

SUPREME COURT OF TENNESSEE  
STATE LIST FOR PERMISSION TO APPEAL  
**June 19, 2000**

STYLE/APPEAL NUMBER	COUNTY	TRIAL JUDGE	TRIAL COURT NO.	APPELLATE JUDGE/JUDGMENT	NATURE OF APPEAL	ACTION
<b>Robert Bean, et al</b> <b>vs.</b> <b>Ned Ray McWherter, et al</b> <b>M1999-01493-SC-R11-CV</b>	Davidson Chancery	Irvin H. Kilcrease	91-2558-I	Cantrell, P.J. Affirmed in part, reversed in part, and remanded	Rule 11	<b>Denied</b> - Application of Robert Bean, et al
<b>John Davis</b> <b>vs.</b> <b>Computer Maintenance Service, Inc.</b> <b>M1998-00414-SC-R11-CV</b>	Davidson Circuit	Walter C. Kurtz	97C-1823	Lillard, J. Affirmed	Rule 11	<b>Granted</b> - Application of John Davis; remanded to the Court of Appeals <sup>1</sup>
<b>Andrew Fahrner</b> <b>vs.</b> <b>SW Manufacturing, Inc.</b> <b>M1999-00021-SC-R11-CV</b>	Dekalb Circuit	John A. Turnbull	7620	Highers, J. Reversed	Rule 11	<b>Granted</b> - Application of Andrew Fahrner
<b>Fred Marshall</b> <b>vs.</b> <b>Jackson &amp; Jones Oils, Inc.</b> <b>M1997-00104-SC-R11-CV</b>	Rutherford Circuit	J.S. Steve Daniel	32618	Koch, J. Affirmed in part, vacated in part, and remanded	Rule 11	<b>Denied</b> - Application of Jackson & Jones Oils
<b>State of Tennessee</b> <b>vs.</b> <b>Rhonda Burkhart</b> <b>M1998-00344-SC-R11-CD</b>	Montgomery Circuit	John Gasaway	38568	Tipton, J. Reversed and remanded	Rule 11	<b>Granted</b> - Application of Rhonda Burkhart <sup>2</sup>

<sup>1</sup>The Court of Appeals is directed to decide the case on its merits in accordance with this Court's opinion in Barnes v. Goodyear, No. W1997-00247-SC-R11-CV (Tenn. filed at Jackson May 30, 2000).

<sup>2</sup>Oral argument shall be limited to the following issues: (1) Whether TCA 39-17-501 and 39-17-505 are unconstitutionally vague as applied? (2) Whether TCA 39-17-501 and 39-17-505 are unconstitutionally vague on their face? (3) Whether TCA 39-17-501 and 39-17-505 are unconstitutionally overbroad?

<b>State of Tennessee vs. Aron Frazier a/k/a Erin Frazier M1998-00498-SC-R11-CD</b>	Putnam Criminal	Leon C. Burns, Jr.	97-0197	Lafferty, Sr. J. Affirmed	Rule 11	<b>Denied</b> - Application of Aron Frazier
<b>Joshua T. Cannon vs. State of Tennessee M1998-00488-SC-R11-PC</b>	Lawrence Circuit	Jim T. Hamilton	19349	Welles, J. Affirmed	Rule 11	<b>Denied</b> - Application of Joshua T. Cannon
<b>Blaylock &amp; Brown Construction Company, Inc., etc. vs. The Collierville Board of Mayor and Alderman, etc. W1998-00596-SC-R11-CV</b>	Shelby Chancery	Floyd Peete, Jr.	98-0120-2	Farmer, J. Reversed and remanded	Rule 11	<b>Denied</b> - Application of Blaylock & Brown Construction Company, Inc.
<b>Thomas H. Fowler vs. Maxine Middlecoff, et al W1998-00567-SC-R11-CV</b>	Shelby Circuit	Floyd Peete, Jr.	98-0737-1	Crawford, J. Affirmed and remanded	Rule 11	<b>Denied</b> - Application of Thomas H. Fowler
<b>William Kenneth Sims, et ux vs. Eddie Stewart, Jr., et al W1998-00560-SC-R11-CV</b>	Gibson Circuit	Dick Jerman, Jr.	7177	Crawford, J. Affirmed as modified	Rule 11	<b>Denied</b> - Application of William Kenneth Sims and Edna W. Sims
<b>Herman Vanderheyden d/b/a Vanderheyden Construction Co. vs. Ajay, Inc. &amp; Federal Savings Bank W1998-00570-SC-R11-CV</b>	Shelby Chancery	Floyd Peete, Jr.	110306-2	Lillard, J. Reversed and remanded	Rule 11	<b>Denied</b> - Application of Ajay, Inc.

<b>State of Tennessee vs. Corey Eddins W1998-00487-SC-R11-CD</b>	Shelby Criminal	Chris Craft	97-01966	Witt, J. Affirmed	Rule 11	<b>Denied</b> - Application of Corey Eddins.
<b>State of Tennessee vs. David Shane Pillow W2000-00152-SC-OT-CD</b>	Gibson Criminal	Dick Jerman, Jr.	15285	Peay, J. Affirmed	Rule 11	<b>Dismissed</b> - Application of David Shane Pillow. <sup>3</sup>
<b>State of Tennessee vs. Steven Webster W1998-00293-SC-R11-CD</b>	Shelby Criminal	James Beasley, Jr.	98-00834	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Steven Webster
<b>State of Tennessee vs. Kenneth Weems W1999-00033-SC-R11-PC</b>	Shelby Criminal	John P. Colton, Jr.	P-19350	Wade, J. Affirmed	Rule 11	<b>Denied</b> - Application of Kenneth Weems
<b>State of Tennessee vs. Steven Andrew White W1999-01920-SC-R11-CD</b>	Henry Circuit	Julian P. Guinn	12751	Peay, J. Affirmed	Rule 11	<b>Denied</b> - Application of Steven Andrew White
<b>Dean Arnold, etc. et al vs. City of Chattanooga, et al E1999-01024-SC-R11-CV</b>	Hamilton Chancery	W. Frank Brown	99-0077	Franks, J. Affirmed in part, reversed in part, and remanded	Rule 11	<b>Denied</b> - Application of Dean Arnold, et al

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<sup>3</sup>It appears from the record in this case that the application for permission to appeal of David Shane Pillow was not timely filed, and this Court is therefore without jurisdiction to consider the merits of the application. See Rule 11(b) and Rule 2, T.R.A.P.

<b>Grace Marlene Clopton and John Clopton vs. Dr. Thomas Fulbright and the Neurosurgical Group of Chattanooga</b> E2000-00195-SC-R11-CV	Hamilton Circuit		96-CV-0191	Goddard, Susano and Swiney, JJ. Rule 9 denied	Rule 11	<b>Denied</b> - Application of Dr. Thomas Fulbright and the Neurosurgical Group of Chattanooga
<b>Estate of Grover Pemberton vs. Mabel Pennington, et ux</b> E1998-01308-SC-R11-CV	Scott Chancery	Billy Joe White	8031	Goddard, J. Affirmed and remanded	Rule 11	<b>Denied</b> - Application of Mabel Pennington, et ux
<b>Barbara Madison, etc. vs. Marie Love</b> E1999-01188-SC-R11-CV	Washington Circuit	G. Richard Johnson	18802	Susaon, J. Affirmed and remanded	Rule 11	<b>Granted</b> - Application of Barbara Madison; remanded to the Court of Appeals. <sup>4</sup>
<b>Sullivan County, Tennessee, et al vs. Joe Ellis Lyon</b> E1999-01192-SC-R11-CV	Sullivan County	John S. McLellan, III	C10583	Susano, J. Vacated and remanded	Rule 11	<b>Denied</b> - Application of Joe Lyons
<b>State of Tennessee vs. Michael Glen Brice</b> E1998-00030-R11-SC-PC	Sullivan Criminal	James E. Beckner	C39,134	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Michael Glen Brice
<b>State of Tennessee vs. Ralph Moore, Jr.</b> E1999-00067-SC-R11-CD	Roane Criminal	E. Eugene Eblen	11638	Hayes, J. Affirmed	Rule 11	<b>Denied</b> - Application of Ralph Moore

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<sup>4</sup>The Court of Appeals is directed to decide the case on its merits in accordance with this Court's opinion in McCarley vs. West Quality Food Service, 960 SW2d 585.

<b>Kimberly and Donald Higbee vs. State of Tennessee E1998-00349-SC-R11-CD</b>	Washington Criminal	Lynn W. Brown	24413A/B	Witt, J. Affirmed	Rule 11	<b>Denied</b> - Application of Kimberly and Donald Higbee