

SUPREME COURT OF TENNESSEE  
 SUPREME COURT DISCRETIONARY APPEALS  
 September 24, 2001

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b>American Benefit Corporation vs. Adedoyin W. Adefala M2001-00877-SC-R11-CV</b>	Williamson Chancery Donald P. Harris 24893	Cantrell, J. Dismissed for failure to timely file a Notice of Appeal	Rule 11	<b>Denied</b> - Application of American Benefit Corporation.
<b>Connie Harris, et al vs. Marriott International, Inc., d/b/a Residence Inn by Marriott, Brentwood, TN, and Fibercare, Inc. M1999-00096-SC-R11-CV</b>	Williamson Circuit Russ Heldman II-98316	Lillard, J. Reversed and remanded	Rule 11	<b>Denied</b> - Application of Fibercare, Inc.
<b>In the Matter of All Assessments: Review of <i>ad valorem</i> Assessments of Public Utility Cos. for Tax Year 1988 M2000-03014-SC-R11-CV</b>	TN State Bd. of Equalization	Crawford, J. Affirmed	Rule 11	<b>Denied</b> - Applications of Shelby Co., TN, Williamson Co., TN, and Metropolitan Government of Nashville and Davidson County, TN.
<b>Marion County School Board vs. Foam-Crete Company d/b/a Foam-Crete, Inc. M2001-01526-SC-R9-CV</b>	Marion Chancery Jeffrey F. Stewart 6417	Koch, J. Rule 9 Application denied	Rule 9	<b>Denied</b> - Application of Foam-Crete Company d/b/a Foam-Crete, Inc.
<b>Memphis Publishing Co., et al vs. Cherokee Children &amp; Family Services, Inc., et al M2000-01705-SC-R11-CV</b>	Shelby Chancery John R. McCarroll, Jr. CT-002141-00	Cantrell, J. Reversed and remanded	Rule 11	<b>Granted</b> - Application of Memphis Publishing <sup>1</sup>

<sup>1</sup>The Clerk is directed to place this matter on the February 2002 Nashville docket for oral argument on the same date as argument of the case of John Morgan, et al vs. Cherokee Children & Family Services, Inc., Supreme Court No. M2000-02382-0SC-R11-CV. It also appears to the Court that a “Notice of Substitution of Counsel” was filed on May 8, 2001, by Keith Jordan on behalf of the appellee, Cherokee Children & Family Services, Inc. An objection to the notice was filed on May 25, 2001 by Allan J. Wade, attorney of record for the appellee, Cherokee Children & Family Services, Inc., On May 30, 2001, Mr. Jordan filed a response to the objection. After careful consideration, it is ORDERED that the “Notice of Substitution of Counsel” is hereby stricken and that Allan J. Wade shall remain counsel of record for Cherokee Children & Family Services, Inc.

<b>John Morgan, et al vs. Cherokee Children &amp; Family Services, Inc. M2000-02382-SC-R11-CV</b>	Davidson Chancery Carol L. McCoy 00-2419-II	Cantrell, J. Reversed and remanded	Rule 11	<b>Granted</b> - Application of John Morgan <sup>2</sup>
<b>National Auto/Truck Stops, Inc. vs. Williamson County M2000-02456-SC-R11-CV</b>	Williamson Chancery Russ Heldman II-26788	Inman, Sr. J. Reversed	Rule 11	<b>Denied</b> - Application of Williamson County, Tennessee.
<b>State of Tennessee vs. Marvin D. Brown, a/k/a/ Melvin Taylor M2000-00388-SC-R11-CD</b>	Davidson Criminal Steve Dozier 98-D-2714	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Marvin D. Brown
<b>State of Tennessee vs. Suzanne C. Douglas M2000-01646-SC-R11-CD</b>	Dickson Circuit R. Burch CR4522	Tipton, J. Affirmed	Rule 11	<b>Denied</b> - Application of Suzanne Douglas

---

<sup>2</sup>The Clerk is directed to place this matter on the February 2002 Nashville docket for oral argument on the same date as argument of the case of Memphis Publishing Co., et al vs. Cherokee Children & Family Services, Inc., Supreme Court No. M2000-01705-SC-R11-CV. It also appears to the Court that a "Notice of Substitution of Counsel" was filed on May 8, 2001, by Keith Jordan on behalf of the appellee, Cherokee Children & Family Services, Inc. An objection to the notice was filed on May 24, 2001 by Allan J. Wade, attorney of record for the appellee, Cherokee Children & Family Services, Inc., On May 30, 2001, Mr. Jordan filed a response to the objection. After careful consideration, it is ORDERED that the "Notice of Substitution of Counsel" is hereby stricken and that Allan J. Wade shall remain counsel of record for Cherokee Children & Family Services, Inc. In addition, a "Motion to Adjust Parties Pursuant to Tenn. R. App. P. 19" has been filed by the Comptroller, and a response filed by Allan J. Wade, counsel of record for Cherokee Children & Family Services, Inc. It is hereby ORDERED that the motion will be held in abeyance until the final disposition of the appeal in the receivership case of Summers v. Cherokee Children & Family Services, Inc., Docket No. M2001-00880-COA-R3-CV.

<b>State of Tennessee</b> vs. <b>Gary J. Greer</b> <b>M1998-00789-SC-R11-CD</b>	Davidson Criminal Steve R. Dozier 97-A-707	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Gary J. Greer
<b>State of Tennessee</b> vs. <b>Ali Mohsenzadeh</b> <b>M2000-01226-SC-R11-CD</b>	Williamson Circuit Timothy Easter II-232-1198	Welles, J. Affirmed	Rule 11	<b>Denied</b> - Application of Ali Mohsenzadeh
<b>State of Tennessee</b> vs. <b>Richard C. Silk</b> <b>M1999-02526-SC-R11-CD</b>	Rutherford Circuit J.S. Daniel M-46854	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Richard Silk
<b>State of Tennessee</b> vs. <b>Charles E. Swaffer</b> <b>M2000-00058-SC-R11-CD</b>	Macon Circuit J.O. Bond 99-101; 99-102	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Charles Swaffer
<b>State of Tennessee</b> vs. <b>David Walter Troxell</b> <b>M2000-01100-SC-R11-CD</b>	Dickson Circuit Robert Burch CR-4933	Woodall, J. Reversed	Rule 11	<b>Granted</b> - Application of David Walter Troxell
<b>State of Tennessee</b> vs. <b>Steven Todd Wall</b> <b>M2000-01059-SC-R11-CD</b>	Montgomery Circuit J. Gasaway, III 38949	Glenn, J. Affirmed in part, vacated in part, and remanded	Rule 11	<b>Denied</b> - Application of Steven Todd Wall
<b>Thomas H. Caffey</b> vs. <b>Kevin Myers, Warden</b> <b>M2000-00200-SC-R11-PC</b>	Wayne Jim T. Hamilton 12156	Lafferty, J. Affirmed	Rule 11	<b>Denied</b> - Application of Thomas H. Caffey; Motion to Rule on the Pleadings Before the Court is also denied.

<b>Ray Charles Gasaway</b> vs. <b>State of Tennessee</b> <b>M2000-00991-SC-R11-PC</b>	Davidson Criminal Steve Dozier 95-A-128	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Ray Charles Gasaway
<b>Maurice Wilson</b> vs. <b>State of Tennessee</b> <b>M2000-02555-SC-R11-PC</b>	Hickman Timothy Easter 00-5075C-1	Smith, J. Rule 20 Motion granted	Rule 11	<b>Denied</b> - Application of Maurice Wilson
<b>Carroll Co. Solid Waste Authority</b> vs. <b>Odillion Collins</b> <b>W1998-00754-SC-R11-CV</b>	Carroll Chancery & Circuit Ron Harmon, Julian Guinn 95-CV-79 & 3220	Highers, J. Affirmed in part, reversed in part, and remanded	Rule 11	<b>Denied</b> - Application of Odillion Collins
<b>In re: Estate of Annie Clare Hamilton, et al</b> vs. <b>Walter Dewitt Morris, et al</b> <b>W1998-00191-SC-R11-CV</b>	Dyer Chancery Steven J. Stafford 97-P-111	Crawford, J. Affirmed and remanded	Rule 11	<b>Denied</b> - Application of Walter Dewitt Morris, et al
<b>Donald Smith</b> vs. <b>Alton Hesson</b> <b>W2000-02857-SC-R11-CV</b>	Lauderdale Circuit Joe H. Walker, III 5403	Crawford, J. Affirmed and remanded	Rule 11	<b>Denied</b> - Application of Donald Smith
<b>State of Tennessee</b> vs. <b>Anthony Allen</b> <b>W1999-01381-SC-R11-CD</b>	Tipton Circuit Joe H. Walker, III 3179	Hayes, J. Affirmed	Rule 11	<b>Denied</b> - Application of Anthony Allen

<b>State of Tennessee vs. Tyrone Pierce W2000-00571-SC-R11-CD</b>	Shelby Criminal Bernie Weinman 96-02967	Williams, J. Affirmed judgment; modified sentence	Rule 11	<b>Denied</b> - Application of Tyrone Pierce
<b>State of Tennessee vs. Jerry Lynn Sanders W2000-01163-SC-R11-CD</b>	Benton Circuit Julian P. Guinn 99CR-852	Welles, J. Affirmed	Rule 11	<b>Denied</b> - Application of Jerry Lynn Sanders
<b>Jeffrey Lynn Anderson vs. State of Tennessee W2000-01782-SC-R11-PC</b>	Dyer Circuit J. Steven Stafford C99-2, 99-3, 99-4	Riley, J. Affirmed	Rule 11	<b>Denied</b> - Application of Jeffrey Lynn Anderson
<b>Steffone McClendon, father of Damian O'Shay Maurice McClendon, the next of kin of Cynthia Vanessa Francis, deceased vs. Dr. Elaine Bunick E1999-02814-SC-R11-CV</b>	Knox Circuit Dale C. Workman 1-606-96	Highers, J. Affirmed	Rule 11	<b>Granted</b> - Application of Steffone McClendon; remanded to the Court of Appeals for reconsideration in light of <u>Townes, et al vs. Sunbeam Oster Co., Inc., et al.</u>
<b>State of Tennessee vs. David Calvin Mitchell E1999-02761-SC-R11-CD</b>	Anderson James B. Scott 96CR0241	Witt, J. Affirmed	Rule 11	<b>Denied</b> - Application of David Mitchell

The following Rule 11 Dismissals were filed the weeks of September 17<sup>th</sup> - September 21<sup>st</sup>, 2001

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION