

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

Monday, March 1, 2010

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Thomas & Associates, Inc. v. Homes By Design, Inc. And Tennessee American Contractors, Inc. M2008-01845-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 06-112-II	Clement, J., Reversed and Remanded	Rule 11	Granted - Application of Thomas & Associates, Inc. (Order attached hereto)
<u>Knoxville</u>				
NONE				
<u>Jackson</u>				
NONE				

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DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
State of Tennessee v. David Avery and Frederick Avery M2008-01809-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2006-C-2451	Wedemeyer, J., Affirmed	Rule 11	Dismissed - Application of Frederick Avery (Order filed 02-26-2010)
BellSouth Advertising and Publishing Corporation v. Loren L. Chumley, Commissioner of Revenue, State of Tennessee M2008-01929-SC-R11-CV	Davidson County Chancery Court Chancellor Richard H. Dinkins No. 04-2232-IV	Franks, J., Reversed and Remanded	Rule 11	Denied - Application of BellSouth Advertising and Publishing Corporation; Granted - Motions of the Council on State Taxation and of Tennessee Chamber of Commerce & Industry to file amicus briefs
State of Tennessee v. Lonnie Duke M2008-01103-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2007-B-1585	McLin, J., Affirmed	Rule 11	Dismissed - Application of Lonnie Duke (Order filed 02-25-2010)

Alex Friedmann v. Corrections Corporation of America M2008-01998-SC-R11-CV	Davidson County Chancery Court Chancellor Claudia Bonnyman No. 08-1105-I	Swiney, J., Affirmed in Part, Reversed in Part and Remanded	Rule 11	Denied - Applications of Alex Friedman and of Corrections Corporation of America; Granted - Motion of The Tennessee Coalition for Open Government to file <i>Amicus Curiae</i> Brief
Gary Wayne Garrett v. George Little, Commissioner, Tennessee Department of Correction M2008-01867-SC-R11-CV	Davidson County Chancery Court Chancellor Ellen H. Lyle No. 07-1751-III	Highers, J., Affirmed	Rule 11	Denied - Application of Gary Wayne Garrett; Granted - Gary Wayne Garrett's "motion for permission to proceed in forma pauperis or to suspend court cost"
State of Tennessee v. David Lawrence Jones M2008-00985-SC-R11-CD	Dickson County Circuit Court Judge George Sexton No. CR8943	Ogle, J., Affirmed	Rule 11	Denied - Application of David Lawrence Jones
In the Matter of Rory M. M2008-02478-SC-R11-CV	Montgomery County Chancery Court Chancellor Laurence M. McMillan No. MCCHCV-GP07-7	Franks, J., Affirmed and Remanded	Rule 11	Denied - Application of Brian M. And Tammy M.
State of Tennessee v. David E. Offutt M2007-02728-SC-R11-CD	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2004-A-281	Thomas, J., Reversed in Part, Affirmed in Part and Remanded	Rule 11	Denied - Application of David E. Offutt
Harry Skipper v. State of Tennessee M2009-00022-SC-R11-CV	Tennessee Claims Commission Commissioner Stephanie Reever No. T20060705	Highers, J., Affirmed	Rule 11	Denied - Application of Harry Skipper

Joe Strawther v. State of Tennessee M2008-00331-SC-R11-PC	Rutherford County Circuit Court Judge Don R. Ash No. 59338	Smith, J., Affirmed	Rule 11	Dismissed - Application of Joe Strawther (Order filed 02-26-2010)
State of Tennessee v. Teresa G. Waters M2008-01262-SC-R11-CD	Fentress County Criminal Court Judge Shayne Sexton No. 9224	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Teresa G. Waters
Larry Williams v. Premier Trucking JHOC, Inc. D/b/a Premier Transportation and Louis Marcel M2009-02490-SC-S10-CV	Montgomery County Circuit Court Judge Ross H. Hicks No. MCCCCVOD07822	Per Curiam, Rule 10 Denied	Rule 10	Denied - Application of Premier Trucking JHOC, Inc., d/b/a Premier Transportation and Louis Marcel
<u>Knoxville</u>				
State of Tennessee v. Dennis E. Burnett E2007-02258-SC-R11-CD	Monroe County Circuit Court Judge Carroll L. Ross No. 04-098	Thomas, J., Affirmed	Rule 11	Denied - Application of Dennis E. Burnett, <i>Pro Se</i>
State of Tennessee v. Thomas Lester Campbell E2008-02751-SC-R11-CD	Sevier County Circuit Court Judge Rex H. Ogle No. 11783-III	Witt, J., Affirmed	Rule 11	Denied - Application of Thomas Lester Campbell
State of Tennessee v. Tycorrian Chandler	Knox County Criminal Court Judge Richard R. Baumgartner No. 86183	Woodall, J., Affirmed	Rule 11	Dismissed - Application of Tycorrian Chandler

State of Tennessee v. Vanessa Coleman E2009-01720-SC-S09-DD	Knox County Criminal Court Judge Richard R. Baumgartner No. 86216D	Ogle, J., Witt, J. and Thompson, J., Rule 9 Denied	Rule 9	Denied - Application of Vanessa Coleman
State of Tennessee, ex rel., Bee DeSelm, et al v. John W. Owings, et al E2008-02326-SC-R11-CV	Knox County Chancery Court Judge Daryl Fansler No. 172989-2	Susano, J., Affirmed and Remanded	Rule 11	Denied - Application of State of Tennessee, ex rel, Bee DeSelm, et al
Thurston Hensley v. CSX Transportation, Inc. E2007-00323-SC-R11-CV	Hamilton County Circuit Court Judge Jacqueline Schulten No. 102C153	Susano, J., Reversed and Remanded	Rule 11	Denied - Application of Thurston Hensley (Wade, J., Not Participating)
State of Tennessee v. Charles Nash E2008-00951-SC-R11-CD	Hamilton County Criminal Court Judge Don W. Poole No. 259270	Thomas, J., Affirmed and Remanded	Rule 11	Denied - Motion to Rehear of Charles Nash
State of Tennessee v. Harold Wayne Nichols E2008-00169-SC-R11-CD	Hamilton County Criminal Court Judge Jon Kerry Blackwood Nos. 175423, 175425, 175433, 175438, 175440, 175442, 175490, 175492, 175495, 175497, 178087, 180535-180537	Woodall, J., Affirmed	Rule 11	Denied - Application of Harold Wayne Nichols
Paul William Ware v. State of Tennessee E2008-02393-SC-R11-CV	Hamilton County Criminal Court Judge Don W. Poole No. 234768	Thomas, J., Affirmed	Rule 11	Dismissed - Application of Paul William Ware

Jackson

Columbus Medical Services, LLC v. David Thomas and Liberty Healthcare Corporation W2008-00345-SC-R11-CV	Shelby County Circuit Court Judge James F. Russell No. CT-002181-04 and CT-006965-03	Kirby, J., Reversed	Rule 11	Denied - Application of Columbus Medical Services, LLC
George Hampton v. State of Tennessee W2008-00996-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. 03-01711	Glenn, J., Affirmed	Rule 11	Denied - Application of George Hampton
Michael J. Hogan v. Janet Katherine Hogan W2008-01750-SC-R11-CV	Tipton County Chancery Court Judge William C. Cole No. 25068	Highers, J., Vacated and Dismissed	Rule 11	Denied - Application of Michael J. Hogan
Herbert Jones v. Lemoyne-Owen College, et al W2008-00141-SC-R11-CV	Shelby County Circuit Court Judge Robert L. Childers No. CT-006315-04	Kirby, J., Affirmed in Part; Reversed in Part	Rule 11	Denied - Application of Herbert Jones
State of Tennessee v. Richard Price W2008-02590-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 07-06939	Glenn, J., Affirmed	Rule 11	Denied - Application of Richard Price
Remote Woodyards, LLC v. the Estate of Romie Neisler, et al W2008-02591-SC-R11-CV	Henderson County Chancery Court Judge James F. Butler No. 18500	Stafford, J., Affirmed	Rule 11	Denied - Application of Remote Woodyards, LLC

Alfonzo Williams v. State of Tennessee W2008-00106-SC-R11-PC	Shelby County Criminal Court Judge Carolyn Wade Blackett No. P-27862	Tipton, J., Affirmed	Rule 11	Denied - Application of Alfonzo Williams
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

**THOMAS & ASSOCIATES, INC. v. HOMES BY DESIGN, INC. AND TENNESSEE
AMERICAN CONTRACTORS, INC.**

**Chancery Court for Davidson County
No. 06-112-II**

No. M2008-01845-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Thomas & Associates, Inc. and the record before us, the application is granted.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM