

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

MONDAY, DECEMBER 3, 2012

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Tracy Rose Baker v. State of Tennessee M2011-01381-SC-R11-PC	Sumner County Chancery Court Chancellor David Earl Durham No. 2011-DM-168	Wedemeyer, J. Affirmed	Rule 11	Granted - Application of Tracy Rose Baker (Order filed - 11-28-12, copy attached)
State of Tennessee v. Terrance Antonio Cecil M2011-01210-SC-R11-CD	Maury County Circuit Court Judge Robert Jones No. 20194	Wedemeyer, J. Affirmed	Rule 11	Granted - Application of Terrance Antonio Cecil (Order filed - 11-29-12, copy attached)
<u>Knoxville</u>				
NONE				

Jackson

NONE			
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**SUPREME COURT OF TENNESSEE
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MONDAY, DECEMBER 3, 2012

DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Vivian Yvonne Armstrong v. State of Tennessee M2011-00664-SC-R11-PC	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2007-D-2763	Woodall, J. Affirmed	Rule 11	Denied - Application of Vivian Yvonne Armstrong (Order filed - 11-28-12)

Melvin Crump v. State of Tennessee M2011-00189-SC-R11-PC	Davidson County Criminal Court Judge Walter C. Kurtz No. 2004-D-3137	Woodall, J. Affirmed	Rule 11	Denied - Application of Melvin Crump (Order filed - 11-28-12)
Darry Lee Mitchell v. State of Tennessee M2011-02030-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn No. 91-S-1144	Bivins, J. Affirmed	Rule 11	Denied - Application of Darry Lee Mitchell (Motion to proceed as a poor person granted. Motion for appointment of counsel and Motion in Response Pursuant to State's filings is denied.) (Order filed - 11-28-12)
Lacy L. Austin v. State of Tennessee M2012-01486-SC-R11-HC	Montgomery County Circuit Court Judge John H. Gasaway III No. 41100613, 40700433	Smith, J. Motion for Bail Denied	Rule 11	Denied - Application of Lacy L. Austin (Order filed - 11-28-12)
State of Tennessee v. Rex Carpenter M2012-01481-SC-R11-CD	Montgomery County Circuit Court Judge Michael R. Jones No. 41200104	Smith, J. Woodall, J. Wedemeyer, J. Order Dismissing Appeal	Rule 11	Denied - Application of Rex Carpenter (Order filed - 11-28-12)
State of Tennessee v. Ricky Dean Harvey M2010-01533-SC-R11-CD	Van Buren Circuit Court Judge Larry B. Stanley No. 2022-F	Woodall, J. Affirmed	Rule 11	Denied - Application of Ricky Dean Harvey (Order filed - 11-26-12)
State of Tennessee v. Sanders Lee Madewell M2011-02150-SC-R11-CD	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2012-C-2445	Glenn, J. Affirmed	Rule 11	Denied - Application of Sanders Madewell (Order filed - 11-26-12)

State of Tennessee v. James Randall Roskam M2011-02071-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2010-C-2679	Ogle, J. Affirmed	Rule 11	Denied - Application of James Roskam (Order filed - 11-26-12)
Jonathan W. Stephenson v. State of Tennessee M2011-01562-SC-R11-HC	Davidson County Circuit Court Judge Thomas W. Brothers No. 10C-2791	Bivins, J. Affirmed	Rule 11	Denied - Application of Jonathan W. Stephenson (Order filed - 11-28-12)
<u>Knoxville</u>				
Steve Allen Click v. State of Tennessee E2011-01965-SC-R11-PC	Blount County Circuit Court Judge David Reed Duggan No. C16833	Witt, Jr., J. Affirmed	Rule 11	Denied - Application of Steve Allen Click (Order filed - 11-27-12)
Bobby MacBryan Green v. Jodi Jones, <u>et al.</u> E2011-02587-SC-R11-CV	Washington County Chancery Court Chancellor G. Richard Johnson No. 41049	McClarty, J. Affirmed	Rule 11	Denied - Application of Bobby MacBryan Green (Order filed - 11-27-12)
Estate of Earl McLemore E2010-01939-SC-R11-CV	Carter County Circuit Court Judge Thomas J. Seeley, Jr. No. C10129	Franks, P.J., E.S. Affirmed	Rule 11	Denied - Application of Elizabethton Medical Investors LP, Elizabethton Medical Investors LLC, and Life Care Centers of America, Inc. (Order filed - 11-27-12)
State of Tennessee v. Bryan Keith Good E2009-00926-SC-DAS-CD	Sullivan County Circuit Court Sr. Judge Jon Kerry Blackwood No. S51136	McLin, J. Affirmed	Rule 11	Denied - Application of Bryan Keith Good (Order filed - 11-27-12)

State of Tennessee v. Marcus Terrell Johnson E2012-00015-SC-R11-CD	Knox County Criminal Court Judge Steven Wayne Sword No. 94097	Witt, Jr., J. Affirmed	Rule 11	Denied - Application of Marcus Terrell Johnson (Order filed - 11-27-12)
State of Tennessee v. Daniel Ross McClellan E2010-02338-SC-R11-CD	Hawkins County Circuit Court Judge John F. Dugger No. 07CR0247	McMullen, J. Affirmed and Remanded	Rule 11	Denied - Application of Daniel Ross McClellan (Order filed - 11-27-12)
State of Tennessee v. Joseph Nathaniel Nance E2010-01221-SC-R11-CD	Campbell County Circuit Court Judge E. Shayne Sexton No. CM13760	Thomas, J. Affirmed	Rule 11	Denied - Application of Joseph Nathaniel Nance (Order filed - 11-27-12)
State of Tennessee v. Jake Monroe E2011-00315-SC-R11-CD	Knox County Criminal Court Judge Bobby R. McGee No. 87861	Thomas, J. Affirmed	Rule 11	Denied - Application of Jake Monroe (Order filed - 11-27-12)
<u>Jackson</u>				
State of Tennessee v. Janice Gates W2010-02155-SC-R11-CD	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. 09-06381	Wedemeyer, J. Affirmed	Rule 11	Denied- Application of Janice Gates (Order filed - 11-27-12)
State of Tennessee v. Andrew Hayes W2010-02641-SC-R11-CD	Shelby County Criminal Court Judge Carolyn Wade Blackett No. 08-03864	Witt, Jr., J. Affirmed	Rule 11	Denied - Application of Andrew Hayes (Order filed - 11-28-12)

State of Tennessee v. Joseph Wells W2011-01431-SC-R11-CD	Shelby County Criminal Court Judge Paula Skahan No. 10-00934	Bivins, J. Affirmed	Rule 11	Denied - Application of Joseph Wells (Order filed - 11-27-12)
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IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

TRACY ROSE BAKER v. STATE OF TENNESSEE

**Chancery Court for Sumner County
No. 2011DM168**

No. M2011-01381-SC-R11-PC

ORDER

Upon consideration of the application for permission to appeal of Tracy Rose Baker and the record before us, the application is granted. The Court is interested in the narrow issue of whether the Post-Conviction Procedure Act, Tenn. Code Ann. § 40-30-101 *et seq.*, applies to a criminal contempt conviction under the general contempt statute, Tenn. Code Ann. § 29-9-101 *et seq.*

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

STATE OF TENNESSEE v. TERRANCE ANTONIO CECIL

**Circuit Court for Maury County
No. 20194**

No. M2011-01210-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Terrance Antonio Cecil and the record before us, the application is GRANTED. Supplemental briefing and oral argument shall be limited to the following issue:

Whether, in analyzing the sufficiency of the evidence in light of *State v. White*, 362 S.W.3d 559 (Tenn. 2012), the Court of Criminal Appeals erred in holding that the jury was correctly instructed and that the appellant's due process rights were not violated.

It appearing to the Court that the appellant is presently without counsel, the Court is pleased to appoint Kevin R. McGee, 1308 Rosa L. Parks Boulevard, Nashville, Tennessee 37208, to represent the appellant in the appeal in this Court.

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

PER CURIAM