

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

Monday, October 24, 2005

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Rearno Vaughn v. State of Tennessee M2004-00544-SC-R11-PC & James A. Vaughn v. State of Tennessee M2004-00458-SC-R11-PC	Sumner, Criminal Jane Wheatcraft 65-1999 & CR64-1999	Wedemeyer, J Affirmed & Wedemeyer, J Affirmed and Remanded	Rule 11's	Granted - Application of <i>pro se</i> Rearno Vaughn. Granted - Application of James A. Vaughn. (Granted - October 3, 2005) * The facts and the legal issue in these cases are identical, so they are consolidated for oral argument purposes.*

Knoxville

Mary Jane Chambers, et al. v. John R. Semmer, M.D., et al. E2005-01519-SC-S09-CV	Knox Circuit Harold Wimberly 2-768-02	Susano, J Swiney, J Lee, J.J Rule 9 Denied	Rule 9	Granted - Application of John R. Semmer, M.D., and Kenneth Cofer, M.D.

Jackson

None				
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**SUPREME COURT OF TENNESSEE
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DENIALS

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Nashville

Ora Aschbacher v. Peggy Ann Woods M2003-02616-SC-R11-CV	Coffee Chancery L. Craig Johnson 00-271	Inman, J Reversed and Remanded	Rule 11	Denied - Application of Peggy Ann Woods.
William Brown v. State of Tennessee M2004-01898-SC-R11-PC	Williamson Circuit R. E. Lee Davies 203-080	McLin, J. Affirmed	Rule 11	Denied - Application of William Brown.
Cannon County Board of Education Goldy Wade and Cannon County Education Association M2003-02260-SC-R11-CV	Cannon Chancery Robert E. Corlew, III 02-102	Clement, J Vacated and Remanded	Rule 11	Denied - Application of Goldy Wade and Cannon County Education Association.
Willie Tom Ensley v. State of Tennessee M2003-02831-SC-R11-PC	Davidson Criminal Walter Kurtz 85-W-584	Williams, J Affirmed	Rule 11	Denied - Application of Willie Tom Ensley.
Joseph Tyree Glanton, Jr. a/k/a Songoleke Kotunu, et al. M2002-02363-SC-R11-CV	Rutherford Chancery Royce Taylor 01-3717CV	Koch, J Affirmed and Remanded	Rule 11	Denied - Application of Joseph Tyree Glanton, Jr., a/k/a Songoleke Kotunu, Luvell L Glanton, and Jerry Glanton.
Luvell L. Glanton v. Bob Parks Realty, Lucy Bottorf, Sharon Cummings and Legacy Properties, LLC. M2003-01144-SC-R11-CV	Williamson Circuit Russ Heldman 1-2K635	Cottrell, J Affirmed as Modified	Rule 11	Denied - Application of Luvell L. Glanton.
Anthony L. Harris v. Wayne Bandon Warden M2004-539-SC-R11-PC	Davidson Criminal Steve Dozier 89-S-1189	Ogle, J Affirmed	Rule 11	Denied - Application of Anthony L. Harris.
Cory D. Holland v. Packard's Service Center, L.L.C. M2003-01807-Sc-R11-CV	Davidson Circuit Carol Soloman 02C-284	Clement, J Affirmed	Rule 11	Denied - Application of Cory D. Holland.

Laboratory Corporation of America v. Dr. Arikana Chihombori and Bell Family Medical Center, Inc. M2004-02946-SC-R11-CV	Rutherford Chancery 02-5420CV	Cain, J. Cottrell, J Clement, J Dismissed	Rule 11	Denied - Application of Dr. Arikana Chihombori.
Gary Lee Miller v. State of Tennessee M2004-00987-SC-R11-PC	Davidson Criminal Seth Norman 97-B-784	Witt, J Affirmed	Rule 11	Denied - Application of Gary Lee Miller.
Terry Lee Robinson v. State of Tennessee M2004-00555-SC-R11-PC	Davidson Criminal Cheryl Blackburn 98-B-1539	Ogle, J Affirmed	Rule 11	Denied - Application of Terry L. Robinson.
Robert Swafford Shofner v. Ann Margaret Kalisz M2003-01550-SC-R11-CV	Davidson Criminal Muriel Robinson 01D-971	Koch, J Affirmed and Remanded	Rule 11	Denied - Application of Ann Margaret Kalisz Shofner.
State of Tennessee v. Charles Edward Buchanan M2004-01127-SC-R11-CO	Williamson Circuit Timothy Easter CR041059	Wedemeyer, J Welles, J Smith, J Denied	Rule 11	Denied - Application of Charles Edward Buchanan.
State of Tennessee v. Ronald Lynn Chatman M2003-00806-SC-R11-CD	Robertson Circuit Michael R. Jones 01-0494	Woodall, J Affirmed	Rule 11	Denied - Application of Ronald Lynn Chatman. ** 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. Barry Wayne Dunham M2003-02802-SC-R11-CD	Macon Criminal J.O. Bond 97-71	Glenn, J Affirmed	Rule 11	Denied - Application of Barry Wayne Dunham.
State of Tennessee v. William O. Ewerling M2003-00595-SC-R11-CD	Davidson Criminal Seth Norman 2002-B-1164	Hayes, J Affirmed in Part; Reversed in Part	Rule 11	Denied - Application of William O. Ewerling.

State of Tennessee v. Kevin Ford & Clifford Wright M2003-00957-SC-R11-CD	Davidson Criminal J. Randall Wyatt, Jr. 2001-A-600 & 601	Ogle, J Affirmed	Rule 11	Denied - Application of Kevin Dewitt Ford.
State of Tennessee v. David Gordon M2005-01067-SC-S10-CO	Marshall Circuit Franklin L. Russell 15802	Wedemeyer, J Welles, J Smith, J Rule 10 Denied	Rule 10	Denied - Application of David Gordon.
State of Tennessee v. Joseph Vermeal M2004-00046-SC-R11-CD	Warren Circuit Larry B. Stanley, Jr. F-8351	Ogle, J Affirmed	Rule 11	Denied - Application of Joseph Vermeal.
Kevin Q. Whittemore v. State of Tennessee M2005-00080-SC-R11-HC	Sumner Criminal Jane E. Wheatcraft 1124-2004	Smith, J Affirmed	Rule 11	Denied - Application of Kevin Q. Whittemore. *Motion in Abeyance also denied.*
James William Taylor, a/k/a Lutfi Shafq Talal v. State of Tennessee M2004-02302-SC-R11-PC	Williamson Circuit Donal P. Harris CR04273	Woodall, J Affirmed Rule 20	Rule 11	Denied - Application of James William Taylor, a/k/a Lutfi Shafq Talal.
Dorothy Tucker v. Sierra Builders and All American Homes, and Individually Craid Medlin M2003-02372-SC-R11-CV	Wilson Circuit Clara W. Byrd 11591	Koch, J Reversed and Remanded	Rule 11	Denied - Application of Dorothy Tucker.
Ronald Irvin Watson v. Cynthia Ann Bode Watson M2003-02398-SC-R11-CV	Sumner Circuit C.L. Rogers 29378-C	Crawford, J Reversed and Remanded	Rule 11	Denied - Application of Cynthia (Watson)Clark.
Raymond P. White, et al. v. Hickman County, Tennessee M2004- 00232-SC-R11-CV	Hickman Chancery Timothy L. Easter 0015226	Cain, J Affirmed and Remanded	Rule 11	Denied - Application of Raymond P. White, deceased, Maxine P. White, Tommy Turman, Thomas E. Newhouse, Paul F. Luther, Charles R. Holt, and Marshall Lampley.

Wylie Steel Fabricators, Inc. v. Ruth E. Johnson, Commissioner of Revenue M2003-02482-SC-R11-CV	Davidson Chancery Irvin H. Kilcrease, Jr. 02-275-I	Highers, J Affirmed in Part; Reversed & Remanded	Rule 11	Denied - Application of Wylie Steel Fabricators.
<u>Knoxville</u>				
Kathy Brown, et al. v. Clint Seal, et al. E2004-01499-SC-R11-CV	Hancock Chancery Thomas R. Frierson, II 01-8531	Swiney, J Reversed & Remanded	Rule 11	Denied - Application of Clint Seal, and Tony and Patricia Seal.
Linda June Cross v. State of Tennessee E2003-01969-SC-R11-PC	Cumberland Circuit Leon C. Burns, Jr. 3187	Ogle, J Affirmed	Rule 11	Denied - Application of Linda June Cross. * Motion to proceed in forma pauperis is granted.* * Motion for appointment of counsel is denied. *
Jerome William Devereaux v. State of Tennessee E2004-01891-SC-R11-PC	Jefferson Circuit O. Duane Slone 18, 683	Ogle, J Affirmed	Rule 11	Denied - Application of the Jerome William Devereaux.
Erika East v. State of Tennessee M2003-02329-SC-R11-PC	Rutherford Circuit Don R. Ash F-53617	Wedemeyer, J Affirmed	Rule 11	Denied - Application of Erika East.
Becky Elliott v. Donna Akey, Individually, and d/b/a Owner of Plaza Restaurant E2004-01478-SC-R11-CV	Blount Circuit W. Dale Young L-14016	Lee, J Affirmed in Part, Reversed in Part	Rule 11	Denied - Application of Becky Ellittott.
Glenda Emmit v. Richard Emmit, et al. E2004-00201-SC-R11-CV	Bledsoe Circuit Buddy D. Perry 3586	Susano, J Reversed & Remanded	Rule 11	Denied - Application of Helen Medley and Omie Ray Medley.

Wayne M. Fuller v. State of Tennessee E2004-03021-SC-R11-PC	Knox Criminal Ray Jenkins 80448	Witt, J Wade, J Ogle, J Dismissed	Rule 11	Denied - Application of Wayne M. Fuller.
Eric Gilmore v. State of Tennessee E2004-01917-SC-R11-PC	Knox Criminal Ray Jenkins 79459	Ogle, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Eric Gilmore.
Thomas Eugene Graham v. State of Tennessee E2004-02958-SC-R11-PC	Hamilton Criminal Stephen M. Bevil 215735	Wade, P.J. Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Thomas Eugene Graham.
David Johnson Hartsell v. State of Tennessee E2004-02876-SC-R11-HC	Johnson Circuit Lynn W. Brown 4469	Ogle, J Tipton, J Witt, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of <i>pro se</i> David Johnson Hartsell. * Motions to suspend requirements of T.R.A.P.; for stay pending appeal; for review of denial of bail also denied.*
Nathan Henderson, et al. v. Quest Expeditions, Inc. E2004-02585-SC-R11-CV	Polk Circuit John B. Hagler CV-03-130	Franks, J Affirmed	Rule 11	Denied - Application of Nathan Henderson and Brandy Henderson.
Lee Ketchersid v. Rhea County Board of Education E2004-01153-SC-R11-CV	Rhea Chancery Jeffrey F. Stewart 9699	Susano, J Affirmed	Rule 11	Denied - Application of Lee Ketchersid.
David Bruce Myers v. Teri Lynne Brown Myers E2004-01362-SC-R11-CV	Greene Circuit Ben K. Wexler 03-CV-924	Franks, J Affirmed a & Remanded	Rule 11	Denied - Application of Teri Lynne Brown Myers.

Frankie Ann Rolen, et al. v. Wood Presbyterian Home, Inc. E2004-00952-SC-R11-CV	Monroe Circuit Lawrence Howard Puckett V99290P	Franks, J Affirmed in Part & Reversed in Part & Remanded	Rule 11	Denied - Application of Wood Presbyterian Home, Inc.
Roy C. Smith v. James A. Bowlen, Warden, and the State of Tennessee E2004-00833-SC-R11-HC	Bledsoe Circuit J. Curtis Smith 1-2003	Smith, J Affirmed	Rule 11	Denied - Application of the State of Tennessee.
State of Tennessee v. Terry Edward Jones E2004-01300-SC-R11-CD	Sullivan Circuit Phyllis Miller S46,436	Witt, J Affirmed	Rule 11	Denied - Application of Terry Edward Jones.
State of Tennessee v. Frank Peter Pinchak E2004-01184-SC-R11-CD	Hamilton Criminal Rebecca Stern 242161	McLin, J Reversed & Remanded	Rule 11	Denied - Application of Frank Peter Pinchak. *Barker, C.J., Not Participating
State of Tennessee v. Rodney Southers E2004-01136-SC-R11-CD	Hamilton Criminal Stephen M. Bevil 240245	Wade, J Affirmed	Rule 11	Denied - Application of Rodney Southers.
State of Tennessee v. Michael Lynn Stanton E2003-02675-SC-R11-CD	Knox Criminal Mary Beth Leibowitz 67854	Wade, J Reversed in Part & Affirmed in Part	Rule 11	Denied - Application of Michael Lynn Stanton.
State of Tennessee, ex rel. Steven G. Hughes v. Howard Carlton, Warden E2004-02473-SC-R11-HC	Johnson Circuit Robert E. Cupp 4188	Witt, J Affirmed	Rule 11	Denied - Application of Steven G. Hughes.
State of Tennessee v. Vincent Marcel Williams E2004-00355-SC-R11-CD	Hamilton Criminal Stephen Bevil 238162	Tipton, J Affirmed	Rule 11	Denied - Application of Vincent Marcel Williams.

Jackson

Larry Bohannon v. State of Tennessee W2004-00961-SC-R11-PC	Shelby Criminal P-27251 W. Fred Axley	Williams, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Larry Bohannon.
Neil William Buettner, Jr. v. Sandra Lee Buettner W2004-01788-SC-R11-CV	Henry Chancery Ron E. Harmon 17787	Farmer, J Affirmed in Part; Reversed in Part & Remanded	Rule 11	Denied - Application of Neil William Buettner, Jr..
Eric Bernard Chism v. State of Tennessee W2004-01690-SC-R11-PC	Madison County Roger A. Page C-03-167	Witt, J Affirmed	Rule 11	Denied - Application of Eric Bernard Chism.
Hal Gerber v. Virginia Starr Segal W2004-00805-SC-R11-CV	Shelby Chancery Arnold B. Goldin CH-00-0893-2	Kirby, J Affirmed	Rule 11	Denied - Application of Virginia Starr Segal.
Regina Helderman, and husband, Troy Helderman v. Matthew R. Smolin, M.D., et al. W2004-01206-SC-R11-CV	Madison Circuit Don H. Allen C-00-148	Highers, J Reversed and Remanded	Rule 11	Denied - Application of Matthew R. Smolin, M.D., and Medical Specialty Clinic, P.C.
In the Matter of : The Estate of Emory B. Pegram, Deceased v. Gregory Baxter Pegram W2004-1179-SC-R11-CV	Shelby Probate Robert s. Benham C-9109	Crawford, J Affirmed	Rule 11	Denied - Application of Carolyne Park-Pegram.
Thomas L. Jackson v. State of Tennessee W2004-00445-SC-R11-PC	Lauderdale Circuit Jon Kerry Blackwood 7248	Wedemeyer, J Affirmed	Rule 11	Denied - Application of Thomas L. Jackson.

Marvin Anthony Matthews v. David Mills, Warden W2004-02209-SC-R11-HC	Lauderdale County Joe H. Walker 5899	Hayes, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of <i>pro se</i> Marvin Anthony Matthews
Mary Ellen Hall McIntire v. Timothy Lapeau McIntire W2004-02904-SC-R11-CV	Shelby Circuit Karen R. Williams CT-003442-02		Rule 11	Denied - Application of Mary Ellen Hall McIntire.
Riverside Surgery Center, LLC, et al. v. Methodist Health Systems, Inc. W2004-01195-SC-R11-CV	Dyer Chancery W. Michael Maloan 03C202	Farmer, J Affirmed and Remanded	Rule 11	Denied - Application of Methodist Health Sytems, Inc..
Sandra Kaye Kemp Parish, et al. v. Jerry Donald Kemp, et al. W2003-01652-SC-R11-CV	Carroll Chancery Ron Harmon 01-CV-32	Highers, J Reversed and Remanded	Rule 11	Denied - Application of Jerry Donald Kemp and Annie Jo Kemp.
Harold Schaffer v. State of Tennessee W2004-02212-SC-R11-PC	Dyer Circuit R. Lee Moore, Jr. C99-228	McLin, J Dismissed	Rule 11	Denied - Application of Harold Schaffer.
State of Tennessee v. Anthony Dwayne Brown W2004-01139-SC-R11-CD	Obion County William B. Acree, Jr. 3-338	McLin, J Affirmed	Rule 11	Denied - Application of Anthony Dwayne Brown.
State of Tennessee v. Linda Nell Culver W2004-00376-SC-R11-CD	Henry Circuit C. Creed McGinley 13536	Welles, J Affirmed	Rule 11	Denied - Application of Linda Nell Culver.
State of Tennessee v. Brenda Holliman W2003-01736-SC-R11-CD	Shelby Criminal W. Otis Higgs, Jr. 02-00684, 02-00685	Smith, J Affirmed	Rule 11	Denied - Application of Brenda Holliman.
State of Tennessee v. Qawi Nur W2004-01259-SC-R11-CD	Shelby Criminal Chris Craft 02-00-06231	Woodall, J Affirmed	Rule 11	Denied - Application of Qawi Nur.

State of Tennessee v. Anthony James Shearer W204-01774-SC-R11-CD	Obion Circuit William B. Acree, Jr. 4-71	Tipton, J Affirmed	Rule 11	Denied - Application of Anthony James Shearer.
State of Tennessee v. Steve Cornell Snipes W2004-01619-SC-R11-CD	Haywood County Clayburn L. Peoples 5204	Glenn, J Affirmed	Rule 11	Denied - Application of Steve Cornell Snipes.
The Alison Group, Inc. v. Greg Ericson, Individually d/b/a Ericson & Associates, et al. W2003-02973-SC-R11-CV	Shelby Circuit Karen R. Williams CT-007121-01	Highers, J Affirmed	Rule 11	Denied - Application of Greg Ericson Individually d/b/a The Erickson Group, and The Erickson Group, Inc..
Keith Dae Thomas v. State of Tennessee W2004-00080-SC-R11-PC	Madison County Roger A. Page C02-336	Ogle, J Affirmed	Rule 11	Denied - Application of Keith Dale Thomas.
Author Ray Turner v. State of Tennessee W2004-02582-SC-R11-CV	Tennessee Claims Comm. Nancy C. Miller-Herron 20301154	Kirby, J Affirmed	Rule 11	Denied - Application of Arthur R. Turner. * Request that case be designated as frivolous also denied.*