

SUPREME COURT OF TENNESSEE  
 SUPREME COURT DISCRETIONARY APPEALS  
**March 4, 2002**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b>Louis A. Brunsting, III, M.D., et al vs. Phillip P. Brown, M.D., et al M2000-00888-SC-R11-CV</b>	Davidson Chancery Irvin H. Kilcrease, Jr. 98-663-I	Inman, J. Affirmed	Rule 11	<b>Denied</b> - Application of Ben Barton, M.D., et al
<b>Susan R. Godfrey, et al vs. Jesus Ruiz, et al M2000-00101-SC-R11-CV</b>	Davidson Circuit Barbara N. Haynes 97C-503	Cottrell, J. Affirmed and remanded	Rule 11	<b>Granted</b> - Application of Susan and Rickey Godfrey
<b>James S. Hill, et al vs. Charles Lamberth (Houston Co. School Board) M2000-02408-SC-R11-CV</b>	Houston Circuit Walter Kurtz 1208	Crawford, J. Affirmed and remanded	Rule 11	<b>Denied</b> - Application of James and Karen Hill
<b>John T. King vs. Anne B. Pope, Comm. of the TN Dept. of Commerce and Insurance M2000-02127-SC-R11-CV</b>	Davidson Chancery Ellen H. Lyle 99-3550-III	Franks, J. Reversed	Rule 11	<b>Denied</b> - Application of Anne B. Pope
<b>Charlotte McCall vs. National Health Corporation, d/b/a Murfreesboro Health Center; NHC Insurance Company, n/k/a Premier Group Insurance Company, Inc.; and Greg Bidwell, Ind. M2002-00162-SC-R9-CV</b>	Rutherford Circuit Robert E. Corlew, III 45480		Rule 9	<b>Denied</b> - Application of NHC Insurance Company

<b>Parks Properties, et al vs. Maury County and Judy Langsdon M1997-000235-SC-R11-CV</b>	Maury Circuit William B. Cain 6707	Koch, J. Reversed	Rule 11	<b>Denied</b> - Application of Parks Properties, et al
<b>State of Tennessee vs. Terrance Akins and Cecil Groomes M1998-00122-SC-R11-CD</b>	Williamson Circuit Donald P. Harris I-1097-381-B, I-1097-381-C	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Applications of Terrance Akins and Cecil Groomes; Court of Criminal Appeals opinion is designated "Not for Citation" in accordance with Supreme Court Rule 4, § F
<b>State of Tennessee vs. Gdongalay Parlo Berry and Christopher Davis M1999-00824-SC-R11-CD</b>	Davidson Criminal J. Randall Wyatt, Jr. 98-D-2728	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Applications of Gdongalay Parlo Berry and Christopher Davis
<b>State of Tennessee vs. Angela Black M2000-02368-SC-R11-CD</b>	Davidson Criminal Steve R. Dozier 99-B-1040	Riley, J. Affirmed	Rule 11	<b>Denied</b> - Application of Angela Black
<b>State of Tennessee vs. Steven L. Chrisman M2000-02812-SC-R11-CD</b>	Montgomery Circuit John H. Gasaway, III 40737	Wade, J. Affirmed	Rule 11	<b>Denied</b> - Application of Steven L. Chrisman
<b>State of Tennessee vs. Joe W. Coonrod M2000-02224-SC-R11-CD</b>	Bedford Criminal Lee Russell 14,575	Riley, J. Affirmed	Rule 11	<b>Denied</b> - Application of Joe W. Coonrod
<b>State of Tennessee vs. Ricky Lynn Earls M2001-00063-SC-R11-CD</b>	Bedford Circuit Franklin Lee Russell 14684	Tipton, J. Affirmed	Rule 11	<b>Denied</b> - Application of Ricky Lynn Earls

<b>State of Tennessee vs. James Elkins M2000-01680-SC-R11-CD</b>	Giles Circuit Stella Hargrove 9273	Lafferty, Sr., J. Affirmed	Rule 11	<b>Granted</b> - Application of James Elkins
<b>State of Tennessee vs. Haison Fields M2000-02144-SC-R11-CD</b>	Bedford Circuit William Charles Lee 14629	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Haison Fields
<b>State of Tennessee vs. Cayle Wayne Harris M2000-02143-SC-R11-CD</b>	Giles Circuit Robert L. Jones 8641, 8642	Wade, J. Affirmed	Rule 11	<b>Denied</b> - Application of Cayle Wayne Harris
<b>State of Tennessee vs. Randall Ray Mills M2000-01065-SC-R11-CD</b>	Marshall Circuit Charles Lee 14007	Ogle, J. Affirmed in part, reversed in part, and remanded	Rule 11	<b>Denied</b> - Application of Randall Ray Mills
<b>State of Tennessee vs. Morris Jason Pepper M2000-00883-SC-R11-CD</b>	Lincoln Circuit Charles Lee S9900118	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Morris Jason Pepper
<b>State of Tennessee vs. Joel Richard Schneiderer M1999-02546-SC-R11-CD</b>	Bedford Circuit William C. Lee 1447	Welles, J. Affirmed	Rule 11	<b>Denied</b> - Application of Joel Richard Schneiderer
<b>State of Tennessee vs. William A. Tansil M2000-02940-SC-R11-CD</b>	Williamson Circuit Timothy L. Easter II 53-200	Tipton, J. Affirmed	Rule 11	<b>Denied</b> - Application of William A. Tansil

<b>State of Tennessee vs. Ernest Edward Wilson M2000-01997-SC-R11-CD</b>	Davidson Criminal J. Randall Wyatt, Jr. 98-D-2474	Riley, J. Affirmed	Rule 11	<b>Granted</b> - Application of Ernest Edward Wilson <sup>1</sup>
<b>Billy Ray Albert vs. Kevin Myers, Warden M2001-00324-SC-R11-CO</b>	Wayne Circuit Stella Hargrove 12495	Woodall, J. Rule 20 Affirmed	Rule 11	<b>Denied</b> - Application of Billy Ray Albert
<b>Joseph R. Wiggins vs. State of Tennessee M2001-00419-SC-R11-CD</b>	Davidson Criminal Steve R. Dozier 8624	Wedemeyer, J. Rule 20 Affirmed	Rule 11	<b>Denied</b> - Application of Joseph R. Wiggins
<b>Michael Jones, et al vs. Methodist Healthcare, et al W2001-00261-SC-R11-CV</b>	Shelby Circuit Robilio, J. CT-000015-00	Farmer, J. Affirmed and remanded	Rule 11	<b>Denied</b> - Application of Michael Jones and Charli Jones
<b>Linda McPeake vs. Lumbermens Mutual Casualty Co. W2002-00146-SC-R10-CV</b>	Henderson Chancery Joe C. Morris 14525		Rule 10	<b>Denied</b> - Application of Lumbermens Mutual Casualty Company

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<sup>1</sup>For oral argument, the Court is particularly interested in the following issue: 1) Was the trial court's failure to instruct on reckless homicide and criminally negligent homicide as lesser-included offenses of first degree murder harmless error where the jury convicted the defendant of the lesser offense of second degree murder and rejected the intermediate offense of voluntary manslaughter? This statement of the issue for oral argument does not prevent the parties from raising additional issues pursuant to Tenn. R. App. P. 13(a).

<b>William H. Roberts, M.D., deceased and Rosemary Roberts vs. S. Lane Bicknell, M.D., et al W2000-02514-SC-R11-CV</b>	Madison Circuit Morgan, J. C-96-141-1	Crawford, J. Affirmed and remanded	Rule 11	<b>Denied</b> - Application of William H. Roberts, M.D., deceased, and Rosemary Roberts
<b>Antonio L. Sweatt vs. Billy Compton, et al W2001-00002-SC-R11-CV</b>	Lake Circuit Moore, J. 97-7683	Highers, J. Affirmed	Rule 11	<b>Denied</b> - Application of Antonio L. Sweatt
<b>Roy Taylor vs. TN Dept. of Corrections, et al W2001-00583-SC-R11-CV</b>	Lauderdale Circuit Walker, J. 5455	Crawford, J. Affirmed in part; reversed in part	Rule 11	<b>Denied</b> - Application of Roy Taylor
<b>William Thomas Winchester vs. Glenda Rachelle Winchester W2000-01746-SC-R11-CV</b>	Chester Circuit Allen, J. 4186	Crawford, J. Affirmed and remanded	Rule 11	<b>Denied</b> - Application of William Thomas Winchester
<b>State of Tennessee vs. Thomas L. Jones W2000-01028-SC-R11-CD</b>	Shelby Criminal Colton, J. 98-09945	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Thomas L. Jones
<b>State of Tennessee vs. Daniel Shane Malone W1999-01678-SC-S09-CD</b>	Madison Circuit John F. Murchison 97-853	Wedemeyer, J. Reversed and remanded	Rule 11	<b>Denied</b> - Application of Daniel Shane Malone; the Court of Criminal Appeals opinion is designated "Not for Citation" in accordance with Supreme Court Rule 4, § F
<b>State of Tennessee vs. Melvin M. Melson W2000-03130-SC-R11-CD</b>	Hardin Circuit McGinley, J. 7958	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Melvin M. Melson

<b>State of Tennessee vs. Doney D. Miles W2000-02587-SC-R11-CD</b>	Shelby Criminal Chris Craft 99-01725	Riley, J. Affirmed	Rule 11	<b>Denied</b> - Application of Doney Miles; opinion of the Court of Criminal Appeals is designated “Not for Citation” in accordance with Supreme Court Rule 4, § F
<b>State of Tennessee vs. George Redd W2000-01620-SC-R11-CD</b>	Shelby Criminal Joseph B. Dailey 99-11458	Welles, J. Affirmed	Rule 11	<b>Denied</b> - Application of George Redd
<b>State of Tennessee vs. Steven Lee Whitehead W2000-01062-SC-R11-CD</b>	Madison Circuit Morgan, J. 99-152	Ogle, J. Reversed and remanded	Rule 11	<b>Granted</b> - Application of State of Tennessee <sup>2</sup>
<b>Rudolph Powers vs. Fred Raney, Warden W2001-00410-SC-R11-CO</b>	Lake Circuit R. Lee Moore 00-CR-8098	Hayes, J. Affirmed pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Rudolph Powers
<b>Jeffrey Chambers, et al vs. City of Chattanooga E2001-00383-SC-R11-CV</b>	Hamilton Circuit W. Neil Thomas, III 00-C-907	Swiney, J. Reversed and remanded	Rule 11	<b>Denied</b> - Application of Jeffrey Chambers; recommended that the Court of Appeals opinion be published.
<b>State of Tennessee vs. Slater Belcher E1999-02287-SC-R11-PC</b>	Blount Criminal D. Kelly Thomas, Jr. C-11291	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Slater Belcher

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<sup>2</sup>The application is granted for the sole purpose of remanding the case to the Court of Criminal Appeals for reconsideration in light of this Court’s opinion in State vs. Walter Allen, \_\_ S.W.3d \_\_ (Tenn. 2002).

<b>State of Tennessee</b> <b>vs.</b> <b>Kenneth Macarthur Johnson</b> <b>E2001-00068-SC-R11-PC</b>	Hawkins Circuit James E. Beckner 7775	Witt, J. Affirmed	Rule 11	<b>Denied</b> - Application of Kenneth Macarthur Johnson
<b>Danny W. Hobbs</b> <b>vs.</b> <b>State of Tennessee</b> <b>E2000-03182-SC-R11-PC</b>	Sullivan Criminal Phyllis H. Miller C43,295	Woodall, J. Reversed	Rule 11	<b>Denied</b> - Application of Danny Hobbs; recommended that the Court of Criminal Appeals opinion be published.
<b>Joseph Hough</b> <b>vs.</b> <b>State of Tennessee</b> <b>E2000-02653-SC-R11-PC</b>	Hamblen Criminal James E. Beckner 96CR008	Glenn, J. Opinion withdrawn; appeal dismissed	Rule 11	<b>Denied</b> - Application of Joseph Hough
<b>Eddie Williams, Jr.</b> <b>vs.</b> <b>Howard Carlton, Warden, et al</b> <b>E2001-01983-SC-R11-PC</b>	Johnson Circuit Lynn W. Brown 3752	Tipton, J. Affirmed pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Eddie Williams, Jr.