



Tennessee Supreme Court  
**DISCRETIONARY APPEALS**  
Grants & Denials List  
September 10, 2018 - September 14, 2018

**GRANTS**

<b>Style/Appeal Number</b>	<b>County/Trial Judge/ Trial Court No.</b>	<b>Intermediate Court</b>	<b>Supreme Court Action</b>
<b><u>Nashville</u></b>			
STATE OF TENNESSEE v. HOWARD P. FISHER M2017-00975-SC-R11-CD	Davidson County Criminal Court Monte Watkins 2015-A-632	McMullen, Camille R.: Affirm	Granted: Application of Howard Fisher  Order filed 9-13-18 (See Attached Order)
<b><u>Knoxville</u></b>			
STATE OF TENNESSEE v. QUINTIS MCCALED E2017-01381-SC-R11-CD	Hamilton County Criminal Court Barry A. Steelman 294000	Easter, Timothy L.: Reverse	Granted: Application of Quintis McCaleb  Order filed 9-13-18 (See Attached Order)

**DENIALS**

<b>Style/Appeal Number</b>	<b>County/Trial Judge/ Trial Court No.</b>	<b>Intermediate Court</b>	<b>Supreme Court Action</b>
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**Nashville**

JOSE LUIZ DOMINQUEZ v. STATE OF  
TENNESSEE  
M2016-00302-SC-R11-HC

Davidson County Criminal Court  
Monte Watkins  
2007-D-3022

McMullen, Camille R.: Affirm

Dismissed: Application of Jose  
Luiz Dominquez  
  
Order filed 9-13-18

LESA C. WILLIAMS, ET AL. v. RENARD A.  
HIRSCH, SR.  
M2016-00503-SC-R11-CV

Davidson County Chancery Court  
Don R. Ash  
09-425-III

McBrayer, W. Neal: Affirm

Denied: Application of Renard  
Astaire Hirsch  
  
Order filed 9-13-18

JAMES ODELL OSBORNE v. STATE OF  
TENNESSEE  
M2016-02053-SC-R11-PC

Marshall County Circuit Court  
Forest A. Durard, Jr.  
2016-CR-73, 2016-CR-74, 2016-  
CR-75, 2016-CR-76

Montgomery Jr., Robert H.: Affirm

Denied: Application of James  
Odell Osborne  
  
Order filed 9-14-18

STATE OF TENNESSEE v. PATRICK JAYSON  
REENERS  
M2016-02184-SC-R11-CD

Sumner County Criminal Court  
Dee David Gay  
2015-CR-729, 2015-CR-806

Wedemeyer, Robert W.: Affirm

Denied: Application of Patrick  
Jayson Reeners  
  
Order filed 9-14-18

<p>FAMILY TRUST SERVICES, LLC, ET AL. v. REO HOLDINGS, LLC, ET AL. M2016-02524-SC-R11-CV</p>	<p>Davidson County Chancery Court Ellen H. Lyle 15-780-BC</p>	<p>Dinkins, Richard H.: Affirm</p>	<p>Denied: Application of Charles Edward Walker  Order filed 9-13-18</p>
<p>NASIR HAKEEM v. STATE OF TENNESSEE M2016-02549-SC-R11-PC</p>	<p>Montgomery County Circuit Court William R. Goodman, III 41100128</p>	<p>McMullen, Camille R.: Dismiss</p>	<p>Denied: Application of Nasir Hakeem  Order filed 9-13-18</p>
<p>ANTONIO L. FREEMAN v. STATE OF TENNESSEE M2017-00036-SC-R11-PC</p>	<p>Sumner County Criminal Court Dee David Gay 149-2016</p>	<p>Ogle, Norma McGee: Affirm</p>	<p>Denied: Application of Antonio Lamont Freeman  Order filed 9-13-18</p>
<p>STATE OF TENNESSEE v. BOBBY RAY GRAVES, JR. M2017-00088-SC-R11-CD</p>	<p>Warren County Circuit Court Larry B. Stanley, Jr. 14-CR-372</p>	<p>Ogle, Norma McGee: Affirm</p>	<p>Denied: Application of Bobby Ray Graves, Jr.  Order filed 9-14-18</p>
<p>ROGER CHASE HAGANS v. RACHEL WALLOCK HAGANS M2017-00174-SC-R11-CV</p>	<p>Franklin County Chancery Court Jeffrey F. Stewart CV-20095</p>	<p>Dinkins, Richard H.: Affirm in Part</p>	<p>Denied: Application of Roger Chase Hagans  Order filed 9-13-18</p>

STATE OF TENNESSEE v. BRIAN C. FRELIX  
M2017-00388-SC-R11-CD

Williamson County Circuit Court  
Joseph Woodruff  
I-CR047982-C

Wedemeyer, Robert W.: Affirm

Denied: Application of Brain  
Cameron Frelix

Order filed 9-13-18

STATE OF TENNESSEE v. DOUGLAS  
MCARTHUR WILSON  
M2017-00432-SC-R11-CD

Smith County Criminal Court  
Brody N. Kane  
2012-CR-250

Easter, Timothy L.: Affirm

Denied: Application of Douglas  
McArthur Wilson

Order filed 9-13-18

STATE OF TENNESSEE v. MARCUS K. WILLIAMS  
AND COREY ZIMBERLIST RUTLAND, JR.  
M2017-00509-SC-R11-CD

Davidson County Criminal Court  
Cheryl A. Blackburn  
2015-C-1928

Easter, Timothy L.: Affirm

Denied: Application of Corey  
Zimmerlist Ruthland, Jr.

Order filed 9-13-18

IN RE ESTATE OF FRANCIS J. KOWALSKI  
M2017-00533-SC-R11-CV

Davidson County Probate Court  
Randy M. Kennedy  
14P-1972

Swiney, D. Michael: Reverse in Part

Denied: Application of Trevor  
Walker

Order filed 9-13-18

DEON LAMONT CARTMELL v. STATE OF TENNESSEE M2017-00552-SC-R11-PC	Davidson County Criminal Court J. Randall Wyatt, Jr. 2010-B-1351	Glenn, Alan E.: Affirm	Denied: Application of Deon Lamont Cartmell  Order filed 9-14-18
JENNIFER MARIE LOPEZ v. STATE OF TENNESSEE M2017-00841-SC-R11-PC	Davidson County Criminal Court J. Randall Wyatt, Jr. 2012-A-435	Woodall, Thomas T.: Affirm	Denied: Application of Jennifer Marie Lopez  Order filed 9-14-18
STATE OF TENNESSEE v. JOHN WESLEY CANTRELL, JR. M2017-00842-SC-R11-CD	Davidson County Criminal Court Cheryl A. Blackburn 2012-A-660	Ogle, Norma McGee: Affirm	Denied: Application of John Wesley Cantrell, Jr.  Order filed 9-13-18
KHURSHID ISMOILOV v. SEARS HOLDINGS CORPORATION, ET AL. M2017-00897-SC-R11-CV	Davidson County Circuit Court Thomas W. Brothers 15C3758	Frierson II, Thomas R.: Affirm	Denied: Application of Khurshid Ismoilov  Order filed 9-13-18
TENNESSEE COMMUNITY ORGANIZATIONS, ET AL. v. TENNESSEE DEPARTMENT OF INTELLECTUAL AND DEVELOPMENTAL DISABILITIES	Davidson County Chancery Court Russell T. Perkins 16-0183-IV	Armstrong, Kenny W.: Affirm	Denied: Application of Tennessee Community Organizations, Dawn of Hope, Inc., and Evergreen Life Services

M2017-00991-SC-R11-CV

Order filed 9-14-18

JOSEPH KANTRELL NORRIS v. STATE OF  
TENNESSEE

M2017-01006-SC-R11-PC

Williamson County Circuit Court  
Joseph Woodruff  
CR-160292

McMullen, Camille R.: Affirm

Denied: Application of Joseph  
Kantrell Norris

Order filed 9-14-18

STATE OF TENNESSEE v. STEVEN O. SUMMERS,  
II

M2017-01030-SC-R11-CD

Lewis County Circuit Court  
Deanna B. Johnson  
2015-CR-55

Wedemeyer, Robert W.: Affirm

Denied: Application of Steven O.  
Summers, II

Order filed 9-14-18

CLAUDE FRANCIS GARRETT v. STATE OF  
TENNESSEE

M2017-01076-SC-R11-ECN

Davidson County Criminal Court  
Seth W. Norman  
92-B-961

Wedemeyer, Robert W.: Affirm

Denied: Application of Claude  
Francis Garrett

Order filed 9-14-18

RAY BROWN v. ROBERT L. BUSHNELL

M2017-01124-SC-R11-CV

Bedford County Circuit Court  
Franklin L. Russell  
12490

Armstrong, Kenny W.: Affirm

Denied: Application of Robert L.  
Bushnell

Order filed 9-14-18

NATHAN THON CHALEUNSAK v. STATE OF  
TENNESSEE  
M2017-01186-SC-R11-PC

Davidson County Criminal Court  
Steve R. Dozier  
2014-C-2449

Williams, John Everett: Affirm

Denied: Application of Nathan  
Thon Chaleunsak

Order filed 9-13-18

THOMAS F. GREENWOOD v. STATE OF  
TENNESSEE  
M2017-01314-SC-R11-PC

Coffee County Circuit Court  
L. Craig Johnson  
42931

Williams, John Everett: Affirm

Denied: Application of Thomas  
Fancher Greenwood

Order filed 9-13-18

STATE OF TENNESSEE v. FRED E. SMITH, JR.  
M2017-01360-SC-R11-CD

Wilson County Criminal Court  
Brody N. Kane  
3377

Easter, Timothy L.: Affirm

Denied: Application of Fred E.  
Smith

Order filed 9-14-18

CANDES PREWITT v. KAMAL BROWN  
M2017-01420-SC-R11-CV

Davidson County Circuit Court  
Kelvin D. Jones  
13-C-2894

Clement Jr., Frank G.: Affirm

Denied: Application of Candes  
Vonnies Prewitt

Order filed 9-13-18

STATE OF TENNESSEE v. TREVOR WALLACE M2017-01511-SC-R11-CD	Houston County Circuit Court David D. Wolfe 42CC1-2016-CR-83	Montgomery Jr., Robert H.: Reverse	Denied: Application of Trevor Wallace  Order filed 9-13-18
TARRANTS YVELT CHANDLER v. STATE OF TENNESSEE M2017-01539-SC-R11-PC	Davidson County Criminal Court Mark J. Fishburn 2011-A-825	Thomas Jr., D. Kelly: Affirm	Denied: Application of Tarrants Yvelt Chandler  Order filed 9-13-18
LEOPOLD MPAWINAYO v. STATE OF TENNESSEE M2017-01660-SC-R11-PC	Davidson County Criminal Court Mark J. Fishburn 2013-D-2982, 2013-D-3155	Montgomery Jr., Robert H.: Affirm	Denied: Application of Leopold Mpawinayo  Order filed 9-13-18
STATE OF TENNESSEE v. BOBBIE SUE MADDLE M2017-01707-SC-R11-CD	Putnam County Criminal Court Gary McKenzie 2016-CR-89B	Wedemeyer, Robert W.: Affirm	Denied: Application of Bobbie Sue Maddle  Order filed 9-13-18
STATE OF TENNESSEE v. MORGAN NYLE JANYJA M2017-01835-SC-R11-CD	Davidson County Criminal Court Monte Watkins 2014-B-958	Williams, John Everett: Affirm	Denied: Application of Morgan Nyle Janyja  Order filed 9-13-18



STATE OF TENNESSEE v. MORRIS JASON  
PEPPER  
M2018-00476-SC-R11-CD

Lincoln County Circuit Court  
Forest A. Durard, Jr.  
S9900118

Easter, Timothy L., Holloway Jr.,  
Robert L., Wedemeyer, Robert W.:  
Case Dispositional Decision

Denied: Application of Morris  
Jason Pepper  
Order filed 9-13-18

GEOFFREY BRENDON v. ILLEGIBLE SIGNATURE  
M2018-00842-SC-R11-CV

Davidson County Circuit Court  
Hamilton V. Gayden, Jr.  
14C-2719

Per Curiam: Case Dispositional  
Decision

Denied: Application of Geoffrey  
Brendon  
Order filed 9-14-18

**Knoxville**

CAMILO SANCHEZ, ET AL. v. ROBERT L.  
BANTON  
E2016-01916-SC-R11-CV

Loudon County Chancery Court  
Frank V. Williams, III  
12279

McBrayer, W. Neal: Affirm in Part

Denied: Application of Robert L.  
Banton  
Order filed 9-13-18

STATE OF TENNESSEE v. MICHAEL JAMES  
AMBLE  
E2016-02495-SC-R11-CD

Loudon County Criminal Court  
Michael S. Pemberton  
14-CR-264

Woodall, Thomas T.: Affirm

Denied: Application of Michael  
James Amble  
Order filed 9-13-18

<p>QUINCY MOUTRY v. STATE OF TENNESSEE E2017-00353-SC-R11-PC</p>	<p>Knox County Criminal Court G. Scott Green 102203, 103020</p>	<p>Williams, John Everett: Affirm</p>	<p>Denied: Application of Quincy Moutry  Order filed 9-14-18</p>
<p>STATE OF TENNESSEE v. RONALD WAYNE GILBERT E2017-00396-SC-R11-CD</p>	<p>Sevier County Circuit Court Robert E. Lee Davies 20805II</p>	<p>Witt Jr., James Curwood: Affirm</p>	<p>Denied: Application of Ronald Wayne Gilbert  Order filed 9-13-18</p>
<p>STATE OF TENNESSEE v. MOSES A. BALLARD, JR. E2017-00587-SC-R11-CD</p>	<p>Washington County Criminal Court Stacy L. Street 39880A</p>	<p>Thomas Jr., D. Kelly: Affirm</p>	<p>Denied: Application of Moses Alfonso Ballard, Jr.  Order filed 9-13-18</p>
<p>STATE OF TENNESSEE v. JOHN BASKINS E2017-00795-SC-R11-CD</p>	<p>Knox County Criminal Court Bobby R. McGee 105862</p>	<p>Witt Jr., James Curwood: Affirm</p>	<p>Denied: Application of John Baskins  Order filed 9-14-18</p>
<p>JOHN A GARDNER, ET AL. v. R&amp;J EXPRESS, LLC E2017-00823-SC-R11-CV</p>	<p>Hamblen County Circuit Court Beth Boniface 15CV181</p>	<p>Frierson II, Thomas R.: Affirm</p>	<p>Denied: Application of John A. Gardner, and Ester Gardner  Order filed 9-13-18</p>

GEVON C. PATTON v. STATE OF TENNESSEE  
E2017-00886-SC-R11-PC

Hamblen County Criminal Court  
John F. Dugger, Jr.  
08CR425, 15CR485

Montgomery Jr., Robert H.: Affirm

Denied: Application of Gevon  
Patton

Order filed 9-13-18

ROBERT EDWARD FRITTS v. STATE OF  
TENNESSEE  
E2017-00996-SC-R11-PC

Anderson County Circuit Court  
Donald Ray Elledge  
B5C00377

Easter, Timothy L.: Affirm

Denied: Application of Robert  
Edward Fritts

Order filed 9-13-18

AMY BRASFIELD MARLOW v. JOSEPH CHARLES  
MARLOW  
E2017-01190-SC-R11-CV

Knox County 4th Circuit Court  
Gregory S. McMillan  
125184

Clement Jr., Frank G.: Affirm in Part

Denied: Application of Joseph  
Charles Marlow

Order filed 9-13-18

STATE OF TENNESSEE v. FRANK EDWARD  
SMALL  
E2017-01266-SC-R11-CD

Sullivan County Criminal Court  
R. Jerry Beck  
S60656

Montgomery Jr., Robert H.: Affirm

Denied: Application of Frank  
Edward Small

Order filed 9-13-18

STATE OF TENNESSEE v. MICHAEL C. CARTER E2017-01292-SC-R11-CD	Sullivan County Criminal Court R. Jerry Beck S66911, S67168	Easter, Timothy L.: Affirm	Denied: Application of Michael C. Carter  Order filed 9-13-18
STATE OF TENNESSEE v. KENNETH MICHAEL MCINTOSH E2017-01353-SC-R11-CD	Knox County Criminal Court Bobby R. McGee 102586A	Dyer, J. Ross: Affirm	Denied: Application of Kenneth Michael Mcintosh  Order filed 9-13-18
STATE OF TENNESSEE v. MARK D. MORACA, ALIAS E2017-01536-SC-R11-CD	McMinn County Criminal Court Andrew M. Freiberg 93-233, 93-234A, 93-511	Witt Jr., James Curwood: Affirm	Denied: Application of Mark D. Moraca  Order filed 9-14-18
CLAYTON PICKENS v. JOHN R. UNDERWOOD, ET AL. E2017-02120-SC-R11-CV	Blount County Circuit Court David Reed Duggan L-17937	Swiney, D. Michael: Affirm	Denied: Application of John R. Underwood and Suzanne Curtin  Order filed 9-14-18
CHRISTOPHER CLIFTON v. STATE OF TENNESSEE E2017-02231-SC-R11-PC	Knox County Criminal Court Bobby R. McGee 110905	Williams, John Everett: Affirm	Denied: Application of Christopher Clifton  Order filed 9-14-18

EDWARD WILSON v. STATE OF TENNESSEE  
E2017-02232-SC-R11-PC

Knox County Criminal Court  
Bobby R. McGee  
109895

Williams, John Everett: Affirm

Denied: Application of Edward  
Wilson

Order filed 9-14-18

CHARLES MONTAGUE v. MICHAEL D KELLUM  
E2017-02526-SC-R11-CV

Washington County Circuit Court  
James E. Lauderback  
7877

Bennett, Andy D.: Affirm

Denied: Application of Charles  
Montague

Order filed 9-14-18

CLARK DERRICK FRAZIER v. RANDY LEE,  
WARDEN  
E2018-00323-SC-R11-HC

Johnson County Criminal Court  
Lisa Rice  
CC18CR3

Montgomery Jr., Robert H.: Affirm

Denied: Application of Clark  
Derrick Frazier

Order filed 9-13-18

**Jackson**

STATE OF TENNESSEE v. CAMEO ANTOINETTE  
EDWARDS  
W2015-01398-SC-R11-CD

Haywood County Circuit Court  
Clayburn Peebles  
7282

Glenn, Alan E.: Affirm

Denied: Application of Cameo  
Antoinette Edwards

Order filed 9-14-18

VERN BRASWELL v. STATE OF TENNESSEE W2016-00912-SC-R11-PC	Shelby County Criminal Court Paula L. Skahan 05-03038	Williams, John Everett: Affirm	Denied: Application of Vern Braswell  Order filed 9-14-18
MICHAEL PRESSON v. STATE OF TENNESSEE W2016-01237-SC-R11-PC	Madison County Circuit Court Roy B. Morgan, Jr. C-15-318	Thomas Jr., D. Kelly: Affirm	Denied: Application of Michael Presson  Order filed 9-13-18
JAVON WEBSTER v. STATE OF TENNESSEE W2016-01473-SC-R11-PC	Shelby County Criminal Court Chris Craft 99-03924, 99-03925	Woodall, Thomas T.: Affirm	Denied: Application of Javon Webster  Order filed 9-13-18
STATE OF TENNESSEE v. PAMELA MOSES W2016-01762-SC-R11-CD	Shelby County Criminal Court J. Weber McCraw 14-06502	Easter, Timothy L.: Affirm	Denied: Application of Pamela Jeanine Moses  Order filed 9-14-18
STATE OF TENNESSEE v. CHRISTOPHER ORLANDO LYLES W2017-00292-SC-R11-CD	Madison County Circuit Court Donald H. Allen 16-398	Glenn, Alan E.: Affirm	Denied: Application of Christopher Orlando Lyles  Order filed 9-14-18

STATE OF TENNESSEE v. CURTIS MORRIS  
W2017-00393-SC-R11-CD

Shelby County Criminal Court  
Chris Craft  
13-00001

Dyer, J. Ross: Affirm

Denied: Application of Curtis  
Morris, Opinion of CCA  
designated "Not For Citation"  
accordance with TN SCT Rule 4(E)

Order filed 9-14-18 (See Attached  
Order)

STATE OF TENNESSEE v. JAMIE CROWELL  
W2017-00799-SC-R11-CD

Chester County Circuit Court  
Roy B. Morgan, Jr.  
15-CR-61

Glenn, Alan E.: Affirm

Denied: Application of Jamie  
Crowell

Order filed 9-14-18

STATE OF TENNESSEE v. GABRIEL DOTSON  
W2017-01099-SC-R11-CD

Shelby County Criminal Court  
W. Mark Ward  
14-06409

Dyer, J. Ross: Affirm

Denied: Application of Gabriel  
Dotson

Order filed 9-14-18

STATE OF TENNESSEE v. WILLIE JERMAINE  
CUNNINGHAM  
W2017-01134-SC-R11-CD

Shelby County Criminal Court  
Glenn Ivy Wright  
97-01278, 97-01279

Easter, Timothy L.: Affirm

Denied: Application of Willie  
Jermaine Cunningham

Order filed 9-14-18

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**FILED**

09/13/2018

Clerk of the  
Appellate Courts

**STATE OF TENNESSEE v. HOWARD P. FISHER**

**Criminal Court for Davidson County  
No. 2015-A-632**

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**No. M2017-00975-SC-R11-CD**

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**ORDER**

Upon consideration of the application for permission to appeal of Howard Fisher and the entire record in this cause, this Court is of the opinion that the application should be, and is hereby, granted for the purpose of remanding the case to the Court of Criminal Appeals to address the merits of Mr. Fisher's claim of ineffective assistance of counsel.

PER CURIAM



IN THE SUPREME COURT OF TENNESSEE  
AT KNOXVILLE

**FILED**  
09/13/2018  
Clerk of the  
Appellate Courts

**STATE OF TENNESSEE v. QUINTIS McCaleb**

**Criminal Court for Hamilton County  
No. 294000**

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**No. E2017-01381-SC-R11-CD**

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**ORDER**

Upon consideration of the application for permission to appeal of Quintis McCaleb 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

**FILED**  
09/14/2018  
Clerk of the  
Appellate Courts

**STATE OF TENNESSEE v. CURTIS MORRIS**

**Criminal Court for Shelby County  
No. 13-00001**

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**No. W2017-00393-SC-R11-CD**

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**ORDER**

Upon consideration of the application for permission to appeal of Curtis Morris 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 Tennessee Supreme Court Rule 4(E).

PER CURIAM