



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
October 11, 2021 - October 15, 2021

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Nashville</u>			
STATE OF TENNESSEE v. COREY FOREST M2020-00329-SC-R11-CD	Maury County Circuit Court David L. Allen 24034	Wedemeyer, Robert W.: Affirm	Granted: Application of Corey Donnail Forest Order filed 10-15-21 (See Attached Order)
<u>Knoxville</u>			
BRITTANY BORNGNE EX REL MIYONA HYTER v. CHATTANOOGA-HAMILTON COUNTY HOSPITAL AUTHORITY ET AL. E2020-00158-SC-R11-CV	Hamilton County Circuit Court John B Bennett 15C814	Swiney, D. Michael: Affirm in Part Davis, Kristi M.: Concur in Part/Dissent in Part	Granted: Application of Chattanooga-Hamilton County Hospital Authority d/b/a Erlanger Health System, Et Al Order filed 10-13-21 (See Attached Order)
STATE OF TENNESSEE v. TYLER WARD ENIX E2020-00231-SC-R11-CD	Knox County Criminal Court Steven Wayne Sword 107024	Easter, Timothy L.: Affirm	Granted: Application of Tyler Ward Enix

DENIALS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Nashville</u>			
STATE OF TENNESSEE v. JEFFREY NEAL OLIVE M2019-01379-SC-R11-CD	Marshall County Circuit Court Forest A. Durard, Jr. 17-CR-139	Glenn, Alan E.: Affirm	Denied: Application of Jeffrey Neal Olive Order filed 10-13-21
STATE OF TENNESSEE v. BOBBY JOE YOUNG, JR. M2019-01965-SC-R11-CD	Montgomery County Circuit Court William R. Goodman, III 14-CR-1339, 40700635, 41301198	Witt Jr., James Curwood: Affirm	Denied: Application of Bobby Joe Young, Jr. Order filed 10-13-21
TULLAHOMA INDUSTRIES, LLC v. NAVAJO AIR, LLC ET AL. M2019-02036-SC-R11-CV	Franklin County Chancery Court Melissa T. Blevins-Willis 19758	McBrayer, W. Neal: Affirm	Denied: Application of Navajo Air, LLC Order filed 10-14-21

STATE OF TENNESSEE v. RILEY CHRISTOPHER WILBURN M2020-00130-SC-R11-CD	Giles County Circuit Court Stella L. Hargrove CR-14592	Montgomery Jr., Robert H.: Affirm Williams, John Everett: Concur	Denied: Application of Riley Christopher Wilburn Order filed 10-13-21
METROPOLITAN GOVERNMENT OF NASHVILLE & DAVIDSON COUNTY v. LAYTON JONES M2020-00248-SC-R11-CV	Davidson County Circuit Court Kelvin D. Jones 19C462	McBrayer, W. Neal: Affirm	Denied: Application of Layton Jones Order filed 10-14-21
STATE OF TENNESSEE v. QUINTON CAGE M2020-00360-SC-R11-CD	Montgomery County Circuit Court Jill Bartee Ayers 034374	Witt Jr., James Curwood: Affirm	Denied:Application of Quinton Cage Order filed 10-13-21
STATE OF TENNESSEE v. CALVIN M. COURTER M2020-00470-SC-R11-CD	Davidson County Criminal Court Steve R. Dozier 2019-B-1419	McMullen, Camille R.: Affirm	Denied: Application of Calvin M. Courter Order filed 10-13-21
CURTIS PIERCE ET AL. v. STATE OF TENNESSEE M2020-00533-SC-R11-CV	Tennessee Claims Commission Commissioner, TN. Claims Commission (Middle Division) T20192785-1	Goldin, Arnold B.: Affirm	Denied: Application of Curtis Pierce Order filed 10-14-21

JENNIFER CLARKE, ET AL v. CITY OF FRANKLIN
M2020-00662-SC-R11-CV

Williamson County Chancery Court
James G. Martin, III
94CHI-2012-CV-40851

McGee, Carma Dennis: Affirm in
Part

Denied: Application of City of
Franklin, Tennessee

Order filed 10-14-21

DAVID JERNIGAN v. ROBERT EVAN PAASCHE
ET AL.
M2020-00673-SC-R11-CV

Putnam County Circuit Court
Jonathan L. Young
2015-CV-214

Frierson II, Thomas R.: Affirm

Denied: Application of David
Jernigan

Order filed 10-14-21

CAROL BUCKLEY v. THE ELEPHANT
SANCTUARY IN TENNESSEE, INC.
M2020-00804-SC-R11-CV

Lewis County Chancery Court
Deanna B. Johnson
2010-CV-133

Stafford, J. Steven: Reverse

Denied: Application of The
Elephant Sanctuary in
Tennessee, Inc.

Order filed 10-14-21

STATE OF TENNESSEE v. GARY BUSH
M2020-00940-SC-R11-CD

Rutherford County Circuit Court
(CRIMINAL)
Barry R. Tidwell
F-61320-B

Williams, John Everett: Affirm

Denied: Application of Gary
Wayne Bush

Order filed 10-13-21

STATE OF TENNESSEE v. FREDERICK J. ROBINSON M2020-01004-SC-R11-CD	Davidson County Criminal Court Cheryl A. Blackburn 99-A-403	Witt Jr., James Curwood: Affirm	Denied: Application of Frederick Jerome Robinson, Jr. Order filed 10-13-21
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DAMIEAN DEVON TOLSON v. JOHN E. HERBISON M2020-01362-SC-R11-CV	Davidson County Circuit Court Don R. Ash 18C1755	Armstrong, Kenny W.: Affirm	Denied: Application of Damien Devon Tolson Order filed 10-14-21
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STATE OF TENNESSEE v. MARIO NATHANIEL WADE M2020-01518-SC-R11-CD	Davidson County Criminal Court Jennifer Smith 2017-A-103	Easter, Timothy L.: Affirm	Denied: Application of Mario Nathaniel Wade Order filed 10-13-21
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Knoxville

STATE OF TENNESSEE v. MICHAEL BROYLES E2019-01033-SC-R11-CD	Greene County Criminal Court Alex E. Pearson 17CR503	Montgomery Jr., Robert H.: Affirm	Denied: Application of Michael Broyles Order filed 10-13-21
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GENE LOVELACE ENTERPRISES LLC ET AL v. CITY OF KNOXVILLE ET AL. E2019-01574-SC-R11-CV	Knox County Circuit Court William T Ailor 2-391-05, 249405	McClarty, John W.: Affirm	Denied: Application of Gene Lovelace Enterprises, L.L.C. and Bambis, LLC
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Order filed 10-13-21

STATE OF TENNESSEE v. RICKY ALLEN DAVIS
E2019-01819-SC-R11-CD

Knox County Criminal Court
Bobby R. McGee
107989

Ogle, Norma McGee: Affirm

Denied: Application of Ricky Allen
Davis

Order filed 10-13-21

STATE OF TENNESSEE v. DOUGLAS M.
FERGUSON
E2019-02218-SC-R11-CD

Sullivan County Criminal Court
James F. Goodwin, Jr.
S65388

Montgomery Jr., Robert H.: Affirm

Denied: Application of Douglas
M. Ferguson

Order filed 10-13-21

STATE OF TENNESSEE v. DOUGLAS M.
FERGUSON
E2020-00400-SC-R11-CD

Sullivan County Criminal Court
James F. Goodwin, Jr.
S70,498

Holloway Jr., Robert L.: Affirm

Denied: Application of Douglas
M. Ferguson

Order filed 10-13-21

WILMINGTON SAVINGS FUND SOCIETY ET AL.
v. ESTATE OF SALLIE L MILLER
E2020-00717-SC-R11-CV

Knox County Circuit Court
Kristi M. Davis
1-376-19

McClarty, John W.: Affirm

Denied: Application of Ester
Franklin

Order filed 10-13-21

ALLAN F WHITE JR., ET AL. v. BRADLEY
COUNTY GOVERNMENT ET AL.
E2020-00798-SC-R11-CV

Bradley County Circuit Court
Lawrence Howard Puckett
V-16-493

Stafford, J. Steven: Affirm

Denied: Application of Allan F.
White, Jr., and Marline White

Order filed 10-13-21

SHEILA RENEE GRISSETTE v. DON EDWIN
GRISSETTE
E2020-00923-SC-R11-CV

Hamilton County Circuit Court
Ward Jeffrey Hollingsworth
17D560

Per Curiam: Dismiss

Denied: Application of Don
Edwin Grissette

Order filed 10-13-21

KRISTIN M. MYERS v. STATE OF TENNESSEE
E2020-01401-SC-R11-PC

Loudon County Criminal Court
Jeffery Hill Wicks
2010-CR-60

Dyer, J. Ross: Affirm

Denied: Application of Kristin M.
Myers

Order filed 10-13-21

STATE OF TENNESSEE, EX REL. HERBERT
SLATERY III v. THE WITHERSPOON LAW
GROUP PLLC, ET AL.
E2021-00876-SC-R10-CV

Hamilton County Chancery Court
Pamela A Fleenor
CH-17-0279

Per Curiam: Case Dispositional
Decision

Denied: Application of Alphonso
McClendon, Et Al.

Order filed 10-13-21 (See
Attached Order)

Jackson

STATE OF TENNESSEE v. MADARYL DEWAYNE HAMPTON W2019-01551-SC-R11-CD	Madison County Circuit Court Donald H. Allen 18-739	McMullen, Camille R.: Affirm	Denied: Application of Madaryl Dewayne Hampton Order filed 10-15-21
STATE OF TENNESSEE v. MARCEL HOLBROOK W2019-02202-SC-R11-CD	Shelby County Criminal Court James M. Lammey 17-05939	Wedemeyer, Robert W.: Affirm	Denied: Application of Marcel Holbrook Order filed 10-15-21
LAMAR HUDSON v. STATE OF TENNESSEE W2020-00330-SC-R11-PC	Shelby County Criminal Court J. Robert Carter, Jr. 18-03030, C1804376	Thomas Jr., D. Kelly: Affirm	Denied: Application of Lamar Hudson Order filed 10-15-21
CALVIN JONES v. STATE OF TENNESSEE W2020-00372-SC-R11-PC	Shelby County Criminal Court James M. Lammey 11-06965, 12-01373	Holloway Jr., Robert L.: Affirm	Denied: Application of Calvin Jones Order filed 10-15-21
CURTIS KELLER v. STATE OF TENNESSEE W2020-00590-SC-R11-PC	Shelby County Criminal Court J. Robert Carter, Jr. 10-02756	Witt Jr., James Curwood: Affirm	Denied: Application of Curtis Keller Order filed 10-15-21

STATE OF TENNESSEE v. JAMES YATES
W2020-00706-SC-R11-CD

Shelby County Criminal Court
Chris Craft
18-02597

Dyer, J. Ross: Affirm

Denied: Application of James
Yates

Order filed 10-15-21

STATE OF TENNESSEE v. DELINQUENT
TAXPAYERS 2015 (MANFRED STEINHAGEN)
W2020-00981-SC-R11-CV

Shelby County Chancery Court
Walter L. Evans
TX-2017-1

Clement Jr., Frank G.: Dismiss

Dismissed: Application of
Manfred Steinhagen

Order filed 10-15-21

DELSHUN JONES v. STATE OF TENNESSEE
W2020-00994-SC-R11-PC

Shelby County Criminal Court
Glenn Ivy Wright
12-04777

Easter, Timothy L.: Affirm

Denied: Application of Delshun
Jones

Order filed 10-15-21

ALPHONZO CHALMERS v. STATE OF
TENNESSEE
W2020-01210-SC-R11-ECN

Shelby County Criminal Court
Chris Craft
98-09236

Ayers, Jill Bartee: Affirm

Denied: Application of Alphonzo
Chalmers

Order filed 10-15-21

THE LAW OFFICES OF T. ROBERT HILL PC F/K/A
HILL BOREN PC v. LEWIS COBB ET AL.
W2020-01380-SC-R11-CV

Madison County Circuit Court
Don R. Ash
C-19-70

Armstrong, Kenny W.: Affirm in Part

Denied: Application of The Law
Offices of T. Robert Hill, PC

Order filed 10-15-21

JASON L. WHITE v. STATE OF TENNESSEE
W2021-00638-SC-R11-PC

Shelby County Criminal Court
J. Robert Carter, Jr.
17-01568

Dyer, J. Ross, McMullen, Camille R.,
Williams, John Everett: Case
Dispositional Decision

Denied: Application of Jason L.
White

Order filed 10-15-21

CARLOS WILSON v. STATE OF TENNESSEE
W2021-00796-SC-R11-CO

Shelby County Criminal Court
John Wheeler Campbell
12-03231

Dyer, J. Ross, McMullen, Camille R.,
Williams, John Everett: Case
Dispositional Decision

Denied: Application of Carlos D.
Wilson

Order filed 10-15-21

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

FILED

10/13/2021

Clerk of the
Appellate Courts

**BRITTANY BORNGNE EX REL. MIYONA HYTER v.
CHATTANOOGA-HAMILTON COUNTY HOSPITAL AUTHORITY ET AL.**

**Circuit Court for Hamilton County
No. 15C814**

No. E2020-00158-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Chattanooga-Hamilton County Hospital Authority d/b/a Erlanger Health System, the application for permission to appeal of Michael John Seeber, Jennifer Mercer, and Caring Choice Women's Center, P.C., 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

FILED

10/15/2021

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. COREY FOREST

**Circuit Court for Maury County
No. 24034**

No. M2020-00329-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Corey Donnail Forest and the record before us, the application is granted.

In the briefs and at oral argument, the Court is particularly interested in the parties addressing the permissible scope of activity for a law enforcement officer acting as private citizen under Tenn. Code Ann. § 40-7-109.

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

FILED

10/13/2021

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. TYLER WARD ENIX

**Criminal Court for Knox County
No. 107024**

No. E2020-00231-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Tyler Ward Enix and the record before us, the application is granted as to whether plenary or plain error review should apply to a claim of prosecutorial misconduct during closing argument when a contemporaneous objection is not lodged at the time the misconduct allegedly occurred but the claim is raised in the motion for a new trial.

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

FILED

10/13/2021

Clerk of the
Appellate Courts

**STATE OF TENNESSEE, EX REL. HERBERT SLATERY III v. THE
WITHERSPOON LAW GROUP PLLC, ET AL.**

**Chancery Court for Hamilton County
No. CH-17-0279**

No. E2021-00876-SC-R10-CV

ORDER

Upon consideration of the Rule 10 application for extraordinary appeal of Alphonso McClendon, Glenn Smith, The Witherspoon Law Group PLLC, and Nuru Witherspoon, and the record before us, the application is denied. Costs are taxed to Alphonso McClendon, Glenn Smith, The Witherspoon Law Group PLLC, Nuru Witherspoon, and their surety, for which execution may issue if necessary.

PER CURIAM