



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
August 19, 2019 - August 23, 2019

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Jackson</u>			
STATE OF TENNESSEE v. CARL MOORE W2017-01480-SC-R11-CD	Shelby County Criminal Court Carolyn W. Blackett 14-04789	Per Curiam: Case Dispositional Decision	Granted and Remanded: Application of State of Tennessee Order filed 8-20-19 (See Attached Order)
LATAISHA M. JACKSON v. CHARLES ANTHONY BURRELL ET AL. W2018-00057-SC-R11-CV	Shelby County Circuit Court Valerie L Smith CT-000328-15	Goldin, Arnold B.: Affirm in Part Stafford, J. Steven: Concur in Part/Dissent in Part	Granted: Application of Lataisha M. Jackson Order filed 8-21-19 (See Attached Order)
MARTY HOLLAND v. STATE OF TENNESSEE W2018-01517-SC-R11-PC	Hardeman County Circuit Court J. Weber McCraw 15-CR-187	McMullen, Camille R.: Affirm in Part	Granted: Application of State of Tennessee Order filed 8-21-19 (See Attached Order)

DENIALS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Nashville</u>			
IN RE RAESHAD B. M2018-00238-SC-R11-PT	Sumner County Chancery Court Louis W. Oliver 2017-AD-11	McBrayer, W. Neal: Reverse Dinkins, Richard H.: Concur	Denied: Application of guardians, Barry B. and Jennifer B. Order filed 8-19-19
<u>Knoxville</u>			
STATE OF TENNESSEE v. ERNESTO DELGADILLO RODRIGUEZ E2017-00369-SC-R11-CD	Knox County Criminal Court Bobby R. McGee 105765	Williams, John Everett: Affirm	Dismissed: Application of Ernesto Delgadilo Rodriguez Opinion of Court of Criminal Appeals designated "Not For Citation accordance with SCT Rule 4(E) Order filed 8-19-19
<u>Jackson</u>			
GEORGE FRANKLIN v. STATE OF TENNESSEE W2017-01174-SC-R11-PC	Shelby County Criminal Court Chris Craft 02-08108, 02-08109	Ogle, Norma McGee: Affirm	Denied: Application of George Franklin Order filed 8-20-19
SALLIE LUNN TARVER v. JOHN TAYLOR TARVER, ET AL. W2017-01556-SC-R11-CV	Shelby County Circuit Court Robert Samual Weiss CT-000207-14	Davies, Robert E. Lee: Affirm	Denied: Application of John Kirk Tarver, John Tarver, and Sallie Lunn Tarver Order filed 8-21-19

STATE OF TENNESSEE v. TRIMON PRUITT
W2018-00039-SC-R11-CD

Madison County Circuit Court
Kyle Atkins
16-233

Woodall, Thomas T.: Affirm

Denied: Application of Trimon
Pruitt

Order filed 8-19-19

STATE OF TENNESSEE v. LADARIUS LOCKHART
W2018-00051-SC-R11-CD

Shelby County Criminal Court
Chris Craft
15-00704

Williams, John Everett: Affirm

Denied: Application of Ladarius
Lockhart

Order filed 8-20-19

UNITED SUPREME COUNCIL AASR SJ ET AL. v.
FREDRICK MCWILLIAMS ET AL.
W2018-00116-SC-R11-CV

Shelby County Chancery Court
Jim Kyle
CH-15-0846

Goldin, Arnold B.: Affirm

Denied: Application of Ralph
Slaughter, A.K. Wilkins, and
Joseph Williams

Order filed 8-20-19

STATE OF TENNESSEE v. SHANE TODD
W2018-00215-SC-R11-CD

Gibson County (Trenton) Circuit Court
Clayburn Peebles
19425, 19450

Dyer, J. Ross: Affirm

Denied: Application of Shane
Todd

Order filed 8-21-19

KMI GROUP INC. ET AL. v. WADE ACRES LLC ET AL. W2018-00301-SC-R11-CV	Obion County Circuit Court Jeff Parham 2016-CV-50	Dinkins, Richard H.: Reverse in Part	Denied: Application of Wade Acres, LLC, Will Wade, and Rance Barnes Order filed 8-21-19
STATE OF TENNESSEE v. CHARLES BURROW W2018-00374-SC-R11-CD	Shelby County Criminal Court Glenn Ivy Wright 16-05674	Dyer, J. Ross: Affirm	Denied: Application of Charles Burrow Order filed 8-20-19
STATE OF TENNESSEE v. DARRELL ADAMS W2018-00543-SC-R11-CD	Shelby County Criminal Court Paula L. Skahan 17-00651	Glenn, Alan E.: Affirm	Denied: Application of Darrell Adams Order filed 8-21-19
STATE OF TENNESSEE v. ROBERT (BOB) GEORGE KEAST W2018-00559-SC-R11-CD	Benton County Circuit Court Charles C. McGinley 2017-CR-66	Glenn, Alan E.: Affirm	Denied: Application of Robert (Bob) George Keast Order filed 8-23-19

MARVIN J. BUTLER v. FIRST SOUTH FINANCIAL FEDERAL CREDIT UNION W2018-00917-SC-R11-CV	Shelby County Chancery Court JoeDae L. Jenkins CH-16-0987-3	McClarty, John W.: Affirm	Denied: Application of Marvin J. Butler Order filed 8-19-19
JANET C. FLEMING v. CITY OF MEMPHIS W2018-00984-SC-R11-CV	Shelby County Circuit Court Robert Samual Weiss CT-004846-10	Swiney, D. Michael: Affirm	Denied: Application of Janet C. Fleming Order filed 8-21-19
DAVID KEEN v. STATE OF TENNESSEE W2018-01059-SC-R11-PD	Shelby County Criminal Court Chris Craft P-25157	Per Curiam: Case Dispositional Decision	Denied: Application of David M. Keen Order filed 8-20-19
PHILLIP HARRIS v. STATE OF TENNESSEE W2018-01091-SC-R11-PC	Shelby County Criminal Court Chris Craft 08-03680	Holloway Jr., Robert L.: Affirm	Denied: Application of Phillip Harris Order filed 8-21-19
COREY D. SCOTT v. STATE OF TENNESSEE W2018-01126-SC-R11-PC	Madison County Circuit Court Donald H. Allen C-17-111	Montgomery Jr., Robert H.: Affirm	Denied: Application of Corey D. Scott Order filed 8-20-19

STATE EX REL. DEPARTMENT OF
TRANSPORTATION v. WILLIAM H. THOMAS, JR.
W2018-01541-SC-R11-CV

Shelby County Chancery Court
Walter L. Evans
CH-07-0454-1

Stafford, J. Steven: Reverse

Denied: Application of William H.
Thomas, Jr.

Order filed 8-21-19

WILLIE GATEWOOD v. STATE OF TENNESSEE
W2019-00193-SC-R11-PC

Shelby County Criminal Court
Chris Craft
10-05288

Per Curiam: Case Dispositional
Decision

Denied: Application of Willie
Gatewood

Order filed 8-21-19

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

FILED
08/21/2019
Clerk of the
Appellate Courts

MARTY HOLLAND v. STATE OF TENNESSEE

Circuit Court for Hardeman County
No. 15-CR-187

No. W2018-01517-SC-R11-PC

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

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

FILED

08/21/2019

Clerk of the
Appellate Courts

LATAISHA M. JACKSON v. CHARLES ANTHONY BURRELL ET AL.

**Circuit Court for Shelby County
No. CT-000328-15**

No. W2018-00057-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Lataisha M. Jackson 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
08/20/2019
Clerk of the
Appellate Courts

STATE OF TENNESSEE v. CARL MOORE

**Criminal Court for Shelby County
No. 14-04789**

No. W2017-01480-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 for the limited purpose of review in light of this Court's recent decision in *State v. Hassan Falah Al Mutory*, No. M2017-00346-SC-R11-CD (Tenn. Aug. 7, 2019).

The defendant died during the pendency of his case on appeal to the Court of Criminal Appeals, and the State moved to dismiss the appeal. The Court of Criminal Appeals granted the State's motion but abated the case ab initio. This Court recently abandoned the doctrine of abatement ab initio in *Al Mutory*. Because there is no evidence before this Court that any interest would benefit from allowing the deceased defendant's appeal to continue, we dismiss the defendant's appeal as of right.

Therefore, the judgment of the Court of Criminal Appeals is reversed, the appeal as of right is dismissed, and the judgment of the trial court is reinstated.

The costs of this appeal are taxed to the State of Tennessee for which execution may issue if necessary.

PER CURIAM

Lee, J., concurring in part and dissenting in part

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE
May 22, 2019 Session¹

FILED

08/19/2019

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. ERNESTO DELGADILO RODRIGUEZ

Appeal by Permission from the Court of Criminal Appeals

**Criminal Court for Knox County
No. 105765 Bobby R. McGee, Judge**

No. E2017-00369-SC-R11-CD

ORDER

After carefully considering the record, supplemental briefs, applicable authority, and oral arguments presented on May 22, 2019, the application for permission to appeal is dismissed as improvidently granted. This dismissal also ends appointed counsel's obligation to represent Mr. Rodriguez before this Court.

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

Costs of this appeal are taxed to the State of Tennessee, for which execution may issue if necessary. It is so ORDERED.

PER CURIAM

¹ We heard oral argument in this case at Tennessee Technological University in Cookeville, Tennessee, as part of the Tennessee American Legion Boys State S.C.A.L.E.S. (Supreme Court Advancing Legal Education for Students) project.