W2023-00223-SC-R11-HC	Lauderdale County Circuit Court A. Blake Neill 7268	Montgomery Jr., Robert H.: Affirm	DISMISSED - Application of Jerry Phillip Haley; Order filed 05-16-2024.

LARRY KING ET AL. v. TOWN OF SELMER,
TENNESSEE
W2023-00390-SC-R11-CV

McNairy County Circuit Court
J. Weber McCraw
17-CV-20, 17-CV-21

Armstrong, Kenny W.: Reverse

DENIED - Application of Brittany
Johnson and Larry King;
Order filed 05-16-2024.

IAN M. MCCONNAUGHEY v. BRUNA PATELLI
W2023-00623-SC-R11-CV

Shelby County Chancery Court
Jim Kyle
CH-20-0497-2

Per Curiam: Case Dispositional
Decision

DENIED - Application of First
Amendment Coalition;
Order filed 05-16-2024.

DARIUN BAILEY v. STATE OF TENNESSEE
W2023-00809-SC-R11-PC

Shelby County Criminal Court
Jennifer Johnson Mitchell
13-02737

Wedemeyer, Robert W.: Affirm

DENIED - Application of Dariun
Bailey;
Order filed 05-16-2024.