

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

Monday, December 5, 2005 - Corrected 12/6/05

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
In Re: T.K.Y. M2004-01634-SC-R11-JV	Coffee Juvenile Timothy R. Brock 368-99J	Clement, J Reversed and Remanded	Rule 11	Granted - Application of Thomas C. Pitts, III.
Paul Dennis Reid, Jr. V. State of Tennessee M2005-02398-SC-S10-PD	Montgomery Circuit John H. Gasaway, III 38887	Per Curiam Denied	Rule 10	Granted - Application of the State of Tennessee. * Filed - November 29, 2005 *
State of Tennessee v. Jason Ruiz M2004-01725-SC-R11-CD	Marshall Circuit William C. Lee 15812	Hayes, J Reversed & Sentence Modified	Rule 11	Granted - Application of the State of Tennessee.
State of Tennessee v. Joseph Wilson M2003-02151-SC-R11-CD	Robertson Circuit Michael R. Jones 02-0331	Woodall, J Affirmed	Rule 11	Granted- Application of Joseph Wilson.

Knoxville

Jennifer Lynn Alsip a/n/k of Walter Rayl Alsip v. Johnson City Medical Center; Louis Modica, M.D., et al. E2004-00831-SC-R11-CV	Washington Circuit Thomas J. Seeley, Jr. 21306	Susano, J Reversed	Rule 11	Granted - Applications of Louis Modica, M.D., and ETSU Physicians and Associates. ** Motion of Tennessee Medical Ass. For Leave to File <i>Amicus Curiae</i> Brief also granted. **
Kenneth L. Hurst, et al.v. Labor Ready E2005-01266-WC-R3-CV	Knox Chancery John F. Weaver 160673-1			This workers' compensation case is hereby transferred to the full Supreme Court for review.
William L. Smith v. State of Tennessee E2004-01800-SC-R11-HC	Bledsoe Circuit Thomas Graham 62-2003	Wade, P.J. Reversed and Remanded	Rule 11	Granted - Application of the State of Tennessee.

Jackson

Nicole A. Naifeh, et al. v. Valley Forge Life Insurance Co. W2003-02800-SC-R11-CV	Tipton Chancery Dewey C. Whitenton 18813	Highers, J Affirmed in Part; Reversed in Part; and Remanded	Rule 11	Granted - Applications of Niccole Naifeh and Henry Joseph Naifeh, Co-Administrators of the Estate of John H. Naifeh and Cathy Naifeh
Linda Smallwood, et al. v. Jessica Mann W2004-02574-SC-R11-JV	Gibson Juvenile Christy R. Little 7197	Farmer, J Reversed in Part, Affirmed in Part, Remanded	Rule 11	Granted - Linda Smallwood and William Smallwood.

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DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Edmund R. Briley, et ux v. Gary W. Chapman, et al. M2004-01303-SC-R11-CV	Rutherford Chancery Robert E. Corlew, III 02-4176CV	Crawford, J Dismissed	Rule 11	Denied - Application of Edmund and Margaret Briely.
David Alexander Brooks v. Catherine D. Brooks M2003-03109-SC-R11-CV	Davidson Circuit Muriel Robinson 02D-1221	Cottrell, J Affirmed	Rule 11	Denied - Application of David Alexander Brooks.

Clinton William Clarneau v. Angela Dawn Clarneau (now Atwood) M2003-02182-SC-R11-CV	Bedford Chancery J.B. Cox 23, 185	Clement, J Reversed and Remanded	Rule 11	Denied - Application of Clinton W. Clarneau.
Richard Elliott v. State of Tennessee M2004-00853-SC-R11-PC	Montgomery Circuit Michael Jones 40000379	Hayes, J Affirmed	Rule 11	Denied - Application of Richard Elliott.
Ronnie Lee Holt v. State of Tennessee M2004-2412-SC-R11-HC	Davidson Criminal J. Randall Wyatt, Jr. 88-F-1703	Williams, J Affirmed	Rule 11	Denied - Application of Ronnie Lee Holt.
Mark Medley v. State of Tennessee M2005-00295-SC-R11-PC	Rutherford Circuit James K. Clayton F-54364	Mclin, J Affirmed	Rule 11	Denied - Application of Mark Medley.
Cedrick K. Mitchell v. State of Tennessee M2004-00851-SC-R11-PC	Giles Circuit Stella Hargrove 10943	Woodall, J Affirmed	Rule 11	Denied - Application of Cedrick K. Mitchell.
Marcus D. Nunley, et al.v. Charles D. Meeks M2005-00026-SC-R11-CV	Grundy Chancery Jeffrey F. Stewart 4969	Cain, J Cottrell, J Clement, J Dismissed	Rule 11	Denied - Application of Charles D. Meeks ** Motion for Order of Remand During Pendency of T.R.A.P., Rule 11 also denied.**
State of Tennessee v. William Harlon Adams M2003-02952-SC-R11-CD	Coffee Circuit L. Craig Johnson 30,830	Smith, J Affirmed in Part, Reversed in Part, Remanded	Rule 11	Denied - Application of William Harlon Adams.
State of Tennessee v. John Thomas Bingham M2003-02548-SC-R11-CD	Bedford Circuit Charles Lee 15245	McLin, J Affirmed	Rule 11	Denied - Application of John Thomas Bingham.

State of Tennessee v. Wesley Earl Brown M2003-02804-SC-R11-CD	Davidson Criminal Cheryl A. Blackburn 2002-A-328	Glenn, J Affirmed	Rule 11	Denied - Application of Wesley E. Brown.
State of Tennessee v. Algernon Cross M2004-01930-SC-R11-CD	Davidson Criminal Steve Dozier 2003-B-1083	Wedemeyer, J Affirmed	Rule 11	Denied - Application of Algernon Cross.
State of Tennessee v. Aaron T. James M2004-00808-SC-R11-CD	Davidson Criminal J. Randall Wyatt, Jr. 98-D-2345	Wade, J Affirmed	Rule 11	Denied - Application of Aaron T. James.
State of Tennessee v. Augustine John Lopez, III M2003-02307-SC-R11-CD	Davidson Criminal Walter Kurtz 2001-B-1192	Welles, J Affirmed	Rule 11	Denied - Application of Augustin John Lopez, III.
State of Tennessee v. Michael Ricardo Martin M2004-00455-SC-R11-CD	Davidson Criminal Steve Dozier 2002-A-587	Smith, J Affirmed	Rule 11	Denied - Application of Michael Ricardo Martin.
State of Tennessee v. Otis Miller, III M2004-00707-SC-R11-CD	Davidson Criminal Monte Watkins 2002-B-1192	Smith, J Affirmed	Rule 11	Denied - Application of Otis Miller, III.
State of Tennessee v. Jesse Ross Smith M2004-01372-SC-R11-CD	Bedford Circuit William Charles Lee 15453	Ogle, J Affirmed	Rule 11	Denied - Application of Jesse Ross Smith.
State of Tennessee v. Roland R. Smith M2004-01457-SC-R11-CD	Davidson Criminal Steve Dozier 2002-A-600	Welles, J Affirmed in Part, Reversed in Part, Remanded	Rule 11	Denied - Application of Roland R. Smith.

Knoxville

Albert Allen Arnold, et al. v. Henry Bowman E2004-01151-SC-R11-CV	Rhea Chancery Buddy D. Perry 9730	Susano, J Affirmed in Part; Reversed in Part; Vacated in Part; Remanded	Rule 11	Denied - Application of Albert Allen Arnold, et al..
James O. Bailey, et ux v. Robin Crum and Sonny Crum E2004-00953-SC-R11-CV	Hawkins Circuit Kindall T. Lawson 5367J	Lee, J Reversed in Part; Vacated in Part; Remanded	Rule 11	Denied - Application of Robin and Sonny Crum.
Roland Bennett v. State of Tennessee E2004-01416-SC-R11-PC	Hamilton Criminal Buddy Perry 158425, 230168	Witt, J Affirmed	Rule 11	Denied - Application of Roland Bennett.
Ed Thomas Brummitte, Jr.v. Anthony & Kathy Lawson E2004-02658-SC-R11-CV	Hawkins Chancery Thomas R. Frierson, II 15027	Lee, J Affirmed	Rule 11	Denied - Application of Anthony and Kathy Lawson.
City of Johnson City v. Dorian Jones E2003-02534-SC-R11-CV	Washington Circuit Jean A. Stanley 22106	Susano, J Affirmed & Remanded	Rule 11	Denied - Application of Dorian Jones.
Lendel L. Conley v. Jo-Ann Conley E2004-01309-SC-R11-CV	Bledsoe Circuit Howard L. Upchurch 1082	Lee, J Affirmed as Modified	Rule 11	Denied - Application of Jo-Ann Conley. ** Appellant's Motion for Leave to Amend . . . ; Motion for Modification; Release of Account Restrictions; Request that Mr. Cease . . . found to be without merit and also denied. **

Gary Flanary v. Carl Gregory Dodge of Johnson City, LLC E2004-00620-SC-R11-CV	Washington Chancery G. Richard Johnson 34497	Susano, J Affirmed in Part; Vacated in Part & Remanded	Rule 11	Denied - Application of Carl Gregory Dodge of Johnson City, LLC.
Bernard Graff, et al. v. Walnut Place Subdivision Homeowner's Association, Inc. et al. E2004-01757-SC-R11-CV	Jefferson Chancery O. Duane Slone 00-058	Inman, J Affirmed	Rule 11	Denied - Application of Bernard L. Graff, Pauline, Graff, James R. Graff, and Brenda L. Graff.
Chris Harie v. State of Tennessee E2004-00827-SC-R11- PC	McMinn Circuit Carroll Ross 03-038	Witt, J Affirmed	Rule 11	Denied - Application of Chris Haire.
Willie L. Hicks, Jr. v. Kevin Myers, Warden, et al. E2004-02921-SC-R11-HC	Sullivan Circuit Phyllis Miller C49,827	Witt, J Affirmed	Rule 11	Denied - Application of Willie L. Hicks, Jr..
Law Office of Hugo Harmatz v. Steve Dorrough, et al. E2004-01987-SC-R11-CV	Knox Circuit Dale C. Workman 1-94-03	Lee, J Affirmed as Modified & Remanded	Rule 11	Denied - Application of the Law Offices of Hugo Harmatz.
Curtis B. Meredith v. Crutchfield Surveys and Jerry Crutchfield E2004-02460-SC-R11-CV	Campbell Circuit John McAfee 12456	Susano, J Affirmed & Remanded	Rule 11	Denied - Application of Curtis B. Meredith.
Kathy McPeak v. Virginia Lynn Murphy Thomas E2004-0400-SC-R11-CV	Hawkins Circuit Kindall T. Lawson CV-000392	Franks, J Affirmed & Remanded	Rule 11	Denied - Application of Virginia Lynn Murphy Thomas.
Randy Overbay v. State of Tennessee E2004-02772-SC-R11- HC	Johnson Circuit Lynn W. Brown 4467	Ogle, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Randy Overbay.

Gregory Scott Spooner v. State of Tennessee E2004-02160-SC-R11-HC	Hancock Circuit James Beckner CR-2490	Witt, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Gregory Scott Spooner.
State of Tennessee v. William F. Cain E2004-01462-SC-R11-CD	Polk Circuit R. Steven Bebb 04-036	Hayes, J Affirmed	Rule 11	Denied - Application of William F. Cain.
State of Tennessee v. Christopher Ebbs E2004-02054-SC-R11-CD	Knox Criminal Ray Jenkins 58208	Smith, J Affirmed	Rule 11	Denied - Application of Christopher Ebbs.
William T. Terrell, et al. v. United Van Lines, et al. E2004-00407-SC-R11-CV	Knox Chancery Daryl R. Fansler 156744	Franks, J Affirmed	Rule 11	Denied - Application of William T. and Martha M. Terrell.
Kevin White v. State of Tennessee E2004-02986-SC-R11-PC	Hamilton Criminal Douglas A. Meyer 248749	McLin, J Affirmed	Rule 11	Denied - Application of Kevin White.
Ralph E. Williams, Jr. v. W. Neil Thomas, et al. E2005-01618-SC-R11-CV	Hamilton Circuit Samuel H. Payne & W. Neil Thoms, III	Franks, J Susano, J Swiney, J Denied Pet. For Mandamus	Rule 11	Denied - Application of Ralph E. Williams, Jr.
Stephen B. Wlodarz v. State of Tennessee E2005-00438-SC-R11-PC	Hawkins Circuit James Beckner 7772	Ogle, J Wade, J Witt, J Rule 28 Denied	Rule 11	Denied - Application of Stephen B. Wlodarz.

Jackson

Michael Bell v. Tony Parker, Warden W2004-02991-SC-R11- HC	Lake County R. Lee Moore, Jr. 04-CR-8662	Hayes, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Michael Bell.
Elton Bowers v. State of Tennessee W2004-02407-SC-R11-HC	Hardeman County Jon K. Blackwood 9745	Hayes, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Elton Bowers.
James W. Clark v. Jim Rose W2004-02744-SC-R11-CV	Lauderdale Chancery Martha Brasfield 11487	Crawford, J Affirmed	Rule 11	Denied - Application of James W. Clark. ** Motion to Proceed in Forma Pauperis granted.**
Kennath Henderson v. State of Tennessee W2003-01545-SC-R11-PD	Fayette County Jon Kerry Blackwood 4465	Smith, J Affirmed	Rule 11	Denied - Application of Kennath Henderson.
Robert Howell v. Tony Parker, Warden W2005-00521-SC-R11-HC	Lake County R. Lee Moore 05-CR-8673	Glenn, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Robert Howell.
David Johnson v. State of Tennessee W2004-02170-SC-R11-PC	Shelby Criminal John P. Colton P-26817	Williams, J Affirmed	Rule 11	Denied - Application of David Johnson.
Miqwon Deon Leach v. State of Tennessee W2004-01702-SC-R11-PC	Obion County William B. Acree, Jr. 03-424	Woodall, J Affirmed	Rule 11	Denied - Application of Miqwon Deon Leach.

Miqwon Leach v. State of Tennessee W2004-02336-SC-R11-HC	Lauderdale County Joe H. Walker 5900	Williams, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Miqwon Leach.
Prentiss Phillips v. State of Tennessee W2004-01626-SC-R11-PC	Shelby Criminal W. Otis Higgs, Jr. P-26816	Wade, P.J. Affirmed	Rule 11	Denied - Application of Prentiss Phillips.
Betty Puckett, et al. V. Rebecca D. Roberson, et al. W2004-02994-SC-R11-CV	Obion Circuit William B. Acree, Jr. 3-264	Crawford, J Affirmed	Rule 11	Denied - Application of Betty Puckett, Terry Phelon, and Estate of Chris Phelon.
Roger M. Ralph, et al. v. Robert R. Pipkin, et al. W2004-01479-SC-R11-CV	Lauderdale Chancery Martha B. Brasfield 12123	Farmer, J Affirmed and Remanded	Rule 11	Denied - Application of Roger M. Ralph and Kem Ralph. ** Motion of James L. Robertson to appear <i>pro hac vice</i> granted. **
Jorge Acosta Rubio v. Tony Parker, Warden W2004-02850-SC-R11-HC	Lake County R. Lee Moore, Jr. 04-CR8635	McLin, J Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Jorge Acosta Rubio.
State of Tennessee v. Ronnie Bradfield W2005-01144-SC-R11-PC	Shelby Criminal James C. Beasley 93-04253	Hayes, J Denied	Rule 11	Denied - Application of Ronnie Bradfield.
State of Tennessee v. Chester Floyd Cole W2004-02463-SC-R11-PC	Madison County Roy B. Morgan, Jr. C04-214	Williams, J Affirmed	Rule 11	Denied - Application of Chester Floyd Cole.
State of Tennessee v. Beverly Dixon W2004-00194-SC-R11-CD	Shelby Criminal Arthur T. Bennett 03-00289	Witt, J Affirmed	Rule 11	Denied - Application of Beverly Dixon.

State of Tennessee v. William Ferris W2003-01317-SC-R11-CD	Shelby Criminal Arthur T. Bennett 97-08278, 00-03945, 00-03946	Glenn, J Affirmed	Rule 11	Denied - Application of William Ferris.
State of Tennessee v. Marico Finnie W2004-02166-SC-R11-CD	Shelby Criminal John P. Colton, Jr. 00-10541-7, 00-10550-56	Tipton, J Affirmed	Rule 11	Denied - Application of Marico Finnie.
State of Tennessee v. Courtney Means W2004-01446-SC-R11-CD	Shelby Criminal Bernie Weinman 03-05190, 92-94	Glenn, J Affirmed	Rule 11	Denied - Application of Courtney Means.
State of Tennessee v. Norris Ray W2004-01247-SC-R11-CD	Shelby Criminal Joseph B. Dailey 02-02917, 02-02918, 02-04286	Woodall, J Affirmed	Rule 11	Denied - Application of Norris Ray.
State of Tennessee v. John Ruff W2004-00438-SC-R11-CD	Shelby Criminal John P. Colton, Jr. C96-09407, C97-06150	Smith, J Affirmed		Denied - Petition for rehearing of the Court's denial of application for permission to appeal of John Ruff.
State of Tennessee v. Keith Salter W2004-01255-SC-R11-CD	Shelby Criminal Chris Craft 01-04363, 01-04364	Woodall, J Affirmed	Rule 11	Denied - Application of Keith Salter.
State of Tennessee v. Allen Jean Stephens W2004-00531-SC-R11-CD	Weakley County William B. Acree, Jr. CR-125-2003	Woodall, J Affirmed	Rule 11	Denied - Application of Allen Jean Stephens.
State of Tennessee v. Steven Andrew Tidwell W2004-01820-SC-R11-CD	Madison Roby B. Morgan, Jr. 03-441	Wade, P.J. Affirmed	Rule 11	Denied - Application of Steven Andrew Tidwell.
Mario Deangalo Thomas v. State of Tennessee W2004-01704-SC-R11-PC	Obion County William B. Acree, Jr. 4-116	McLin, J Affirmed	Rule 11	Denied - Application of Mario Deangalo Thomas.

Lorenzo C. White, et al. V. Carolyn Fields Hayes, et al. W2004-01281-SC-R11-CV	Tipton Chancery Martha B. Brasfield 16,650	Kirby, J Affirmed	Rule 11	Denied - Application of Vernon R. White.