

AMENDED LIST

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

MONDAY, OCTOBER 22, 2012

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Derrick Brandon Bush v. State of Tennessee M2011-02133-SC-R11-PC	Sumner County Criminal Court Judge Dee David Gay No. 308-2011	Bivins, J. Reversed	Rule 11	Granted - Application of Derrick Brandon Bush (Order filed - 10-17-12 -copy attached)
Christine Stevens, <u>ex rel.</u> , Mark Stevens v. Hickman Community Health Care Services, Inc., <u>et al.</u> M2012-00582-SC-S09-CV	Hickman County Circuit Court Judge Robbie T. Beal No. 11CV41	Per Curiam Rule 9 Denied	Rule 11	Granted - Application of Halford Whitaker (Order filed - 10-17-12 - copy attached)
<u>Knoxville</u>				

Andrew K. Armbrister v. Melissa H. Armbrister E2012-00018-SC-R11-CV	Green County Chancery Court Chancellor Thomas A. Frierson, II No. 20080341	Franks, J., Reversed	Rule 11	Granted - Application of Andrew K. Armbrister (Order filed 10-16-12 - copy attached)
State of Tennessee v. Kevin Anthony Dickson, Jr. E2010-01781-SC-R11-CD	Sevier County Circuit Court Judge Richard Vance No. 13010-II	Tipton, J., Affirmed in Part; Reversed in Part	Rule 11	Granted - Applications of Kevin Anthony Dickson, Jr. and the State of Tennessee (Order filed 10-17-12 - copy attached)
<u>Jackson</u>				
NONE				

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

MONDAY, OCTOBER 22, 2012

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. Demance Beasley M2011-00228-SC-R11-CD	Davidson County Criminal Court Judge Monte Watkins No. 2010-C-2018	Wedemeyer, J., Affirmed	Rule 11	Denied - Application of Demance Beasley (Order filed 10-17-12)
In Re: Bridgestone/Firestone North American Tire, LLC and Ford Motor Co. M2012-01167-SC-S09-CV	Davidson County Circuit Court Judge Thomas W. Brothers Nos. 06MD1,05C1555,05C1575, 05C1650,05C1576,05C840, 05C1560,05C1573,05C1574 05C1561,05C1556,05C1097 05C1552,05C1473,05C1570	Per Curiam, Rule 9 Denied	Rule 9	Denied - Application of Ford Motor Company, Bridgestone/Firestone North American Tire, LLC, and Bridgestone Corporation; Granted - Motions of Ford Motor Company seeking admission pro hac vice of attorneys Crosnoe, Garre and Martinez; Granted - Motion of appellants seeking to file a redacted copy of their Rule 11 Application; Denied as Moot - Appellants' motion seeking to strike portions of Appellees' response and appendix (Order filed 10-17-2012)
State of Tennessee v. Kevin L. Buford, Sr. M2010-01618-SC-R11-CD	Davidson County Criminal Court Judge J. Ranall Wyatt, Jr. No. 2008B1355	Williams, J., Affirmed	Rule 11	Denied - Application of Kevin L. Buford, Sr. (Order filed 10-17-12)
State of Tennessee v. Robert Jason Burdick M2009-02085-SC-R11-CD	Davidson County Criminal Court Judge Seth Norman No. 2008-B-1350	Harris, Sr. J., Affirmed in Part, Reversed in Part and Remanded	Rule 11	Denied - Application of Robert Jason Burdick (Order filed 10-18-12)

Robert Donterious Conner v. State of Tennessee M2011-00254-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2004D3081	Woodall, J., Affirmed, Rule 20	Rule 11	Denied - Application of Robert Donterious Conner (Order filed 10-17-12)
State of Tennessee v. Brian Dodson M2011-00523-SC-R11-CD	Maury County Circuit Court Judge Stella L. Hargrove No. 18714	Glenn, J., Affirmed	Rule 11	Denied - Application of Brian Dodson; Denied in its entirety - Appellant's "Omnibus Motion" (Order filed 10-17-12)
State of Tennessee v. Monroe James Dodson, Jr. M2010-01615-SC-R11-CD	Davidson County Criminal Court Judge Steve Dozier No. 2009-A-829	Smith, J., Affirmed	Rule 11	Denied - Application of Monroe James Dodson (Order filed 10-17-12)
Kathryn A. Duke v. Harold W. Duke, III M2009-02401-SC-R11-CV	Williamson County Chancery Court Judge Timothy L. Easter No. 33519	Dinkins, J., Affirmed in Part and Remanded	Rule 11	Denied - Application of Kathryn A. Duke (Order filed 10-18-12)
State of Tennessee v. Courtney Rashad Farrell M2011-00845-SC-R11-CD	Davidson County Criminal Court Judge Steve Dozier No. 2010C2557	Bivins, J., Affirmed	Rule 11	Denied - Application of Courtney Rashad Farrell; <i>The opinion of the Court of Criminal Appeals is designated "Not For Citation" in accordance with Tenn.Sup.Ct. Rule 4(E)</i> (Order filed 10-17-12)
State of Tennessee v. James Drew Freeman, Jr. M2011-00184-SC-R11-CD	White County Circuit Court Judge Leon C. Burns, Jr. No. CR003544	Witt, J., Affirmed	Rule 11	Denied - Application of James Drew Freeman, Jr. (Order filed 10-17-12)
Stacy Harris v. Thomas Hall M2011-01983-SC-R11-CV	Williamson County Circuit Court Judge James G. Martin, III No. 198731	Cottrell, J., Affirmed	Rule 11	Denied - Application of Stacy Harris (Order filed 10-16-12)

Jon Douglas Hall v. Ricky Bell, Warden and State of Tennessee M2011-00858-SC-R11-HC	Davidson County Circuit Court Judge Hamilton V. Gayden, Jr. No. 10-C-2789	Tipton, J., Affirmed	Rule 11	Denied - Petition to Rehear Application of Jon Douglas Hall (Order filed 10-11-12)
State of Tennessee v. David Edward Niles M2011-01412-SC-R11-CD	Bedford County Circuit Court Judge Robert G. Crigler No. 16973	McMullen, J., Affirmed	Rule 11	Denied - Application of David Edward Niles (Order filed 10-17-12)
Efrain Huerata Orduna v. State of Tennessee M2011-01015-SC-R11-PC	Franklin County Circuit Court Judge Thomas W. Graham Nos. 16633 & 16634	Page, J., Affirmed	Rule 11	Denied - Application of Efrain Huerata Orduna (Order filed 10-17-12)
State of Tennessee v. Robbie E. Pickett M2011-02087-SC-R11-CD	Marion County Circuit Court Judge Thomas W. Graham No. 8802	Witt, J., Affirmed	Rule 11	Denied - Application of Robbie E. Pickett (Order filed 10-17-12)
Robert Scribner, II v. State of Tennessee M2011-00229-SC-R11-PC	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2006-C-2627	Glenn, J., Affirmed	Rule 11	Denied - Application of Robert Scribner, II (Order filed 10-17-12)
Jeffrey R. Smith, <u>et al.</u> v. Richard Garvin, <u>et al.</u> M2011-01282-SC-R11-CV	Rutherford County Chancery Court Chancellor L. Craig Johnson No. 10CV1009, 061310CV	Cottrell, P.J.,M.S. Affirmed	Rule 11	Denied - Application of Richard Garvin and Serena Garvin (Order filed - 10-19-12)
State of Tennessee v. Javoris Sparkman M2010-01521-SC-R11-CD	Maury County Circuit Court Judge Stella L. Hargrove No. 17922	McMullen, J., Affirmed in Part, Vacated in Part and Remanded	Rule 11	Denied - Application of Javoris Sparkman (Order filed 10-17-12)

Douglas Stogner v. Roseann Stogner M2011-00503-SC-R11-CV	Davidson County Circuit Court Judge Philip E. Smith No. 99D1662	Dinkins, J. Affirmed in Part, Vacated in Part, and Remanded	Rule 11	Denied - Application of Roseann Stogner (Order filed - 10-19-12)
Jamiel D. Williams v. State of Tennessee M2011-01316-SC-R11-PC	Williamson County Circuit Court Judge Timothy Easter No. CR114557	Glenn, J., Affirmed	Rule 11	Denied - Application of Jamiel D. Williams (Order filed 10-17-12)
Stephen Lee Scott v. State of Tennessee M2011-00539-SC-R11-PC	Davidson County Criminal Court Judge Monte Watkins No. 2006-A-811	McMullen, J. Affirmed	Rule 11	Denied - Application of Stephen Lee Scott (Order filed 10-19-12)
State of Tennessee v. Martin Dean Gibbs M2011-00740-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn	Ogle, J. Affirmed in Part and Reversed in Part	Rule 11	Denied - Application of Martin Dean Gibbs (Order filed 10-17-12)
State of Tennessee v. Justin Parliament M2011-00520-SC-R11-CD	Hickman County Circuit Court Judge Robbie T. Beal No. 09-5206CRB	Witt, J. Affirmed	Rule 11	Denied - Application of Justin Parliament (Order filed 10-19-12)
State of Tennessee v. Tracy Direll Woodard M2011-01570-SC-R11-CD	Bedford County Circuit Court Judge Franklin L. Russell No. 17095	Witt, J. Affirmed and Remanded	Rule 11	Denied - Application of Tracy Direll Woodard (Order filed 10-17-12)

Knoxville

Keith Barton v. City of Athens, <u>et al.</u> E2012-01849-SC-R9-WC	McMinn County Chancery Court Chancellor Jerri S. Bryant No. 2012-CV-106		Rule 9	Denied - Application of the City of Athens (Order filed - 10-19-12)
Delivetrick D. Blocker v. Davids Osborne, Warden E2011-02723-SC-R11-HC	Morgan County Circuit Court Judge Eblen No. 2011CR96	Glenn, J., Affirmed	Rule 11	Denied - Application of Delivetrick D. Blocker (Order filed 10-17-12)
George W. Brady v. State of Tennessee E2012-02028-SC-R10-CO	Sevier County Circuit Court Trial Judge Unknown No. 10516III	n/a	Rule 10	Denied - Application of George W. Brady (Order filed 10-17-12)
Quinton Albert Cage v. David Sexton, Warden E2011-01609-SC-R11-HC	Johnson County Criminal Court Judge Lynn W. Brown No. 5891	Thomas, J., Affirmed	Rule 11	Denied - Application of Albert Cage (Order filed 10-19-12)
Cheetah Lounge, Inc. v. Sarasota County et al. E2011-02027-SC-R11-CV	Hamilton County Chancery Court Chancellor W. Frank Brown, III No. 2011IDA1	Susano, J., Appeal Dismissed	Rule 11	Denied - Application of Cheetah Lounge; Granted - Motion to admit Luke C. Lirot <i>Pro Hac Vice</i> (Order filed 10-17-12)
City of Chattanooga, Tennessee <u>et al</u> v. Hargreaves Associates, Inc. <u>et al.</u> E2011-01197-SC-R11-CV	Hamilton County Circuit Court Trial Judge Unknown No. 09C403	McClarty, J., Affirmed	Rule 11	Denied - Application of City of Chattanooga, TN <u>et al</u> (Koch, J., Not Participating) (Order filed 10-17-12)
the Counts Company, LLC v. Praters, Inc. E2011-01624-SC-R11-CV	Hamilton County Circuit Court Judge Hollingsworth No. 11C408	Franks, J., Affirmed	Rule 11	Denied - Application of The Counts Company, LLC (Order filed 10-17-12)

Pauletta C. Crawford et al. v. Eugene Kavanaugh E2011-00696-SC-R11-CV	Hamblen County Circuit Court Judge Wright No. 10CV257	McClarty, J., Affirmed	Rule 11	Denied - Application of Pauletta C. Crawford and James Crawford (Order filed 10-16-12)
First Horizon Home Loan Corporation v. George Clay III E2011-01503-SC-R11-CV	Hamilton County Chancery Court Judge Jeffrey M. Atherton No. 10112	Franks, J., Reversed	Rule 11	Denied - Application of George Clay III (Order filed 10-18-12)
State of Tennessee v. Weldon Christopher Frazier E2010-01822-SC-R11-CD	Knox County Criminal Court Judge Bobby McGee No. 88105	Tipton, J., Affirmed	Rule 11	Denied - Application of Weldon Christopher Frazier (Order filed 10-17-12)
Harriet Tubman Development/ Chattanooga Housing Authority v. Reginald Locklin E2011-01068-SC-R11-CV	Hamilton County Circuit Court Judge Thomas No. 11C211	Susano, J., Affirmed	Rule 11	Denied - Application of Reginald Locklin (Order filed 10-17-12)
Zona Mayo v. Donna L. Shine, M.D., et al. E2011-01745-SC-R11-CV	Knox County Circuit Court Judge Harold Wimberly No. 265409	Swiney, J., Vacated and Remanded	Rule 11	Denied - Application of Fort Sanders Regional Medical Center and Application of Donna L. Shine, M.D. and Fort Sanders OB-GYN Group, P.C. (Order filed 10-18-12)
Louis Moore v. All In One Automotive, Inc. E2011-02146-SC-R11-CV	Knox County Circuit Court Judge Wheeler Rosenbalm No. 347910	Franks, J., Affirmed	Rule 11	Denied - Application of Louis Moore (Koch, J., Not Participating) (Order filed 10-17-12)
Sate of Tennessee v. Gail Lynn Padgett E2011-01279-SC-R11-CD	Knox County Criminal Court Judge Mary Beth Leibowitz No. 91702	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Gail Lynn Padgett (Order filed 10-17-12)

State of Tennessee v. Larry E. Rathbone E2011-01269-SC-R11-CD	Campbell County Criminal Court Judge E. Shayne Sexton No. 12534	Ogle, J., Affirmed	Rule 11	Denied - Application of Larry E. Rathbone (Order filed 10-17-12)
State of Tennessee v. Andrew Scott Taylor E2012-01653-SC-S10-CD	Hamilton County Criminal Court Trial Judge Unknown Nos. 282355 and 282356	Tipton, J., Rule 10 Denied	Rule 10	Denied - Application of Andrew Scott Taylor (Order filed 10-17-12)
State of Tennessee ex rel Robin Turner v. Jamie Reed E2011-02321-SC-R11-JV	Cocke County Juvenile Court Judge John Bell No. J312	Swiney, J., Affirmed	Rule 11	Denied - Application of Jamie Reed (Order filed 10-17-12)
David R. Seaton et al. v. Wise Properties-TN, LLC E2011-01728-SC-R11-CV	McMinn County Chancery Court Judge Puckett No. 24307	McClarty, J., Affirmed	Rule 11	Denied - Application of David R. Seaton and Paul Ray Seaton (Order filed 10-16-12)
Fred Ratliff, Jr. v. State of Tennessee E2011-01187-SC-R11-PC	Scott County Circuit Court Judge E. Shayne Sexton No. 4861	Thomas, J., Affirmed	Rule 11	Denied - Application of Fred Ratliff, Jr. (Order filed 10-16-12)
<u>Jackson</u>				
Curtis Beechem v. State of Tennessee W2010-02271-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 0508823	Woodall, J., Affirmed	Rule 11	Denied - Application of Curtis Beechem (Order filed 10-16-12)

State of Tennessee v. Louis Dancy W1010-01986-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 08-06462	Woodall, J. Affirmed	Rule 11	Denied - Application of Louis Dancy (The opinion of the Court of Criminal Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4(E)) (Order filed 10-18-12)
State of Tennessee v. Derek Coleman W2011-00144-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley No. 0906588	Williams, J., Affirmed	Rule 11	Denied - Application of Derek Coleman (Order filed 10-17-12)
State of Tennessee v. Evan Deyo W2011-01179-SC-R11-CD	Shelby County Criminal Court Judge Paula Skahan No. 10-03258	Woodall, J., Affirmed	Rule 11	Denied - Application of Evan Deyo (Order filed 10-16-12)
Kenneth E. Diggs v. Lasalle National Bank Association et al. W2011-02203-SC-R11-CV	Shelby County Chancery Court Chancellor Arnold Goldin No. CH-11-0161-2	Stafford, J., Affirmed and Remanded	Rule 11	Denied - Application of Kenneth E. Diggs (Koch, J., Not Participating) (Order filed 10-17-12)
Terrence Gardner v. State of Tennessee W2011-01631-SC-R11-PC	Shelby County Criminal Court Judge Robert Carter No. 06-08616	Wedemeyer, J., Affirmed	Rule 11	Denied - Application of Terrence Gardner (Order filed 10-17-12)
In Re: Shanira J. et al. W2011-01690-SC-R11-JV	Shelby County Circuit Court Judge Robert S. Weiss Nos. CT-02466-10 and CT-002468-10	Kirby, J., Affirmed in Part; Reversed in Part	Rule 11	Denied - Application of Shanira J. et al. (Order filed 10-17-12)
Nichlous Maxwell v. State of Tennessee W2011-01219-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 0308392	Glenn, J., Affirmed	Rule 11	Denied - Application of Nichlous Maxwell (Order filed 10-16-12)

Carol Petschonek v. The Catholic Diocese of Memphis et al. W2011-02216-SC-R11-CV	Shelby County Circuit Court Judge Donna Fields No. CT0248507	Farmer, J., Reversed and Remanded	Rule 11	Denied - Application of Carol Petschonek; <i>The opinion of the Court of Appeals is designated "Not For Citation" in accordance with Tennessee Supreme Court Rule 4(E)</i> (Order filed 10-16-12)
Larry C. Pittman v. Henry Steward, Warden W2011-01632-SC-R11-HC	Lauderdale County Circuit Court Judge Joseph H. Walker, III No. 6498	Woodall, J., Affirmed	Rule 11	Denied - Application of Larry C. Pittman (Order filed 10-17-12)
PNC Multifamily Capital Institutional Fund XXVI Limited Partnership et al. v. Vanecia Kimbrow et al. W2012-01697-SC-S10-CV	Shelby County Circuit Court Judge Karen Williams No. CT00524211	Per Curiam, Rule 10 Denied	Rule 10	Denied - Application of Vanecia Kimbrow, et al. denied without prejudice to these parties' right to seek appropriate relief in the trial court (Order filed 10-18-12)
State of Tennessee v. William Earl Starks W2007-01608-SC-R11-CD	Tipton County Circuit Court Judge Joe H. Walker III No. 5403	Ogle, J. Affirmed	Rule 11	Dismissed - Application of William Earl Starks (Order filed - 9-12-12)
State of Tennessee v. Robert Wiggins W2011-00977-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 10-05180	Ogle, J. Affirmed	Rule 11	Denied - Application of Robert Wiggins (Order filed - 10-18-12)
State of Tennessee v. Channon Lee Williams W2011-02198-SC-R11-CD	Benton County Circuit Court Judge C. Creed McGinley No. 10-CR-34	McMullen, J. Affirmed	Rule 11	Denied - Application of Channon Lee Williams (Order filed 10-18-12)

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

DERRICK BRANDON BUSH v. STATE OF TENNESSEE

**Criminal Court for Sumner County
No. 308-2011**

No. M2011-02133-SC-R11-PC - Filed October 17, 2012

ORDER

Upon consideration of the Tenn. R. App. P. 11 application for permission to appeal filed on behalf of Derrick Brandon Bush, 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 NASHVILLE

**CHRISTINE STEVENS EX REL. MARK STEVENS v. HICKMAN COMMUNITY HEALTH
CARE SERVICES, INC. ET AL.**

**Circuit Court for Hickman County
No. 11CV41**

No. M2012-00582-SC-S09-CV - Filed October 17, 2012

ORDER

Upon consideration of the application for permission to appeal of Halford Whitaker 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

ANDREW K. ARMBRISTER v. MELISSA H. ARMBRISTER

**Chancery Court for Greene County
No. 20080341**

No. E2012-00018-SC-R11-CV - Filed October 16, 2012

ORDER

Upon consideration of the application for permission to appeal of Andrew K. Armbrister 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. KEVIN ANTHONY DICKSON, JR.

**Circuit Court for Sevier County
No. 13010II**

No. E2010-01781-SC-R11-CD - Filed October 17, 2012

ORDER

Upon consideration of the applications for permission to appeal of Kevin Anthony Dickson, Jr. and the State of Tennessee, and the record before us, the applications are granted.

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

PER CURIAM