

SUPREME COURT OF TENNESSEE
 SUPREME COURT DISCRETIONARY APPEALS

October 7, 2002

CORRECTED OCT. 8, 2002 (Health Cost Controls v. Gifford)

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
Raymond Mitchell v. Donal Campbell M2001-00477-SC-R11-CV	Davidson Chancery Ellen H. Lyle 00-3311-II	Koch, J. Affirmed.	Rule 11	Denied - Application of Raymond Mitchell.
Steven Ray Chance v. Tennessee Department of Correction, Et Al. M2002-00727-SC-R11-CV	Davidson Circuit Walter C. Kurtz 01C-1076	Cantrell, J. Cottrell, J. Koch, J. Dismissed.	Rule 11	Denied - Application of Steven Ray Chance.
Steven Ray Chance v. Tennessee Department of Correction, Et Al. M2002-00423-SC-R11-CV	Davidson Chancery Ellen H. Lyle 01-2830-III	Cantrell, J. Cottrell, J. Koch, J. Dismissed.	Rule 11	Denied - Application of Steven Ray Chance.
John D. Cooke, III v. Tennessee Department of Correction, Et Al. M2002-00242-SC-R11-CV	Davidson Circuit Walter C. Kurtz 01C-2707	Cantrell, J. Dismissed.	Rule 11	Denied - Application of John D. Cocke, III.
Watson's Carpet and Floor Coverings, Inc. v. Rick McCormick, Carpet Den, Inc., Et Al. M2000-03101-SC-R11-CV	Williamson Circuit Russ Heldman II-99316	Goddard, J. Remanded.	Rule 11	Denied - Application of Mohawk Industries, Inc.

In The Matter of Asbert Joseph M1999-02795-SC-R11-CV	Wayne Chancery Robert L. Jones 10247	Koch, J. Affirmed.	Rule 11	Denied - Application of Asbert Joseph. Pursuant to Supreme Court Rule 4 (D), the Court directs that the opinion of the Court of Appeals, filed April 30, 2002, be published in the official reporter.
Antonio Sweatt v. Tennessee Department of Correction M2000-02983-SC-R11-CV	Davidson Circuit Carol Soloman 98C-3505	Cantrell, J. Affirmed & Remanded.	Rule 11	Denied - Application of Antonio Sweatt.
Dennis Osa Osagie v. Peakload Temporary Services M2001-00852-SC-R11-CV	Davidson Circuit Hamilton V. Gayden, Jr. 01C-32	Cantrell, J. Affirmed & Remanded.	Rule 11	Denied - Application of Dennis Osa Osagie.
Douglas O'Connell v. Young Men's Christian Association of Middle Tennessee M2000-02099-SC-R11-CV	Davidson Circuit Carol Soloman 99C-2294	Lillard, J. Affirmed.	Rule 11	Denied - Application of Douglas O'Connell. Drowota, C.J. not participating.
In Re: Estate of Harold L. Jenkins M2001-01969-SC-R11-CV	Sumner Probate Tom E. Gray 93P-30	Crawford, J. Reversed in Part, Affirmed in Part.	Rule 11	Denied - Application of Delores Henry Jenkins.
Aegis Investigative Group v. The Metropolitan Government of Nashville and Davidson County M2001-01068-SC-R11-CV	Davidson Circuit Hamilton V. Gayden, Jr. 98C-2980	Neal, Sp.J. Reversed & Remanded.	Rule 11	Denied - Application of Aegis Investigative Group.
C. Noelle Chaffin v. Marcus C. Ellis M2002-01643-SC-S10-CV	Williamson Chancery R. E. Lee Davies 276908	Cantrell, J. Denied Rule 10.	Rule 10	Denied - Application of Marcus C. Ellis.

State of Tennessee v. Kevin Lane Farrar M2001-01370-SC-R11-CD	Bedford Circuit F. Lee Russell 14848	Glenn, J. Affirmed.	Rule 11	Denied - Application of Kevin Lane Farrar.
State of Tennessee v. Jesse R. Scruggs M2001-00518-SC-R11-CD	Williamson Criminal Donald P. Harris I-999-317	Williams, J. Affirmed.	Rule 11	Denied - Application of Jesse R. Scruggs.
State of Tennessee v. Christopher D. Neighbours M2000-02594-SC-R11-CD	Davidson Criminal J. Randall Wyatt, Jr. 97-B-1229	Ogle, J. Affirmed.	Rule 11	Denied - Application of Christopher D. Neighbours.
John David White v. State of Tennessee M2001-00336-SC-R11-CD	Rutherford Circuit L. Terry Lafferty 49031	Tipton, J. Affirmed.	Rule 11	Denied - Application of John David White. The opinion of the Court of Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4 § F.
State of Tennessee v. John R. Black M2000-01286-SC-R11-CD	Davidson Criminal Steve Dozier 99-A-396	Smith, J. Affirmed & Remanded.	Rule 11	Denied - Application of John R. Black.
State of Tennessee v. Anthony L. Rogers M2001-01729-SC-R11-CD	Coffee Circuit John W. Rollins 29,592	Glenn, J. Affirmed.	Rule 11	Denied - Application of Anthony L. Rogers.
State of Tennessee v. Mario Pendegrass M1999-02532-SC-R11-CD	Davidson Criminal Seth Norman 93-C-1345	Wade, J. Affirmed.	Rule 11	Denied - Application of Mario Pendegrass.

Union Planters National Bank v. American Home Assurance Company W2001-01124-SC-R11-CV	Shelby Circuit Karen R. Williams 32126-3 T.D.	Lillard, J. Reversed in Part, Affirmed in Part and Remanded.	Rule 11	Denied - Application of American Home Assurance Company.
Melvin Bonds, Jr., Et Al. v. Erica Emerson, Et Al. And Erica Emerson, Et Al. v. Melvin Bonds, Jr., Et Al. W2001-00812-SC-R11-CV	Howard Circuit Clayburn L. Peoples 3296 and 3305	Crawford, J. Modified, Vacated & Remanded.	Rule 11	Denied - Application of Melvin bonds, Jr.
Larry Littles v. Donal Campbell, Et Al. W2002-00265-SC-R11-CV	Lauderdale Chancery Martha B. Brasfield 11,781	Crawford, J. Affirmed & Remanded.	Rule 11	Denied - Application of Larry Littles.
Mechanics Laundry Service v. Auto Glass Company of Memphis, Inc. d/b/a Jack Morris Auto Glass W2001-01113-SC-R11-CV	Shelby Circuit George H. Brown, Jr. 306057	Crawford, J. Vacated, Rendered & Remanded.	Rule 11	Denied - Application of Mechanics Laundry Service.
Health Cost Controls, Inc. v. Ronald Gifford W2001-02267-SC-R11-CV	Weakley Chancery W. Michael Maloan 15726	Lillard, J. Affirmed.	Rule 11	Granted - Application of Ronald Gifford. ¹

¹In addition to the issues raised in the application for permission to appeal, the parties are directed to file supplemental briefs on the following question:

Whether the “made-whole” doctrine applies to the proceeds of a settlement under this Court’s holding in York v. Sevier County Ambulance Authority, 8 S.W. 3d 616 (Tenn. 1999).

Lydell Green Russell, Et Al. v. City of Memphis, Tennessee W2001-01307-SC-R11-CV	Shelby Circuit George H. Brown, Jr. 80147	Farmer, J. Affirmed & Remanded.	Rule 11	Denied - Application of Lydell Green Russell, et al.
Rose Construction, Inc. v. Raintree Development Company, LLC. W2000-01388-SC-R11-CV	Shelby Chancery Walter L. Evans 110162-1	Lillard, J. Reversed & Remanded.	Rule 11	Denied - Application of Raintree Development Company, LLC.
In Re: Estate of Sam Vires, Deceased, Shirley Schulze a/k/a Shirley Schulze Vires v. Jere Steven Vires, Randall K. Vires, Joseph S. Vires, and Marilyn Vires W2000-02953-SC-R11-CV	Shelby Probate Robert S. Benham B-29543	Lillard, J. Affirmed.	Rule 11	Denied - Application of Shirley Schulze Vires.
Anita Joyce Owen, Et Al. v. George D. Summers W2001-00727-SC-R11-CV	Fayette Chancery Dewey Whitenton 11797	Crawford, J. Affirmed & Remanded.	Rule 11	Denied - Application of George D. Summers.
State of Tennessee v. Robin Davis W2000-03137-SC-R11-CD	Shelby Criminal John P. Colton, Jr. 99-05481, 00752	Glenn, J. Affirmed.	Rule 11	Denied - Application of Robin Davis.
Mickey P. Hadden v. Fred Raney, Warden W2001-02949-SC-R11-CD	Lake Circuit R. Lee Moore, Jr. 01-8196	Hayes, J. Affirmed by Rule 20 Order.	Rule 11	Denied - Application of Mickey P. Hadden.

State of Tennessee v. Kardius Wilks W2001-02172-SC-R11-CD	Shelby Criminal Chris Craft 00-08070	Hayes, J. Affirmed.	Rule 11	Denied - Application of Kardius Wilks.
State of Tennessee v. Rodney M. Butler W2001-01084-SC-R11-CD	Madison Circuit Donald Allen 00-543	Welles, J. Affirmed.	Rule 11	Granted - Application of Rodney M. Butler.
State of Tennessee v. Robert Tait W2001-02157-SC-R11-CD	Shelby Criminal Joseph B. Dailey 00-12820	Wade, J. Reversed & Remanded.	Rule 11	Granted - Application of Robert Tait.
Andre Wilson v. State of Tennessee W2001-02442-SC-R11-PC	Shelby Criminal Chris Craft P-25387	Wedemeyer, J. Affirmed.	Rule 11	Denied - Application of Andre Wilson.
Maurice Pierre Teague v. State of Tennessee W2001-00533-SC-R11-PC	Carroll Circuit Julian P. Guinn 98CR-1212	Glenn, J. Affirmed.	Rule 11	Denied - Application of Maurice Pierre Teague.
Patricia D. Parks v. Julie Nelson, Et Al. E2000-02943-SC-R11-CV	Blount Circuit William D. Young L-10961	Goddard, J. Affirmed & Remanded.	Rule 11	Denied - Application of Patricia D. Parks.
Barbara A. Willoughby v. Montgomery Elevator Company E2000-02521-SC-R11-CV	Anderson Circuit James B. Scott, Jr. 981A0271	Swiney, J. Affirmed & Remanded.	Rule 11	Denied - Application of Barbara A. Willoughby.

Effie Louise Hayes v. Roger Strutton, Et Al. E2001-01765-SC-R11-CV	Hamilton Circuit Jackie Schulten 01-C-700	Goddard, J. Affirmed & Remanded.	Rule 11	Denied - Application of Effie Louise Hayes.
State of Tennessee, ex rel. Wanda Moody v. Timothy Hutchison E2002-00743-SC-S09-CV	Knox Chancery Thomas Frierson, II 150821-1	Goddard, J. Susano, J. Swiney, J. Rule 9 Denied.	Rule 9	Denied - Application of Timothy Hutchison.
James A. Collins and Gary Smith v. Summers Hardware and Supply Company E2001-00578-SC-R11-CV	Washington Circuit Thomas J. Seeley, Jr. 20085	Goddard, J. Affirmed.	Rule 11	Denied - Application of Summers Hardware and Supply.
Carol Hankins, Et Al. v. Chevco, Inc., d/b/a Curtis Products So. Central, Inc., Et Al. E2001-00608-SC-R11-CV	Bledsoe Circuit Thomas W. Graham 1865	Swiney, J. Vacated & Remanded.	Rule 11	Denied - Application of Chevco Inc., Et Al.
Fort Sanders West Outpatient Surgery Center, L.P., Et Al. v. Paul S. Ambrose, Et Al. E2002-01544-SC-S09-CV	Knox Chancery Sharon J. Bell 152503-3	Goddard, J. Franks, J. Rule 9 Denied.	Rule 9	Denied - Application of Paul S. Ambrose.
State of Tennessee v. Roger Edwards E2001-00705-SC-R11-CD	Claiborne Circuit E. Shayne Sexton 11,263	Williams, J. Affirmed.	Rule 11	Denied - Application of Roger Edwards.

State of Tennessee v. Michael Wayne Belcher E2001-00515-SC-R11-CD	Carter Circuit Robert E. Cupp S15009	Williams, J. Affirmed in Part; Reversed in Part.	Rule 11	Denied - Application of Michael Wayne Belcher.
State of Tennessee v. James L. McCurry E2001-01900-SC-R11-CD	Roane Circuit E. Eugene Eblen 12057	Hayes, J. Affirmed.	Rule 11	Dismissed - Application of James L. McCurry. ²
State of Tennessee v. Stephen Greene E2000-02616-SC-R11-CD	Blount Circuit D. Kelly Thomas, Jr. C-10844	Williams, J. Affirmed in Part; Reversed in Part & Remanded.	Rule 11	Denied - Application of Stephen Greene.
Yasmond Fenderson v. State of Tennessee E2001-01088-SC-R11-PC	Knox Criminal Richard R. Baumgartner 68806	Witt, J. Affirmed.	Rule 11	Denied - Application of Yasmond Fenderson.
Darrell Lunsford v. Howard Carlton, Warden, Et Al. E2001-02409-SC-R11-PC	Johnson Circuit Lynn W. Brown 3829	Witt, J. Tipton, J. Ogle, J. Appeal Dismissed.	Rule 11	Denied - Application of Darrell Lunsford.

²On September 6, 2002, the pro se applicant, James L. McCurry, filed an application for permission to appeal pursuant to Tenn. R. App. P. 11. The judgment of the Court of Criminal Appeals was filed on July 5, 2002. The time for filing an application for permission to appeal expired on September 3, 2002. *See* Tenn. R. App. P. 11(b). The application, therefore, was not timely filed. *See* Tenn. R. App. P. 20. As a result, this Court is without jurisdiction to consider the merits of the application. *See* Tenn. R. App. P. 2 and 11(b).