

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

Grants & Denials List

Monday, September 16, 2013

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Jim Ferguson v. Middle Tennessee State University M2012-00890-SC-R11-CV	Rutherford County Chancery Court Judge John D. Wootten, Jr. No. 036336MI	Kirby, J Reversed & Remanded for Order of Dismissal	Rule 11	Granted: Application of Jim Ferguson (Order Filed 9-11-13)
State of Tennessee v. Barry D. McCoy M2013-00912-SC-R11-CD	Montgomery County Circuit Court Judge John Gasaway No. 41001277	Smith, J Denied	Rule 11	Granted: Application of Barry D. McCoy (Order Filed 9-10-13)
<u>Knoxville</u>				
Guadalupe Arroyo v. State of Tennessee E2012-02703-SC-R11-PC	Knox County Criminal Court Judge Bob R. McGee No. 84012	Page, J Affirmed	Rule 11	Granted: Application of Guadalupe Arroyo (Order 9-10-13)

Jackson

Quantel Taylor v. State of Tennessee W2012-00760-SC-R11-PC	Crockett County Circuit Court Judge Clayburn Peoples No. 3706	Woodall, J Affirmed	Rule 11	Granted: Application of Quantel Taylor <i>For the purpose of all the proceedings before this Court with regard to this appeal, the Court is pleased to appoint Marty B. McAfee, McAfee & McAfee, PLLC, 246 Adams Avenue, Memphis, Tennessee 38103 to represent Quantel Taylor</i> (Order Filed 9-11-13)
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**SUPREME COURT OF TENNESSEE
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Monday, September 16, 2013**

DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
State of Tennessee v. Deshawn Lamar Baker M2011-00946-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn No. 2009-B-1373	Woodall, J Affirmed	Rule 11	Denied: Application of Deshawn Lamar Baker (Order Filed 9-10-13)

State of Tennessee v. Robert Nelson Buford, III M2011-00323-SC-R11-CD	Davidson County Criminal Court Judge J. Randall Wyatt No. 2008-B-1355	Ogle, J Affirmed	Rule 11	Denied: Application of Robert Nelson Buford <i>Motion to supplement his application is granted</i> (Order Filed 9-11-13)
James Anthony Burgess v. State of Tennessee M2012-01308-SC-R11-PC	Putnam County Criminal Court Judge David Patterson No. 07-0676	Summers, J Affirmed	Rule 11	Dismissed (untimely): Application of James Anthony Burgess (Order Filed 9-11-13)
Christ Church Pentecostal v. Tennessee State Board of Equalization Et Al M2012-00625-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 1150II	Affirmed and Remanded	Rule 11	Denied: Application of Christ Church Pentecostal (Order Filed 9-10-13)
Dakota D. Cisneros v. State of Tennessee M2012-00944-SC-R11-PC	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2008-B-1579, 2008-B-1580	Tipton, J Affirmed	Rule 11	Denied: Application Dakota D. Cisneros (Order Filed 9-11-13)
Omar Theron Davis v. State of Tennessee M2012-01061-SC-R11-PC	Montgomery County Circuit Court Judge John H. Gasaway No. 40500164	Witt, Jr. J. Affirmed	Rule 11	Denied: Application Omar Theron Davis (Order Filed 9-11-13)
Quincy Deangelo Gardner v. State of Tennessee M2012-01483-SC-R11-PC	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2006-A-391	Bivins, J Affirmed	Rule 11	Denied: Application of Quincy Deangelo Gardner (Order Filed 9-11-13)
State of Tennessee v. Stephen Gillard M2012-00910-SC-R11-CD	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2010-D-3004	Wedemeyer, J Affirmed	Rule 11	Denied: Application of Stephen Gillard (Order Filed 9-10-13)

John Joseph Kratochvil v. State of Tennessee M2012-02716-SC-R11-CO	Davidson County Criminal Court Judge Randall Wyatt No. 2009-B-1893	Tipton, J Affirmed	Rule 11	Denied: Application of John Joseph Kratochvil (Order Filed 9-10-13)
State of Tennessee v. Jermaine Johnson M2012-000391-SC-R11-CD	Davidson County Criminal Court Judge Monte Watkins No. 2011-B-1381	McMullen, J Affirmed in Part and Reversed in Part	Rule 11	Denied: Application of Jermaine Johnson (Order Filed 9-16-13)
Minor Miracle Productions, LLC Et A. V. Randy Starkey M2012-01145-SC-R11-CV	Cheatham County Circuit Court Judge George Sexton No. 6022	Kirby, J Affirmed and Remanded	Rule 11	Denied: Application of Randy Starkey (Order Filed 9-10-13)
State of Tennessee v. Bobby Duane Parker M2012-00748-SC-R11-CD	Williamson County Criminal Court Judge Walter C. Kurtz No. II-CR125348	Ogle, J Affirmed	Rule 11	Denied: Application of Bobby Duane Parker <i>Motion to accept late filing Mr. Parker's late-filed application for permission to appeal is granted</i> (Order Filed 9-12-13)
Elgene Porter v. State of Tennessee M2012-01139-SC-R11-PC	Rutherford County Circuit Court Judge Don R. Ash No. F-66693	Bivins, J. Affirmed	Rule 11	Denied: Application of Elgene Porter (Order Filed 9-11-13)
Troy Allen Pruitt v. State of Tennessee M2012-00897-SC-R11-PC	Montgomery County Circuit Court Judge John Gasaway No. 40600541	Witt, J Affirmed	Rule 11	Denied: Application of Troy Allen Pruitt (Order Filed 9-10-13)

Craig U. Quevedo v. State of Tennessee M2010-01399-SC-R11-PC	Montgomery Couty Circuit Court Judge Michael R. Jones No 4000492	Thomas, J Affirmed In Part and Remanded in Part	Rule 11	Denied: Application of Craig U. Quevedo (Order Filed 9-11-13)
State of Tennessee v. Ray Neil Thompson M2012-01064-SC-R11-CD	Davidson County Criminal Court Judge Steve R. Dozier No. 2008-D-3845	Thomas, J Affirmed	Rule 11	Denied: Application of Ray Neil Thompson (Order Filed 9-11-13)
Louis G. Turner v. State of Tennessee M2013-00294-SC-R11-PC	Davidson County Criminal Court Judge Seth Norman No. 200D2235	Smith, J Woodall, J Wedemeyer, J Motion Denied	Rule 11	Denied: Application of Louis G. Turner (Order Filed 9-11-13)
State of Tennessee v. Donald Vaughn M2011-00937-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn	Thomas, J Affirmed	Rule 11	Denied: Application of Donald Vaughn (Order Filed 9-16-13)
<u>Knoxville</u>				
Stephen H. Cook Et Al. V. David L. Alley, Sr. Et Al E2012-01220-SC-R11-CV	Loudon County Chancery Court Chancellor Frank Williams No. 8042	Swiney, J. Affirmed	Rule 11	Denied: Application of David L. Alley, Sr., Et Al (Order Filed 9-10-13)
State of Tennessee v. Toni S. Davis E2012-00495-SC-R11-CD	Sullivan County Circuit Court Judge Robert Montgomery No. S58, 575	Craft, Sp. J. Affirmed	Rule 11	Denied: Application of Toni S. Davis (Order Filed 9-10-13)

State of Tennessee v. Michael David Fields E2010-02446-SC-R11-CD	Sullivan County Circuit Court Judge Robert H. Montgomery, Jr. No. S52296	Smith, J Affirmed	Rule 11	Denied: Application of Michael David Fields (Order Filed 9-11-13)
State of Tennessee v. Quinzell Grasty E2012-00141-SC-R11-CD	Hamilton County Criminal Court Judge Don W. Poole No. 272582	Page, J Affirmed	Rule 11	Denied: Application of Quinzell Gasty <i>Appellant's motions to amend his application and to remove appellate counsel are denied</i> (Order Filed 9-16-13)
State of Tennessee v. Dustin Hubmann E2012-01569-SC-R11-CD	Sullivan County Circuit Court Judge R. Jerry Beck No. S59, 665	Tipton, J Affirmed	Rule 11	Denied: Application of Dustin A. Hubmann (Order Filed 9-10-13)
Billy Ray Irick v. State of Tennessee E2012-02648-SC-R11-PD	Knox County Criminal Court Judge Mary Beth Leibowitz No. 99054	Witt, J Ogle, J Thomas, J Denied	Rule 11	Denied - Application of Billy Ray Irick (Order Filed 9-16-13)
Crystal Miranda Kirby v. State of Tennessee E2012-01995-SC-R11-PC	Campbell County Criminal Court Judge E. Shayne Sexton No. 14865	Page, J. Affirmed	Rule 11	Denied: Application of Crystal Miranda Kirby (Order Filed 9-10-13)
In Re: Jakaeha L. Et Al E2012-02272-SC-R11-PT	Knox County Juvenile Court Judge Timothy E. Irwin No. 127909	McClarty, J	Rule 11	Denied: Application of the Mother (Order Filed 9-10-13)
State of Tennessee v. Aaron Dean Lawson E2012-02260-SC-S09-CD	Bradley County Criminal Court Judge Carroll Ross No. 11CR252	Thomas, J Tipton, J Ogle, J Rule 9 Denied	Rule 11	Denied: Application of Aaron Dean Lawson (Order Filed 9-10-13)

State of Tennessee v. Douglas Leon Lyle E2012-00468-SC-R11-CD	Knox County Criminal Court Judge Jon Kerry Blackwood No. 94696	Bivins, J Affirmed	Rule 11	Denied: Application of Douglas Leon Lyle (Order Filed 9-11-13)
State of Tennessee v. Ahmad Manning, Alias E2011-01812-SC-R11-CD	Knox County Criminal Court Judge Mary B. Leibowitz No. 95615	Thomas, J Reversed	Rule 11	Denied: Application of Ahmad Manning, Alias (Order Filed 9-11-13)
H.A.S. v. H.D.S. E2012-01233-SC-R11-JV	Jefferson County Juvenile Court Judge Benjamin Strand No. 9334	Susano, J Affirmed	Rule 11	Denied: Application of the Father, H.A.S. (Order Filed 9-10-13)
State of Tennessee v. Kevin Glenn Tipton E2012-00038-SC-R11-CD	Knox County Criminal Court Judge Jon Kerry Blackwood No. 91564	McMullen, J Affirmed	Rule 11	Denied: Application of Kevin G. Tipton (Order Filed 9-10-13)
State of Tennessee v. Danielle White E2011-01817-SC-R11-CD	Greene County Circuit Court Judge John F. Dugger, Jr. No. 09CR304	Tipton, J Affirmed	Rule 11	Denied: Application of Danielle White (Order Filed 9-10-13)
<u>Jackson</u>				
Andrea Blackwell Et. Al. V. Comanche Construction, Inc. Et Al. W2012-01309-SC-R11-CV	Dyer County Circuit Court Judge William B. Acree No. 2009-CV-149	Kirby, J Appeal Dismissed and Case Remanded	Rule 11	Denied: Application of Comanche Construction, Inc. And Comanche Construction of Georgia, Inc. (Order Filed 9-10-13)

Damien Clark v. State of Tennessee W2011-02168-SC-R11-PC	Shelby County Criminal Court Judge J. Robert Carter No. 05-04275	Woodall, J Affirmed	Rule 11	Denied: Application of Damien Clark (Order Filed 9-10-13)
Jeffery Gaylon Douglas v. State of Tennessee W2012-00012-SC-R11-PC	Madison County Circuit Court Judge Donald H. Allen No. C-11-149	Thomas, J Affirmed	Rule 11	Denied: Application of Jeffery Gaylon Douglas (Order Filed 9-10-13)
Tommie L. Hill, Jr. V. State of Tennessee W2012-01472-SC-R11-PC	Madison County Circuit Court Judge Roy B. Morgan, Jr. No. C-12-47	Glenn, J Affirmed	Rule 11	Denied: Application of Tommie L. Hill, Jr. (Order Filed 9-10-13)
Lue Holcomb v. State of Tennessee W2012-01753-SC-R11-CO	Shelby County Criminal Court Judge W. Mark Ward No. 09-04878	Glenn, J Affirmed	Rule 11	Denied: Application of Lue Holcomb (Order Filed 9-10-13)
State of Tennessee v. Tolbert Cates Kail W2011-01474-SC-R11-CD	Crockett County Circuit Court Judge Clayburn Peeples No. 3970	McMullen, J Affirmed	Rule 11	Denied: Application of Tolbert Cates Kail (Order Filed 9-10-13)
Davey Mann Et Al. V. Alpha Tau Omega Fraternity, Inc. Et Al. W2012-00972-SC-R11-CV	Shelby County Circuit Court Judge John R. McCarroll No. CT-003646-07	Highers, J Reversed and Remanded	Rule 11	Denied: Application of Alpha Tau Omega (Order Filed 9-10-13)
State of Tennessee v. Alexis Mason W2010-02321-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 09-04389	McMullen, J Affirmed	Rule 11	Denied: Application of Alexis Mason (Order Filed 9-16-13)

Francesca Maria Pier v. Katherine Jungkind Et Al W2012-00872-SC-R11-CV	Shelby County Circuit Court Judge Robert S. Weiss No. CT-005021-09	Farmer, J Affirmed	Rule 11	Denied: Application of Francesca Pier <i>Motion to disregard Ms. Pier's reply, filed on behalf of Katharine Jungkind and Evans Petree, is denied as moot</i> (Order Filed 9-10-13)
State of Tennessee v. James Strong Powell W2011-02685-SC-R11-CD	Hardin County Circuit Court Judge Stella L. Hargrove No. 9309	Woodall, J Affirmed	Rule 11	Denied: Application of James Strong Powell (Order Filed 9-11-13)
Regions Bank v. Thomas D. Thomas Et Al W2011-02320-SC-R11-CV	Shelby County Circuit Court Judge Robert L. Childers No. CT-00511307	Farmer, J Affirmed in Part, Reversed in Part and Remanded	Rule 11	Denied: Application of Thomas D. Thomas, Helen L. Thomas and The Thomas Family Living Trust (Order Filed 9-11-13)
Charles Rice v. State of Tennessee W2011-01069-SC-R11-PD	Shelby County Criminal Court Judge Chris Craft No. 01-00035	McMullen, J Affirmed	Rule 11	Denied: Application of Charles Rice (Order Filed 9-11-13)
Louis Tyrone Robinson v. State of Tennessee W2012-01724-SC-R11-CO	Gibson County Circuit Court Judge William B. Acree, Jr. No. 14677	Glenn, J. Affirmed	Rule 11	Denied: Application of Louis Tyrone Robinson (Order Filed 9-11-13)
State of Tennessee v. James Snipes W2011-02161-SC-R11-CD	Shelby County Criminal Court Judge Carolyn Wade Blackett No. 08-07885	Tipton, P.J. Affirmed	Rule 11	Denied: Application of James Snipes Applicant's motion to accept appeal is denied (Order Filed 9-13-13)
Adrian Todd v. State of Tennessee W2012-00442-SC-R11-PC	Shelby County Criminal Court Judge J. Robert Carter, Jr. No. 06-07199	Glenn, J Affirmed	Rule 11	Denied: Application of Adrian Todd (Order Filed 9-11-13)

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

JIM FERGUSON v. MIDDLE TENNESSEE STATE UNIVERSITY

**Chancery Court for Rutherford County
No. 036336MI**

No. M2012-00890-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Jim Ferguson 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

STATE OF TENNESSEE v. BARRY D. McCOY

Circuit Court for Montgomery County
No. 41001277

No. M2013-00912-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Barry D. McCoy, 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

GUADALUPE ARROYO v. STATE OF TENNESSEE

Criminal Court for Knox County
No. 84012

No. E2012-02703-SC-R11-PC

ORDER

Upon consideration of the application for permission to appeal of Guadalupe Arroyo, 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

QUANTEL TAYLOR v. STATE OF TENNESSEE

**Circuit Court for Crockett County
No. 3706B**

No. W2012-00760-SC-R11-PC

ORDER

Upon consideration of the application for permission to appeal of Quantel Taylor and the record before us, the application is granted.

For the purpose of all the proceedings before this Court with regard to this appeal, the Court is pleased to appoint Marty B. McAfee, McAfee & McAfee, PLLC, 246 Adams Avenue, Memphis, Tennessee 38103 to represent Quantel Taylor.

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

PER CURIAM