

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

Monday, September 17, 2007

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Marvin M. Boren, as husband of Dorothy Faye Boren v. Mark T. Weeks, M.D., d/b/a Emergency Medicine Associates and Sterling M2007-00628-SC-R11-CV	Warren County Circuit Judge Larry B. Stanley, Jr. No. 2151	Clement, J. Vacated in Part and Remanded	Rule 11	<b>Granted</b> - Application of Marvin M. Boren  (For the purpose of oral argument, this case is consolidated with the case of <u>Amanda Lynn Dewald, et al. v. HCA Health Services of Tennessee, et al.</u> , No. M2006-02369-SC-R11-CV)  (Koch, J. - Not Participating)

<p>Amanda Lynn Dewald, and husband, Thomas B. Dewald v. HCA Health Services of Tennessee, Inc., d/b/a Stonecrest Medical Center, and Adrian Lamballe M2006-02369-SC-R11-CV</p>	<p>Rutherford County Circuit Chancellor Robert E. Corlew, III No. 51307</p>	<p>Clement, J. Vacated in Part and Remanded</p>	<p>Rule 11</p>	<p><b>Granted</b> - Application of Amanda Lynn Dewald and Thomas B. Dewald  (For the purpose of oral argument, this case is consolidated with the case of <u>Marvin M. Boren, et al. v. Mark T. Weeks, et al.</u>, No. M2007-00628-SC-R11-CV)  (Koch, J. - Not Participating)</p>
<p>Jimmy Dale Hogan v. State of Tennessee M2005-01707-SC-R11-PC</p>	<p>Lawrence County Circuit Judge Robert L. Jones No. 22971</p>	<p>Williams, J. Affirmed</p>	<p>Rule 11</p>	<p><b>Granted</b> - Application of Jimmy Dale Hogan and Remanded to the Court of Criminal Appeals for reconsideration in light of <u>Wiley v. State</u>, 183 S.W.3d 317 (Tenn. 2006).</p>
<p>Billy Overstreet v. TRW Commercial Steering Division and State of Tennessee Dept. of Labor Workers' Compensation Division Second Injury Fund, Sue Ann Head, Administrator M2007-01817-SC-R10-WC</p>	<p>Smith County Chancery Chancellor Charles K. Smith No. 7316</p>		<p>Rule 10</p>	<p><b>Granted</b> - Application of TRW Commercial Steering Division, et al.  <b>*Filed on September 13, 2007*</b></p>
<p><b><u>Knoxville</u></b></p>				
<p>Chattanooga-Hamilton County Hospital Authority d/b/a Erlanger Health System v. Bradley County, Tennessee E2006-01457-SC-R11-CV</p>	<p>Bradley County Chancery Chancellor Jerri S. Bryant No. 01-386</p>	<p>Swiney, J., Susano, J., (separate concurring) Affirmed Lee, J., (separate dissenting)</p>	<p>Rule 11</p>	<p><b>Granted</b> - Application of Bradley County, Tennessee</p>

Doug Satterfield, as personal representative of the Estate of Amanda Nicole Satterfield, Deceased, v. Breeding Insulation Company, Inc. and Alcoa, Inc., f/k/a Aluminum Company of America E2006-00903-SC-R11-CV	Blount County Circuit Judge William D. Young No. L-14000	Franks, J. Reversed and Remanded	Rule 11	<b>Granted</b> - Application of Alcoa, Inc.
<u><b>Jackson</b></u>				
None				

**SUPREME COURT OF TENNESSEE  
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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>				
Henry Benson v. Harry A. Herbst and Bridgestone Americas Holding, Incorporated M2006-00660-SC-R11-CV	Davidson County Circuit Judge Marietta Shipley No. 06C-138	Koch, J. Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Henry Benson (Koch, J. - Not Participating)
Barry F. Braden v. State of Tennessee M2006-01218-SC-R11-PC	Davidson County Criminal Judge J. Randall Wyatt, Jr. No. 97-B-763	Welles, J. Affirmed	Rule 11	<b>Denied</b> - Application of Barry Braden
Joseph C. Curtsinger, Jr. v. HCA, Inc., et al. M2006-00590-SC-R11-CV	Davidson County Chancery Chancellor Ellen Hobbs Lyle No. 04-3026-III	Cain, J. Affirmed	Rule 11	<b>Denied</b> - Application of Joseph C. Curtsinger, Jr.
Ulysses M. Hampton v. State of Tennessee M2006-01818-SC-R11-HC	Davidson County Criminal Judge Mark F. Fishburn No. 3714	Welles, J. Affirmed	Rule 11	<b>Denied</b> - Application of Ulysses M. Hampton
James W. Hindman, III v. John Doe, et al. M2006-01034-SC-R11-CV	Davidson County Circuit Judge Hamilton Gayden No. 04C-2334	Koch, J. Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of John Doe, et al. (Koch, J. - Not Participating)

David Holt, et al. v. Barbara Pyles, et al. M2005-02092-SC-R11-CV M2005-02094-SC-R11-CV	Davidson County Circuit Judge Walter Kurtz Nos. 02C-1561 & 02C-3394	Cain, J. Affirmed	Rule 11	<b>Denied</b> - Application of David Holt and Victoria Holt
Allen W. Hughes v. Tennessee Department of Correction M2005-01254-SC-R11-CV	Davidson County Chancery Chancellor Claudia Bonnyman No. 04-2421-I	Cain, J. Affirmed	Rule 11	<b>Denied</b> - Application of Allen Hughes
Sean Earl Jones v. State of Tennessee M2006-00664-SC-R11-PC	Rutherford County Circuit Judge Don R. Ash No. F-56817	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Sean Earl Jones
James H. Kelley, Surviving Spouse of Lillie Donnette Kelley, Deceased v. Middle TN Emergency Physicians, P.C. et al. M2006-00517-SC-R11-CV	Davidson County Circuit Judge Barbara N. Haynes No. 00C-1559	Clement, J. Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of James H. Kelley  (Koch, J. - Not Participating)
Tracy Frank Leonard v. State of Tennessee M2006-00654-SC-R11-PC	Montgomery County Circuit Judge Ross H. Hicks No. 40494	Welles, J. Affirmed	Rule 11	<b>Dismissed</b> - Application of Tracy Frank Leonard  <b>*Filed on September 13, 2007*</b>
Bradford Jason Lewis v. NewsChannel 5 Network, L.P., et al. M2005-00458-SC-R11-CV	Davidson County Circuit Judge Walter C. Kurtz No. 00C-2704	Koch, J. Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Bradford Jason Lewis  (Koch, J. - Not Participating)
Mark Lunsford v. Montgomery County, Tennessee M2005-00257-SC-R11-CV	Montgomery County Circuit Judge Michael Jones No. 50100105	Scott, J. Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Montgomery County, Tennessee  (Koch, J. - Not Participating)
Susan Marlow v. Dan Parkinson M2006-00662-SC-R11-CV	Williamson County Chancery Judge R.E. Lee Davies No. 27897	Clement, J. Affirmed in Part; Vacated in Part; Remanded	Rule 11	<b>Denied</b> - Application of Susan Marlow  (Koch, J. - Not Participating)

Michael R. Martin v. State of Tennessee M2006-01371-SC-R11-PC	Davidson County Criminal Judge Steve Dozier No. 2002-A-587	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Michael R. Martin
Joseph Miles v. State of Tennessee M2006-02088-SC-R11-HC	Davidson County Criminal Judge J. Randall Wyatt No. 3729	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Joseph Miles
Peter Paul Mitrano v. Matthan Houser M2005-02287-SC-R11-CV	Overton County Circuit Judge John Maddux No. J-4036-M	Lee, J. Affirmed in Part; Reversed in Part; Remanded	Rule 11	<b>Denied</b> - Application of Peter Paul Mitrano
Bobby James Mosley v. State of Tennessee M2006-02398-SC-R11-HC	Hickman County Circuit Judge Jeffrey S. Bivins No. 06-5066C	Hayes, J. Affirmed	Rule 11	<b>Denied</b> - Application of Bobby James Mosley
Linda Alexander Owens v. James Emery Owens M2005-00639-SC-R11-CV	Davidson County Circuit Judge Muriel Robinson No. 03D-535	Koch, J. Affirmed in Part; Modified in Part; Remanded	Rule 11	<b>Denied</b> - Application of Linda Alexander Owens  (Koch, J. - Not Participating)
Gregory M. Reed et al. v. Gannett Satellite Information Network, Inc. d/b/a The Tennessean, et al. M2007-00869-SC-S09-CV	Rutherford County Circuit Judge R.E. Lee Davies No. 50499	Per Curiam Rule 9 Denied	Rule 9	<b>Denied</b> - Application of Gannett Satellite Information Network, Inc. d/b/a The Tennessean and Margo Rivers  (Koch, J. - Not Participating)
Anthony Robertson v. Sheriff Norman Lewis et al. M2005-02373-SC-R11-CV	Montgomery County Circuit Judge Ross H. Hicks No. 50401194	Franks, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Anthony Robertson
State of Tennessee v. Warren Curnutt M2006-00552-SC-R11-CD	Giles County Circuit Judge Stella Hargrove No. 11201	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Warren Curnutt

State of Tennessee v. Daniel William Davenport M2005-01157-SC-R11-CD	White County Criminal Judge Leon C. Burns No. CR001934	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Daniel William Davenport
State of Tennessee v. Jennifer Siliski M2004-02303-SC-R11-CD	Williamson County Circuit Judge R.E. Lee Davies No. II-CR03192	Glenn, J. Affirmed and Remanded for Resentencing	Rule 11	<b>Denied</b> - Application of Jennifer Siliski
State of Tennessee v. Roger Todd M2006-01940-SC-R11-CD	Cannon County Circuit Judge J. S. Daniel No. F-04-01-B	Wedemeyer, J. Appeal Dismissed	Rule 11	<b>Denied</b> - Application of Roger Todd
James William Taylor a/k/a Lutfi Shafq Talal, et al. v. State of Tennessee M2007-00832-SC-R11-CO	Williamson County Circuit Judge Donald P. Harris No. 288-104/188/108	Welles, J. Woodall, J. Wedemeyer, J. Appeal dismissed	Rule 11	<b>Denied</b> - Application of Lutfi Shafq Talal a/k/a James William Taylor
Harvey Webster v. State of Tennessee M2006-00886-SC-R11-PC	Davidson County Criminal Judge Cheryl A. Blackburn No. 2003-B-851	Thomas, J. Affirmed	Rule 11	<b>Dismissed</b> - Application of Harvey Webster  <b>*Filed on September 7, 2007*</b>
Calvin Westervelt v. State of Tennessee M2006-00766-SC-R11-CV	TN Claims Commission Comm Stephanie Reeves No. 29399778	Farmer, J. Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Calvin Westervelt
<b><u>Knoxville</u></b>				
James O. Bailey, et al. v. Champion Window Company Tri-Cities, LLC E2005-02722-SC-R11-CV	Hawkins County Circuit Judge Kindall Lawson Nos. CV-240J, CV-637J	Swiney, J. Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of James O. Bailey and Kim Ward Bailey

Bank of America, N.A. v. Michael J. Darocha E2007-00063-SC-R11-CV	Johnson County Chancery Chancellor Richard Johnson No. 5806	Lee, J. Affirmed	Rule 11	<b>Denied</b> - Application of Michael J. Darocha© and/or Michael J. Darocha©™
Matthew Flory, et al. v. John Arnold Fitzgerald E2006-02077-SC-R11-CV	Rhea County Chancery Judge John Turnbull No. 9989	Franks, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of John Arnold Fitzgerald
James R. Holder v. State of Tennessee E2005-02456-SC-R11-PC	Bradley County Criminal Judge Carroll L. Ross No. M-95-332	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of James Holder
McArthur Sharp v. State of Tennessee E2006-00341-SC-R11-PC	Bradley County Circuit Judge Carroll L. Ross No. M-05-197	McLin, J. Affirmed	Rule 11	<b>Denied</b> - Application of McArthur Sharp
State of Tennessee v. Dennis Brian Davis E2005-02505-SC-R11-CD	Cumberland County Criminal Judge Lillie Ann Sells No. 8389	Witt, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Dennis Davis
State of Tennessee v. Robert Harold Emmons, Jr. E2006-02628-SC-S10-CD	Roane County Circuit Judge Jon Blackwood No. 1353	Witt, J. Ogle, J. Thomas, J. Denied	Rule 10	<b>Denied</b> - Application of Robert Harold Emmons, Jr.
State of Tennessee v. Larry Frazier E2006-00955-SC-R11-CD	Sullivan County Criminal Judge Phyllis Miller No. S48, 982	Welles, J. Affirmed	Rule 11	<b>Denied</b> - Application of Larry Frazier
State of Tennessee v. Gary D. Grant E2007-00951-SC-S09-CD	Hamilton County Criminal Judge Rebecca Stern No. 255595	Witt, Jr., J. Denied	Rule 9	<b>Denied</b> - Application of Gary Grant
State of Tennessee v. Gordon Scott Hobbs E2007-00097-SC-R11-CD	Hamilton County Criminal Nos. 144759 & 144760	Witt, Jr., J. Delayed Appeal Denied	Rule 11	<b>Denied</b> - Application of Gordon Scott Hobbs



State of Tennessee v. Connie Hughes E2006-00062-SC-R11-CD	Carter County Criminal Judge Robert Cupp No. S16999	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Connie Hughes
State of Tennessee v. Thomas C. Russell E2006-00827-SC-R11-CD	Anderson County Criminal Judge Donald R. Elledge No. A3CR0300	Witt, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Thomas Russell
State of Tennessee v. Donald Luke Seiber E2006-00816-SC-R11-CD	Knox County Criminal Judge Ray Jenkins No. 73049	Witt, Jr., J. Affirmed as Modified	Rule 11	<b>Denied</b> - Application of Donald Luke Seiber
David A. Stuart v. Anderson County Election Commission et al. E2006-02209-SC-R11-CV	Anderson County Chancery Judge Jon K. Blackwood No. 06CH6330	Swiney, J. Affirmed in Part; Vacated in Part; Remanded	Rule 11	<b>Denied</b> - Applications of Anderson County Election Commission and Don A. Layton
Brenda J. Woodward v. Michael V. Woodward E2006-01110-SC-R11-CV	Hamilton County Circuit Judge L. Marie Williams No. 04D1684	Lee, J. Vacated in Part; Affirmed in Part; Remanded	Rule 11	<b>Denied</b> - Application of Michael V. Woodward
<b><u>Jackson</u></b>				
Corey D. Anderson v. Tony Parker, Warden W2006-01710-SC-R11-HC	Lauderdale County Circuit Judge Joseph H. Walker, III No. 6066	Hayes, J. Affirmed	Rule 11	<b>Denied</b> - Petition to Rehear filed by Corey D. Anderson
City of Memphis v. The Civil Service Commission of the City of Memphis W2006-01258-SC-R11-CV	Shelby County Chancery Chancellor D. J. Alissandratos No. Ch-05-1892-3	Highers, J. Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Richard Lindsey
Dickey L. Cotton v. David Mills, Warden W2007-00435-SC-R11-HC	Lauderdale County Circuit Judge Joseph H. Walker No. 5904	McLin, J. Affirmed	Rule 11	<b>Denied</b> - Application of Dickey L. Cotton

Stephen Lynn Hugueley v. State of Tennessee W2007-00137-SC-S09-PD	Hardeman County Circuit Judge J. Weber McCraw No. 6665	Williams, J. Denied	Rule 9	<b>Denied</b> - Application of Stephen Lynn Hugueley
John E. Lynch v. Tony Parker W2006-01869-SC-R11-HC	Lauderdale County Circuit Judge Joe H. Walker, III No. 6071	Williams, J. Affirmed Pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of John E. Lynch
Outdoor Management, LLC et al. v. William H. Thomas, Jr. W2006-01464-SC-R11-CV	Shelby County Chancery Judge Arnold B. Golden No. CH-05-0520-02	Crawford, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of William H. Thomas, Jr.
Ulysses Richardson v. State of Tennessee W2006-01856-SC-R11-PC	Shelby County Criminal Judge Joseph B. Dailey No. 84-01275	McLin, J. Affirmed Pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Ulysses Richardson
Jerome Sawyer v. State of Tennessee W2005-01813-SC-R11-PC	Shelby County Criminal Judge James C. Beasley, Jr. No. P-27587	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Petition to Rehear filed by Jerome Sawyer
State of Tennessee v. Tommy L. Holmes W2006-00236-SC-R11-CD	Shelby County Criminal Judge Joseph B. Dailey No. 02-02082	Glenn, J. Affirmed in Part, Vacated and Remanded in Part	Rule 11	<b>Denied</b> - Application of Tommy Holmes
Erin Walton v. Walgreen Co. v. Ryan Rudolph and April Rudolph W2007-00991-SC-S09-CV	Shelby County Circuit Judge Rita Stotts No. CT-005453-05	Highers, J. Farmer, J. Denied	Rule 9	<b>Denied</b> - Application of Erin Walton