

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

Monday, August 29, 2011

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
State of Tennessee v. Heather Richardson M2010-01360-SC-R11-CD	Rutherford County Circuit Court Judge David M. Bragg No. F-63788	Ogle, J., Reversed and Remanded	Rule 11	Granted - Application of the State of Tennessee (Order filed 8-24-2011; copy attached)
Earlene Waddle v. Lorene B. Elrod M2009-02142-SC-R11-CV	Rutherford County Chancery Court Chancellor Robert E. Corlew No. 07-0147CV	Cottrell, J., Affirmed in Part; Reversed in Part	Rule 11	Granted - Application of Lorene B. Elrod (Order filed 8-25-2011; copy attached)
Markina Westmoreland, et al. v. William L. Bacon, M.D., et al. M2009-02643-SC-R11-CV	Davidson County Circuit Court Judge Joe P. Binkley, Jr. No. 05C3729	Clement, J., Affirmed; Dinkins, J., filed separate dissenting opinion	Rule 11	Granted solely for purpose of remanding this case to the Court of Appeals - Application of Markina Westmoreland, Jacqueline Westmoreland and Robert Lee Westmoreland, III (Order filed 8-24-2011; copy attached)

Knoxville

NONE

Jackson

Curtis Myers v. Amisub (SFH), Inc. d/b/a Saint Francis Hospital, et al. W2010-00837-SC-R11-CV	Shelby County Circuit Court Judge Jerry Stokes No. CT-004650-09	Farmer, J., Reversed	Rule 11	Granted - Application of Curtis Myers (Order filed 8-23-2011; copy attached)
State of Tennessee v. Brian David Thomason W2007-02910-SC-R11-CD	Gibson County Circuit Court Judge Clayburn Peebles No. 17750	McMullen, J., Reversed	Rule 11	Granted - Application of the State of Tennessee (Order filed 8-24-2011; copy attached)

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

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DENIALS

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

William G. Allen v. State of Tennessee M2009-02151-SC-R11-PC	Davidson County Criminal Court Judge Monte Watkins No. A-1004	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of William G. Allen (Order filed 8-25-2011)
Ashad R. A. Muhammad Ali v. State of Tennessee M2010-01832-SC-R11-HC	Lincoln County Circuit Court Judge Robert G. Crigler No. S100031	Smith, J., Rule 20 Affirmed	Rule 11	Denied - Application of Ashad R. A. Muhammad Ali. <i>The opinion of the Court of Criminal Appeals is designated "Not For Citation" in accordance with Tennessee Supreme Court Rule 4(E).</i> (Order filed 8-24-2011)
Marilyn Avinger v. State of Tennessee M2009-02577-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2005-B-1239	Tipton, J., Affirmed	Rule 11	Denied - Application of Marilyn Avinger (Order filed 8-24-2011)
State of Tennessee v. Anthony D. Forster M2002-00008-SC-R11-CD	Davidson County Criminal Court Judge Seth Norman No. 2000-B-1181	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Anthony D. Forster (Order filed 8-24-2011)
State of Tennessee v. Bobby D. Green M2010-02138-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn Nos. 2010A114, 2010C2131	Welles, J., Dismissed	Rule 11	Denied - Application of Bobby D. Green; Denied - "2 nd Motion for Court-Appointed Counsel on Appeal" of Bobby D. Green under case number M2011-00865-SC-R10-CD (Order filed 8-24-2011)

Thomas L. Grimes, et al. v. Helen Cornell M2010-01461-SC-R11-CV	Davidson County Circuit Court Judge David Randall Kennedy No. 07P-1682	Dinkins, J., Affirmed	Rule 11	Denied - Application of Helen Cornell (Order filed 8-26-2011)
4215 Harding Road Homeowners Association v. Stacy Harris M2010-01467-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 091685II	Clement, J., Affirmed	Rule 11	Denied - Application of Stacy Harris (Order filed 8-25-2011)
State of Tennessee v. Zachary Harrison M2010-02503-SC-R11-CD	Moore County Circuit Court Judge Robert Crigler No. 1085	Glenn, J., Affirmed and Remanded for Entry of Corrected Judgments	Rule 11	Denied - Application of Zachary Harrison (Order filed 8-24-2011)
Robert N. Helton v. State of Tennessee M2010-01591-SC-R11-PC	Bedford County Circuit Court Judge Lee Russell No. 12031	Glenn, J., Affirmed	Rule 11	Denied - Application of Robert N. Helton (Order filed 8-24-2011)
In Re: Melanie T., et al. M2010-01436-SC-R11-JV	Coffee County Circuit Court Judge Vanessa Jackson No. 125J	Clement, J., Affirmed	Rule 11	Denied - Application of Jason R. (Order filed 8-24-2011)
Anthony V. Jackson v. Ginger Jackson M2010-00575-SC-R11-CV	Franklin County Chancery Court Chancellor Jeffrey F. Stewart No. 16559	Highers, J., Affirmed in Part; Reversed in Part; Kirby, J., Dissenting in Part	Rule 11	Denied - Application of Anthony Jackson. <i>The opinion of the Court of Appeals is designated "Not for Citation" in accordance with Tenn. Sup. Ct. R. 4(E).</i> (Order filed 8-24-2011)

Bryan E. Larson, et al. v. St. Thomas Hospital M2011-01010-SC-S09-CV	Davidson County Circuit Court Judge Barbara N. Haynes No. 09C3797	Per Curiam	Rule 11	Denied - Application of Bryan E. Larson and Rebecca Larson (Order filed 8-24-2011)
Michael Linnear v. Shenandoah Mills, et al. M2011-01106-SC-R9-WC	Wilson County Chancery Court Chancellor C. K. Smith No. 10C222		Rule 9	Denied - Application of Attorney General and Reporter, in which application Shenandoah Mills joined (Order filed 8-26-2011)
Marshall H. Murdock v. State of Tennessee, et al. M2010-01471-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 09-1745-II	Franks, J., Affirmed	Rule 11	Denied - Application of Marshall Murdock; Denied - Marshall Murdock's Motion to Transfer Record and Motion to Proceed as a Poor Person (Order filed 8-24-2011)
Eric C. Pendleton v. State of Tennessee M2010-01494-SC-R11-HC	Davidson County Criminal Court Judge J. Randall Wyatt No. 87-S-777	Smith, J., Affirmed pursuant to Rule 20	Rule 11	Denied - Application of Eric C. Pendleton (Order filed 8-25-2011)
State of Tennessee v. Christopher Jake Reynolds M2010-00607-SC-R11-CD	Giles County Circuit Court Judge Jim T. Hamilton No. 11240	Smith, J., Affirmed	Rule 11	Denied - Application of Christopher Jake Reynolds; Denied - Christopher Jake Reynolds' Motion to be released on bond pending appeal and Motion for extension to file rebuttal appeal (Order filed 8-24-2011)

Estate of Miguel Robles by Maria Montiel, a/n/k and surviving spouse of Miguel Robles, et al. v. Vanderbilt University Medical Center, et al. M2010-01771-SC-R11-CV	Davidson County Circuit Court Judge Barbara N. Haynes No. 10C-821	Dinkins, J., Affirmed	Rule 11	Denied - Application of Vanderbilt University Medical Center; Tejal Brahmbhatt, M.D.; Lauren Hubbard Adcock, R.N.; and Michael Fischer, R.R.T. (Order filed 8-25-2011)
Gregory L. Sain v. State of Tennessee M2010-00654-SC-R11-PC	Rutherford County Circuit Court Judge Don R. Ash No. F-63338	McLin, J., Affirmed	Rule 11	Denied - Application of Gregory L. Sain (Order filed 8-25-2011)
Joshua D. Schaffer v. State of Tennessee Board of Probation and Parole M2010-01805-SC-R11-CV	Davidson County Chancery Court Chancellor Claudia Bonnyman No. 10-827-I	Farmer, J., Affirmed and Remanded	Rule 11	Denied - Application of Joshua D. Schaffer (Order filed 8-25-2011)
Timothy Schwandner v. Dana S. Higdon M2010-00910-SC-R11-CV	Marion County Circuit Court Judge Thomas W. Graham No. 17758	Cottrell, J., Affirmed	Rule 11	Denied - Application of Timothy Schwandner (Order filed 8-25-2011)
State of Tennessee v. Samuel Sherrill M2009-01979-SC-R11-CD	Wayne County Circuit Court Judge Jim T. Hamilton No. 14503	Thomas, J., Affirmed	Rule 11	Denied - Application of Samuel Sherrill (Order filed 8-26-2011)
State of Tennessee v. Danny Ray Smith M2009-02275-SC-R11-CD	Davidson County Criminal Court Judge Steve R. Dozier No. 2005-C-2438	Thomas, J., Affirmed	Rule 11	Denied - Application of Danny Ray Smith (Order filed 8-25-2011)
State of Tennessee v. Amado Rubio Tavera M2010-00572-SC-R11-CD	Davidson County Criminal Court Judge Steve Dozier No. 2006C1911	McMullen, J., Reversed	Rule 11	Denied - Application of the State of Tennessee (Order filed 8-25-2011)

Fred E. Thompson, Jr. v. State of Tennessee M2009-02457-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2001-B-1192	Thomas, J., Affirmed	Rule 11	Denied - Application of Fred E. Thompson, Jr. (Order filed 8-24-2011)
Robert S. Wilson v. State of Tennessee M2010-00764-SC-R11-PC	Marion County Circuit Court Judge J. Curtis Smith No. 7868	Welles, J., Affirmed	Rule 11	Denied - Application of Robert S. Wilson (Order filed 8-24-2011)
<u>Knoxville</u>				
Carl Bost v. State of Tennessee E2010-01725-SC-R11-PC	Knox County Criminal Court Judge Bobby R. McGee No. 06-07-11	McLin, J., Affirmed	Rule 11	Denied - Application of Carl Bost (Order filed 8-24-2011)
James L. Crawford v. State of Tennessee E2010-00425-SC-R11-PC	Knox County Criminal Court Judge Bobby McGee No. 93444	Tipton, J., Affirmed	Rule 11	Denied - Application of James L. Crawford; Denied - James L. Crawford's Motion for Appointment of Counsel (Order filed 8-25-2011)
John Doe, et al. v. Mark Gwyn, et al. E2010-01234-SC-R11-CV	Hamilton County Chancery Court Judge W. Frank Brown, III No. 100320	Franks, J., Affirmed	Rule 11	Denied - Application of John Doe (Order filed 8-24-2011)
State of Tennessee v. James Michael Flinn E2009-00849-SC-R10-CD	Anderson County Criminal Court Judge David G. Hayes No. A6CR0027	Tipton, J., Denied Rule 10	Rule 10	Denied - Application of James Michael Flinn (Order filed 8-24-2011)

Charles Ray Harvey v. State of Tennessee E2010-00148-SC-R11-PC	Scott County Circuit Court Judge E. Shayne Sexton No. 9214	Tipton, J., 04-29-11	Rule 11	Denied - Application of Charles Ray Harvey (Order filed 8-25-2011)
Alanda D. Hayes v. State of Tennessee E2010-01720-SC-R11-HC	Johnson County Circuit Court Judge Lynn W. Brown No. 04-28-11	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Alanda D. Hayes (Order filed 8-25-2011)
State of Tennessee v. Bryan K. Howard E2010-00904-SC-R11-CD	Roane County Criminal Court Judge E. Eugene Eblen No. 13725	Thomas, J., Affirmed	Rule 11	Denied - Application of Bryan K. Howard (Order filed 8-25-2011)
State of Tennessee v. Anthony W. Hutchison E2010-01053-SC-R11-CD	Blount County Circuit Court Judge Jon Kerry Blackwood No. C-17338	Thomas, J., Affirmed	Rule 11	Denied - Application of Anthony W. Hutchison (Order filed 8-25-2011)
In Re Caleb L.C. E2010-00100-SC-R11-JV	Sullivan County Circuit Court Judge R. Jerry Beck No. C13419	Stafford, J., Affirmed and Remanded	Rule 11	Denied - Application of the Father (Order filed 8-25-2011)
Billy Ray Irick v. State of Tennessee E2010-02385-SC-R11-PD	Knox County Criminal Court Judge Richard Baumgartner No. 24527	Witt, J., Affirmed	Rule 11	Denied - Application of Billy Ray Irick (Order filed 8-25-2011)
Terry Jones v. State of Tennessee E2010-01896-SC-R11-PC	Knox County Criminal Court Judge Mary Beth Leibowitz No. 89857	McLin, J., Affirmed	Rule 11	Denied - Application of Terry Jones (Order filed 8-25-2011)

Morgan Koelsch, et al. v. Jane Koelsch, et al. E2011-01251-SC-S10-CV	Knox County Chancery Court Chancellor Michael W. Moyers No. 173891-I	McClarty, J., Franks, J., Swiney, J., Rule 10 Denied	Rule 10	Denied - Application of Morgan Koelsch, Madison Koelsch and Shelley Webber (Koelsch) (Order filed 8-24-011)
Victor E. McConnell v. State of Tennessee E2010-02341-SC-R11-HC	Bledsoe County Circuit Court Judge Thomas W. Graham No. 2010-CR-39	Welles, J., Affirmed	Rule 11	Denied - Application of Victor E. McConnell (Order filed 8-24-2011)
Barry C. Melton v. State of Tennessee E2011-01188-SC-R11-PC	Sevier County Circuit Court Judge Rex H. Ogle No. 200000264III	Witt, J., Tipton, J., Thomas, J., Denied	Rule 11	Denied - Application of Barry C. Melton (Order filed 8-24-2011)
Jay Patton v. Ginger Davidson E2011-00758-SC-R11-CV	Morgan County Circuit Court Judge Russell E. Simmons, Jr. No. 10-CV-54	McClarty, J., Franks, J., Susano, J., Dismissed	Rule 11	Denied - Application of Jay Patton (Order filed 8-24-2011)
Bennie Joe Poteet, II, individually and by and through Evelyn Poteet, as conservator of Bennie Joe Poteet, II v. National Healthcare of Cleveland, Inc., et al. E2009-01978-SC-R11-CV	Bradley County Circuit Court Judge J. Michael Sharp No. V-07-347	Thomas, J., Affirmed	Rule 11	Denied - Application of Evelyn Poteet (Order filed 8-25-2011)
State of Tennessee v. Gary Thomas Reed E2009-02238-SC-R11-CD	Cumberland County Circuit Court Judge Leon C. Burns, Jr. No. 08-0107A	Thomas, J., Affirmed	Rule 11	Denied - Application of Gary Thomas Reed (Order filed 8-24-2011)

Norman Lee Robinson v. Mers, Inc., et al. E2010-01592-SC-R11-CV	Grainger County Circuit Court Judge Rex Henry Ogle No. 8435-III	Susano, J., Affirmed	Rule 11	Denied - Application of Norman Lee Robinson (Order filed 8-24-2011)
Donald L. Seiber v. State of Tennessee E2010-00285-SC-R11-PC	Knox County Criminal Court Judge Bob R. McGee No. 89978	Witt, J., Affirmed	Rule 11	Denied - Application of Donald L. Seiber (Order filed 8-25-2011)
Joe Michael Turner v. State of Tennessee E2009-00069-SC-R11-CD	Knox County Criminal Court Judge Bobby McGee No. 85422	Tipton, J., Witt, J., Thomas, J., Denied Motion for Rehearing of 5-5-11 order	Rule 11	Denied - Application of Joe Michael Turner (Order filed 8-26-2011)
Wise Construction, LLC, et al. v. Thomas Boyd, et al. E2009-01899-SC-R11-CV	Hamilton County Chancery Court Judge W. Frank Brown, III No. 05-0477	McClarty, J., Affirmed and Remanded	Rule 11	Denied - Application of Thomas Boyd and Lori Boyd (Order filed 8-24-2011)
<u>Jackson</u>				
State of Tennessee v. Bronche Blair W2010-01285-SC-R11-CD	Madison County Circuit Court Judge Roger A. Page No. 10-99	Glenn, J., Affirmed	Rule 11	Denied - Application of Bronche Blair (Order filed 8-24-2011)
State of Tennessee v. Paul Cheer W2010-01765-SC-R11-CD	Shelby County Criminal Court Judge Paula Skahan No. 09-00069	McMullen, J., Dismissed	Rule 11	Denied - Application of Paul Cheer (Order filed 8-24-2011)

Elmer Elliott, Jr. v. Pearl Elliott, et al. W2010-02085-SC-R11-CV	Gibson County Chancery Court Judge George R. Ellis No. 18,830	Highers, J., Affirmed	Rule 11	Denied - Application of Elmer Elliott, Jr. (Order filed 8-24-2011)
State of Tennessee v. Jonathan Everett W2008-01578-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 06-011578	Smith, J., Affirmed	Rule 11	Denied - Application of Jonathan Everett (Order filed 8-25-2011)
State of Tennessee v. Phillip Wayne Flowers W2010-00980-SC-R11-CD	Gibson County Circuit Court Judge Clayburn L. Peeples No. 17593	Glenn, J., Affirmed	Rule 11	Denied - Application of Phillip Wayne Flowers (Order filed 8-25-2011)
State of Tennessee v. Montrel Gilliam W2009-01664-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 07-00648	Glenn, J., Affirmed	Rule 11	Denied - Application of Montrel Gilliam (Order filed 8-24-2011)
Johnny Hatcher, jr. v. Shelby County Election Commission, et al. W2010-01163-SC-R11-CV	Shelby County Chancery Court Judge Kenny W. Armstrong No. CH-09-2152-3	Kirby, J., Affirmed	Rule 11	Denied - Application of Johnny Hatcher, Jr. (Order filed 8-25-2011)
State of Tennessee v. Chris Jones W2009-01698-SC-R11-CD	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. 08-05720	Thomas, J., Affirmed	Rule 11	Denied - Application of Chris Jones (Order filed 8-25-2011)
Antonio Kendrick v. State of Tennessee W2010-02103-SC-R11-HC	Shelby County Criminal Court Judge Robert Carter, Jr. No. 92-12034	McMullen, J., Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Antonio Kendrick; Granted - Antonio Kendrick's Motion to Proceed as a Poor Person (Order filed 8-25-2011)

State of Tennessee v. Michael Martin W2010-00466-SC-R11-CD	Shelby County Criminal Court Judge Paula Skahan No. 07-06810	Glenn, J., Affirmed	Rule 11	Denied - Application of Michael Martin (Order filed 8-24-2011)
State of Tennessee v. Jason R. McCallum W2010-01075-SC-R11-CD	Dyer County Circuit Court Judge Lee Moore No. 09-CR-142	Glenn, J., Affirmed	Rule 11	Denied - Application of Jason R. McCallum (Order filed 8-25-2011)
Marvin L. McNeary, et al. v. Baptist Memorial Hospital, et al. W2009-01231-SC-R11-CV	Shelby County Circuit Court Judge Karen R. Williams No. CT-003539-05	Stafford, J., Affirmed and Remanded	Rule 11	Denied - Application of Marvin L. McNeary and Gwendolyn V. McNeary (Order filed 8-25-2011)
Jamie Randolph, on behalf of her deceased mother, Carolyn Randolph v. Gianfranco Meduri, M.D., et al. W2010-01224-SC-R11-CV	Shelby County Circuit Court Judge Charles McPherson No. 84713 T.D.	Farmer, J., Affirmed and Remanded	Rule 11	Denied - Application of Jamie Randolph (Order filed 8-26-2011)
State of Tennessee v. Antonio Saulsberry W2010-01326-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 95-07822	Glenn, J., Affirmed	Rule 11	Denied - Application of Antonio Saulsberry (Order filed 8-25-2011)
In Re Estate of Billy Ray Suggs W2010-01116-SC-R11-CV	Fayette County Circuit Court Judge J. Weber McCraw No. 4757	Highers, J., Affirmed	Rule 11	Denied - Application of Darryl Suggs (Order filed 8-24-2011)
Andrew Thomas v. State of Tennessee W2008-01941-SC-R11-PD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 00-03095	Smith, J., Affirmed	Rule 11	Denied - Application of Andrew Thomas (Order filed 8-25-2011)

Mack Transou v. State of Tennessee W2010-01378-SC-R11-CO	Madison County Circuit Court Judge Roy B. Morgan No. C-10-179	McLin, J., Affirmed	Rule 11	Denied - Application of Mack Transou; Denied - Mack Transou's Motion to Appoint Counsel (Order filed 8-25-2011)
Roberto Carlos Urtuzuastegui a/k/a Jose M. Carrion-Casillas v. George D. Kirkland, et al. W2010-01016-SC-R11-CV	Shelby County Circuit Court Judge Charles O. McPherson No. CT-005324-08	Stafford, J., Reversed	Rule 11	Denied - Application of George D. Kirkland and Vickers Distributing and Transfer, Inc. (Order filed 8-24-2011)
State of Tennessee v. Christopher Ivory Williams W2009-01638-SC-R11-CD	Madison County Circuit Court Judge Roger A. page No. 08-193	McMullen, J., Affirmed	Rule 11	Denied - Application of Christopher Ivory Williams (Order filed 8-24-2011)
State of Tennessee v. Paul Williams a/k/a Paul Williams-El W2010-00598-SC-R11-CD	Carroll County Circuit Court Judge C. Creed McGinley No. 10-CR-33	Glenn, J., Affirmed	Rule 11	Denied - Application of Paul Williams-El (Order filed 8-24-2011)

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE v. HEATHER RICHARDSON

Circuit Court for Rutherford County
No. F63788

No. M2010-01360-SC-R11-CD - Filed August 24, 2011

ORDER

Upon consideration of the Tenn. R. App. P. 11 application for permission to appeal filed on behalf of the State of Tennessee, and the record before us, the application is granted.

This case shall be set for oral argument with the case of *State of Tennessee v. Brian David Thomason*, No. W2007-02910-SC-R11-CD, Circuit Court for Gibson County, on the Court's November 2, 2011 Docket in Jackson. Although the cases share some similar issues, they shall not be considered consolidated pursuant to Tenn. R. App. P. 16(a). Instead, separate oral arguments shall be permitted pursuant to Tenn. R. App. P. 35(c).

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

EARLENE WADDLE v. LORENE B. ELROD

**Chancery Court for Rutherford County
No. 070147CV**

No. M2009-02142-SC-R11-CV - Filed August 25, 2011

ORDER

Upon consideration of the application for permission to appeal of Lorene B. Elrod 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

MARKINA WESTMORELAND ET AL. v. WILLIAM L. BACON, M.D. ET AL.

**Circuit Court for Davidson County
No. 05C3729**

No. M2009-02643-SC-R11-CV - Filed August 24, 2011

ORDER

Upon consideration of the application for permission to appeal of Markina Westmoreland, Jacqueline Westmoreland, and Robert Lee Westmoreland, III and the record before us, the Court is of the opinion that the application should be, and is hereby, granted solely for the purpose of remanding this case to the Court of Appeals for reconsideration in light of Shipley v. Williams, 2011 WL 3505281, No. M2007-01217-SC-R11-CV (Tenn. Aug. 11, 2011).

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

**CURTIS MYERS v. AMISUB (SFH), INC.
D/B/A SAINT FRANCIS HOSPITAL ET AL.**

**Circuit Court for Shelby County
No. CT-004650-09**

No. W2010-00837-SC-R11-CV - Filed August 23, 2011

ORDER

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

STATE OF TENNESSEE v. BRIAN DAVID THOMASON

Circuit Court for Gibson County
No. 17750

No. W2007-02910-SC-R11-CD - Filed August 26, 2011

ORDER

Upon consideration of the Tenn. R. App. P. 11 application for permission to appeal filed on behalf of the State of Tennessee, and the record before us, the application is granted.

This case shall be set for oral argument with the case of *State of Tennessee v. Heather Richardson*, No. M2010-01360-SC-R11-CD, Circuit Court for Rutherford County, on the Court's November 2, 2011 Docket in Jackson. Although the cases share some similar issues, they shall not be considered consolidated pursuant to Tenn. R. App. P. 16(a). Instead, separate oral arguments shall be permitted pursuant to Tenn. R. App. P. 35(c).

PER CURIAM