

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

**MONDAY, MARCH 11, 2013**

**GRANTS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
Edith Johnson, <u>et al.</u> v. Mark C. Hopkins, <u>et al.</u> M2012-02468-SC-S09-CV	Davidson County Circuit Court Judge Joseph P. Binkley, Jr. No. 12C3345	Per curiam Rule 9 Denied	Rule 9	<b>Granted</b> - Application of Edith Johnson and Lisa Miller  <b>(Order filed - 3-7-13 - copy attached)</b>
<b><u>Knoxville</u></b>				
State of Tennessee v. David Dwayne Bell E2011-01241-SC-R11-CD	Sevier County Circuit Court Judge Rex H. Ogle No. 14953III	State of Tennessee v. David Dwayne Bell E2011-01241- SC-R11-CD	Rule 11	<b>Granted</b> - Application of the State of Tennessee  <b>(Order filed - 3-5-13 - copy attached)</b>
<b><u>Jackson</u></b>				

NONE				
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**SUPREME COURT OF TENNESSEE  
SUPREME COURT DISCRETIONARY APPEALS**

**MONDAY, MARCH 11, 2013**

**DENIALS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
Latif Abdulsayed, et al v. Randal Hand, et al M2012-00583-SC-R11-CV	Davidson County Circuit Court Judge Amanda Jane McClandon No. 11C927	Clement, J. Reversed	Rule 11	<b>Denied</b> - Application of Randal Hand and Linda Hand  <b>(Order filed - 3-5-13)</b>
David Kyle Gilley v. State of Tennessee M2010-02447-SC-R11-PC	Rutherford County Circuit Court Judge Don R. Ash No. 64250	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of David Kyle Gilley  <b>(Order filed - 3-5-13)</b>

Thomas Grigsby, <u>et al.</u> v. W. Arlen Harris, Sr <u>et al</u> M2012-00370-SC-R11-CV	Hickman County Chancery Court Judge Timothy L. Easter No. 08921C	Clement, J. Affirmed	Rule 11	<b>Denied</b> - Application of Thomas Grigsby and Smyiria Grigsby  <b>(Order filed - 3-5-13)</b>
Jeffery C. Grissom v. State of Tennessee M2011-01691-SC-R11-PC	Warren County Circuit Court Judge Larry B. Stanley No. F-11108	Thomas, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Jeffery C. Grissom  <b>(Order filed - 3-5-13)</b>
Ronnie Lee Johnson v. State of Tennessee M2011-00881-SC-R11-PC	Putnam County Criminal Court Judge David A. Patterson No. 07-0589	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Ronnie Lee Johnson  <b>(Order filed - 3-5-13)</b>
Jacob Stephen Love v. State of Tennessee M2012-00135-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn No. 2009-A-919	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Jacob Stephen Love  <b>(Order filed - 3-5-13)</b>
Leon Marshall v. Civil Service Commission of the State of Tennessee and the Tennessee Department of Safety M2011-02157-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 10199II	Bennett, J. Affirmed	Rule 11	<b>Denied</b> - Application of Leon Marshall  <b>(Order filed - 3-5-13)</b>
Shirleen Nevels v. Joseph Contarino, M.D., <u>et al</u> M2012-00179-SC-R11-CV	Giles County Circuit Court Judge Stella L. Hargrove No. CC11065	Bennett, J. Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Hillside Hospital, LLC  <b>(Order filed - 3-5-13)</b>
Demetrie Owens v. State of Tennessee M2011-02292-SC-R11-PC	Marshall County Circuit Court Judge Robert Crigler No. 2010-CR-40	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Demetrie Owens  <b>(Order filed - 3-5-13)</b>

Pie in the Sky Pizza, Inc. v. Sasha Bennett, et al M2012-02692-SC-S10-CV	Davidson County Circuit Court Judge Joseph P. Binkley, Jr. No. 10C3169	Per Curiam R10 Denied	Rule 10	<b>Denied</b> - Application of Pie in the Sky Pizza, Inc.  <b>(Order filed - 3-5-13)</b>
Publix Super Markets, Inc. v. Tennessee Department of Labor & Workforce Development M2012-00089-SC-R11-CV	Davidson County Chancery Court Chancellor Claudia Bonnyman No. 11211I	Clement, J. Reversed, Remanded, Bennett filed Sep/Con. Op.	Rule 11	<b>Denied</b> - Application of Tennessee Department of Labor & Workforce Development  <b>(Order filed - 3-5-13)</b>
Lawrence Ralph, Jr. v. State of Tennessee M2011-02067-SC-R11-PC	Warren County Circuit Court Judge Larry B. Stanley, Jr. No. F-11065	Thomas, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Lawrence Ralph, Jr.  <b>(Order filed - 3-5-13)</b>
Ricardo Rodriguez v. State of Tennessee M2011-02068-SC-R11-PC	Davidson County Criminal Court Judge Seth Norman No. 2002-B-1129	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Ricardo Rodriguez  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. David Buckhanon M2011-00619-SC-R11-CD	Maury County Circuit Court Judge Robert L. Holloway No. 19371	Harris, Sr. J. Affirmed	Rule 11	<b>Denied</b> - Application of David Buckhanon  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Kristopher lee Colbert M2012-00225-SC-R11-CD	Montgomery County Circuit Court Judge John H. Gasaway No. 41100338	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Kristopher Lee Colbert  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Charmon D. Copeland M2011-01844-SC-R11-CD	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2010-A-686	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Charmon D. Copeland  <b>(Order filed - 3-5-13)</b>

State of Tennessee v. Chris Cummins M2011-02264-SC-R11-CD	Wayne County Circuit Court Judge Robert L. Holloway No. 14895	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Chris Cummins  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Joseph Bernette Drive M2011-00536-SC-R11-CD	Davidson County Criminal Court Judge J.Randall Wyatt, Jr. No. 2010-A-498	Wedemyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Joseph Bernette Drive  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Antonio Freeman M2011-02525-SC-R11-CV	Sumner County Criminal Court Judge Dee David Gay No. 2009CR126	Stafford, J. Affirmed	Rule 11	<b>Denied</b> - Application of Antonio Freeman  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Joseph Antony Gonzales M2011-02562-SC-R11-CD	Montgomery County Circuit Court Judge Michael R. Jones No. 40900926	Thomas, Jr., J. Affirmed; Case Remanded	Rule 11	<b>Denied</b> - Application of Joseph Anthony Gonzales  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Robert W. Hawkins M2011-00531-SC-R11-CD	Stewart County Circuit Court Judge Robert Burch No. 4-2062-CR-09	Bivins, J. Affirmed	Rule 11	<b>Denied</b> - Application of Robert W. Hawkins  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Charles E. Lowe- Kelley M2012-01933-SC-R11-CD	Maury County Circuit Court Judge Stella Hargrove No. 17948	Witt, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Charles E. Lowe- Kelley  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Victor Martinez M2010-01820-SC-R11-CD	Davidson County Criminal Court Judge Steve Dozier No. 2008-C-2175	Bivins, J. Affirmed	Rule 11	<b>Denied</b> - Application of Victor Martinez  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Misty Lynn Nanney M2012-00948-SC-R11-CD	Montgomery County Circuit Court Judge John Gasaway Nos. 41100625 & 41100745	Thomas, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Misty Lynn Nanney  <b>(Order filed - 3-5-13)</b>

State of Tennessee v. Terry Sanders M2011-00426-SC-R11-CD	Houston County Circuit Court Judge George C. Sexton No. CR-5130	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Terry Sanders  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Curtis DeWayne Staggs M2011-02361-SC-R11-CD	Lawrence County Circuit Court Judge Stella Hargrove No. 29161	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Curtis DeWayne Staggs  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Anthony Dewight Washington M2011-02678-SC-R11-CD	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2010-C-1906	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Anthony DeWight Washington  <b>(Order filed - 3-5-13)</b>
James W. Taylor v. State of Tennessee M2012-01113-SC-R11-CO	Williamson County Circuit Court Judge Robbie T. Beal No. 491107	Smith, J. Wedemeyer, J. Bivins, J. Dismissed	Rule 11	<b>Denied</b> - Application of James W. Taylor  <b>(Order filed - 3-5-13)</b>
Harold Tolley v. Attorney General of Tennessee, <u>et al.</u> M2012-00551-SC-R11-CV	Davidson County Chancery Court Chancellor Claudia Bonnyman No. 11-888-I	Stafford, J. Affirmed	Rule 11	<b>Denied</b> - Application of Harold Tolley  <b>(Order filed - 3-5-13)</b>
Eric D. Wallace v. Arvil Chapman, Warden M2012-00749-SC-R11-HC	Wayne County Circuit Court Judge Robert Jones No. 15154	Bivins, J. Affirmed	Rule 11	<b>Denied</b> - Application of Eric D. Wallace  <b>(Order filed - 3-5-13)</b>
Jimmy Lee Whitmire v. State of Tennessee M2011-00955-SC-R11-PC	Marshall County Criminal Court Judge Robert Crigler No. 10CR25	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Jimmy Lee Whitmire  <b>(Order filed - 3-5-13)</b>

Christopher Lemont Williams v. State of Tennessee M2012-00533-SC-R11-PC	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2001-C-1673	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Christopher Lemont Williams  <b>(Order filed - 3-5-13)</b>
<b><u>Knoxville</u></b>				
Alberto Eddie Deleon v. State of Tennessee E2011-02645-SC-R11-HC	Hamilton County Criminal Court Judge Don W. Poole No. 281742	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Alberto Eddie Deleon  <b>(Order filed - 3-5-13)</b>
Steven Linton Griffith v. State of Tennessee E2011-01506-SC-R11-PC	Sullivan County Circuit Court Judge Robert H. Montgomery, Jr. No. C58520	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Steven Linton Griffith  <b>(Order filed - 3-5-13)</b>
Roger Hathaway, Jr. v. State of Tennessee E2011-02175-SC-R11-PC	Knox County Criminal Court Judge Steven Wayne Sword No. 96280	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Roger Hathaway, Jr.  <b>(Order filed - 3-5-13)</b>
Dennis R. Massengale, <u>et al.</u> v. City of East Ridge E2012-00526-SC-R11-CV	Hamilton County Chancery Court Chancellor W. Frank Brown III No. 110742	Susano, Jr., P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Dennis R. Massengale, <u>et al.</u>  <b>(Order filed - 3-5-13)</b>

Shailja Rattan v. Arun Rattan E2012-02644-SC-R10-CV	Knox County Circuit Court Judge Bill Swan No. 126070	Susano, Jr., P.J. Swiney, J. McClarty, J. Rule 10 Denied	Rule 10	<b>Denied</b> - Application of Arun Rattan  (Motion to Waive Appeal Bond Denied)  <b>(Order filed - 3-5-13)</b>
Shailja Sharma Rattan v. Arun Rattan E2013-00196-SC-R10-CV	Knox County Circuit Court Judge Bill Swan No. 12670	Susano, Jr., P.J. Swiney, J. McClarty, J. Rule 10 Denied	Rule 10	<b>Denied</b> - Application of Arun Rattan  (Motion to Proceed as a Poor Person is Denied)  <b>(Order filed - 3-7-13)</b>
State of Tennessee v. Roger A. Beu, Jr. E2012-00176-SC-R11-CD	Roane County Circuit Court Judge E. Eugene Eblen No. 14095	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Roger A. Beu, Jr.  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Carlos Radale Cornwell E2011-00248-SC-R11-CD	Knox County Criminal Court Judge Richard R. Baumgartner No. 89044	Page, J. Affirmed	Rule 11	<b>Denied</b> - Application of Carlos Radale Cornwell  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Mark Joseph Graves E2011-02471-SC-R11-CD	Hamblen County Criminal Court Judge John F. Dugger, Jr. No. 10-CR-069	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Mark Graves  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Jerry Ray Norton E2011-02370-SC-R11-CD	Greene County Circuit Court Judge John F. Dugger, Jr. No. 11CR106	Page, J. Affirmed	Rule 11	<b>Denied</b> - Application of Jerry Ray Norton  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Randall Mason Nunn E2011-01881-SC-R11-CD	Sullivan County Criminal Court Judge R. Jerry Beck Nos. S58431 & S58432	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Randall Nunn  <b>(Order filed - 3-5-13)</b>



State of Tennessee v. Allan Pope E2011-01410-SC-R11-CD	Sullivan County Criminal Court Judge R. Jerry Beck Nos. S58286 & S58287	Page, J. Affirmed in Part; Reversed and Dismissed in Part	Rule 11	<b>Denied</b> - Application of Allan Pope  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. David Earl Scott E2011-00707-SC-R11-CD	Knox County Criminal Court Judge Mary Beth Leibowitz No. 92765	Witt, Jr., J. Reversed and Modified	Rule 11	<b>Denied</b> - Application of David Earl Scott  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Larry A. Wade E2011-01538-SC-R11-CD	Hamilton County Criminal Court Judge Don W. Poole No. 273614	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Larry A. Wade  <b>(Order filed - 3-5-13)</b>
Mark Takashi v. State of Tennessee E2010-01818-SC-R11-CD	Knox County Criminal Court Judge Bobby R. McGee No. 83108A	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Mark Takashi  <b>(Order filed - 3-5-13)</b>
Billie Joe Welch v. State of Tennessee E2010-01060-SC-R11-PC	Roane County Circuit Court Judge E. Eugene Eblen No. 13764	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Billie Joe Welch  (Untimely - Court waives the time limit in the interest of justice, See Tenn. R. App. P. 11(b))  <b>(Order filed - 3-5-13)</b>

## Jackson

City of Memphis Civil Service Commission v. Steven Payton W2011-02501-SC-R11-CV	Shelby County Chancery Court Chancellor Arnold B. Goldin No. CH-11-0253-2	Highers, P.J., W.S. Reversed	Rule 11	<b>Denied</b> - Application of Steven Payton  <b>(Order filed -3-5-13)</b>
William Ferris v. State of Tennessee W2011-00746-SC-R11-PC	Shelby County Criminal Court Judge Paula Skahan No. 97-08277	Bivins, J. Affirmed	Rule 11	<b>Denied</b> - Application of William Ferris  <b>(Order filed - 3-5-13)</b>
Mikel Hamrick v. State of Tennessee W2011-02275-SC-R11-PC	Shelby County Criminal Court Judge J. Robert Carter, Jr. No. 10-00991	Page, J. Affirmed	Rule 11	<b>Denied</b> - Application of Mikel Hamrick  <b>(Order filed - 3-5-13)</b>
In Re: Dakota R., et al. W2012-00433-SC-R11-PT	McNairy County Juvenile Court Judge Van McMahan No. C-849	Stafford, J. Reversed in Part; Affirmed in Part; and Remanded	Rule 11	<b>Denied</b> - Application of Jimmy R. And Roseanna R. (Father and Mother)  <b>(Order filed - 3-6-13)</b>
Mario Morris v. State of Tennessee W2011-02165-SC-R11-PC	Shelby County Criminal Court Judge W. Mark Ward No. 03-01051	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Mario Morris  <b>(Order filed - 3-5-13)</b>
Tony L. Pirtle v. State of Tennessee W2011-00925-SC-R11-PC	Hardeman County Circuit Court Judge J. Weber McCraw No. 6092	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Tony Pirtle  <b>(Order filed - 3-5-13)</b>
Fred Smith v. Henry Steward, Warden W2012-00633-SC-R11-HC	Lake County Circuit Court Judge R. Lee Moore, Jr. No. 12-CR-9685	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Fred Smith  <b>(Order filed - 3-5-13)</b>

State of Tennessee v. Terrell Loverson W2011-02055-SC-R11-CD	Shelby County Criminal Court Judge W. Mark Ward No. 10-03485	Bivins, J. Affirmed	Rule 11	<b>Denied</b> - Application of Terrell Loverson  <b>(Order filed - 3-5-13)</b>
State of Tennessee v. Bennie Osby W2012-00408-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 11-02364	Witt, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Bennie Osby  <b>(Order filed - 3-5-13)</b>
Laderuis Stephens v. State of Tennessee W2011-02504-SC-R11-PC	Shelby County Criminal Court Judge W. Otis Higgs No. 09-03098	Bivins, J. Affirmed	Rule 11	<b>Denied</b> - Application of Laderius Stephens  <b>(Order filed - 3-5-13)</b>
Tosha Taylor v. State of Tennessee W2011-00372-SC-R11-PC	Shelby County Criminal Court Judge Chris Craft No. 06-09190	Smith, J. Appeal Dismissed	Rule 11	<b>Denied</b> - Application of Tosha Taylor - untimely (Court waives the time limit in the interest of justice. See Tenn. R. App. P. 11(b).)  <b>(Order filed - 3-5-13)</b>
Willie Thomas v. State of Tennessee W2011-01795-SC-R11-PC	Shelby County Criminal Court Judge Lee Coffee No. 09-01487	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Willis Thomas  <b>(Order filed - 3-5-13)</b>

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**EDITH JOHNSON ET AL. v. MARK C. HOPKINS ET AL.**

**Circuit Court for Davidson County  
No. 12C3345**

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**No. M2012-02468-SC-S09-CV**

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**ORDER**

Upon consideration of the application for permission to appeal of Edith Johnson and Lisa Miller 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. DAVID DWAYNE BELL**

**Circuit Court for Sevier County  
No. 14953III**

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**No. E2011-01241-SC-R11-CD**

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**ORDER**

Upon consideration of the application for permission to appeal of the 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