

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

Monday, May 17, 2010

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
State of Tennessee v. Genaro Edgar Espinosa Dorantes M2007-01918-SC-R11-CD	Davidson County Criminal Court Judge Steve R. Dozier No. 2006-D-3184	McMullen, J., Affirmed in Part and Reversed in Part; Tipton, J., separate Concur in Part and Dissent in Part	Rule 11	Granted - Applications of Genaro Edgar Espinosa Dorantes and the State of Tennessee (Order filed 5-13-2010; copy attached)
State of Tennessee v. Ungandua Ingram M2008-02765-SC-R11-CD	Marshall County Circuit Court Judge Robert Crigler No. 17697	Welles, J., Affirmed in Part; Reversed in Part; Remanded	Rule 11	Granted - Applications of the State of Tennessee and Ungandua Ingram (Order filed 5-12-10; copy attached)

Knoxville

NONE

Jackson

State of Tennessee v. Jeremy Garrett W2007-02700-SC-R11-CD	Shelby County Criminal Court Judge W. Otis Higgs, Jr. Nos. 04-07755 and 04-05871	Williams, J., Affirmed	Rule 11	Granted - Application of Jeremy Garrett (Order filed 5-12-2010; copy attached)
State of Tennessee v. Cedric Johnson W2008-01593-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 08-00199	McMullen, J., Affirmed	Rule 11	Granted - Application of the State of Tennessee (Order filed 5-11-2010; copy attached)

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

Monday, May 17, 2010

DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
---------------------	------------------------------------------	--------------------------------	------------------------	--------

Nashville

Billy Britton v. State of Tennessee M2009-02495-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2002-D-2440	Wedemeyer, J, Denied	Rule 11	Denied - Application of Billy Britton (Order filed 5-12-2010)
Rodney N. Buford v. State of Tennessee M2008-02770-SC-R11-HC	Davidson County Criminal Court Judge Joe P. Binkley No. 08C-1144	Smith, J., Affirmed	Rule 11	Denied - Application of Rodney N. Buford (Order filed 5-13-2010)
State of Tennessee v. Alfred Gene Bullock M2008-01284-SC-R11-CD	Fentress County Criminal Court Judge Shayne Sexton No. 9346	Smith, J., Affirmed	Rule 11	Denied - Application of Alfred Gene Bullock (Order filed 5-12-2010)
State of Tennessee v. David Andrew Campbell M2008-02818-SC-R11-CD	Marshall County Circuit Court Judge Robert Crigler No. 2008-CR-87-95	Wedemeyer, J, Affirmed	Rule 11	Denied - Application of David Andrew Campbell (Order filed 5-12-2010)
Thomas Cothran v. State of Tennessee M2008-01071-SC-R11-PC	Hickman County Circuit Court Judge Timothy Easter No. 07-5030C	McMullen, J., Affirmed	Rule 11	Denied - Application of Thomas Cothran (Order filed 5-11-2010)
State of Tennessee v. James E. Davidson M2009-00384-SC-R11-CD	Montgomery County Circuit Court Judge Michael Jones Nos. 40701234, 40701491 and 40701492	Welles, J., Affirmed	Rule 11	Denied - Application of James E. Davidson (Order filed 5-11-2010)

Thomas Frazier et al. v. Walter Jerry Mitchell et al. M2009-00010-SC-R11-CV	Rutherford County Chancery Court Chancellor Robert E. Corlew, III No. 07-0420CV	Bennett, J., Affirmed and Remanded	Rule 11	Denied - Application of Rosvay Ella Mitchell Bye (Order filed 5-12-2010)
Joseph Darryl Gaines v. State of Tennessee M2009-00735-SC-R11-HC	Wayne County Circuit Court Judge Jim T. Hamilton No. 14167	Smith, J., Affirmed	Rule 11	Denied - Application of Joseph Darryl Gaines (Order filed 5-12-2010)
Luiz Gomez and Franklin Delacruz v. State of Tennessee M2008-01868-SC-R11-PC	Warren County Circuit Court Judge Larry B. Stanley, Jr. No. F-9586	Smith, J., Affirmed	Rule 11	Denied - Application of Franklin Delacruz (Order filed 5-12-2010)
State of Tennessee v. Jeffery C. Grissom M2009-00375-SC-R11-CD	Warren County Circuit Court Judge Larry B. Stanley, Jr. No. F-11108	Welles, J., Affirmed	Rule 11	Denied - Application of Jeffery C. Grissom (Order filed 5-12-2010)
In Re: Dravyn L.D. M2009-00357-SC-R11-PT	Wilson County Juvenile Court Judge Charles B. Tatum No. 7076	Susano, J., Affirmed and Remanded	Rule 11	Denied - Application of the Mother (Order filed 5-17-2010)
Danny Johnson v. State of Tennessee M2008-02115-SC-R11-PC	Sequatchie County Circuit Court Judge Buddy D. Perry No. 8317	Thomas, J., Affirmed	Rule 11	Denied - Application of Danny Johnson; Granted - Danny Johnson's Motion to Consider Post-Judgment Facts (Order filed 5-12-2010)
State of Tennessee v. Myron Lorenzo Johnson M2008-02198-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn No. 2006-A-396	Welles, J., Affirmed	Rule 11	Denied - Application of Myron Lorenzo Johnson (Order filed 5-12-2010)

James Earl Kenner v. State of Tennessee M2009-00948-SC-R11-PC	Montgomery County Circuit Court Judge Michael R. Jones Nos. 17308, 17309, 17310, 17311 and 17313	Smith, J., Affirmed, pursuant to Rule 20	Rule 11	Denied - Application of James Earl Kenner (Order filed 5-12-2010)
Michael Lewis v. State of Tennessee M2008-02361-SC-R11-PC	Davidson County Criminal Court Judge Seth Norman No. 2001-D-2182	Wedemeyer, J, Affirmed	Rule 11	Denied - Application of Michael Lewis (Order filed 5-12-2010)
State of Tennessee v. Angelo Lovins M2009-00536-SC-R11-CD	Coffee County Circuit Court Judge Charles Lee No. 36,329	Wedemeyer, J, Affirmed	Rule 11	Denied - Application of Angelo Lovins (Order filed 5-13-2010)
Robert Mendenhall v. State of Tennessee M2008-02271-SC-R11-PC	Rutherford County Circuit Court Judge Allen W. Wallace No. 61258	Smith, J., Affirmed	Rule 11	Dismissed - Application of Robert Mendenhall (Order filed 5-11-2010)
Velma Miller et al. v. Regions Bank et al. M2008-01709-SC-R11-CV	Fentress County Circuit Court Judge John McAfee No. 8307	Bennett, J., Affirmed and Remanded	Rule 11	Denied - Application of Velma Miller and Ann Davenport, Co-Administrators of the Estate of Jerry D. Hicks (Order filed 5-12-2010)
Jerry Daniel Oakley v. State of Tennessee M2009-01895-SC-R11-PC	Sumner County Criminal Court Judge Dee Gay No. 796-09	Welles, J., Affirmed, pursuant to Rule 20	Rule 11	Denied - Application of Jerry Daniel Oakley (Order filed 5-12-2010)
State of Tennessee v. Kenneth L. Peachman M2008-01057-SC-R11-CD	Montgomery County Circuit Court Judge Michael R. Jones No. 40700798	Woodall, J., Affirmed	Rule 11	Denied - Application of Kenneth L. Peachman (Order filed 5-12-2010)

Rudolph Powers v. State of Tennessee M2009-00937-SC-R11-HC	Wayne County Circuit Court Judge Jim T. Hamilton No. 14585	Woodall, J., Affirmed	Rule 11	Denied - Application of Rudolph Powers (Order filed 5-12-2010)
State of Tennessee v. Todd Burton Samuelson M2008-01250-SC-R11-CD	Montgomery County Circuit Court Judge John H. Gasaway, III No. 40500376	Ogle, J., Affirmed	Rule 11	Denied - Application of Todd Burton Samuelson (Order filed 5-12-2010)
State of Tennessee v. Marshall Weaver M2009-01519-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn No. 2003-I-1203	Witt, J., Affirmed	Rule 11	Denied - Application of Marshall Weaver (Order filed 5-14-2010)
Brian Lee Wrigglesworth v. State of Tennessee M2008-02610-SC-R11-PC	Montgomery County Circuit Court Judge John H. Gasaway No. 40400557	McMullen, J., Affirmed	Rule 11	Denied - Application of Brian Lee Wrigglesworth (Order filed 5-12-2010)
<u>Knoxville</u>				
State of Tennessee v. Randy Bernard Braswell E2008-01392-SC-R11-CD	Hamilton County Criminal Court Judge Jon Kerry Blackwood No. 241518	Thomas, J., Affirmed	Rule 11	Denied - Application of Randy Bernard Braswell (Order filed 5-12-2010)
Bobby Darrell Canada v. State of Tennessee E2009-00539-SC-R11-PC	Campbell County Circuit Court Judge E. Shayne Sexton No. 13851	Ogle, J., Witt, J. and Thomas, J., Dismissed	Rule 11	Denied - Application of Bobby Darrell Canada (Order filed 5-12-2010)
State of Tennessee v. Joseph Benjamin Comer, IV E2008-02559-SC-R11-CD	Loudon County Criminal Court Judge James B. Scott No. 10740	Tipton, J., Affirmed in Part; Remanded	Rule 11	Denied - Application of Joseph Benjamin Comer, IV (Order filed 5-12-2010)

Grover Donnell Cowart v. State of Tennessee E2008-02735-SC-R11-PC	Knox County Criminal Court Judge Mary Beth Leibowitz No. 73285	Tipton, J., Denied	Rule 11	Denied - Application of Grover Donnell Cowart (Order filed 5-11-2010)
Allen Dale Cutshaw v. State of Tennessee E2009-01117-SC-R11-PC	Greene County Circuit Court Judge John Dugger No. 01-CR-074	Witt, J., Denied	Rule 11	Denied - Application of Allen Dale Cutshaw (Order filed 5-11-2010)
State of Tennessee v. Mark Alan Deakins E2008-02761-SC-R11-CD	Hamilton County Criminal Court Judge Don Poole No. 223635	Witt, J., Affirmed	Rule 11	Denied - Application of Mark Alan Deakins (Order filed 5-11-2010)
Keith M. Farnham v. Donna M. Farnham E2008-02243-SC-R11-CV	Knox County Chancery Court Judge Michael W. Moyers No. 168799-3	Susano, J., Affirmed and Remanded	Rule 11	Denied - Application of Donna M. Farnham (Order filed 5-12-2010)
Thomas Faulkner v. State of Tennessee E2009-01264-SC-R11-PC	Grainger County Circuit Court Judge O. Duane Slone No. 7403	Witt, J., Ogle, J. and Thomas, J., Denied	Rule 11	Denied - Application of Thomas Faulkner (Order filed 5-12-2010)
State of Tennessee v. Cody Matthew Headrick E2008-02598-SC-R11-CD	Hamilton County Criminal Court Judge Rebecca J. Stern No. 260237	Witt, J., Affirmed and Remanded	Rule 11	Denied - Application of State of Tennessee (Order filed 5-12-2010)
In Re Attila L. E2009-02662-SC-R11-PT	Knox County Juvenile Court Judge Timothy E. Irwin No. 70331	Susano, J. and Swiney, J., Dismissed	Rule 11	Dismissed - Application of Jackie L. (Order filed 5-13-2010)

Robert Joe Lee v. Nancy Katherine Stanfield, et al. E2008-02168-SC-R11-CV	Bradley County Chancery Court Chancellor Jerri Bryant Nos. 05-167 and 07-174	Susano, J., Reversed in Part, Affirmed in Part and Remanded	Rule 11	Dismissed - Application of Robert Joe Lee; (Lee, J., Not Participating) (Order filed 5-13-2010)
State of Tennessee v. Bethany R. Mercer E2009-00003-SC-R11-CD	Hamilton County Criminal Court Judge Barry A. Steelman No. 268987	Thomas, J., Affirmed	Rule 11	Denied - Application of Bethany R. Mercer (Order filed 5-12-2010)
Richard Lynn Norton v. Howard Carlton, Warden E2009-00119-SC-R11-HC	Johnson County Circuit Court Judge Lynn W. Brown No. 5330	Tipton, J., Appeal Dismissed	Rule 11	Denied - Application of Richard Lynn Norton (Order filed 5-12-2010)
Richard Lynn Norton v. State of Tennessee E2009-00859-SC-R11-PC	Greene County Circuit Court Judge John Dugger No. 08-CR-349 Judge John Dugger	Thomas, J., Dismissed	Rule 11	Denied - Application of Richard Lynn Norton (Order filed 5-11-2010)
State of Tennessee v. Derrell F. Nunn, Sr. and Jamila Nunn E2007-02333-SC-R11-HC	Hamilton County Criminal Court Judge Jon K. Blackwood Nos. 242863 and 242864	Tipton, J., Affirmed	Rule 11	Denied - Application of Derrell Nunn, Sr. and Jamila Nunn (Order filed 5-12-2010)
State of Tennessee v. Tommy Joe Owens E2007-02296-SC-R11-CD	Campbell County Circuit Court Judge Shane Sexton No. 12314	Smith, J., Affirmed in Part; Reversed in Part; Modified in Part; Remanded	Rule 11	Denied - Application of Tommy Joe Owens (Order filed 5-11-2010)

Tim E. Shaw v. Cleveland Utilities Water Division, et al. E2009-00627-SC-R11-CV	Bradley County Circuit Court Judge J. Michael Sharp No. V-08-611	Susano, J., Affirmed and Remanded	Rule 11	Denied - Application of Tim E. Shaw; Denied - Motion of Steve Brown and Patricia Brown to have this matter declared a frivolous appeal and for an award of attorney's fees. (Order filed 5-13-2010)
William Arthur Shelton v. State of Tennessee E2009-00582-SC-R11-PC	Bradley County Criminal Court Judge Carroll L. Ross No. 07-469	Witt, J., Affirmed	Rule 11	Denied - Application of William Arthur Shelton; Granted - Motion of Kenneth L. Miller to withdraw as Mr. Shelton's counsel. (Order filed 5-12-2010)
The IJ Company, Inc., et al v. Collier Development Company, Inc., d/b/a Rocky River Brewery & Grill E2009-00020-SC-R11-CV	Knox County Circuit Court Judge Harold Wimberly No. 2-195-03	Swiney, J., Affirmed and Remanded	Rule 11	Denied - Application of IJ Company, Inc., et al; Wade, J., Not Participating (Order filed 5-11-2010)
<u>Jackson</u>				
State of Tennessee v. Nathaniel Banks W2008-02202-SC-R11-CD	Shelby County Criminal Court Judge Carolyn Wade Blackett No. 03-03482	McLin, J., Affirmed	Rule 11	Denied - Application of Nathaniel Banks; <i>The opinion of the Court of Criminal Appeals is designated "Not for Citation" in accordance with Supreme Court Rule 4(E).</i> (Order filed 5-11-2010)
Ronnie Bradfield v. State of Tennessee W2009-02207-SC-R11-PC	Shelby County Criminal Court Judge James C. Beasley, Jr. Nos. P-18580 and P-23046	Williams, J., Denied	Rule 11	Denied - Application of Ronnie Bradfield (Order filed 5-14-2010)

State of Tennessee v. Ronald Lester Brooks W2008-02364-SC-R11-CD	Madison County Circuit Court Judge Donald H. Allen No. 07-563	McMullen, J., Affirmed	Rule 11	Denied - Application of Ronald Lester Brooks (Order filed 5-12-2010)
Iris Teresa Bowling Chambers v. Faye Bowling Devore et al. W2008-02548-SC-R11-CV	Fayette County Chancery Court Chancellor William C. Cole No. 14533	Highers, J., Reversed	Rule 11	Denied - Application of Faye Bowling Devore, Tannis Ann Bowling Pleasants, Allan Bruce Bowling and Helen Mabel McKnight (Order filed 5-12-2010)
Lynda Beth Chandler-Camp v. State of Tennessee W2008-02577-SC-R11-PC	Crockett County Circuit Court Judge Clayburn Peeples No. 3568	Glenn, J., Affirmed	Rule 11	Denied - Application of Lynda Beth-Chandler-Camp (Order filed 5-12-2010)
Laranda Conner v. Robert King, II W2009-00511-SC-R11-JV	Madison County Juvenile Court Judge Christy Little No. 40-0414	Highers, J., Affirmed	Rule 11	Denied - Application of Laranda Conner (Order filed 5-11-2010)
Linn Cook v. State of Tennessee W2008-02068-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. P-23296	Williams, J., Affirmed	Rule 11	Denied - Application of Linn Cook; Granted - Linn Cook's motion to proceed in forma pauperis (Order filed 5-12-2010)
Maurice Garrett v. State of Tennessee et al. W2009-01201-SC-R11-CO	Lauderdale County Circuit Court Judge Joe H. Walker, III No. 6313	Williams, J., Affirmed pursuant to Rule 20	Rule 11	Denied - Application of Maurice Garrett (Order filed 5-12-2010)
State of Tennessee v. Charles Hall W2008-01883-SC-R11-CD	Shelby County Criminal Court Judge James M. Lammey, Jr. No. 04-00119	McLin, J., Affirmed	Rule 11	Denied - Application of Charles Hall (Order filed 5-12-2010)

Dennis Jarrett v. State of Tennessee W2008-01644-SC-R11-PC	Madison County Circuit Court Judge Donald Allen No. C07-385, 351	Williams, J., Affirmed	Rule 11	Denied - Application of Dennis Jarrett; Denied as Moot - Mr. Jarrett's motion to supplement record (Order filed 5-12-2010)
Nakomis Jones v. State of Tennessee W2009-00258-SC-R11-PC	Shelby County Criminal Court Judge Mark Ward No. 02-02917-18; 02-04286	Glenn, J., Affirmed	Rule 11	Denied - Application of Nakomis Jones (Order filed 5-12-2010)
State of Tennessee v. Martino Kelley W2008-01851-SC-R11-CD	Shelby County Criminal Court Judge W. Mark Ward No. 07-07974	Williams, J., Affirmed	Rule 11	Denied - Application of Martino Kelley (Order filed 5-12-2010)
Patricia Anne Gho Massey v. Gregory Joel Casals W2008-01807-SC-R11-JV	Shelby County Juvenile Court Judge William A. Peeler No. F-7887	Kirby, J., Affirmed	Rule 11	Denied - Application of Gregory Joel Casals (Order filed 5-12-2010)
State of Tennessee v. James Nelson W2008-01886-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 07-05821	Williams, J., Affirmed	Rule 11	Denied - Application of James Nelson (Order filed 5-12-2010)
Derek T. Payne v. State of Tennessee W2008-02784-SC-R11-PC	Shelby County Criminal Court Judge Mark Ward No. P-28444	Welles, J., Affirmed	Rule 11	Denied - Application of Derek T. Payne (Order filed 5-11-2010)
Boaz Pleasant-Bey v. State of Tennessee W2010-00531-SC-S10-HC	Shelby County Criminal Court Judge John P. Colton, Jr. No. 07-00471	Williams, J., Rule 10 Denied	Rule 10	Denied - Application of Boaz Pleasant- Bey (Order filed 5-13-2010)

State of Tennessee v. Donald Ragland W2008-02065-SC-R11-CD	Shelby County Criminal Court Jude Mark Ward No. 06-06182	Welles, J., Affirmed	Rule 11	Denied - Application of Donald Ragland (Order filed 5-11-2010)
Shelby County, Tennessee v. James M. Crews, Jr., et al. W2008-01368-SC-R11-CV	Shelby County Circuit Court Judge James F. Russell No. CT-004369-04	Kirby, J., Reversed and Remanded	Rule 11	Denied - Application of Shelby County, Tennessee (Order filed 5-12-2010)
State of Tennessee v. Lionel E. Sherron W2008-02666-SC-R11-CD	Madison County Circuit Court Judge Donald Allen No. 07-625	McLin, J., Affirmed	Rule 11	Denied - Application of Lionel E. Sherron (Order filed 5-11-2010)
Szumanski Stroud v State of Tennessee W2009-01641-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. 05-06225	Glenn, J., Affirmed	Rule 11	Dismissed - Application of Frederick Avery (Order filed 5-10-2010)
State of Tennessee v. Vario Talley W2008-01338-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 04-08519	Glenn, J., Affirmed	Rule 11	Denied - Application of Vario Talley (Order filed 5-12-2010)
Jasper Lee Vick v. State of Tennessee W2009-01420-SC-R11-HC	Hardeman County Circuit Court Judge Joe Walker No. 09-02-0429	Glenn, J., Affirmed	Rule 11	Denied - Application of Jasper Lee Vick (Order filed 5-11-2010)
Tony Young v. State of Tennessee W2007-00328-SC-R11-PC	Shelby County Criminal Court Judge John P. Colton Nos. P-19507, P-21814, P-21815 and P-21816	McMullen, J., Affirmed	Rule 11	Denied - Application of Tony Young (Order filed 5-12-2010)

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE v. GENARO EDGAR ESPINOSA DORANTES

**Criminal Court for Davidson County
No. 2006-D-3184**

No. M2007-01918-SC-R11-CD

ORDER

Upon consideration of the applications for permission to appeal of Genaro Edgar Espinosa Dorantes and the State of Tennessee, and the record before us, both applications are 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

STATE OF TENNESSEE v. UNGANDUA INGRAM

Circuit Court for Marshall County
No. 17697

No. M2008-02765-SC-R11-CD

ORDER

Upon consideration of the applications for permission to appeal of the State of Tennessee and Ungandua Ingram, and the record before us, the applications are 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 JACKSON

STATE OF TENNESSEE v. JEREMY GARRETT

**Criminal Court for Shelby County
Nos. 04-07755, 04-05871**

No. W2007-02700-SC-R11-CD

ORDER

Upon consideration of the Tenn. R. App. P. 11 application for permission to appeal filed on behalf of Jeremy Garrett, 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 completing of briefing.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

STATE OF TENNESSEE v. CEDRIC JOHNSON

Criminal Court for Shelby County
No. 08-00199

No. W2008-01593-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of the State of Tennessee, 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