

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

Monday, December 19, 2011

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Christopher Furlough v. Spherion Atlantic Workforce, LLC M2011-00187-SC-WCM-WC	Davidson County Circuit Court. Judge Joseph P. Binkley, Jr. No. 08C1221	Lee, J., Circuit Court Vacated; Cause Remanded	Full Court Review	Granted - Motion for review of Spherion Atlantic Workforce, LLC (Lee, J., not participating) (Order filed 12-14-2011; copy attached)
<u>Knoxville</u>				
NONE				
<u>Jackson</u>				

David Keen v. State of Tennessee W2011-00789-SC-R11-PD	Shelby County Criminal Court Judge Chris Craft No. P25157	Glenn, J., McLin, J., McMullen, J., Denied	Rule 11	Granted - Application of David Keen (Order filed 12-14-2011; copy attached)
Davey Mann, et al. v. Alpha Tau Omega Fraternity, et al. W2010-02316-SC-R11-CV	Shelby County Circuit Court Judge John R. McCarroll No. CT-003646-07	Highers, J., Affirmed	Rule 11	Granted - Application of Davey Mann and wife, Teresa Mann (Order filed 12-13-2011; copy attached)
Eddie C. Pratcher, Jr., Surviving Spouse of Sandra Y. Jones Pratcher v. Consultants in Anesthesia, Inc., et al. W2011-01576-SC-S09-CV	Shelby County Circuit Court Judge Donna M. Fields No. CT-007011-00	Per Curiam, Rule 9 Denied	Rule 9	Granted - Application of Consultants in Anesthesia, Inc. (Order filed 12-13-2011; copy attached)

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

Monday, December 19, 2011

DENIALS

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

State of Tennessee v. Bethany Jade Abel M2011-00334-SC-R11-CD	Hickman County Circuit Court Judge Robbie T. Beal No. 10-5047CR	Thomas, J., Affirmed	Rule 11	Denied - Application of Bethany Jade Abel (Order filed 12-13-2011)
Harrison A. Azari v. Greyhound Bus Station, Nashville, Tennessee M2010-02473-SC-R11-CV	Davidson County Circuit Court Judge Amanda Jane McClendon No. 10C2539	Cottrell, J., Affirmed	Rule 11	Denied - Application of Harrison A. Azari; The opinion of the Court of Appeals is designated "Not for Citation" in accordance with Tenn. Sup. Ct. R. 4(E). (Order filed 12-14-2011)
Cheryl Bernal v. Guy Bernal M2011-00806-SC-R11-CV	Maury County Chancery Court Judge Stella Hargrove No. 10653	Per Curiam, Dismissed	Rule 11	Denied - Application of Guy Bernal (Order filed 12-16-2011)
Roger William Byrd, D.C. v. Tennessee Board of Chiropractic Examiners M2010-01473-SC-R11-CV	Davidson County Chancery Court Chancellor Ellen H. Lyle No. 096-III	Highers, J., Affirmed	Rule 11	Denied - Application of Roger William Byrd, D.C. (Order filed 12-13-2011)
State of Tennessee v. George Eugene Cody M2010-02121-SC-R11-CD	Davidson County Criminal Court Judge Seth Norman No. 2009-A-260	Witt, J., Affirmed	Rule 11	Denied - Application of George Eugene Cody (Order filed 12-14-2011)
Milburn L. Edwards v. State of Tennessee M2010-02001-SC-R11-HC	Wayne County Circuit Court Judge Stella Hargrove No. 14910	Smith, J., Affirmed	Rule 11	Denied - Application of Application of Milburn Edwards (Order filed 12-14-2011)
Donald R. Jett v. State of Tennessee M2011-00167-SC-R11-PC	Bedford County Circuit Court Judge Robert G. Crigler No. 12146	Witt, J., Affirmed	Rule 11	Granted - Donald R. Jett's Motion to Reconsider Dismissal of Application (Order filed 12-14-2011)

In the matter of Keely A. J. M2010-01703-SC-R11-CV	Sumner County Juvenile Court Judge John Thomas Gwin No. 6249	Clement, J., Affirmed and Remanded	Rule 11	Denied - Application of Mother (Order filed 12-14-2011)
Emmett Russell McGee, Jr. v. State of Tennessee M2010-01187-SC-R11-PC	Bedford County Criminal Court Judge Robert G. Crigler No. 11940	Williams, J., Affirmed	Rule 11	Denied - Application of Emmett Russell McGee, Jr. (Order filed 12-14-2011)
State of Tennessee v. Kenneth McIntyre M2010-02362-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn Nos. 2008-C-2797; 2009-1-1307	McMullen, J., Appeal Dismissed	Rule 11	Denied - Application of Kenneth McIntyre (Order filed 12-13-2011)
James C. Osborne, IV v. State of Tennessee M2010-00065-SC-R11-PC	Wilson County Criminal Court Judge John Wootten No. 02-1340	Ogle, J., Affirmed		Denied - Application of James C. Osborne, IV (Order filed 12-14-2011)
State of Tennessee v. Ezra Taylor Shelton M2009-01974-SC-R11-CD	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2008A826	Woodall, J., Affirmed; Wells, J., not participating	Rule 11	Denied - Application of Ezra Taylor Shelton; Denied - Ezra Taylor Shelton's Motion to appoint counsel; Granted - Ezra Taylor Shelton's Motion to proceed in <i>forma pauperis</i> (Order filed 12-14-2011)
State of Tennessee v. Broderick Joseph Smith M2011-01173-SC-R11-CD	Davidson County Criminal Court Judge Randall Wyatt No. 2009-A-501	Thomas, J., Affirmed	Rule 11	Denied - Application of Broderick Joseph Smith (Order filed 12-14-2011)

State of Tennessee v. Kenneth James Watkins M2010-00886-SC-R11-CD	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2009-A-41	Tipton, J., Affirmed	Rule 11	Denied - Application of Kenneth James Watkins (Order filed 12-14-2011)
State of Tennessee v. Derek Williamson M2010-01067-SC-R11-CD	Sumner County Criminal Court Judge Dee David Gay No. 621-2008	Welles, J., Affirmed	Rule 11	Denied - Application of Derek Williamson (Order filed 12-14-2011)
<u>Knoxville</u>				
Anthony Ray Adkins, et al. v. Bluegrass Estates, Inc., et al. E2011-00044-SC-R11-CV	Claiborne County Chancery Court Chancellor Billy Joe White No. 16335	Susano, J., Affirmed	Rule 11	Denied - Application of Daniel Tribell and Ruby Tribell (Order filed 12-14-2011)
State of Tennessee v. Karen E. Carpenter E2010-02391-SC-R11-CD	Grainger County Circuit Court Judge Duane Slone No. 4695	Thomas, J., Affirmed	Rule 11	Denied - Application of Karen E. Carpenter (Order filed 12-14-2011)
Anita J. Cash v. Ed Wheeler E2010-02652-SC-R11-CV	Knox County Chancery Court Chancellor Daryl Fransler No. 173544-2	Franks, J., Reversed	Rule 11	Denied - Application of Ed Wheeler (Order filed 12-14-2011)
Leslie E. Coleman v. State of Tennessee E2010-02299-SC-R11-HC	Bledsoe County Circuit Court Judge J. Curtis Smith No. 2010CR40	Williams, J., Affirmed	Rule 11	Denied - Application of Leslie L. Coleman (Order filed 12-14-2011)
Grover D. Cowart v. David A. Sexton, Warden E2011-00774-SC-R11-HC	Johnson County Circuit Court Judge Stanley No. X3345	Glenn, J., Affirmed	Rule 11	Denied - Application of Grover D. Cowart (Order filed 12-14-2011)

Mitchell Eads v. Tennessee Department of Correction, et al. E2010-02246-SC-R11-CV	Morgan County Chancery Court Chancellor Frank V. Williams, III No. 1034	Franks, J., Affirmed	Rule 11	Denied - Application of Mitchell Eads (Order filed 12-14-2011)
William A. Hawkins v. State of Tennessee E2010-00795-SC-R11-PC	Sullivan County Circuit Court Judge Beck No. C52695	Witt, J., Affirmed	Rule 11	Denied - Application of William A. Hawkins (Order filed 12-14-2011)
K.B.J. v. T. J. E2010-01157-SC-R11-CV	Hamblen County Circuit Court Judge Lawson No. 08CV113	Susano, J., Reversed, Modified and Affirmed	Rule 11	Denied - Application of K. B. J. (Order filed 12-14-2011)
State of Tennessee v. Maurice Johnson E2010-01142-SC-R11-CD	Bradley County Criminal Court Judge Amy Reedy No. M-08-456	Welles, J., Affirmed in Part; Reversed in Part	Rule 11	Denied - Application of Maurice Johnson (Order filed 12-14-2011)
Isaac Eugene Jones, III v. State of Tennessee E2010-02115-SC-R11-PC	Hamilton County Criminal Court Judge Meyer No. 272063	Thomas, J., Affirmed	Rule 11	Denied - Application of Isaac Eugene Jones, III (Order filed 12-13-2011)
State of Tennessee v. Willie McLeod E2010-02347-SC-R11-CD	Hamilton County Criminal Court Judge Steelman No. 271794	Glenn, J., Affirmed	Rule 11	Denied - Application of Willie McLeod (Order filed 12-13-2011)
State of Tennessee v. William T. Minton E2010-01156-SC-R11-CD	Rhea County Circuit Court Judge Thomas Graham No. 17079	Ogle, J., Affirmed	Rule 11	Denied - Application of William T. Minton (Order filed 12-14-2011)

State of Tennessee v. Shawn Dale Ownby E2010-02350-SC-R11-CD	Sevier County Circuit Court Judge Rex Henry Ogle No. 14548-III	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Shawn D. Ownby (Order filed 12-14-2011)
State of Tennessee v. James Alfred Reed, Jr. E2010-01138-SC-R11-CD	Monroe County Circuit Court Judge Reedy No. 08443	Tipton, J., Affirmed	Rule 11	Denied - Application of James Alfred Reed, Jr. (Order filed 12-13-2011)
Danny Eugene Rogers v. Howard Carlton, Warden E2011-00686-SC-R11-HC	Johnson County Circuit Court Judge Cupp No. 5337	Ogle, J., Affirmed	Rule 11	Denied - Application of Danny Eugene Rogers (Order filed 12-14-2011)
Jesse L. Rogers v. State of Tennessee E2011-01858-SC-R28-PC	Knox County Criminal Court Judge Mary Beth Leibowitz No. 58905	Witt, J., Ogle, J., Thomas, J., Rule 28 Denied	Rule 11	Denied - Application of Jesse L. Rogers; Denied - Applicant's Motion to Remand Proceedings to Criminal Court; Denied - Applicant's Motion to Enter Document into Record (Order filed 12-14-2011)
Billy Joe Smith v. State of Tennessee E2010-00282-SC-R11-PC	Johnson County Circuit Court Judge R. Jerry Beck Nos. 4284; 4378	Welles, J., Affirmed	Rule 11	Denied - Application of Billy Joe Smith (Order filed 12-14-2011)

Jackson

State of Tennessee v. Stephen Davis W2009-01878-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 07-08565	Williams, J., Affirmed	Rule 11	Denied - Application of Stephen Davis (Order filed 12-14-2011)
State of Tennessee v. Christopher Fielder W2009-01663-SC-R11-CD	Shelby County Criminal Court Judge John Fowlkes No. 08-03221	Woodall, J., Affirmed	Rule 11	Denied - Application of Christopher Fielder (Order filed 12-13-2011)
Jarvis Harris v. State of Tennessee W2010-01848-SC-R11-PC	Shelby County Criminal Court Judge Robert Carter, Jr. No. 03-00441	Witt, J., Affirmed	Rule 11	Denied - Application of Jarvis Harris (Order filed 12-13-2011)
Stephen Lynn Hugueley v. State of Tennessee W2009-00271-SC-R11-PD	Hardeman County Circuit Court Judge J. Weber McCraw No. 6665	Williams, J., Affirmed	Rule 11	Denied - Application of Stephen Lynn Hugueley (Order filed 12-13-2011)
State of Tennessee v. James Johnson W2010-01674-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 09-00747	Ogle, J., Affirmed	Rule 11	Denied - Application of James Johnson (Order filed 12-14-2011)
Montreal Lyons v. State of Tennessee W2010-00798-SC-R11-PC	Shelby County Criminal Court Judge W. Mark Ward No. 03-01051	Smith, J., Affirmed	Rule 11	Denied - Application of Montreal Lyons (Order filed 12-14-2011)
State of Tennessee v. Damien Neely W2010-01128-SC-R11-CD	Shelby County Criminal Court Judge Paula Skahan No. 09-03073	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Damien Neely (Order filed 12-14-2011)

Paul Pittman v. City of Memphis W2011-00513-SC-R11-CV	Shelby County Chancery Court Judge Kenny W. Armstrong No. CH-10-0974-3	Farmer, J., Affirmed and Remanded	Rule 11	Denied - Application of Paul Pittman (Order filed 12-13-2011)
State of Tennessee v. Randy Antonio Rice W2010-00146-SC-R11-CD	Madison County Circuit Court Judge Roger A. Page No. 08-178	McMullen, J., Affirmed	Rule 11	Denied - Application of Randy Antonio Rice (Order filed 12-13-2011)
Derrick Sutton v. State of Tennessee W2010-01413-SC-R11-PC	Shelby County Criminal Court Judge John P. Colton, Jr. No. P-26776	Thomas, J., Affirmed	Rule 11	Denied - Application of Derrick Sutton (Order filed 12-13-2011)
State of Tennessee v. Myron Taylor W2009-02423-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 08-04561	Woodall, J., Affirmed	Rule 11	Denied - Application of Myron Taylor (Order filed 12-13-2011)
William H. Thomas, Jr., d/b/a Thomas Investments, a Tennessee Sole Proprietorship v. Shelby County, Tennessee, et al. W2010-01472-SC-R11-CV	Shelby County Circuit Court Judge Donna M. Fields No. CT-003001-06	Farmer, J., Affirmed and Remanded	Rule 11	Denied - Application of William H. Thomas, Jr. (Order filed 12-13-2011)
State of Tennessee v. George Tucker W2010-01270-SC-R11-CD	Shelby County Criminal Court Judge Lee v. Coffee No. 09-02480	Ogle, J., Affirmed	Rule 11	Denied - Application of George Tucker (Order filed 12-14-2011)
Kevin Wilkins v. State of Tennessee W2010-02089-SC-R11-HC	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. 97-13179	McMullen, J., Affirmed - Rule 20	Rule 11	Denied - Application of Kevin Williams (Order filed 12-13-2011)

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

CHRISTOPHER FURLOUGH v. SPHERION ATLANTIC WORKFORCE, LLC

**Circuit Court for Davidson County
No. 08C1221**

No. M2011-00187-SC-WCM-WC - Filed December 14, 2011

ORDER

The motion for review filed by the appellant, Spherion Atlantic Workforce, LLC, pursuant to Tennessee Code Annotated section 50-6-225(e)(5)(B), has been considered by the Court and is granted.

The parties shall submit supplemental briefs in accordance with Rule 29 of the Tennessee Rules of Appellate Procedure; the appellant's brief shall be filed within thirty (30) days of the date of this Order. The Clerk of the Court is directed to schedule this case for oral argument when the briefing is completed.

PER CURIAM

Sharon G. Lee, J., not participating

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

DAVID KEEN v. STATE OF TENNESSEE

Criminal Court for Shelby County
No. P25157

No. W2011-00789-SC-R11-PD - Filed December 14, 2011

ORDER

Upon consideration of the Tenn. R. App. P. 11 application for permission to appeal filed on behalf of David Keen, 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

DAVEY MANN ET AL. v. ALPHA TAU OMEGA FRATERNITY ET AL.

Circuit Court for Shelby County
No. CT-003646-07

No. W2010-02316-SC-R11-CV - Filed December 13, 2011

ORDER

Upon consideration of the application for permission to appeal of Davey Mann and wife, Teresa Mann, 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

**EDDIE C. PRATCHER, JR., SURVIVING SPOUSE OF SANDRA Y. JONES PRATCHER
v. CONSULTANTS IN ANESTHESIA, INC. ET AL.**

**Circuit Court for Shelby County
No. CT00701100**

No. W2011-01576-SC-S09-CV - Filed December 13, 2011

ORDER

Upon consideration of the application for permission to appeal of Consultants in Anesthesia, Inc. 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