

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

Monday, June 27, 2005

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Paul Dennis Reid, Jr. v. State of Tennessee M2005 - 00260-SC-S09-PC	Davidson Criminal Cheryl Blackburn 97-C-1834	Wedemeyer, J Welles, J Smith, J Denied -Rule 9	Rule 9	Granted - Application of Paul Dennis Reid, Jr.
State of Tennessee v. John C. Walker, III M2003-01732-SC-R11-CD	Putnam Criminal Lillie Ann Sells 02-0306	Hayes, J Affirmed	Rule 11	Granted - Application of the State of Tennessee. Granted and Remanded to the Court of Criminal Appeals for reconsideration in light of State v. Gomez and Londono. * This was filed 6/20/05*

Knoxville

Jackson

State of Tennessee v. Larrie Maclin W2003-03123-SC-R11-CD	Shelby Criminal Joseph B. Dailey 03-00140	Wedemeyer, J Smith, J McLin, J Affirmed in Part, Reversed in Part, and Remanded	Rule 11	Granted - Application of Larrie Maclin * This case is consolidated for Purposes of Oral Argument with State v. Michael Lebron Anderson*
State of Tennessee v. Jessica Trotter and Andrew Sheriff W2004-00656-SC-R11-CD	Shelby Criminal Arthur T. Bennett 03-02844	Smith, J Reversed and Remanded	Rule 11	Granted - Application of the State of Tennessee

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DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Tezozomoc “Ted” Alcantar, et al. v. Haulers Insurance Company M2003-01004-SC-R11-CV	Davidson Circuit Carol Soloman 01C-2237	Clement, J Affirmed and Remanded	Rule 11	Denied - Application of Tezozomoc “Ted” Alcantar and Judy Alcantar. ** Motions to consider post-judgment facts also denied **
Michael Blackburn v. State of Tennessee M2003-2549-SC-R11-PC	Franklin Circuit J. Curtis Smith 11223-B	Wedemeyer, J Affirmed	Rule 11	Denied - Application of Michael Blackburn
Columbia Gulf Transmission Company v. The Governors Club Property Owners Association, et al. M2005-01193-SC-R11-CV	Williamson Circuit Russ Heldman 04660	Per Curiam Denied - Rule 7	Rule 11	Denied - Application of the Governors Club Property Owners Association, et al.
Earl David Crawford v. State of Tennessee M2004-02440-SC-R11-HC	Davidson Criminal J. Randall Wyatt, Jr. 3546	Welles, J Affirmed	Rule 11	Denied - Application of Earl David Crawford
Custom Land Development, Inc. v. Town of Coopertown and Coopertown Board of zoning Appeals M2003-02107-SC-R11-CV	Robertson Chancery Ross H. Hicks 17206	Kirby, J Affirmed	Rule 11	Denied - Application of Custom Land Development, Inc.
Richard A. Emmitt v. State of Tennessee M2004-00564-SC-R11-PC	Davidson Criminal Steve R. Dozier 84-W-91	Glenn, J Affirmed	Rule 11	Denied - Application of Richard A. Emmitt

Perry Franks v. State of Tennessee M2004-00554-SC-R11-PC	Wayne Circuit Jim T. Hamilton 13156	Welles, J Affirmed	Rule 11	Denied - Application of Perry Franks
Helen J. Hollis, individually and as surviving spouse of Billy Coy Hollis deceased v. HCA Health Services of Tennessee, Inc., d/b/a Summit Medical Center M2005-00539-SC-S09-CV	Davidson Circuit Walter C. Kurtz 99C-845	Per Curiam Denied - Rule 9	Rule 11	Denied - Application of Helen J. Hollis
Shemain Johnson v. State of Tennessee M2003-03084-SC-R11-PC	Davidson Criminal Cheryl Blackburn 2001-C-1740-, 2001-B-1165	Hayes, J Affirmed	Rule 11	Denied - Application of Shemain Johnson
Judy Kesterson v. Bruce Varner M2003-00743-SC-R11-CV	Williamson Chancery Russ Heldman II-26072	Cain, J Affirmed and Remanded	Rule 11	Denied - Application of Bruce Varner * Plaintiff's Motion to dismiss also denied*
State of Tennessee v. Margie Jeanette Farley M2003-02826-SC-R11-CD	Warren County James L. Weatherford F-8248	Glenn, J Affirmed and Remanded For Entry of Corrected Judgments	Rule 11	Denied - Application of Margie Jeanette Farley
State of Tennessee v. James Harvey Farrar, Jr. M2003-02271-SC-R11-CD	Bedford Circuit Lee Russell 15205	Welles, J Affirmed as Modified	Rule 11	Denied - Application of James Harvey Farrar, Jr. ** 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. Vick R. Nichols, Jr. M2003-2001-SC-R11-CD	Lewis Circuit Robert E. Lee Davies 6393	Hayes, J Dismissed	Rule 11	Denied - Application of Vick R. Nichols, Jr.

State of Tennessee v. Calvin Louis Hill M2004-00597-SC-R11-CD	Marshall Circuit Charles Lee 15728	Wedemeyer, J Affirmed	Rule 11	Denied - Application of Calvin Louis Hill ** 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. James Wayne Kimbrough M2003-00719-SC-R11-CD	Davidson Criminal Steve R. Dozier 2001-D-2439	Ogle, J Affirmed	Rule 11	Denied - Application of James Wayne Kimbrough
State of Tennessee v. Michael Wayne Smithson M2004-01411-SC-R11-CD	Cannon Circuit J.S. Daniel F01-05	Williams, J Affirmed	Rule 11	Denied - Application of Michael Wayne Smithson
State of Tennessee v. Colia Louis Streeter M2004-00543-SC-R11-CD	Bedford Circuit Charles Lee 15358	Woodall, J Affirmed	Rule 11	Denied - Application of Colia Louis Streeter
State of Tennessee v. David Sever Watkins M2003-01488-SC-R11-CD	White Criminal Leon Burns, Jr. CR1172	Glenn, J Affirmed	Rule 11	Denied - Application of David Sever Watkins
State of Tennessee v. Robert Wilson M2004-00110-SC-R11-CD	Marion Circuit James C. Smith 5935	Wade, J Affirmed as Modified	Rule 11	Denied - Application of Robert Wilson ** The opinion of the Court of Criminal Appeals is designated “Not for Citation” in accordance with Supreme Court Rule 4, § F.**
James A. Uhles v. State of Tennessee M2004-2002-SC-R11-HC	Davidson Criminal Robert L. Jones 97-B-1232	Welles, J Affirmed - Rule 20	Rule 11	Denied - Application of James A. Uhles
Donald Wallace v. State of Tennessee M2004-2976-SC-R11-PC	Stewart Circuit Robert E. Burch 4-769-CR-96	Witt, J Affirmed	Rule 11	Denied - Application of Donald Wallace

John Ralph Wood v. Judith A. (Grande) Wood M2003-00193-SC-R11-CV	Smith Circuit Clara W. Byrd 4996	Cottrell, J Affirmed as Modified and Remanded	Rule 11	Denied - Application of John Ralph Wood *Motion to Consider Post-Judgment Facts, Overruled.*
Fred H. Wright, Ph.D. v. Tennessee Board of Examiners in Psychology M2003-01654-SC-R11-CV	Davidson Chancery Irvin H. Kilcrease, Jr. 02-3172-I	Highers, J Affirmed	Rule 11	Denied - Application of Fred H. Wright, Ph.D.
<u>Knoxville</u>				
Richard & Faye Anderson, et al. v. American Limestone Company, Inc., et al. E2003-01979-SC-R11-CV	Unicoi Circuit Thomas J. Seeley, Jr. 6230	Peoples, J Affirmed	Rule 11	Denied - Application of Richard & Faye Anderson
Jerry Biggs v. Reinsman Equestrian Products, Inc. E2004-00172-SC-R11-CV	Bradley Chancery Jerri Bryant 00-369	Franks, J	Rule 11	Denied - Application of Reinsman Equestrian Products, Inc.
Samuel Dwayne Davis v. State of Tennessee E2004-01943-SC-R11-CO	Knox Criminal Richard Baumgartner 33857 & 65155	Witt, J Wade, J Ogle, J Dismissed	Rule 11	Denied - Application of Samuel Dwayne Davis
Diagnostic Center and Diagnostic Associates of Chattanooga v. Stubblefield, M.D., Steven B. Stubblefield, M.D., P.C. and Steven B. Stufflefield Trust E2005-00407-SC-S10-CV	Hamilton Circuit Samuel H. Payne 04-C-851	Susano, J Swiney, J Lee, J Denied- Rule 10	Rule 10	Denied - Application of Steven B. Stubblefield, M.D., Steven B. Stubblefield, M.D., P.C., and Steven B. Stubblefield Trust

Clyde M. Fuller v. Samuel & Patty Evans E2004-00801-SC-R11-CV	Hamilton Circuit Jackie Schulten 98-C-2355	Lee, J Affirmed	Rule 11	Denied - Application of Samuel & Patty Evans
Luther E. Fowler v. State of Tennessee E2004-01346-SC-R11-HC	Johnson Circuit Robert E. Cupp 4331	Witt, J Affirmed	Rule 11	Denied - Application of Luther E. Flowers
Effie L. Hayes v. Opal M. Shaw E2004-01851-SC-R11-CV	Hamilton Circuit Jackie Schulten 03-C-1193	Swiney, J Affirmed and Remanded		Denied - Petition captioned “Mandate and Stay Pending Further Appeal, Stay According to State Law.”
State of Tennessee v. Faron Pierce E2001-00437-SC-R11-CD	Knox Criminal Richard Baumgartner 67174B	Williams, J Affirmed	Rule 11	Denied - Application of Faron Pierce
<u>Jackson</u>				
Stanley Adams v. David Mills W2004-00758-SC-R11-HC	Lauderdale Circuit Joe H. Walker 5832	Glenn, J Affirmed - Rule 20	Rule 11	Denied - Application of Stanley Adams
Duke Bowers Clement v. Janet Leigh Traylor Clement W2003-02388-SC-R11-CV	Shelby Circuit George H. Brown CT-000776-01	Crawford, J Affirmed in Part, Modified in Part and Remanded	Rule 11	Denied - Application of Duke Bowers Clement.

Kenyatta Darden, a Minor, By and Through his mother and next friend, Lashonda Jarrett v. UT Medical Group, Inc., Baha Sibai, M.D., Frank Ling, M.D., and Shelby County Health Care Corporation, D/B/A The Regional Medical Center at Memphis W2005-00423-SC-S10-CV	Shelby Circuit George H. Brown, Jr. CT-000273-03	Farmer, J Highers, J Denied	Rule 10	Denied - Application of Dr. Frank Ling, Dr. Baha Sibai, and UT Medical Group, Inc.
Carl Johnson v. State of Tennessee W2003-02760-SC-R11-PC	Shelby Criminal Joseph B. Dailey P-26265	Ogle, J Reversed and Remanded	Rule 11	Denied - Application of Carl Johnson
Cynthia Lynn Alston Houston Johnston v. Walter Rex Houston W2004-02915-SC-R11-CV	Shelby Circuit Robert L. Childers 131541	Kirby, J Affirmed	Rule 11	Denied - Application of Walter Rex Houston
Albert Frank Kelly v. State of Tennessee W2004-01580-SC-R11-PC	Shelby Criminal Bernie Weinman P-26794	Williams, J Affirmed	Rule 11	Denied - Application of Albert Frank Kelly
Coleen L. Powers; James G. Blodgett, Jr., et al. v. Milton H. Hamilton, Jr; Pollution Control Ind., et al W2005-00463-SC-R10-CV	Shelby Circuit Karen R. Williams CT-003265-04	Farmer, J Highers, J Denied	Rule 10	Denied - Application of Coleen L. Powers, et al.
State of Tennessee v. Perry Barnum W2004-01353-SC-R11-CD	Shelby Criminal James C. Beasley, Jr. 02-05705	Williams, J Affirmed	Rule 11	Denied - Application of Perry Barnum
State of Tennessee v. Cornelius Boales W2003-02724-SC-R11-CD	Henderson County Donald H. Allen 03005-2	Hayes, J Affirmed in Part; Sent. Modified	Rule 11	Denied - Application of Cornelius Boales ** 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. Patrick Harris W2004-00469-SC-R11-CD	Shelby Criminal Bernie Weinman 03-01420	Witt, J Affirmed	Rule 11	Denied - Application of Patrick Harris
State of Tennessee v. Steve Skinner W2003-00887-SC-R11-CD	Shelby Criminal Joseph B. Dailey 00-05699, 00-05700	Mclin, J Affirmed	Rule 11	Denied - Application of Steve Skinner
Kenneth B. White v. State of Tennessee W2004-00653-SC-R11-CO	Shelby Criminal Joseph B. Dailey P-27672	Williams, J Affirmed	Rule 11	Denied - Application of Kenneth B. White