

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

Tuesday, January 18, 2011

**GRANTS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
State of Tennessee v. Christopher Lee Davis M2008-012167-SC-R11-CD	Trousdale County Circuit Court Judge John Wooten No. 07-55	Woodall, J., Affirmed	Rule 11	<b>Granted</b> - Application of Christopher Lee Davis  <b>(Order filed 1-13-2011; copy attached)</b>
<b><u>Knoxville</u></b>				
James Q. Holder, et al v. Westgate Resorts, LTD., d/b/a Westgate Smoky Mountain Resort at Gatlinburg E2009-01312-SC-R11-CV	Sevier County Circuit Court Judge Richard R. Vance No. 2004-0477-II	Franks, J., Affirmed; Susano, J., Concurring in part and Dissenting in part	Rule 11	<b>Granted</b> - Application of Westgate Resorts, Ltd., A Florida Limited Partnership d/b/a Westgate Smoky Mountain Resort at Gatlinburg  <b>(Order filed 1-12-2011; copy attached)</b>

Randall D. Kiser v. Ian J. Wolfe & Consumers Insurance Company E2009-01529-SC-R11-CV	Bradley County Circuit Court Judge Lawrence Howard Puckett No. V-05-869	McClarty, J., Reversed and Remanded	Rule 11	<b>Granted</b> - Application of Randall D. Kiser  <b>(Order filed 1-12-2011; copy attached)</b>
State of Tennessee v. David Lynn Sisk E2009-00320-SC-R11-CD	Cocke County Circuit Court Judge Ben Hooper No. 0362	Witt, J., Reversed and Dismissed	Rule 11	<b>Granted</b> - Application of State of Tennessee  <b>(Order filed 1-18-2011; copy attached)</b>
<b><u>Jackson</u></b>				
Roy E. Keough v. State of Tennessee W2008-01916-SC-R11-PD	Shelby County Criminal Court Judge Carolyn W. Blackett No. P-24323	Woodall, J., Affirmed	Rule 11	<b>Granted</b> - Application of Roy E. Keough  <b>(Order filed 1-18-2011; copy attached)</b>

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

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**DENIALS**

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

State of Tennessee v. Elmi Abdulahi Abdi M2009-01614-SC-R11-CD	Davidson County Criminal Court Judge Steve Dozier No. 2008-B-1061	Glenn, J., Affirmed	Rule 11	<b>Denied</b> - Application of Elmi Abdulahi Abdi  (Order filed 1-18-2011)
State of Tennessee v. Edward Lee Adkins M2009-00528-SC-R11-CD	Franklin County Circuit Court Judge J. Curtis Smith No. 17750	Smith, J., Affirmed	Rule 11	<b>Denied</b> - Application of Edward Lee Adkins  (Order filed 1-13-2011)
State of Tennessee v. Kenneth Gregory Allen M2009-00070-SC-R11-CD	Marshall County Circuit Court Judge Robert Crigler No. 17714	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Kenneth Gregory Allen  (Order filed 1-14-2011)
Arthur L. Armstrong v. State of Tennessee M2008-02328-SC-R11-CO	Davidson County Criminal Court Judge Randall Wyatt No. C2854	Wedemeyer, J., Affirmed	Rule 11	<b>Denied</b> - Application of Arthur L. Armstrong  (Order filed 1-18-2011)
State of Tennessee v. Derek Alton Badger M2009-01295-SC-R11-CD	Bedford County Circuit Court Judge Robert Crigler No. 16570	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Derek Alton Badger  (Order filed 1-18-2011)
Ricky Flamingo Brown v. State of Tennessee M2009-02056-SC-R11-HC	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 868-F-1484	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Ricky Flamingo Brown  (Order filed 1-12-2011)

State of Tennessee, ex rel., Donna J. Cottingham v. William B. Cottingham M2008-02381-SC-R11-CV	Williamson County Chancery Court Judge Robbie T. Beal No. 22772	Highers, J., Affirmed in Part and Reversed in Part	Rule 11	<b>Denied</b> - Application of William B. Cottingham  (Order filed 1-12-2011)
Johnny B. Ewing, II v. State of Tennessee M2009-02308-SC-R11-HC	Davidson County Criminal Court Judge Cheryl Blackburn No. 2003-A-431	Glenn, J., Affirmed	Rule 11	<b>Denied</b> - Application of Johnny B. Ewing  (Order filed 1-13-2011)
Franklin County Board of Education v. Lisa Crabtree, et al. M2009-01940-SC-R11-CV	Franklin County Circuit Court Judge Buddy Perry No. 15374-CV	Farmer, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Franklin County Board of Education; <b>Denied as Moot</b> - Motion to Take Judicial Notice filed by Franklin County Board of Education  (Order filed 1-18-2011)
State of Tennessee v. Ronald Jerome Gleaves M2009-01045-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn No. 2007-D-3248	Wedemeyer, J., Reversed	Rule 11	<b>Denied</b> - Application of Ronald Jerome Gleaves  (Order filed 1-13-2011)
State of Tennessee v. Tracy Thomas Hepburn M2008-01979-SC-R11-CD	Wilson County Criminal Court Judge John D. Wooten, Jr. Nos. 020844, 020875, 020876, 020888, 020291	Woodall, J., Affirmed	Rule 11	<b>Denied</b> - Application of Tracy Thomas Hepburn  (Order filed 1-13-2011)
Tina Hodge v. Chad Craig M2009-00930-SC-R11-CV	Maury County Chancery Court Judge Jim T. Hamilton No. 00699	Kirby, J., Reversed	Rule 11	<b>Dismissed as Untimely</b> - Application of Chad Craig  (Order filed 1-18-2011)

State of Tennessee v. Gary Lee Hunt M2009-01169-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn No. 2008-A-465	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Gary Lee Hunt  (Order filed 1-13-2011)
State of Tennessee v. Jeremy A. Jarvis M2008-02711-SC-R11-CD	Montgomery County Circuit Court Judge Michael R. Jones No. 40800726	Woodall, J., Affirmed	Rule 11	<b>Denied</b> - Application of Jeremy a. Jarvis  (Order filed 1-13-2011)
State of Tennessee v. James Arthur Johnson M2009-01147-SC-R11-CD	Davidson County Criminal Court Judge Mark Fishburn No. 2007-A-129	Thomas, J., Affirmed	Rule 11	<b>Denied</b> - Application of James Arthur Johnson  (Order filed 1-13-2011)
David Livingston v. State of Tennessee M2009-01900-SC-R11-CV	Davidson County Chancery Court Chancellor Russell T. Perkins No. 082343IV	Highers, J., Affirmed	Rule 11	<b>Dismissed</b> - Application of David Livingston  (Notice Order filed 1-11-2011)
Terrance Lowdermilk v. State of Tennessee'M2010-00417-SC-R11-CV	Davidson County Chancery Court Chancellor Claudia Bonnyman No. 09-84-I	Clement, J., Affirmed	Rule 11	<b>Dismissed</b> - Application of Terrance Lowdermilk  (Order filed 1-18-2011)
State of Tennessee v. Evetta Mai McGee M2009-02266-SC-R11-CD	Bedford County Circuit Court Judge Robert Crigler No. 16773	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Evetta Mai McGee; <b>Denied</b> - Motion of Evetta Mai McGee for appointment of counsel; <b>Granted</b> - Motion of Evetta Mai McGee to proceed in forma pauperis  (Order filed 1-13-2011)

State of Tennessee v. Christopher Metcalf M2009-02084-SC-R11-CD	Lincoln County Circuit Court Judge Robert G. Crigler No. S0900052	Wedemeyer,J., Affirmed	Rule 11	<b>Dismissed as Untimely</b> - Application of Christopher Metcalf  (Order filed 1-18-2011)
Raymond Douglas Myers v. State of Tennessee M2009-02076-SC-R11-PC	Putnam County Circuit Court Judge David A. Patterson No. 01-0401A	Smith, J., Affirmed	Rule 11	<b>Denied</b> - Application of Raymond Douglas Myers  (Order filed 1-13-2011)
State of Tennessee v. Wilson Palacio M2009-02445-SC-R11-CD	Bedford County Circuit Court Judge Robert Crigler No. 16756	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Wilson Palacio  (Order filed 1-18-2011)
Darrell John Penner v. State of Tennessee M2009-00670-SC-R11-PC	Perry County Circuit Court Judge Timothy Easter No. 1009	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Darrell John Penner  (Order filed 1-18-2011)
State of Tennessee v. Mario Antoine Reed M2009-00887-SC-R11-CD	Montgomery County Circuit Court Judge John H. Gasaway, III No. 40800325	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Mario Antoine Reed  (Order filed 1-13-2011)
Regions Bank v. Trailer Source, et al. M2008-01167-SC-R11-CV	Davidson County Chancery Court Chancellor Ellen H. Lyle No. 03-2714-III	Cottrell, J., Reversed	Rule 11	<b>Denied</b> - Hyundai Translead's Motion to Reconsider Denial of Application  (Order filed 1-13-2011)
William Earl Robinson v. State of Tennessee M2009-01170-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn No. 2005-C-1975	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of William Earl Robinson  (Order filed 1-13-2011)

State of Tennessee v. Phillippe Rogers M2009-00101-SC-R11-CD	Davidson County Criminal Court Judge Seth Norman No. 2005-C-2271	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Phillippe Rogers  (Order filed 1-13-2011)
State of Tennessee v. Jeffrey Simmons M2007-01383-SC-R11-CD	Warren County Circuit Court Judge Larry B. Stanley No. F-8245	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Jeffrey A. Simmons  (Order filed 1-13-2011)
State of Tennessee v. Gerome J. Smith M2009-01144-SC-R11-CD	Sumner County Criminal Court Judge C. L. Rogers No. 330-1998	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Gerome J. Smith  (Order filed 1-13-2011)
Young Bok Song v. State of Tennessee M2009-02322-SC-R11-CO	Davidson County Criminal Court Judge Steve Dozier No. 2003-C-1792	Wedemeyer,J., Affirmed	Rule 11	<b>Denied</b> - Application of Young Bok Song; <b>Denied</b> - Motions of Young Bok Song for Appointment of Counsel and Appointment of a Korean in interpreter.  (Order filed 1-13-2011)
Tennessee Protection Agency v. Jordan D. Mathies M2009-01775-SC-R11-CV	Davidson County Circuit Court Judge Joseph P. Binkley, Jr. No. 09C-0747	Bennett, J., Affirmed	Rule 11	<b>Denied</b> - Application of Jordan D. Mathies  (Order filed 1-12-2011)
Damien Tolson v. State of Tennessee M2009-00724-SC-R11-PC	Lawrence County Circuit Court Judge Robert L. Jones No. 27077	Glenn, J., Affirmed	Rule 11	<b>Denied</b> - Application of Damien Tolson  (Order filed 1-14-2011)

Wilson County Board of Education v. Wilson County Education Association, et al. M2005-02719-SC-R11-CV	Wilson County Chancery Court Chancellor C. K. Smith No. 03344	Cottrell, J., Affirmed	Rule 11	<b>Denied</b> - Application of Wilson County Education Association and Steve Johnson; <b>Denied</b> - Motion of Wilson County Education Association and Steve Johnson for judicial notice of case <u>The Metropolitan Government of Nashville and Davidson County v. The Metropolitan Nashville Education Association</u> <b>(Koch, J., not participating)</b>  (Order filed 1-14-2011)
Wilson County Board of Education v. Wilson County Education Association, et al. M2005-02720-SC-R11-CV	Wilson County Chancery Court Chancellor C. K. Smith No. 04174	Cottrell, J., Affirmed	Rule 11	Denied - Application of Wilson County Education Association and Bill Repsher; Denied - Motion of Wilson County Education Association and Bill Repsher for judicial notice of case <u>The Metropolitan Government of Nashville and Davidson County v. The Metropolitan Nashville Education Association</u> <b>(Koch, J., not participating)</b>  (Order filed 1-14-2011)
<b><u>Knoxville</u></b>				
Gary Cooper v. Clinton Utilities Board E2009-01734-SC-R11-CV	Anderson County Circuit Court Judge Donald Ray Elledge No. A7CR0222	Franks, J., Affirmed and the Cause Remanded	Rule 11	<b>Denied</b> - Application of Gary Cooper  (Order filed 1-12-2011)
Robert Allen Crawford v. State of Tennessee E2009-01441-SC-R11-PC	Washington County Criminal Court Judge R. Jerry Beck No. 31,826	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Robert Allen Crawford  (Order filed 1-13-2011)



Ricky Johnson a/k/a Russell Wellington v. Howard Carlton, Warden E2010-0622-SC-S10-HC	Johnson County Circuit Court Judge Jean A. Stanley No. X3209	Thomas, J., Petition to Rehear Denied	Rule 10	<b>Denied</b> - Application of Ricky Johnson a/k/a Russell Wellington  (Order filed 1-12-2011)
State of Tennessee v. Robert M. Linder E2009-01927-SC-R11-CD	Blount County Circuit Court Judge David Reed Dugan No. C-14001	Ogle, J., Affirmed	Rule 11	<b>Denied</b> - Application of Robert M. Linder  (Order filed 1-12-2011)
Johnny L. McGowan, Jr. v. James R. Worthington E2007-00636-SC-S10-HC	Morgan County Circuit Court Judge E. Eugene Eblen No. 9192	Tipton, J., Ogle, J., Thomas, J., Rule 10 Denied	Rule 10	<b>Denied</b> - Application of Johnny L. McGowan, Jr.  (Order filed 1-12-2011)
Beth Proffitt v. Smoky Mountain Woodcarvers Supply, Inc., et al. E2010-02182-SC-S10-CV	Blount County Circuit Court Judge Jon Kerry Blackwood No. E-23145	Susano, J., Rule 10 Denied	Rule 10	<b>Denied</b> - Application of Smoky Mountain Woodcarvers Supply, Inc., et al. <b>(Lee, J., not participating)</b>  (Order filed 1-18-2011)
State of Tennessee v. Steve Fredrick Rickett E2008-00670-SC-R11-CD	Knox County Criminal Court Judge Richard Baumgartner No. 83316	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of Steve Fredrick Rickett. <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 10-14-2011)
Clarence David Schreane v. State of Tennessee E2009-01103-SC-R11-PC	Hamilton County Criminal Court Judge Rebecca Stern No. 264982	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of Clarence David Schreane  (Order filed 1-18-2011)

State of Tennessee v. William George Soller, Jr. E2008-02420-SC-R11-CD	Sevier County Circuit Court Judge Jon Kerry Blackwood No. 12759-II	Witt, J., Affirmed in Part; Vacated in Part and Remanded	Rule 11	<b>Denied</b> - Application of William George Soller, Jr. <i>The opinion of the Court of Criminal Appeals is designated "Not For Citation" in accordance with Tennessee Supreme Court Rule 4(E)</i>  (Order filed 1-13-2011)
State of Tennessee v. George Vincent Ware E2010-00141-SC-R11-CD	Hamilton County Criminal Court Judge Rebecca J. Stern Nos. 262379, 262471	Thomas, J., Affirmed	Rule 11	<b>Denied</b> - Application of George Vincent Ware  (Order filed 1-12-2011)
Adam Wester v. State of Tennessee E2009-00245-SC-R11-PC	Anderson County Criminal Court Judge Donald Ray Elledge No. A7CR0222	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of Adam Wester  (Order filed 1-12-2011)
Lonnie H. Williams, et al. v. Estate of James P. Hollingsworth, III, et al. E2009-01410-SC-R11-CV	Blount County Chancery Court Judge Telford E. Forgety, Jr. No. 01-196	Susano, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Laurel Valley Investments, inc.  (Order filed 1-13-2011)
<b><u>Jackson</u></b>				
Ronald A. Barker v. Tony Parker, Warden W2010-00881-SC-R11-HC	Lake County Circuit Court Judge R. Lee Moore No. 10-CR-9454	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Ronald A. Barker  (Order filed 1-18-2011)
State of Tennessee v. Jonathan Louis Barnett W2009-01699-SC-R11-CD	Henderson County Circuit Court Judge Roy B. Morgan, Jr. No. 08-076-I	Thomas, J., Reversed in Part; Affirmed in Part	Rule 11	<b>Denied</b> - Application of Jonathan Louis Barnett  (Order filed 1-13-2011)

State of Tennessee v. Lance Burton W2009-01875-SC-R11-CD	Shelby County Criminal Court Judge W. Mark Ward No. 08-1339	Thomas, J., Affirmed	Rule 11	<b>Denied</b> - Application of Lance Burton  (Order filed 1-13-2011)
Trevor Ford v. State of Tennessee W2009-02434-SC-R11-PC	Shelby County Criminal Court Judge John P. Colton, Jr. No. 03-02258	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Application of Trevor Ford  (Order filed 1-13-2011)
Harold K. Gause v. State of Tennessee W2009-01221-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. 02-02284	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Harold K. Gause  (Order filed 1-12-2011)
State of Tennessee v. Dwayne Hardy W2009-01366-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 08-06152	McLin, J., Affirmed	Rule 11	<b>Denied</b> - Application of Dwayne Hardy  (Order filed 1-14-2011)
State of Tennessee v. Telly Savalas Johnson W2009-00764-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 06-09031	McLin, J., Affirmed	Rule 11	<b>Denied</b> - Application of Telly Savalas Johnson  (Order filed 1-12-2011)
State of Tennessee v. Carlos Kennedy W2009-00004-SC-R11-CD	Chester County Circuit Court Judge Donald Allen No. 08-CR-24	McMullen, J., Affirmed	Rule 11	<b>Denied</b> - Application of Carlos Kennedy  (Order filed 1-12-2011)
Larry McKay v. State of Tennessee W2008-02274-SC-R11-PD	Shelby County Criminal Court Judge Chris Craft No. P-4079	Wedemeyer, J., Affirmed	Rule 11	<b>Denied</b> - Application of Larry McKay  (Order filed 1-13-2011)

Roosevelt Morris v. State of Tennessee W2008-01449-SC-R11-PC	Shelby County Criminal Court Judge Chris Craft No. 02-06321	Ogle, J., Affirmed	Rule 11	<b>Denied</b> - Application of Roosevelt Morris  (Order filed 1-13-2011)
William Patrick Robinson v. State of Tennessee W2009-02180-SC-R11-PC	Carroll County Circuit Court Judge C. Creed McGinely No. 02CR1840	McMullen, J., Affirmed, pursuant to Rule 20, Rules of Court of Criminal Appeals	Rule 11	<b>Denied</b> - Application of William Patrick Robinson  (Order filed 1-12-2011)
Self Help Ventures Fund v. Glenna Robilio W2009-00368-SC-R11-CV	Shelby County Circuit Court Judge Jerry Stokes No. CT-000814-07	Highers, J., Affirmed	Rule 11	<b>Denied</b> - Application of Glenna Robilio  (Order filed 1-13-2011)
State of Tennessee v. Joseph Shaw, Jr. W2009-02326-SC-R11-CD	Madison County Circuit Court Judge Roger A. Page No. 09-52	Glenn, J., Affirmed	Rule 11	<b>Denied</b> - Application of Joseph Shaw, Jr.  (Order filed 1-13-2011)
Teresa Lynn Stanfield, et al. v. John Neblett, Jr., et al W2009-01891-SC-R11-CV	Madison County Circuit Court Judge Roger A. Page No. C06-273	Stafford, J., Affirmed	Rule 11	<b>Denied</b> - Application of Teresa Lynn Stanfield  (Order filed 1-13-2011)
State of Tennessee v. E. Louis Thomas W2008-01360-SC-R11-CD	Shelby County Criminal Court Judge John P. Colton, Jr. No. 04-07385	Ogle, J., Affirmed	Rule 11	<b>Denied</b> - Application of E. Louis Thomas  (Order filed 11-18-2011)

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**STATE OF TENNESSEE v. CHRISTOPHER LEE DAVIS**

**Circuit Court for Trousdale County**  
**No. 07-55**

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**No. M2008-01216-SC-R11-CD**

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**ORDER**

Upon consideration of the application for permission to appeal of Christopher Lee Davis and the record before us, the application is granted.

The Court is particularly interested in briefing on whether the evidence was sufficient to support the conviction of attempted premeditated first degree murder.

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

**JAMES Q. HOLDER ET AL. v. WESTGATE RESORTS, LTD. D/B/A WESTGATE  
SMOKY MOUNTAIN RESORT AT GATLINBURG**

**Circuit Court for Sevier County  
No. 2004-0477-II**

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**No. E2009-01312-SC-R11-CV**

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**ORDER**

Upon consideration of the Tenn. R. App. P. 11 application for permission to appeal filed on behalf of Westgate Resorts, Ltd., A Florida Limited Partnership d/b/a Westgate Smoky Mountain Resort at Gatlinburg, 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

**RANDALL D. KISER v. IAN J. WOLFE & CONSUMERS INSURANCE COMPANY**

**Circuit Court for Bradley County**  
**No. V-05-869**

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**No. E2009-01529-SC-R11-CV**

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**ORDER**

Upon consideration of the application for permission to appeal of Randall D. Kiser 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

**STATE OF TENNESSEE v. DAVID LYNN SISK**

**Circuit Court for Cocke County**  
**No. 0362**

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**No. E2009-00320-SC-R11-CD**

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**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



IN THE SUPREME COURT OF TENNESSEE  
AT JACKSON

**ROY E. KEOUGH v. STATE OF TENNESSEE**

**Criminal Court for Shelby County**  
**No. P-2423**

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**No. W2008-01916-SC-R11-PD**

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**ORDER**

Upon consideration of the application for permission to appeal of Roy E. Keough, and the record before us, the application is granted.

For supplemental briefing and oral argument, the Court is particularly interested in the following issues:

- (1) Whether and/or to what extent petitioner's Fifth Amendment privilege against self-incrimination remains applicable at a post-conviction hearing;
- (2) Whether and/or to what extent under State v. Cazes, 875 S.W.2d 253 (Tenn. 1994), the cross-examination of a petitioner in a capital post-conviction case may be limited.

This statement of the issues does not prevent the parties from raising additional issues pursuant to Rule 13(a) of the Tennessee Rules of Appellate Procedure.

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

PER CURIAM