

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

Monday, December 18, 2006

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Tammie C. Allen v. Sidney McPhee, et al. M2005-00202-SC-R11-CV	Rutherford County Circuit Chancellor Tom E. Gray No. 49684	Cain, J. Affirmed and Remanded	Rule 11	Granted - Application of Tammie C. Allen
<u>Knoxville</u>				
None				
<u>Jackson</u>				
J.O. House v. J.K. Edmondson W2005-00092-SC-R11-CV	Shelby County Chancery Chancellor Arnold B. Goldin 99-0326-02	Highers, J. Affirmed in Part; Reversed in Part; and Remanded	Rule 11	Granted - Petition to Rehear application for permission to appeal filed by J. O. House and Application for permission to appeal of J.O. House

<p>State of Tennessee v. Larry J. Noel W2005-01958-SC-R11-CD</p>	<p>Lauderdale County Circuit Judge Joseph H. Walker No. 7646</p>	<p>McLin, J. Affirmed</p>	<p>Rule 11</p>	<p>Granted - for the sole purpose of remanding the case to the Lauderdale County Circuit Court to consider (1) whether, under principles of double jeopardy articulated in <u>State v. Adams</u>, 973 S.W.2d 224 (Tenn. Crim. App. 1997), <u>app. denied</u> (Tenn. 1998), and the facts in this case, the offenses of attempted first degree murder and aggravated assault should be merged; and (2) whether, since the trial court stated on the record that the sentences in this case were to run concurrently, the judgment orders should be amended to reflect that disposition.</p>
<p>Jerry T. Troup, Jr. v. Fischer Steel Corporation W2005-00913-SC-R11-CV</p>	<p>Shelby County Circuit Judge D'Army Bailey No. CT-001249-01</p>	<p>Kirby, J. Reversed, Vacated and Remanded</p>	<p>Rule 11</p>	<p>Granted - Application of Jerry T. Troup, Jr.</p>

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DENIALS

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<u>Nashville</u>				
Christopher Anderson v. A & F Electric Company, Inc. M2005-00610-SC-R11-CV	Davidson County Chancery Chancellor Claudia Bonnyman No. 02-1901-1	Harris, J. Affirmed in Part, Reversed in Part and Remanded	Rule 11	Denied - Application of A & F Electric Company, Inc.
Jenaline N. Fisher v. State of Tennessee M2005-02651-SC-R11-PC	Davidson County Criminal Judge Cheryl A. Blackburn No. 2003-C-1791	Daniel, J. Affirmed	Rule 11	Denied - Application of Jenaline N. Fisher
Darryl Ford v. State of Tennessee M2005-01854-SC-R11-HC	Wayne County Circuit Judge Robert Holloway No. 13755	Hayes, J. Affirmed	Rule 11	Denied - Application of Darryl Ford
Gary Wayne Garrett v. State of Tennessee M2005-02965-SC-R11-PC	Davidson County Criminal Judge Walter Kurtz No. 86-W-107	Welles, J. Woodall, J. Wedemeyer, J. Rule 20 Affirmed	Rule 11	Denied - Application of Gary Wayne Garrett
Gregory Paul Lance v. State of Tennessee M2004-01765-SC-R11-PC	Putnam County Criminal Judge John A. Turnbull No. 99-0054	Glenn, J. Affirmed	Rule 11	Denied - Application of Gregory Paul Lance

Terry M. Odom v. State of Tennessee M2005-02564-SC-R11-PC	Davidson County Criminal Judge Mark Fishburn No. 2003-C-1884	Daniel, J. Affirmed	Rule 11	Denied - Application of Terry M. Odom
State of Tennessee, ex rel. Tommye Maddox Working, et al. v. Robin G. Costa, et al. M2005-02387-SC-R11-CV	Davidson Probate Randy Kennedy 04P-1430	Crawford, P.J. Affirmed in Part, Reversed in Part and Remanded	Rule 11	Denied - Application of Robin G. Costa and the Maddox Foundation
State of Tennessee v. Fernandez Deon Davenport M2005-01729-SC-R11-CD	Coffee County Circuit Judge L. Craig Johnson No. 33,076F	Tipton, J. Affirmed	Rule 11	Denied - Application of Fernandez Deon Davenport
State of Tennessee v. Henry Zillion Felts M2005-01215-SC-R11-CD	Sumner County Criminal Judge Jane Wheatcraft No. 549-2003	Williams, J. Affirmed	Rule 11	Denied - Application of Henry Zillion Felts
State of Tennessee v. John Kersey M2005-01653-SC-R11-CD	Rutherford County Circuit Judge James K. Clayton No. M-55695	Woodall, J Affirmed	Rule 11	Denied - Petition to recall mandate and the petition to reconsider the denial of his application for permission to appeal filed by John Kersey
State of Tennessee v. John Robert Perkins M2005-02894-SC-R11-CD	Bedford County Circuit Judge Robert Crigler No. 15723	Ogle, J. Affirmed	Rule 11	Denied - Application of John Robert Perkins
State of Tennessee v. Latonya Taylor M2005-00313-SC-R11-CD	Davidson County Criminal Judge Randall Wyatt No. 2002-A-443	Welles, J. Affirmed	Rule 11	Denied - Application of LaTonya Taylor
State of Tennessee v. William Henry Vaughan, IV M2004-01718-SC-R11-CD	Maury County Circuit Judge Stella Hargrove No. 14,589	Woodall, J. Affirmed	Rule 11	Denied - Application of William Henry Vaughan, IV
Ruskin A. Vest, Jr. v. Duncan-Williams, Inc. M2005-00466-SC-R11-CV	Maury County Circuit Judge Jim Hamilton No. 10387	Cottrell, J. Affirmed and Remanded	Rule 11	Denied - Application of Duncan-Williams, Inc.

Jesse Williams, Sr., and wife, Janet Williams v. Linkscorp Tennessee Six, LLC, d/b/a Nashboro Golf Club M2004-02603-SC-R11-CV	Davidson County Circuit Judge Hamilton Gayden No. 01C-3635	Kirby, J. Reversed and Remanded	Rule 11	Denied - Application of Linkscorp Tennessee Six, LLC, d/b/a Nashboro Golf Club
<u>Knoxville</u>				
Administrative Resources, Inc., et al. v. Barrow Group, LLC, et al. E2005-01792-SC-R11-CV	Washington County Circuit Judge Thomas J. Seeley, Jr. No. 21977	Susano, J. Affirmed and Remanded	Rule 11	Denied - Application of Administrative Resources, Inc., et al.
Jimmy Ray Cureton v. State of Tennessee E2005-02491-SC-R11-PC	Knox County Criminal Judge Richard Baumgartner No. 76692	Woodall, J. Affirmed	Rule 11	Denied - Application of Jimmy Ray Cureton
Dorman O'Neal Elmore, Jr. v State of Tennessee E2005-02263-SC-R11-PC	Cumberland County Circuit Judge Lillie A. Sells No. 5849	Hayes, J. Affirmed	Rule 11	Denied - Application of Dorman O'Neal Elmore, Jr.
Greg Landaiche, et ux. v. Jerry Jenkins, et al. And Buddy Martin, et al. v. Greg Landaiche, et ux. E2005-01357-SC-R11-CV	Roane County Chancery Chancellor F. V. Williams, III No. 14878	Franks, J. Affirmed and Remanded	Rule 11	Denied - Application of Charles Pyle, Joseph F. Payne, Gary W. Warden, Janie V. Love, Jack Elkins, Marilyn Elkins, Mary Byrd, Kyle Robinette, Wanda Robinette and Wayne Byrd
Edgar Rice v. NN, Inc. Ball & Roller Division E2005-01787-SC-R11-CV	Unicoi County Chancery Chancellor G. Richard Johnson No. CV006806	Susano, J. Reversed and Dismissed	Rule 11	Denied - Application of Edgar Rice
Aaron Lee Skeen v. State of Tennessee E2005-01407-SC-R11-PC	Blount County Circuit Judge D. Kelly Thomas, Jr. No. C-15276	Woodall, J. Affirmed	Rule 11	Denied - Application of Aaron Lee Skeen
Smith Mechanical Contractors, Inc. v. Premier Hotel Development Group, et al. E2004-03016-SC-R11-CV	Washington County Chancery Chancellor G. Richard Johnson Nos. 33710, 34123 34128	Swiney, J. Affirmed	Rule 11	Denied - Application of Barker Building Company, Inc., and Travelers Casualty and Surety Company of America

State of Tennessee v. Kevin Hunter Biggs E2005-01402-SC-R11-CD	Hamilton County Criminal Judge Jon K. Blackwood No. 244715	Tipton, J. Reversed	Rule 11	Denied - Application of the State of Tennessee
State of Tennessee v. Cindy Lee Massengill E2005-02536-SC-R11-CD	Union County Circuit Court Judge Shayne Sexton No. 2877	Witt, J. Affirmed	Rule 11	Denied - Application of Cindy Lee Massengill
State of Tennessee v. Dale Arliss Robinson E2005-01089-SC-R11-CD	Knox County Criminal Judge Mary B. Leibowitz No. 76782	Ogle, J. Modified	Rule 11	Denied - Application of Dale Arliss Robinson
Sulphuric Acid Trading Company, Inc. v. Greenwich Insurance Company, et al. E2005-02395-SC-R11-CV	Hamilton County Circuit Judge Marie Williams No. 03C-933	Susano, J. Affirmed and Remanded	Rule 11	Denied - Application of Sulphuric Acid Trading Company, Inc. Motion for Admission Pro Hac Vice of Joel J. Henderson, Edward D. Lamar, and David F. Hensley is granted.
Alec J. Temlock v. Robert M. McGinnis and Pub Ventures of S.C., Inc., d/b/a Barley's Taproom & Pizzeria E2005-01393-SC-R11-CV	Knox County Circuit Judge Dale Workman No. 1-753-01	Swiney, J. Affirmed and Remanded	Rule 11	Denied - Application of Alec J. Temblock
Frank Trundle, Jr., et al. v. Ed Park E2005-01703-SC-R11-CV	Hamilton County Chancery Chancellor Howell N. Peoples No. 97-0623	Franks, J. Affirmed in Part; Vacated in Part and Remanded	Rule 11	Denied - Application of Frank Trundle, Jr. and Kathy Trundle
Jesse A. Williams v. State of Tennessee E2005-02151-SC-R11-HC	Johnson County Criminal Judge Robert Cupp No. 4623	Tipton, J. Affirmed	Rule 11	Denied - Application of Jesse Andrew Williams

Jackson

Chase A. Beech, Minor, By His Next Friend, Dana L. Beech v. Methodist Healthcare-Memphis Hospitals, et al. W2006-01865-SC-S09-CV	Shelby County Circuit Judge Rita Stotts No. CT-006285-03	Crawford, J. Highers, J. Denied	Rule 11	Denied - Application of Methodist Healthcare-Memphis Hospitals, et al.
Marty Vincent Thompson Bell v. State of Tennessee W2006-01568-SC-R11-PC	Shelby County Criminal Judge John P. Colton, Jr. No. 94-05534	McLin, J. Hayes, J. Williams, J. Dismissed	Rule 11	Denied - Application of Marty Vincent Thompson Bell Denied - Marty Vincent Thompson Bell's Motion in Support of Vacating Illegal Sentence and Motion Granting Copies of Complete Records
Marshall Burks, et al. v. Elevation Outdoor Advertising, LLC, f/k/a Delta Outdoor Advertising, LLC W2005-01449-SC-R11-CV	Shelby County Chancery Chancellor Arnold Goldin No. CH-04-0086-4	Highers, J. Affirmed	Rule 11	Denied - Application of Marshall Burks and Garrott Massie
City of Jackson v. Mohamed Shehata W2005-01522-SC-R11-CV	Madison County Circuit Judge Donald Allen No. C-04-528	Highers, J. Affirmed	Rule 11	Denied - Application of Mohamed Shehata
Danny L. Fish, Jr. v. State of Tennessee W2006-00309-SC-R11-PC	Hardeman County Circuit Judge J. Weber McCraw No. 05-01-0083	Tipton, P.J. Affirmed	Rule 11	Denied - Application of Danny L. Fish, Jr.
Charles Hall v. State of Tennessee W2005-01338-SC-R11-CD	Shelby County Criminal Judge Arthur T. Bennett Nos. 04-00119 and 04-00120	McLin, J. Reversed and Remanded	Rule 11	Denied - Application of Charles Hall
Raymon Haymon v. State of Tennessee W2005-01303-SC-R11-PC	Dyer County Circuit Judge R. Lee Moore No. C99-175A	McLin, J. Affirmed	Rule 11	Denied - Application of Raymon Haymon
DeShawn McClenton v. State of Tennessee W2005-02811-SC-R11-PC	Shelby County Criminal Judge Chris Craft No. P-24880	Glenn, J. Hayes, J. McLin, J. Dismissed	Rule 11	Denied - Application of DeShawn McClenton

James W. McDonnell, Jr., et al. v. Conseco Life Insurance Company, et al. W2005-02630-SC-R11-CV	Shelby County Circuit Judge Kay S. Robilio No. CT-003288-04	Farmer, J. Appeal Dismissed	Rule 11	Denied - Application of James W. McDonnell, Jr., Anne McDonnell Durell, Faith McDonnell Campbell, and James W. McDonnell, III
Carol J. McIntire v. Dr. Peter A. Aldea, et al. W2006-01533-SC-S09-CV	Shelby County Circuit Judge James Russell No. CT-006865-01	Kirby, J. Rule 9 Denied	Rule 11	Denied - Application of Carol J. McIntire
David Mills v. Shelby County Election Commission, et al. W2005-02883-SC-R11-CV	Shelby County Chancery Chancellor D. J. Alissandratos No. CH-05-1565-3	Crawford, J. Affirmed	Rule 11	Denied - Application of David G. Mills
Terry Jamar Norris v. State of Tennessee W2005-01502-SC-R11-PC	Shelby County Criminal Judge John P. Colton No. P-27229	Glenn, J. Affirmed	Rule 11	Denied - Application of Terry Jamar Norris
Willie L. Pegues v. State of Tennessee W2005-02733-SC-R11-HC	Hardeman County Circuit Judge Joe H. Walker, III No. 05-02-0093	Hayes, J. Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Willie L. Pegues
Phillips & Associates v. George Blackburn and Betty Blackburn W2005-02914-SC-R11-CV	Fayette County Circuit Judge J. Weber McGraw No. 4686	Farmer, J. Affirmed and Remanded	Rule 11	Denied - Application of Betty Blackburn and George Blackburn
Octavian Demetrius Reeves v. State of Tennessee W2005-02244-SC-R11-PC	Madison County Circuit Judge Roger A. Page No. C-05-79	Tipton, J. Affirmed	Rule 11	Denied - Application of Octavian Demetrius Reeves
Mary Taylor-Shelby v. Shelby County Election Commission, et al. W2006-00921-SC-R11-CV	Shelby County Chancery Judge Walter L. Evans No. CH-06-0602-1	Farmer, J. Appeal Dismissed	Rule 11	Denied - Application of Mary Taylor-Shelby
State of Tennessee v. Earnest Banks W2005-02484-SC-R11-CD	Shelby County Criminal Judge James Beasley No. 04-03679	McLin, J. Affirmed	Rule 11	Denied - Application of Earnest Banks

State of Tennessee v. Richard Barron W2005-01596-SC-R11-CD	Shelby County Criminal Judge James C. Beasley, Jr. No. 03-08316	Glenn, J. Affirmed	Rule 11	Denied - Application of Richard Barron
State of Tennessee v. Gregory O. Cherry W2005-02078-SC-R11-CD	Hardin County Circuit Judge C. Creed McGinley Nos. 8395 and 8396	Welles, J. Affirmed	Rule 11	Denied - Application of Gregory O. Cherry <i>(Wade, J., not participating)</i>
State of Tennessee v. Cory Lynn Clark W2005-01020-SC-R11-CD	Gibson County Circuit Judge Clayburn Peeples No. 7286	Williams, J. Affirmed	Rule 11	Denied - Application of Cory Lynn Clark
State of Tennessee v. William Larry Littles W2005-02686-SC-R11-CD	Tipton County Circuit Judge Joseph H. Walker No. 5055	Welles, J. Affirmed	Rule 11	Denied - Application of William Larry Littles
State of Tennessee v. Mozella Newson W2005-00477-SC-R11-PC	Shelby County Criminal Judge John P. Colton, Jr. No. P-27349	Hayes, J. Affirmed	Rule 11	Denied - Application of Mozella Newson
Jerry Alan Taylor, by and through his next friend, Kay Taylor Gneiwek v. Jackson-Madison County General Hospital District, et al. W2005-02471-SC-R11-CV	Madison County Circuit Judge Donald H. Allen No. C98-268	Farmer, J. Affirmed in Part; Reversed in Part; Remanded	Rule 11	Denied - Application of Kay Taylor Gneiwek
Linda M. Taylor v. Kevin A. Snider W2005-00219-SC-R11-CV	Shelby County Circuit Judge Karen R. Williams No. CT-005124-03	Highers, J. Affirmed	Rule 11	Denied - Application of Linda M. Taylor Denied - Linda M. Taylor's Motion to Proceed as Poor Person
Janalee Wilson v. State of Tennessee W2005-01801-SC-R11-PC	Madison County Circuit Judge Roger A. Page No. C-05-89	Welles, J. Affirmed	Rule 11	Denied - Application of Janalee Wilson