

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

Monday, May 1, 2006

**GRANTS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
Maurice Hughley v. State of Tennessee M2004-00308-SC-R11-CV	Davidson County Chancery Chancellor Ellen Hobbs Lyle No. 03-2074-III	Cain, J Affirmed	Rule 11	<b>Granted</b> - Application of Maurice Hughley. To be set for oral argument upon the completion of briefing.
<b><u>Knoxville</u></b>				
Dennis Wilson v. Blount County, Tennessee; Darrell McEacheron; and Danny K. Carrigan. E2004-02593-SC-R11-CV	Blount County Chancery Chancellor Telford E. Fogerty, Jr. No. 03-081	Franks, J Reversed	Rule 11	<b>Granted</b> - Application of Blount County, Tennessee. To be set for oral argument upon the completion of briefing.
<b><u>Jackson</u></b>				

Jerry Faulkner a/k/a Joseph Faulkner v. State of Tennessee W2004-02354-SC-R11-HC	Shelby County Criminal Judge James C. Beasley No. P-28323	Witt, J Affirmed	Rule 11	<b>Granted</b> - Application of Jerry Faulkner, a/k/a Joseph Faulkner
Sherrie McNall, et al. v. Mastercard International, Inc., A Delaware Corporation W2005-02422-SC-S09-CV	Shelby County Circuit Judge Jerry Stokes No. CT-002506-03	Kirby, J Denied	Rule 9	<b>Granted</b> - Application of Mastercard International, Inc.

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**DENIALS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
Shawn Donzell Anglin v. State of Tennessee M2005-00941-SC-R11-PC	Davidson County Criminal Judge Cheryl Blackburn No. 2002-C-1610	Welles, J Affirmed	Rule 11	<b>Denied</b> - Application of Shawn Donzell Anglin

Duane Coleman v. State of Tennessee M2003-00512-SC-R3-PC	Davidson County Criminal Judge J. Randall Wyatt, Jr. No. 97-A-33	Wedemeyer, J Welles, J Smith, J Order Dismissing Appeal	Rule 11	<b>Denied</b> - Application of Duane Coleman
Sylvia Darlene Jack v. Mark Harlan Dilehay M2004-00192-SC-R11-CV	Hickman County Chancery Judge Timothy L. Easter No. 9713188	Farmer, J Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Sylvia Darlene Jack
Billy Merle Meeks v. Ricky J. Bell, Warden M2005-00626-SC-R11-HC	Davidson County Criminal Judge Thomas W. Brothers No. 04C-3157	Woodall, J Affirmed Rule 20	Rule 11	<b>Denied</b> - Application of Billy Merle Meeks  Motion to hold Rule 11 application in abeyance is denied.
The Metropolitan Government of Nashville and Davidson County v. Cigna Healthcare of Tennessee, Inc. M2003-02700-SC-R11-CV	Davidson County Chancery Chancellor Ellen H. Lyle No. 01-1797-III	Clement, J Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Metropolitan Government of Nashville and Davidson County
Phyllis G. Mitchell v. Diane T Hutchins M2004-01592-SC-S10-CV	Dickson County Circuit Judge Robert E. Burch No. CV 1372	Koch, J Affirmed and Remanded	Rule 11	<b>Dismissed</b> - Application of Diane T. Hutchins  Court finds that application was not timely filed and this Court is without jurisdiction to consider the merits.
Lawrence Earl Ralph v. State of Tennessee M2005-01525-SC-R11-PC	Warren County Circuit Judge Larry B. Stanley No. F-9614	Ogle, J Affirmed	Rule 11	<b>Denied</b> - Application of Lawrence Earl Ralph
Clifford Russell, et al. v. Susan I. Russell M2004-01767-SC-R11-CV	Davidson County Probate Judge Randy Kennedy No. 99P-412	Crawford, J Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Clifford and John Hall Russell

Shannon Smith v. State of Tennessee M2004-02494-SC-R11-PC	Rutherford County Circuit Judge Don R. Ash No. M-54954	Wedemeyer, J Affirmed	Rule 11	<b>Denied</b> - Application of Shannon Smith
State of Tennessee v. Gabriel Ayuel M2004-02087-SC-R11-CD	Davidson County Criminal Judge Seth Norman 2002-A-345	McLin, J Affirmed	Rule 11	<b>Denied</b> - Application of Gabriel Ayuel
State of Tennessee v. Christopher Todd Brown M2005-01343-SC-R11-CO	Davidson County Criminal Judge Steve R. Dozier No. 97-C-1832	Wedemeyer, J Welles, J Smith, J Appeal Dismissed	Rule 11	<b>Denied</b> - Application of Christopher Todd Brown
State of Tennessee v. Donte Collins M2004-02564-SC-R11-CD	Davidson County Criminal Judge Monte Watkins No. 2003-T-251	Wedemeyer, J Affirmed	Rule 11	<b>Denied</b> - Application of Donte Collins
State of Tennessee v. Thomas W. Cothran M2005-00559-SC-R3-CD	Hickman County Circuit Judge Russ Heldman No. 02-5100CR-II	Welles, J Affirmed in Part, Reversed in Part	Rule 11	<b>Denied</b> - Application of Thomas W. Cothran
State of Tennessee v. Richard Frank D'Antonio M2003-03052-SC-R11-CD	Davidson County Criminal Judge J. Randall Wyatt, Jr. No. 2002-C-1280	Williams, J Affirmed	Rule 11	<b>Denied</b> - Application of Richard Frank D'Antonio
State of Tennessee v. Claude Francis Garrett M2004-02089-SC-R11-CD	Davidson County Criminal Judge Seth Norman No. 92-B-961	Witt, J Affirmed	Rule 11	<b>Denied</b> - Application of Claude Francis Garrett
State of Tennessee v. Antonio DeWayne Jones M2004-01349-SC-R11-CD	Davidson County Criminal Judge Mark Fishburn No. 2002-A-290	Hayes, J Affirmed in Part, Reversed in Part & Remanded	Rule 11	<b>Denied</b> - Application of Antonio Jones

State of Tennessee v. Gary Timothy Lawler M2005-00177-SC-R11-CD	Sumner County Criminal Judge Jane W. Wheatcraft No. 220-2004	Woodall, J Affirmed	Rule 11	<b>Denied</b> - Application of Gary Timothy Lawler
State of Tennessee v. James Thomas Manning M2004-03035-SC-R11-CD	Putnam County Criminal Judge Leon C. Burns No. 98-0121	Woodall, J Affirmed	Rule 11	<b>Denied</b> - Application of James Thomas Manning
State of Tennessee v. David M. Olvera M2004-02090-SC-R11-CD	Davidson County Criminal Judge Cheryl Blackburn No. 2003-A-390	Glenn, J Affirmed	Rule 11	<b>Denied</b> - Application of David M. Olvera
State of Tennessee v. James Ray Smith M2005-00615-SC-R11-CD	Putnam County Criminal Judge Leon Burns No. 03-0826	Williams, J Affirmed	Rule 11	<b>Denied</b> - Application of James R. Smith
State of Tennessee v. Fallon Tallent M2006-00183-SC-R11-CD	Wilson County Criminal Judge John Wootten No. 03-0679	Wedemeyer, J Affirmed	Rule 11	<b>Denied</b> - Application of Fallon Tallent
State of Tennessee v. Tony Wade M2005-00617-SC-R11-CD	Montgomery County Circuit Judge John Gasaway No. 40400676, 40400558, & 40400613	Wedemeyer, J Affirmed	Rule 11	<b>Denied</b> - Application of Tony Wade
State of Tennessee v. Charles A. Webster M2005-00069-SC-R11-CD	Davidson County Criminal Judge Cheryl Blackburn No. 2003-B-851	Witt, J Affirmed	Rule 11	<b>Denied</b> - Application of Charles A. Webster
State of Tennessee v. David M. Whitman, Jr. M2004-03063-SC-R11-CD	Davidson County Criminal Judge J. Randall Wyatt, Jr. No. 2004-A-111	McLin, J Affirmed	Rule 11	<b>Denied</b> - Application of David M. Whitman, Jr.
State of Tennessee v. R. L. Williams M2004-02075-SC-R11-CD	Davidson County Criminal Judge Steve Dozier No. 2002-B-1093	Hayes, J Affirmed and Remanded for merger of Judgment	Rule 11	<b>Denied</b> - Application of R. L. Williams

Richard Wiggins a/k/a Ricardo D. Wiggins vs. State of Tennessee M2005-00182-SC-R11-PC	Davidson County Criminal Judge Cheryl Blackburn No. 2003-A-313	Hayes, J Affirmed	Rule 11	<b>Denied</b> - Application of Richard D. Wiggins
Charles Lee Wilson v. State of Tennessee M2005-1249-SC-R11-CO	Davidson County Criminal Judge Monte Watkins No. 2002-C-1347	Welles, J Smith, J Wedemeyer, J Rule 28 Dismissed	Rule 11	<b>Denied</b> - Application of Charles Lee Wilson
Carolyn Wooster v. State of Tennessee M2005-01217-SC-R11-PC	Dickson County Circuit Judge Robert E. Burch No. CR-6603	Wedemeyer, J Affirmed	Rule 11	<b>Denied</b> - Application of Carolyn Wooster
<b><u>Knoxville</u></b>				
Bobby R. Bruner v. Odom Construction Systems, Inc. E2004-02862-SC-WCM-CV	Knox County Circuit Judge Wheeler A. Rosenbalm No. 3-566-00	Thayer, Sp.J., Anderson, J Frierson II, Sp.J. Affirmed		<b>Denied</b> - Motion for review filed by Odom Construction Systems, Inc.  <b>*Filed on April 24, 2006*</b>
Bee Deselm, as former Knox County Commissioner, etc. and on Relationship to the State of TN. v . Timothy Hutchison, Knox County, Michael W. Moyers and Randall E. Nichols E2006-00681-SC-R10-CV	Knox County Chancery Chancellor John F. Weaver No. 164615-1		Rule 10	<b>Denied</b> - Application of Bee Deselm  Motion to Consolidate, Motion to Extend Any Applicable Page Limit, Motion to Suspend the Rules to Avoid Unnecessary Duplication of Paper Records, and Application Seeking the Issuance of a Writ of Mandamus are denied.  <b>*Filed on April 24, 2006*</b>

James Gray, Bee DeSelm and John Schmid v . Timothy Hutchison, Knox County, TN and Knox County Election Commission E2006-0778-SC-R11-CV	Knox County Chancery Chancellor John F. Weaver No. 166649-1		Rule 11	<b>Denied</b> - Application of James Gray  Motion to Consolidate, Motion to Extend Any Applicable Page Limit, Motion to Suspend the Rules to Avoid Unnecessary Duplication of Paper Records, and Application Seeking the Issuance of a Writ of Mandamus are denied.  <b>*Filed on April 24, 2006*</b>
Tim Holt v. State of Tennessee E2005-00587-SC-R11-PC	Hancock County Criminal James E. Beckner No. CR-2491	Hayes, J Affirmed	Rule 11	<b>Denied</b> - Application of Tim Holt
Scott Bradley Price v. State of Tennessee E2005-02718-SC-R11-PC	Knox County Criminal Judge Mary Beth Leibowitz No.76083	Woodall, J Affirmed	Rule 11	<b>Denied</b> - Application of Scott Bradley Price
John Schmid, Bee DeSelm and James Gray v. Timothy Hutchison, Knox County and Knox County Election Commission E2006-00777-SC-R11-CV	Knox County Chancery Chancellor John F. Weaver No. 166701-1		Rule 11	<b>Denied</b> - Application of John Schmid  Motion to Consolidate, Motion to Extend Any Applicable Page Limit, Motion to Suspend the Rules to Avoid Unnecessary Duplication of Paper Records, and Application Seeking the Issuance of a Writ of Mandamus are denied.  <b>*Filed on April 24, 2006*</b>

Carl R. Seider v. Knox County Election Commission E2006-0776-SC-R10-CV	Knox County Chancery Chancellor John F. Weaver No. 166736-1		Rule 10	<b>Denied</b> - Application of Carl R. Seider  Motion to Consolidate, Motion to Extend Any Applicable Page Limit, Motion to Suspend the Rules to Avoid Unnecessary Duplication of Paper Records, and Application Seeking the Issuance of a Writ of Mandamus are denied.  <b>*Filed on April 24, 2006*</b>
State of Tennessee Department of Children's Services vs. T. M. B. K. E2005-00604-SC-R11-PT	Hamilton County Juvenile Judge Suzanne Bailey No. 182,067; 182,068; 190,495; 190,496	Lee, J Affirmed in part; reversed in part & remanded	Rule 11	<b>Denied</b> - Application of T.M.B.K.
State of Tennessee v. Donald Lynn Miller E1999-00148-SC-DAS-CD	Knox County Criminal Judge Ray Jenkins No. 62654B/78804	Hayes, J Affirmed	Rule 11	<b>Denied</b> - Application of Donald Lynn Miller
State of Tennessee v. Joshua Schaeffer E2005-00085-SC-R11-CD	Hamblen County Circuit Judge James Beckner No. 04-CR-273	Wade, J Affirmed	Rule 11	Motion to supplement Rule 11 application is Granted.  <b>Denied</b> - Application of Joshua Schaeffer
State of Tennessee v. Robert K. Ward E2004-01665-SC-R11-CD	Sevier County Circuit Judge Rex Henry Ogle No. 9429	Wedemeyer, J Affirmed	Rule 11	<b>Denied</b> - Application of Robert K. Ward
Robert Michael Winters v. State of Tennessee E2005-01349-SC-R11-PC	Hamilton County Criminal Judge Rebecca Stern No. 253857	Wade, J Affirmed	Rule 11	<b>Denied</b> - Application of Robert Michael Winters



**Jackson**

Darrell E. Braddock v. David Mills, Warden W2005-01975-SC-R11-HC	Lauderdale County Circuit Judge Joe H. Walker, III No. 5976	Williams, J Affirmed Pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Darrell E. Braddock
Tina Cox, et al. v. Shell Oil Company, et al. W2004-01777-SC-R11-CV	Obion County Chancery Chancellor Michael Maloan No. 18,844	Crawford, J Affirmed	Rule 11	<b>Denied</b> - Application of William Gordon Ball
Morris M. Dickson v. City of Memphis Civil Service Commission W2004-02232-SC-R11-CV	Shelby County Chancery Chancellor Walter L. Evans No. CH-03-1310-1	Crawford, J Affirmed		<b>Denied</b> - Application of City of Memphis Civil Service Commission and Morris M. Dickson  <b>*Filed on April 24, 2006*</b>  *Motion to stay this Court's disposition of the application for permission to appeal pending settlement negotiations is hereby denied as moot
Finova Capital Corporation v. Billy Joe Regel, Individually and d/b/a Bartlett Prescription Shop W2005-00071-SC-R11-CV	Shelby County Chancery Chancellor Arnold B. Goldin No. CH-03-1786-2	Farmer, J Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Finova Capital Corporation
M&M Auto Sales v. Old Republic Surety Company v. Brooks Road Auto Mart, LLC., et al. W2005-00656-SC-R11-CV	Shelby County Circuit Judge D'Army Bailey No. CT-006848	Kirby, J Affirmed	Rule 11	<b>Denied</b> - Applications of M&M auto Sales and Shane Chapman

Gloria Mastilir v. The New Shelby Dodge, Inc. W2005-00483-SC-R11-CV	Shelby County Circuit Judge Donna Fields No. CT-000713-04	Farmer, J Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Gloria Mastilir
Ben Mills v. State of Tennessee W2005-00480-SC-R11-PC	Shelby County Criminal Judge James C. Beasley, Jr. No. P27225	Glenn, J Affirmed	Rule 11	<b>Denied</b> - Application of Ben Mills
Freddy Lee Parrish, Jr. v. State of Tennessee W2005-02196-SC-R11-HC	Lauderdale County Circuit Judge Joe H. Walker, III No. 5992	Williams, J Affirmed Pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Freddy Lee Parrish, Jr.
State of Tennessee v. Clarence Bunton W2004-02886-SC-R11-CD	Shelby County Criminal Judge John P. Colton, Jr. No. 01-13603	Ogle, J Affirmed	Rule 11	<b>Denied</b> - Application of Clarence Bunton
State of Tennessee v. Laranda Conner W2005-00444-SC-R11-CD	Madison County Circuit Judge Roy B. Morgan, Jr. No. 04-407	Glenn, J Appeal Dismissed	Rule 11	<b>Denied</b> - Application of Laranda Conner
State of Tennessee v. Lester James Farris, Jr. W2005-01021-SC-R11-CD	Fayette County Circuit Judge J. Kerry Blackwood No. 5522	Welles, J Affirmed	Rule 11	<b>Denied</b> - Application of Lester James Farris, Jr.
State of Tennessee v. Curtis Palmer W2004-01748-SC-R11-CD	Shelby County Criminal Judge James C. Beasley, Jr. No. 03-04188	Woodall, J Affirmed	Rule 11	<b>Denied</b> - Application of Curtis Palmer  **The opinion of the Court of Criminal Appeals is designated "Not for Citation" in accordance with Supreme Court Rule 4, §F.
State of Tennessee v. Darrell Phillips W2005-00154-SC-R11-CD	Shelby County Criminal Judge John P. Colton, Jr. No. 00-02766 and 00-2767	Glenn, J Affirmed	Rule 11	<b>Denied</b> - Application of Darrell Phillips

State of Tennessee v. Deshawn Turner W2005-01054-SC-R11-CD	Hardin County Circuit Judge C. Creed McGinley No. 8367	Wedemeyer, J Affirmed	Rule 11	<b>Denied</b> - Application of Deshawn Turner
Loyce K. Stelling, et al. v. Austin Pub, Inc., d/b/a Bubba's Ale House & Grille, et al. W2006-00084-SC-S10-CV	Shelby County Circuit Judge Robert L. Childers No. CT-006416-02 and CT-006417-02	Highers, J Farmer, J Rule 10 Denied	Rule 10	<b>Denied</b> - Application of Bubba's Ale House & Grille