

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

**Monday, April 19, 2010**

**GRANTS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
Wendell P. Baugh, III, et al. V. Herman Novak, et al. M2008-02438-SC-R11-CV	Williamson County Chancery Court Judge Timothy L. Easter No. 32631	Farmer, J., Affirmed in Part; Reversed in Part; and Remanded; Highers, J., Dissent	Rule 11	<b>Granted</b> - Application of Wendell and Laura Baugh  <b>(Order filed 4-14-2010;attached hereto)</b>
Elizabeth Leanne Hudson v. Larson Douglas Hudson M2008-01143-SC-R11-CV	Davidson County Circuit Court Judge Carol Soloman No. 06D-533	McClarty, J., Affirmed Part; Reversed in Part; Swiney, J., Concur in Part and Dissent in Part	Rule 11	<b>Granted</b> - Application of Larson Douglas Hudson  <b>(Order filed 4-15-2010;attached hereto)</b>

David Lee Wright ex rel., Kaitlyn W. v. Anita J. Wright, et al. M2008-01181-SC-R11-CV	Fentress County Circuit Court Judge John McAfee No. 8136	Highers, J., Affirmed	Rule 11	<b>Granted</b> - Application of Guardian Ad Litem filed on behalf of minor child, Kaitlyn Lee Wright  <b>(Order filed 4-19-2010;attached hereto)</b>
<b><u>Knoxville</u></b>				
Thomas M. Gautreaux v. Internal Medicine Education Foundation, Inc. E2008-01473-SC-R11-CV	Hamilton County Chancery Court Chancellor Howell Peoples No. 08-0008-II	McClarty, J., Affirmed and Remanded	Rule 11	<b>Granted</b> - Application of Internal Medicine Education Foundation, Inc.  <b>(Order filed 4-14-2010;attached hereto)</b>
Evelyn Nye v. Bayer Cropscience, Inc., et al E2008-01596-SC-R11-CV	Hamilton County Circuit Court Judge W. Neil Thomas, III No. 06C760	Franks, J., Reversed and Remanded	Rule 11	<b>Granted</b> - Application of National Service Industries  <b>(Order filed 4-14-2010;attached hereto)</b>
<b><u>Jackson</u></b>				
NONE				

**SUPREME COURT OF TENNESSEE  
SUPREME COURT DISCRETIONARY APPEALS**

**Monday, April 19, 2010**

**DENIALS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
William Allgood, et al. V. Gateway Health Systems, et al. M2008-01779-SC-R11-CV	Montgomery County Circuit Court Judge Ross H. Hicks No. MC-CC-CV-MA-06-391	Kirby, J., Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Christopher Hoffman  (Order filed 4-14-2010)
State of Tennessee v. George Anthony Bell M2008-01187-SC-R11-CD	Sumner County Criminal Court Judge Dee David Gay No. CR305-2007	Wedemeyer, J., Affirmed	Rule 11	<b>Denied</b> - Application of George Anthony Bell  (Order filed 4-16-2010)
State of Tennessee v. Anthony Christopher Brown M2008-01924-SC-R11-CD	Davidson County Criminal Court Judge Seth Norman No. 2007-C-2401	Thomas, J., Affirmed	Rule 11	<b>Denied</b> - Application of Anthony Christopher Brown  (Order filed 4-14-2010)

Gregory Allen Cathey v. State of Tennessee M2009-01123-SC-R11-PC	Rutherford County Circuit Court Judge Don R. Ash No. 56674	Welles, J., Affirmed, Pursuant to CCA Rule 20	Rule 11	<b>Denied</b> - Application of Gregory Allen Cathey  (Order filed 4-14-2010)
Ernest Cunningham, Jr. v State of Tennessee M2008-01313-SC-R11-PC	Davidson County Criminal Court Judge Mark Fishburn No. 2003-D-2560	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Ernest Cunningham, Jr.  (Order filed 4-14-2010)
State of Tennessee v. Gary Durham M2009-00738-SC-R11-CD	Lincoln County Circuit Court Judge Robert Crigler No. S0800140	Smith, J., Affirmed	Rule 11	<b>Denied</b> - Application of Gary Durham  (Order filed 4-14-2010)
State of Tennessee v. Emmanuel Jackson M2008-00637-SC-R11-CD	Davidson Criminal Court Judge Mark J. Fishburn No. 2007-B-1362	Wedemeyer, J, Affirmed	Rule 11	<b>Denied</b> - Application of Emmanuel Jackson  (Order filed 4-16-2010)
State of Tennessee v. Darius Montez Edwards M2008-01219-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2007-B-1007	Smith, J., Affirmed	Rule 11	<b>Denied</b> - Application of Darius Montez Edwards  (Order filed 4-14-2010)
David Gray v. State of Tennessee M2008-02843-SC-R11-PC	Wilson County Criminal Court Judge Jane Wheatcraft No. 97-0201	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of David Gray  (Order filed 4-14-2010)
State of Tennessee v. Antoine Devin Gray, a/k/a Antoine Devin West M2009-00510-SC-R11-CD	Montgomery County Circuit Court Judge John Gasaway Nos. 40501164, 40701242, 40701428 and 40701430	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Antoine Devin Gray, a/k/a Antoine Devin West  (Order filed 4-14-2010)

Tareaun D. Griffin v. State of Tennessee M2008-01681-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn No. 2003-B-1279	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Tareaun D. Griffin  (Order filed 4-14-2010)
State of Tennessee v. Shane Michael Grogger M2008-02015-SC-R11-CD	Overton County Circuit Court Judge Leon Burns No. 5990	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Shane Michael Grogger  (Order filed 4-14-2010)
In Re: Jennifer D., et al. M2008-02531-SC-R11-CV	Marion County Circuit Court Judge Buddy D. Perry No. 17503	Farmer, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Branka V.  (Order filed 4-14-2010)
State of Tennessee v. Emmanuel Jackson M2008-00636-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn No. 2007-B-1362	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Emmanuel Jackson  (Order filed 4-16-2010)
State of Tennessee v. Harold Johnson, Jr. M2008-01070-SC-R11-CD	Overton County Circuit Court Judge Leon Burns No. 5990-A	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Harold Johnson, Jr.  (Order filed 4-14-2010)
Richard Johnson v. Shad Carnes M2008-02373-SC-R11-CV	Rutherford County Circuit Court Judge J. Mark Rogers No. 57285	Cottrell, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Richard Johnson  (Order filed 4-14-2010)
State of Tennessee v. Robert R. Ladd M2008-02826-SC-R11-CD	Macon County Criminal Court Judge Jane Wheatcraft No. 06-43	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Robert R. Ladd  (Order filed 4-14-2010)

Jack K. Long, Jr. v. City of Coopertown M2009-00385-SC-R11-CV	Robertson County Chancery Court Chancellor Laurence McMillan No. 20629	Per Curiam, Dismissed	Rule 11	<b>Denied</b> - Application of City of Coopertown  (Order filed 4-14-2010)
Johnny L. McGowan, Jr. v. State of Tennessee M2008-00297-SC-R11-JV	Rutherford County Juvenile Court Judge Donna Scott Davenport No. 16232-J	Per Curiam, Dismissed	Rule 11	<b>Denied</b> - Application of Johnny L. McGowan  (Order filed 4-14-2010)
State of Tennessee v. Eric Condrell O'Neal M2009-00097-SC-R11-CD	Marshall County Circuit Court Judge Robert G. Crigler No. 17114	Smith, J., Affirmed	Rule 11	<b>Denied</b> - Application of Eric Condrell O'Neal  (Order filed 4-14-2010)
Robin Dawn Parker v. Robert Dewayne Parker M2009-00241-SC-R11-CV	Putnam County General Sessions Court Judge Nolan Goolsby No. 024D08	Cottrell, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Robert Dewayne Parker  (Order filed 4-14-2010)
State of Tennessee v. Nelson Vega Plana M2008-00717-SC-R11-CD	Montgomery County Circuit Court Judge John H. Gasaway III No. 40100094	Smith, J., Affirmed	Rule 11	<b>Denied</b> - Application of Nelson Vega Plana  (Order filed 4-16-2010)
Michael Regen et al. v. East Fork Farms, LP et al. M2008-01414-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 07-2882-II	Bennett, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Michael and Carolyn Regen  (Order filed 4-14-2010)
State of Tennessee v. Joseph Scott Tayes M2008-01101-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2006-C-2335	Woodall, J., Affirmed	Rule 11	<b>Denied</b> - Application of Joseph Scott Tayes  (Order filed 4-14-2010)

Vanderbilt University v. Kafirstan Blokes Partnership M2008-01568-SC-R11-CV	Davidson County Circuit Court Judge Barbara N. Haynes No. 05C-2025	Cottrell, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Kafirstan Blokes Partnership et al.  (Order filed 4-14-2010)
Jeffrey O. Walters v. State of Tennessee M2008-01806-SC-R11-PC	Marshall County Circuit Court Judge Robert G. Crigler No. 07-CR-166	Smith, J., Affirmed	Rule 11	<b>Denied</b> - Application of Jeffrey O. Walters  (Order filed 4-14-2010)
Tommy Wright et al. v. City of Shelbyville et al. M2009-00321-SC-R11-CV	Bedford County Chancery Court Judge Franklin L. Russell No. 25,630	Cottrell, J., Reversed and Remanded	Rule 11	<b>Denied</b> - Application of City of Shelbyville et al.  (Order filed 4-14-2010)

**Knoxville**

State of Tennessee v. Armand E. Booker E2007-01825-SC-R11-CD	Anderson Criminal Court Judge Donald R. Elledge No. A4CR302	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Armand E. Booker  (Order filed 4-16-2010)
Carrie Ann Brewster v. State of Tennessee E2008-01468-SC-R11-PC	Knox County Criminal Court Judge Mary B. Leibowitz No. 83837	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of Carrie Ann Brewster  (Order filed 4-14-2010)
Estate of Jeffrey Mauro Cusatis by next friend and Administratrix Susan Thompson v. Robert R. Casey, M.D. E2008-01786-SC-R11-CV	Anderson County Circuit Court Judge Donald Ray Elledge No. A6LA0157	McClarty, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Susan Thompson  (Order filed 4-14-2010)
Rodney Davis v. State of Tennessee E2009-01212-SC-R11-PC	Hamilton County Criminal Court Judge Barry Steelman No. 271820	Ogle, J., Affirmed	Rule 11	<b>Denied</b> - Application of Rodney Davis  (Order filed 4-14-2010)

State of Tennessee v. Cary M. Dotson E2008-02516-SC-R11-CD	Rhea County Circuit Court Judge J. Curtis Smith No. 16009	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Cary M. Dotson  (Order filed 4-14-2010)
State of Tennessee v. Jackie Foster E2007-01585-SC-R11-CD	Knox County Criminal Court Judge Kenneth Irvine No. 85358	Woodall, J., Affirmed	Rule 11	<b>Denied</b> - Application of Wendy Grant on behalf of Jackie Foster  (Order filed 4-14-2010)
State of Tennessee v. Annette Hamby a/k/a Annette Tran-McNamm E2008-02030-SC-R11-CD	Bradley County Criminal Court Judge Carroll L. Ross No. 07-269	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of Annette Hamby  (Order filed 4-14-2010)
State of Tennessee v. Gregory Lynn Hill E2008-02521-SC-R11-CD	Knox County Criminal Court Judge Mary Beth Leibowitz No. 87625	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Gregory Lynn Hill  (Order filed 4-14-2010)
State of Tennessee v. Robert Morton Linder E2004-02848-SC-R11-CD	Blount County Circuit Court Judge D. Kelly Thomas, Jr. No. C-14001	Witt, J., Tipton, J., Ogle, J., Motion Denied	Rule 11	<b>Denied</b> - Application of Robert M. Linder  (Order filed 4-14-2010)
Johnny L. McGowan v. State of Tennessee E2008-01993-SC-R11-HC	Johnson County Circuit Court Judge Robert Cupp No. 5246	Per Curiam, Affirmed, Pursuant to CCA Rule 20	Rule 11	<b>Denied</b> - Application of Johnny L. McGowan  (Order filed 4-14-2010)
State of Tennessee v. Michael Miller E2009-01868-SC-R11-CD	Knox County Criminal Court Judge Mary Beth Leibowitz Nos. 39934, 40725, 41466	Tipton, J., Witt, J., Thomas, J., Appeal Dismissed	Rule 11	<b>Denied</b> - Application of Michael Miller  (Order filed 4-14-2010)



Leonard L. Ross v. State of Tennessee E2008-00846-SC-R11-PC	Hamilton County Criminal Court Judge Don W. Poole No. 211454	Tipton, J., Ogle, J., Thomas, J., Rule 28 Denied	Rule 11	<b>Denied</b> - Application of Leonard L. Ross  (Order filed 4-14-2010)
Rostis N. Timoshchuk et al. v. Long of Chattanooga-Mercedes Benz et al. E2008-01562-SC-R11-CV	Hamilton County Circuit Court Judge Ward Jeffrey Hollingsworth No. 06-C-472	McClarty, J., Affirmed	Rule 11	<b>Denied</b> - Application of Rostis Timoshchuk and Nickolay Timoshchuk  (Order filed 4-14-2010)
<b><u>Jackson</u></b>				
Raymond Bailey v. State of Tennessee W2008-01657-SC-R11-PC	Shelby County Criminal Court Judge W. Mark Ward No. 02-04607	McMullen, J., Affirmed	Rule 11	<b>Denied</b> - Application of Raymond Bailey  (Order filed 4-16-2010)
State of Tennessee v. Darren Brown W2008-01866-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 06-08194	Glenn, J., Affirmed	Rule 11	<b>Denied</b> - Application of Darren Brown  (Order filed 4-14-2010)
Philander Butler v. State of Tennessee W2009-00451-SC-R11-HC	Shelby County Criminal Court Judge James M. Lammey No. 88-08249	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Philander Butler  (Order filed 4-16-2010)
Keith Collins v. State of Tennessee W2008-02235-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. P-28852	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Keith Collins  (Order filed 4-13-2010)

State of Tennessee v. Joseph Wayne Graves W2007-02552-SC-R11-CD	Decatur Circuit Court Judge C. Creed McGinley No. 05-CR-219	Woodall, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Joseph Wayne Graves  (Order filed 4-15-2010)
State of Tennessee v. Cortez Griffin W2007-00665-SC-R11-CD	Shelby County Criminal Court Judge W. Otis Higgs, Jr. No. 04-02746-47	McLin, J., Affirmed	Rule 11	<b>Denied</b> - Application of Cortez Griffin  (Order filed 4-15-2010)
Ronnie Jackson, Jr. v. State of Tennessee W2008-02280-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes No. 06-05479	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Ronnie Jackson, Jr.  (Order filed 4-16-2010)
Darrell Jennings v. State of Tennessee W2007-01087-SC-R11-PC	Shelby County Criminal Court Judge Lee V. Coffee No. P-26688	Ogle, J., Affirmed	Rule 11	<b>Denied</b> - Application of Darrell Jennings  (Order filed 4-14-2010)
State of Tennessee v. Demario Johnson a/k/a Leo Scott W2008-01665-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 06-05748	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Demario Johnson a/k/a Leo Scott  (Order filed 4-16-2010)
State of Tennessee v. Merl Wayne Medley W2008-00831-SC-R11-CD	Obion County Circuit Court Judge William B. Acree No. C07-176; C07-177; CC-07-CR233	McMullen, J., Affirmed	Rule 11	<b>Denied</b> - Application of Merl Wayne Medley  (Order filed 4-14-2010)
State of Tennessee v. Tarik Robertson W2008-01592-SC-R11-CD	Shelby County Criminal Court Judge James Lammey No. 07-01869	McMullen, J., Affirmed	Rule 11	<b>Denied</b> - Application of Tarik Robertson  (Order filed 4-14-2010)

Tony Samuel v. State of Tennessee W2008-02346-SC-R11-CD	Lauderdale County Circuit Court Judge Joseph H. Walker III No. 7691	McLin, J., Affirmed	Rule 11	<b>Denied</b> - Application of Tony Samuel  (Order filed 4-16-2010)
Steve Stamson, Clerk of Juvenile Court of Shelby County, Tennessee v. David Lillard et al. W2009-00513-SC-R11-JV	Shelby County Juvenile Court Judge Charles M. Cary No. U6657	Stafford, J., Vacated and Dismissed	Rule 11	<b>Denied</b> - Application of Steve Stamson  (Order filed 4-14-2010)
Darrell Walls v. State of Tennessee W2008-01947-SC-R11-PC	Shelby County Criminal Court Judge Chris Craft No. 03-08000	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Darrell Walls  (Order filed 4-14-2010)

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**WENDELL P. BAUGH, III ET AL. v. HERMAN NOVAK ET AL.**

**Chancery Court for Williamson County  
No. 32631**

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**No. M2008-02438-SC-R11-CV**

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**ORDER**

Upon consideration of the application for permission to appeal of Wendell and Laura Baugh 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

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**ELIZABETH LEANNE HUDSON v. LARSON DOUGLAS HUDSON**

**Circuit Court for Davidson County  
No. 06D-533**

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**No. M2008-01143-SC-R11-CV**

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**ORDER**

Upon consideration of Larson Douglas Hudson's application for permission to appeal 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

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**DAVID LEE WRIGHT EX REL. KAITLYN W. v.  
ANITA J. WRIGHT ET AL.**

**Circuit Court for Fentress County  
No. 8136**

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**No. M2008-01181-SC-R11-CV**

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**ORDER**

Upon consideration of the guardian ad litem's application for permission to appeal filed on behalf of the minor, Kaitlyn Lee Wright, 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

IN THE SUPREME COURT OF TENNESSEE  
AT KNOXVILLE

**THOMAS M. GAUTREAUX v. INTERNAL MEDICINE EDUCATION FOUNDATION,  
INC.**

**Chancery Court for Hamilton County  
No. 08-0008 Part 2**

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**No. E2008-01473-SC-R11-CV**

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**ORDER**

Upon consideration of the application for permission to appeal of Internal Medicine Education Foundation, 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

IN THE SUPREME COURT OF TENNESSEE  
AT KNOXVILLE

**EVELYN NYE v. BAYER CROPSCIENCE, INC. ET AL.**

**Circuit Court for Hamilton County**  
**No. 06C760**

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**No. E2008-01596-SC-R11-CV**

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**ORDER**

Upon consideration of the application for permission to appeal of National Service Industries 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