



Tennessee Supreme Court
DISCRETIONARY APPEALS

Grants & Denials List

March 28, 2016 - April 1, 2016

DENIALS

Style/Appeal Number

**County/Trial Judge/
Trial Court No.**

Appellate Judge/Judgment

Nature Of Appeal

Action

Nashville

STATE OF TENNESSEE v. AARON DEJUAN OSTINE
M2013-00467-SC-R11-CD

Cheatham County Circuit Court
Robert E. Burch
16307, 16705

Wedemeyer, Robert W.: Affirmed

TRAP 11

Denied: Application of Aaron Dejuan Ostine; Opinion of Court of Criminal Appeals designated "Not For Citation" with Supreme Court Rule 4(E), Order filed 3-28-16 (See Attached Order)

NIUKLEE, LLC, v. COMMISSIONER, TN DEPT. OF REVENUE
M2014-01644-SC-R11-CV

Davidson County Chancery Court
Ellen H. Lyle
11236III

Goldin, Arnold B.: Affirmed

TRAP 11

Denied: Application of Commissioner, TN Dept. of Revenue (the "Department"); OPN of COA designated "Not For Citation" with

STATE OF TENNESSEE v. BRENT HICKS
M2014-02149-SC-R11-CD

Williamson County Circuit Court
Timothy L. Easter
IICR027062

Holloway Jr., Robert L.: Affirmed

TRAP 11

Denied: Application
of Brent Hicks

Order filed 3-28-16

STATE OF TENNESSEE v. DENNIS HAUGHTON
WEBBER
M2014-02527-SC-R11-CD

Perry County Circuit Court
James G. Martin, III
2014CR4

Williams, John Everett: Affirmed in
Part, Reversed in Part

TRAP 11

Denied: Application
of Dennis Haughton
Webber

Order filed 3-30-16

STATE OF TENNESSEE v. LLOYD ARLAN JONES
M2015-00657-SC-R11-CD

Williamson County Circuit Court
Joseph Woodruff
ICR116852

Thomas Jr., D. Kelly: Affirmed

TRAP 11

Denied: Application
of Lloyd Arlan Jones

Order filed 3-30-16

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE v. AARON DEJUAN OSTINE

**Circuit Court for Cheatham County
No. 16307, 16705**

No. M2013-00467-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Aaron Dejuan Ostine and the record before us, the application is denied.

The opinion of the Court of Criminal Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4, § E. Although the Court of Criminal Appeals correctly ruled that Mr. Ostine was not entitled to a new trial based on prosecutorial misconduct, its opinion did not analyze whether the error was constitutional or non-constitutional. *See State v. Jackson*, 444 S.W.3d 554, 590-91 (Tenn. 2014).

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

NIUKLEE, LLC, v. COMMISSIONER, TN DEPT. OF REVENUE

**Chancery Court for Davidson County
No. 11236III**

No. M2014-01644-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Commissioner, TN. Dept. of Revenue (the “Department”) and the record before us, the application is denied.

Although we are of the opinion that the Court of Appeals should have addressed the Department’s issue regarding piercing the corporate veil, we find that the trial court did so and that it reached its determination of the issue after considering the evidence at trial. The issue raised by the Department before this Court amounts to a challenge to the trial court’s determination of the facts relative to piercing the corporate veil and, as such, is not a matter meriting review by this Court. The opinion of the Court of Appeals, therefore, is designated “Not For Citation” in accordance with Supreme Court Rule 4, § E.

PER CURIAM