



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
September 20, 2021 - September 24, 2021

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Nashville</u>			
BEVERLY GARDNER v. SAINT THOMAS MIDTOWN HOSPITAL M2019-02237-SC-R11-CV	Davidson County Circuit Court Joseph P. Binkley, Jr. 17C2226	Bennett, Andy D.: Reverse	Granted: Application of Saint Thomas Midtown Hospital Order filed 9-24-21 (See Attached Order)
DENNIS HAROLD ULTSCH v. HTI MEMORIAL HOSPITAL CORPORATION M2020-00341-SC-R11-CV	Davidson County Circuit Court Joseph P. Binkley, Jr. 19C1086	Bennett, Andy D.: Reverse	Granted: Application of HTI Memorial Hospital Corporation Order filed 9-22-21 (See Attached Order)
<u>Jackson</u>			
STATE OF TENNESSEE v. MARVIN MAURICE DEBERRY W2019-01666-SC-R11-CD	Madison County Circuit Court Roy B. Morgan, Jr. 19-177	Williams, John Everett: Affirm	Granted: Application of Sate of Tennessee Order filed 9-23-21 (See Attached Order)

DENIALS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Nashville</u> OUTPOST SOLAR, LLC ET AL. v. HENRY, HENRY & UNDERWOOD, P.C. ET AL. M2019-00416-SC-R11-CV	Giles County Circuit Court James G. Martin, III CC-11515	McBrayer, W. Neal: Affirm	Denied: Application of Outpost Solar, LLC, et al. Order filed 9-22-21
MARCUS THURMAN WADE v. STATE OF TENNESSEE M2019-00716-SC-R11-PC	Coffee County Circuit Court L. Craig Johnson 44130	Ogle, Norma McGee: Affirm	Denied: Application of Marcus Thurman Wade Order filed 9-22-21
STATE OF TENNESSEE v. JAVARIUS DESHAWN BAUGH M2019-01916-SC-R11-CD	Davidson County Criminal Court Steve R. Dozier 2016-B-689	Glenn, Alan E.: Affirm	Denied: Application of Javarius Deshawn Baugh Order filed 9-22-21
CHARLES CLIFTON v. TENNESSEE FARMERS MUTUAL INSURANCE COMPANY M2019-02193-SC-R11-CV	Warren County Circuit Court Larry B. Stanley, Jr. 18-CV-909	Frierson II, Thomas R.: Affirm	Denied: Application of Charles W. Clifton Order filed 9-22-21

STATE OF TENNESSEE v. DEMON L. ADKINS
M2019-02284-SC-R11-CD

Davidson County Criminal Court
Steve R. Dozier
2018-A-90

Williams, John Everett: Affirm in Part

Denied: Application of Demon
Lamont Adkins

Order filed 9-22-21

DARRELL VAULX v. TENNESSEE DEPARTMENT
OF TRANSPORTATION
M2020-00193-SC-R11-CV

Davidson County Chancery Court
Russell T. Perkins
19-628-IV

McBrayer, W. Neal: Affirm

Denied: Application of Darrell
Vaulx

Order filed 9-22-21

STATE OF TENNESSEE v. STEPHEN L. PURCELL,
JR.
M2020-00217-SC-R11-CD

Lawrence County Circuit Court
Stella L. Hargrove
2018-CR-35327

Wedemeyer, Robert W.: Affirm

Denied: Application of Stephen
Lewis Purcell, Jr.

Order filed 9-22-21

GRANDON P. DAY v. KEVIN GENOVESE
M2020-00373-SC-R11-HC

Hickman County Circuit Court
Michael E. Spitzer
19-CV-37, II-10522

Wedemeyer, Robert W.: Affirm

Denied: Application of Grandon
P. Day

Order filed 9-22-21

PATRICK L. MOORE v. RUSSELL WASHBURN, WARDEN M2020-00471-SC-R11-HC	Trousdale County Criminal Court Brody N. Kane 2020-CV-4817, 2020-CV-4837	Easter, Timothy L.: Affirm	Denied: Application of Patrick L. Moore Order filed 9-22-21
DAVID NICHOLS v. METROPOLITAN NASHVILLE AIRPORT AUTHORITY M2020-00593-SC-R11-CV	Davidson County Circuit Court Joseph P. Binkley, Jr. 19C1435	Clement Jr., Frank G.: Affirm	Denied: Application of David Nichols Order filed 9-22-21
NATASHA S. ET AL. v. MADISON M. M2020-00668-SC-R11-CV	Montgomery County Circuit Court William R. Goodman, III CC-2019-CV-675	Bennett, Andy D.: Vacate	Denied: Application of Madison Lisa Martin Conquest Order filed 9-22-21
STATE OF TENNESSEE v. CHARVARIS DONTÉ NEWSOM M2020-00681-SC-R11-CD	Davidson County Criminal Court Steve R. Dozier 2018-B-768	Williams, John Everett: Affirm	Denied: Application of Charvaris Donte Newsom Order filed 9-22-21
LVH, LLC v. FREEMAN INVESTMENT, LLC M2020-00698-SC-R11-CV	Davidson County Chancery Court Patricia Head Moskal 19-515-I	Bennett, Andy D.: Reverse	Denied: Application of LVH, LLC Order filed 9-22-21

CLARKSVILLE TOWERS, LLC v. JOHN
STRAUSSBERGER ET AL.
M2020-00756-SC-R11-CV

Montgomery County Chancery Court
Laurence M. McMillan, Jr.
CD18-12

Frierson II, Thomas R.: Affirm

Denied: Application of Clarksville
Towers, LLC

Order filed 9-22-21

KIMBERLY MICHELLE HAMMONDS v. HCA
HEALTH SERVICES OF TENNESSEE INC., D/B/A
TRISTAR SOUTHERN HILLS MEDICAL CENTER,
ET AL.
M2021-00691-SC-R10-CV

Davidson County Circuit Court
Thomas W. Brothers
15C3058

Per Curiam: Case Dispositional
Decision

Denied: Application of Kimberly
Michelle Hammonds

Order filed 9-22-21

Knoxville

STATE OF TENNESSEE v. KELLY BROOKE FRYE
E2019-00686-SC-R11-CD

Sullivan County Criminal Court
William K. Rogers
S66035

Witt Jr., James Curwood: Affirm

Denied: Application of Kelly
Brooke Frye

Order filed 9-22-21

STATE OF TENNESSEE v. AARON EVAN PERRY
E2019-02210-SC-R11-CD

Knox County Criminal Court
G. Scott Green
114134

Thomas Jr., D. Kelly: Reverse

Denied: Application of Aaron
Evan Perry

Order filed 9-22-21

STATE OF TENNESSEE v. CURTIS BURNSIDE E2019-02273-SC-R11-CD	Knox County Criminal Court Bobby R. McGee 110760	Wedemeyer, Robert W.: Affirm in Part	Denied: Application of Curtis Burnside Order filed 9-22-21
STATE OF TENNESSEE v. VERNON LEE IVEY E2020-00022-SC-R11-CD	Campbell County Criminal Court E. Shayne Sexton 17737	Glenn, Alan E.: Affirm	Denied: Application of Vernon Lee Ivey Order filed 9-22-21
STATE OF TENNESSEE v. THOMAS BYRD E2020-00059-SC-R11-CD	Knox County Criminal Court Bobby R. McGee 105592	Glenn, Alan E.: Affirm	Denied: Application of Thomas Byrd Order filed 9-22-21
JEFFERY COMBS v. STATE OF TENNESSEE E2020-00239-SC-R11-PC	Sullivan County Criminal Court James F. Goodwin, Jr. C66727	Williams, John Everett: Affirm	Denied: Application of Jeffery Lyn Combs Order filed 9-22-21
STATE OF TENNESSEE v. THARCISSE JOHN NKURUNZIZA E2020-00326-SC-R11-CD	Knox County Criminal Court Kyle A. Hixson 114309	Ogle, Norma McGee: Affirm	Denied: Application of Tharcisse John Nkarunziza Order filed 9-22-21

STATE OF TENNESSEE v. BRADLEY L.
ROBINSON
E2020-00555-SC-R11-CD

Knox County Criminal Court
G. Scott Green
108569

Holloway Jr., Robert L.: Affirm

Denied: Application of Bradley L.
Robinson

Order filed 9-22-21

ADAM MOATES v. STATE OF TENNESSEE
E2020-00565-SC-R11-PC

Knox County Criminal Court
Steven Wayne Sword
113533

Holloway Jr., Robert L.: Affirm

Denied: Application of Adam
Moates

Order filed 9-22-21

STATE OF TENNESSEE v. TYRONE E. MURPHY
E2020-00658-SC-R11-CD

Hamilton County Criminal Court
Barry A. Steelman
302991

Holloway Jr., Robert L.: Affirm

Denied: Application of Tyrone E.
Murphy

Order filed 9-22-21

PENNY BRENNAN v. RANDII GOBLE
E2020-00671-SC-R11-CV

Blount County Circuit Court
David Reed Duggan
L19426

Swiney, D. Michael: Affirm

Denied: Application of Penny
Brennan

Order filed 9-22-21

WILLIAM MAURICE WEST JR. v. JULIE A WEST E2020-00780-SC-R11-CV	Knox County Circuit Court Kristi M. Davis C-18-123818	Bennett, Andy D.: Reverse	Denied: Application of William Maurice West, Jr. Order filed 9-22-21
STATE OF TENNESSEE v. VANASSA HURST E2020-00980-SC-R11-CD	Claiborne County Criminal Court E. Shayne Sexton 2016-CR-2303	Montgomery Jr., Robert H.: Affirm	Denied: Application of Vanassa Ann Hurst Order filed 9-22-21
STATE OF TENNESSEE v. MARQUES D. WHEELER E2020-01163-SC-R11-CD	Knox County Criminal Court Steven Wayne Sword 112881	Easter, Timothy L.: Affirm	Denied: Application of Marques D. Wheeler Order filed 9-22-21
DEBRA SUE BYINGTON v. JAMIE REAVES, D.O., ET AL. E2020-01211-SC-R11-CV	Sullivan County (Kingsport) Law Court John S. McLellan, III C42774M	Armstrong, Kenny W.: Affirm	Denied: Application of Debra Sue Byington Order filed 9-22-21
JUMITRIUS R. HUTCHINS v. CHATTANOOGA HAMILTON COUNTY HOSPITAL AUTHORITY D/B/A/ ERLANGER HEALTH SYSTEM E2020-01486-SC-R11-CV	Hamilton County Circuit Court L. Marie Williams 20C749	Per Curiam: Dismiss	Denied: Application of Jumitrius R. Hutchins Order filed 9-22-21

Jackson

STACI JONES v. F. AUSTON WORTMAN, III
W2018-00893-SC-R11-CV

Shelby County Circuit Court
Gina C. Higgins
CT-001715-14

Per Curiam: Case Dispositional
Decision

Denied: Application of Fred
Auston, Wortman, III

Order filed 9-22-21

STATE EX REL. JAMES FREDERICK ROBERTS v.
ELIZABETH DALE CRAFTON
W2019-01010-SC-R11-JV

Shelby County Juvenile Court
Dan H. Michael
W8928

Swiney, D. Michael: Affirm

Denied: Application of James
Frederick Roberts

Order filed 9-22-21

RONALD HONAKER v. STATE OF TENNESSEE
W2019-01201-SC-R11-PC

Shelby County Criminal Court
Jennifer Johnson Mitchell
12-02354

Dyer, J. Ross: Affirm

Denied: Application of Ronald
Honaker

Order filed 9-22-21

STATE OF TENNESSEE v. ISAIAH WILLIAMS
W2019-01885-SC-R11-CD

Shelby County Criminal Court
John Wheeler Campbell
17-00459, C1700845

Wedemeyer, Robert W.: Affirm

Denied: Application of Isaiah
Williams

Order filed 9-22-21

ESTATE OF SEDLEY ALLEY v. STATE OF TENNESSEE W2019-02046-SC-R11-PC	Shelby County Criminal Court Paula L. Skahan 85-05085, 85-05086, 85-05087	Thomas Jr., D. Kelly: Affirm	Denied: Application of Estate of Sedley Alley Order filed 9-22-21
STATE OF TENNESSEE v. ANWAR GHAZALI W2019-02096-SC-R11-CD	Shelby County Criminal Court W. Mark Ward 18-03008, C1804328	Thomas Jr., D. Kelly: Affirm	Denied: Application of Anwar Ghazali Order filed 9-22-21
DARIUS JONES v. STATE OF TENNESSEE W2019-02186-SC-R11-PC	Shelby County Criminal Court Lee V. Coffee 12-01056	Dyer, J. Ross: Affirm	Denied: Application of Darius Jones Order filed 9-22-21
STATE OF TENNESSEE v. WILLIAM GOSSETT W2019-02282-SC-R11-CD	Shelby County Criminal Court Lee V. Coffee 16-03365, 16-03828, 16-03829, 16-03845, 16-04244, 16-04245, 16-04246, 16-04247, 16-04248, 16-04249, 16-05601	Easter, Timothy L.: Affirm Witt Jr., James Curwood: Concur	Denied: Application of William Gossett Order filed 9-22-21
AARON J. CRYER ET AL. v. CITY OF DYERSBURG ET AL. W2020-00045-SC-R11-CV	Dyer County Circuit Court R. Lee Moore, Jr. 16-CV-38	McClarty, John W.: Affirm	Denied: Application of Jason Alexander, and Aaron J. Cryer, the opinion of the COA is designated "Not For Citation"

accordance with SCT Rule 4(E)

Order filed 9-23-21 (See Attached Order)

LESLEY MURRELL ET AL. v. BOARD OF
ADMINISTRATION CITY OF MEMPHIS PENSION
AND RETIREMENT SYSTEM ET AL.
W2020-00187-SC-R11-CV

Shelby County Chancery Court
JoeDae L. Jenkins
CH-19-0394

McBrayer, W. Neal: Affirm in Part

Denied: Application of City of
Memphis, and Board of
Administration City of Memphis
Pension and Retirement

Order filed 9-22-21

AT-LAST INC. D/B/A BLACKWATCH
INVESTIGATION AND MITIGATION v. TERRY
GLEN BUCKLEY ET AL.
W2020-00249-SC-R11-CV

Shelby County Chancery Court
JoeDae L. Jenkins
CH-19-0417-3

McGee, Carma Dennis: Reverse

Denied: Application of At-Last,
Inc. d/b/a Blackwatch
Investigation and Mitigation

Order filed 9-22-21

STATE OF TENNESSEE v. CEDARIUS J.
ROBERTSON
W2020-00365-SC-R11-CD

Madison County Circuit Court
Donald H. Allen
19-873

Ogle, Norma McGee: Affirm

Denied: Application of Cedarius J.
Robertson

Order filed 9-22-21

MELVIN JACKSON v. STATE OF TENNESSEE W2020-00387-SC-R11-PC	McNairy County Circuit Court J. Weber McCraw 3830-A	Witt Jr., James Curwood: Affirm	Denied: Application of Melvin Jackson Order filed 9-22-21
ANTHONY JACKSON v. STATE OF TENNESSEE W2020-00417-SC-R11-PC	Shelby County Criminal Court Lee V. Coffee 12-05596	Wedemeyer, Robert W.: Affirm	Denied: Application of Anthony Jackson Order filed 9-22-21
STATE OF TENNESSEE v. ANTOINE ADAMS W2020-00566-SC-R11-CD	Shelby County Criminal Court J. Robert Carter, Jr. 17-03641	Witt Jr., James Curwood: Affirm	Denied: Application of Antoine Adams Order filed 9-22-21
STATE OF TENNESSEE v. CRYSTAL MICHELLE RICKMAN W2020-00882-SC-R11-CD	Madison County Circuit Court Donald H. Allen 19-744	Ayers, Jill Bartee: Affirm	Denied: Application of Crystal Michelle Rickman Order filed 9-22-21
MONTEZ ADAMS v. STATE OF TENNESSEE W2020-00885-SC-R11-PC	Madison County Circuit Court Roy B. Morgan, Jr. C-20-118	Williams, John Everett: Affirm	Denied: Application of Montez Adams Order filed 9-22-21

RICO HUEY v. STATE OF TENNESSEE
W2020-00928-SC-R11-PC

Shelby County Criminal Court
Glenn Ivy Wright
12-03675

Holloway Jr., Robert L.: Affirm

Denied: Application of Rico Huey
Order filed 9-22-21

GLENVER IAN SMITH ET AL. v. STEPHEN L.
HUGHES ET AL.
W2020-01228-SC-R11-CV

Fayette County Chancery Court
William C. Cole
17805

McGee, Carma Dennis: Affirm

Denied: Application of Glenver
Ian Smith, and April La'Veira
Smith
Order filed 9-22-21

IN RE JAMES H. III
W2020-01423-SC-R11-PT

Weakley County Chancery Court
W. Michael Maloan
23751

Swiney, D. Michael: Affirm

Denied: Application of father,
James H. II
Order filed 9-22-21

STATE OF TENNESSEE v. WILLIE LOCUST
W2021-00685-SC-R11-CD

Dyer County Circuit Court
R. Lee Moore, Jr.
20-CR-29

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

Denied: Application of Willie
Locust
Order filed 9-22-21

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

FILED

09/23/2021

Clerk of the
Appellate Courts

AARON J. CRYER ET AL. v. CITY OF DYERSBURG ET AL.

**Circuit Court for Dyer County
No. 16-CV-38**

No. W2020-00045-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Jason Alexander, and Aaron J. Cryer and the record before us, the application is denied.

The opinion of the Court of Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4, § E.

PER CURIAM

Cornelia A. Clark, J., not participating.

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

FILED

09/23/2021

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. MARVIN MAURICE DEBERRY

**Circuit Court for Madison County
No. 19-177**

No. W2019-01666-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of 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

Cornelia A. Clark, J., not participating.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

09/22/2021

Clerk of the
Appellate Courts

BEVERLY GARDNER v. SAINT THOMAS MIDTOWN HOSPITAL

**Circuit Court for Davidson County
No. 17C2226**

No. M2019-02237-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Saint Thomas Midtown Hospital and the record before us, the application is granted.

Upon the completion of briefing, the Clerk is directed to place this matter on the same Nashville docket as Dennis Harold Ultsch v. HTI Memorial Hospital Corporation, No. M2020-00341-SC-R11-CV, for oral argument.

PER CURIAM

CORNELIA A. CLARK, J., not participating.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

09/22/2021

Clerk of the
Appellate Courts

**DENNIS HAROLD ULTSCH v. HTI MEMORIAL HOSPITAL
CORPORATION**

**Circuit Court for Davidson County
No. 19C1086**

No. M2020-00341-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of HTI Memorial Hospital Corporation and the record before us, the application is granted.

Upon the completion of briefing, the Clerk is directed to place this matter on the same Nashville docket as Beverly Gardner v. Saint Thomas Midtown Hospital, No. M2019-02237-SC-R11-CV, for oral argument.

PER CURIAM
CORNELIA A. CLARK, J., not participating