

SUPREME COURT OF TENNESSEE  
 SUPREME COURT DISCRETIONARY APPEALS  
 September 16 , 2002

**CORRECTED 09/17/02 (State v. Leiderman, State v. Benham, and Walker v. State)**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b>In Re: Meridian Corporation M2001-02776-SC-R23-CQ</b>	U.S. Bankruptcy Court, Western District of TN. Jennie D. Latta 99-28923-L, 99-29025-L		Rule 23	<b>Denied</b> - The Court declines to accept the question of law. <sup>1</sup>
<b>Daniel Benson Taylor v. Judge Russell Heldman, Et Al. M1999-00729-SC-R11-CV</b>	Hickman Circuit J.S. Steve Daniel 99-5025C-I	Cain, J. Denied Motion to Quash and Motion to Stay.	Rule 11	<b>Denied</b> - Application of Daniel Benson Taylor.
<b>Rene C. Mercer, Et Al. v. HCA Health Services of TN., Inc., Et Al. M2000-02785-SC-R11-CV</b>	Davidson Circuit Barbara N. Haynes 98C-3458	Cantrell, J. Reversed and Remanded.	Rule 11	<b>Denied</b> - Applications of Steven R. Nyquist, M.D. and HCA Health Services of TN., Inc., d/b/a Summit Medical Center.
<b>John Pitt, II d/b/a Pitt Excavating v. Tyree Organization Limited, Et Al. M2001-00115-SC-R11-CV</b>	Davidson Chancery Irvin H. Kilcrease, Jr. 00-1766-I	Crawford, J. Reversed and Remanded.	Rule 11	<b>Denied</b> - Application of John Pitt, II d/b/a Pitt Excavating.

---

<sup>1</sup>The question certified to the Court was: “Whether in-house counsel can maintain a cause of action for retaliatory discharge pursuant to the Tennessee Public Protection Act, Tenn. Code Ann. § 50-1-304, and/or a claim for whistle blower retaliation at common law in Tennessee for refusing to participate in and/or remain silent about allegedly illegal activities.” It appearing that the certified question presented in this matter has been answered by this Court’s recent decisions in Crews v. Buckman Laboratories Int’l, Inc., No. W2000-01834-SC-R11-CV, and Guy v. Mutual of Omaha Ins. Co., No. W1999-00942-SC-R11-CV, the Court declines to accept the question of law.

<b>Jeffrey Crouch, Et Al.</b> v. <b>Bridge Terminal Transport, Inc.</b> <b>M2001-00789-SC-S09-CV</b>	Davidson Chancery Irvin H. Kilcrease, Jr. 00-1171-I	Highers, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Jeffrey Crouch, et al.
<b>Roy Baines</b> v. <b>Wilson County, TN., Et Al.</b> <b>M2000-00830-SC-R11-CV</b>	Wilson Chancery Charles K. Smith 96464	Cottrell, J. Affirmed and Remanded.	Rule 11	<b>Denied</b> - Application of Roy Baines. In accordance with Supreme Court Rule 4 (D), the Court recommends that the opinion of the Court of Appeals be published.
<b>Metropolitan Government of Nashville and Davidson Co. (Codes 707)</b> v. <b>Wayne Joiner</b> <b>M2002-00225-SC-R11-CV</b>	Davidson Circuit Carol Soloman 98C2708	Cantrell, J. Dismissed.	Rule 11	<b>Denied</b> - Application of Wayne Joiner.
<b>Kimberly Robinson, Et Al.</b> v. <b>HCA Health Services of TN., Inc., Et Al.</b> <b>M2001-01128-SC-S09-CV</b>	Davidson Circuit Walter C. Kurtz 99C-1521	Cantrell, J. Rule 9 Denied.	Rule 11	<b>Denied</b> - Application of HCA Health Services of TN., Inc. d/b/a Centennial Medical Center.
<b>State of Tennessee</b> v. <b>Tommy G. Benham</b> <b>M2000-02357-SC-R11-CD</b>	Davidson Criminal J. Randall Wyatt, Jr. 98-C-2234	Wade, J. Affirmed.	Rule 11	<b>Granted</b> - Application of Tommy G. Benham.
<b>State of Tennessee</b> v. <b>Jack Clayton Moberly, Jr.</b> <b>M2001-01279-SC-R11-CD</b>	Dickson Circuit Robert E. Burch CR4979A	Tipton, J. Williams, J. Glenn, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Jack Clayton Moberly, Jr.

<b>State of Tennessee</b> v. <b>Alfio Orlando Lewis</b> <b>M2000-03160-SC-R11-CD</b>	Davidson Criminal Cheryl Blackburn 2000-A-121	Welles, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Alfio Orlando Lewis.
<b>State of Tennessee</b> v. <b>Brian Leiderman</b> <b>M2001-01590-SC-R11-CD</b>	Grundy Circuit Buddy Perry 3561	Glenn, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Brian Leiderman. In accordance with Supreme Court Rule 4 (D), the Court recommends that the opinion of the Court of Criminal Appeals be published.
<b>State of Tennessee</b> v. <b>James Bradley Warner</b> <b>M2001-01371-SC-R11-CD</b>	Bedford Circuit F. Lee Russell 14768	Glenn, J. Tipton, J. Williams, J. Affirmed.	Rule 11	<b>Denied</b> - Application of James Bradley Warner.
<b>State of Tennessee</b> v. <b>Charles T. Sebree</b> <b>M2000-02810-SC-R11-CD</b>	Montgomery Criminal John H. Gasaway, III 40539, 40000201	Smith, J. Rule 20 Affirmed.	Rule 11	<b>Denied</b> - Application of Charles T. Sebree.
<b>Mark Springer</b> v. <b>State of Tennessee</b> <b>M2001-01102-SC-R11-PC</b>	Davidson Criminal J. Randall Wyatt, Jr. 96-D-1897	Woodall, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Mark Springer.
<b>George T. Haynie, Jr.</b> v. <b>State of Tennessee</b> <b>M2001-01522-SC-R11-PC</b>	Williamson Circuit Timothy L. Easter 200-59	Wedemeyer, J. Affirmed.	Rule 11	<b>Denied</b> - Application of George T. Haynie, Jr.
<b>Martin E. Walker</b> v. <b>State of Tennessee</b> <b>M2001-00328-SC-R11-CO</b>	Davidson Criminal J. Randall Wyatt, Jr. 84-S-1157	Wade, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Martin E. Walker.

<b>Patrick E. Simpson</b> v. <b>State of Tennessee</b> <b>M2001-02021-SC-R11-CO</b>	Davidson Criminal Steve Dozier 98-C-2259	Riley, J. Woodall, J. Williams, J. Dismissed.	Rule 11	<b>Denied</b> - Application of Patrick E. Simpson. The opinion of the Court of Criminal Appeals is designated "Not For Citation."
<b>Thelma Agnes Smith</b> v. <b>David Phillip Riley</b> <b>E2001-00828-SC-R11-CV</b>	Monroe Chancery Jerri Bryant 12586	Susano, J. Affirmed.	Rule 11	<b>Denied</b> - Application of David Phillip Riley.
<b>Mary Henry, Et Al.</b> v. <b>Obstetrics and Gynecology</b> <b>Consultants, P.C., Et Al.</b> <b>E2001-01246-SC-R11-CV</b>	Knox Circuit Dale C. Workman 1-185-98	Goddard, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Mary and Travis Henry.
<b>C.D.C. and N.M.C.</b> v. <b>C.E.D.</b> <b>E2001-02086-SC-R11-CV</b>	Hamblen Chancery Thomas Frierson, II 99-46	Susano, J. Affirmed and Remanded.	Rule 11	<b>Denied</b> - Application of C.D.C. and N.M.C.
<b>Barbara K. Cochran</b> v. <b>Jackie D. Cochran, Et Al.</b> <b>E2001-00848-SC-R11-CV</b>	Jefferson Chancery Rex H. Ogle 95-047	Goddard, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Barbara K. Cochran.
<b>Polk County, Tennessee</b> v. <b>Glenda B. Rogers d/b/a Ocoee River</b> <b>Rats</b> <b>E2001-00004-SC-R11-CV</b>	Polk Chancery Jeri S. Bryant 6431	Goddard, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Glenda B. Rogers, d/b/a Ocoee River Rats. In accordance with Supreme Court Rule 4 (D), the Court recommends that the opinion of the Court of Appeals be published.

<b>Barry Lynn Teague</b> v. <b>Barbara Ann Chadwick Teague</b> <b>E2001-01413-SC-R11-CV</b>	Hamilton Circuit L. Marie Williams 00-D-713	Susano, J. Affirmed as Modified.	Rule 11	<b>Denied</b> - Application of Barbara Ann Chadwick Teague. The opinion of the Court of Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4, § F.
<b>Teresa Johnson</b> v. <b>State of Tennessee</b> <b>E2002-00281-SC-R11-CV</b>	TN. Claims Commission Vance W. Cheek 20101984	Susano, J. Dismissed.	Rule 11	<b>Denied</b> - Application of Teresa Johnson.
<b>Board of Commissioners of Roane County</b> v. <b>Joe Parker, Et Al.</b> <b>E2001-00146-SC-R11-CV</b>	Roane Chancery Frank V. Williams III 13,223 and 13,252	Inman, Sr.J. Reversed and Remanded.	Rule 11	<b>Denied</b> - Application of the Board of Commissioners of Roane County.
<b>Arfken &amp; Associates</b> v. <b>Simpson Bridge Company, Inc., Et Al.</b> <b>E2000-02780-SC-R11-CV</b>	Bradley Chancery Jerri Bryant 94-400	Susano, J. Dismissed and Remanded.	Rule 11	<b>Denied</b> - Application of Arfken & Associates, P.A.
<b>In Re: C.M.M.</b> <b>Tennessee Department of Children's Services</b> v. <b>Luther Matthew Miller and Claudia Savage Miller</b> <b>E2000-02806-SC-R11-JV</b>	Union Juvenile Darryl Edmondson 2615	Swiney, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Luther Matthew Miller and Claudia Savage Miller.
<b>Tex and Judy Helton</b> v. <b>Colonial Loan Association and Lakeview Motors, Inc.</b> <b>E2001-00060-SC-R11-CV</b>	Hawkins Circuit John K. Wilson 5029-J	Goddard, J. Vacated & Remanded.	Rule 11	<b>Denied</b> - Application of Tex and Judy Helton.

<b>Boyd's Creek Enterprises, LLC, Et Al.</b> v. <b>Sevier County, Tennessee, Et Al.</b> <b>E2001-01975-SC-R11-CV</b>	Sevier Chancery Telford E. Forgery, Jr. 00-6-254	Inman, Sr. J. Affirmed.	Rule 11	<b>Denied</b> - Application of Boyd's Creek Enterprises, LLC.
<b>Thomas R. Stubblefield</b> v. <b>Monique Ruth Stufflefield</b> <b>E2001-01433-SC-R11-CV</b>	Blount General Sessions William R. Brewer, Jr. S-5758	Franks, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Thomas R. Stubblefield.
<b>Sullivan County, Tennessee, Et Al.</b> v. <b>Joe Ellis Lyon</b> <b>E2001-02593-SC-R11-CV</b>	Sullivan Circuit John S. McLellan III C10583(M)	Susano, J. Swiney, J. Dismissed.	Rule 11	<b>Denied</b> - Application of Joe Ellis Lyon.
<b>State of Tennessee</b> v. <b>Jacquie Upchurch Giardina</b> <b>E2001-00581-SC-R11-CD</b>	Hawkins Circuit James E. Beckner 7809	Witt, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Jacquie Upchurch Giardina.
<b>State of Tennessee</b> v. <b>Timothy Scott Barnes, David Grooms &amp; Richard Grooms</b> <b>E2001-01390-SC-R11-CD</b>	Cocke Circuit Ben W. Hooper, II 8131, 8145, 8146	Wade, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Timothy S. Barnes, David Grooms, and Richard Grooms.
<b>State of Tennessee</b> v. <b>James Parton</b> <b>E2001-00835-SC-R11-CD</b>	Sevier Circuit Richard R. Vance 8158	Woodall, J. Affirmed.	Rule 11	<b>Denied</b> - Application of James Parton.
<b>State of Tennessee</b> v. <b>Adrian Dee Clark</b> <b>E2001-01302-SC-R11-CD</b>	Hamilton Criminal Stephen Bevil 234808	Welles, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Adrian Dee Clark.

<b>State of Tennessee</b> <b>v.</b> <b>Joseph Hough</b> <b>E2001-01127-SC-R11-CD</b>	Hamblen Circuit James E. Beckner 01CR040	Wade, J. Witt, J. Tipton, J. Rule 20 Granted.	Rule 11	<b>Denied</b> - Application of Joseph Hough.
<b>Richard Lynn Norton</b> <b>v.</b> <b>State of Tennessee</b> <b>E2002-00253-SC-R11-PC</b>	Greene Circuit James E. Beckner 7058	Wade, J. Tipton, J. Ogle, J. Affirmed Pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Richard Lynn Norton.
<b>State of Tennessee</b> <b>v.</b> <b>Jonathan Wesley Stephenson</b> <b>E2002-00713-SC-R11-CO</b>	Cocke Circuit Ben W. Hooper, II 5012	Tipton, J. Wade, J. Ogle, J. Petition for Writ Denied.	Rule 11	<b>Denied</b> - Application of Jonathan Wesley Stephenson.