

SUPREME COURT OF TENNESSEE  
 SUPREME COURT DISCRETIONARY APPEALS  
**March 11, 2002**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b>Stacy Harris</b> v. <b>4215 Harding Road Homeowners Association</b> <b>M2000-02414-SC-R11-CV</b>	Davidson Chancery Carol L. McCoy 99-1309-II	Cantrell, J. Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Stacy Harris.
<b>John T. King</b> v. <b>Anne B. Pope, Commissioner of the Tennessee Department of commerce and Insurance</b> <b>M2000-02127-SC-R11-CV</b>	Davidson Chancery Ellen H. Lyle 99-3550-III	Franks, J. Reversed	Rule 11	<b>Granted</b> - Application of Anne B. Pope <sup>1</sup>
<b>Charlotte McCall</b> v. <b>National Health Corporation, et al.</b> <b>M2001-03166-SC-R9-CV</b>	Rutherford Circuit Robert E. Corlew III 45480		Rule 9	<b>Granted</b> - Application of NHC Insurance Company, n/k/a Premier Group Insurance Company. <sup>2</sup>

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<sup>1</sup>Order filed vacating order of 03/04/02 denying application for permission to appeal.

<sup>2</sup>The clerk of the trial court shall prepare and file a record within thirty (30) days after the entry of this order. The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing. This case will be placed on the docket to be argued on the same date as Shelton v. ADS Environmental Services, et al.

<b>William Roger Shelton</b> v. <b>ADS Environmental Services, et al.</b> <b>M2000-00186-WC-R9-CV</b>	Rutherford Chancery Robert E. Corlew 01-3172WC		Rule 9	<b>Granted</b> - Application of ADS Environmental Services and Zurich American Insurance. <sup>3</sup>
<b>State of Tennessee</b> v. <b>Ronnie D. Denson</b> <b>M2000-02583-SC-R11-CD</b>	Cheatham Robert E. Burch 13410	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Ronnie D. Denson
<b>State of Tennessee</b> v. <b>Michael Fields</b> <b>M2000-01657-SC-R11-CD</b>	Montgomery John H. Gasaway, III 29489, 30252, 37147	Wade, J. Affirmed	Rule 11	<b>Denied</b> - Application of Michael Fields.
<b>J.D. Landers</b> v. <b>State of Tennessee</b> <b>M2001-00319-SC-R11-PC</b>	Perry Timothy L. Easter 632	Witt, J. Affirmed	Rule 11	<b>Denied</b> - Application of J.D. Landers
<b>Corey Wilson</b> v. <b>State of Tennessee</b> <b>M2000-02069-SC-R11-PC</b>	Maury Robert L. Jones 8167	Wedemeyer, J. Affirmed pursuant to Rule 20.	Rule 11	<b>Denied</b> - Application of Corey Wilson.
<b>State of Tennessee</b> v. <b>Anthony H. Dean</b> <b>W2000-01156-SC-R11-CD</b>	Shelby Criminal James C. Beasley, Jr. 98-14047	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Anthony H. Dean.

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<sup>3</sup>The clerk of the trial court shall prepare and file a record within thirty (30) days after the entry of this order. The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing. This case will be placed on the docket to be argued on the same date as McCall v. National Health Corp.

<b>State of Tennessee</b> v. <b>Larry Johnson</b> <b>W1999-00747-SC-R11-CD</b>	Shelby Criminal Joseph B. Daily 98-06749	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Larry Johnson.
<b>Pero's Steak and Spaghetti House,</b> et al v. <b>Elizabeth Jean Hinkle Lee, et al.</b> <b>E2001-00254-SC-R11-CV</b>	Knox Wheeler A. Rosenbalm 3-541-96 & 3-544-96	Franks, J. Affirmed	Rule 11	<b>Granted</b> - Application of Pero's Steak House and Louis Inn.
<b>Jerry Allen Grace et ux</b> v. <b>Mountain States Health Alliance</b> <b>d/b/a Johnson City Medical Center</b> <b>Hospital, et al.</b> <b>E2000-03031-SC-R11-CV</b>	Washington Circuit Thomas J. Seeley, Jr. 20423	Goddard, J. Affirmed	Rule 11	<b>Denied</b> - Application of Jerry Allen Grace, et ux.
<b>State of Tennessee</b> v. <b>Douglas Bryan Boruff</b> <b>E1999-00274-SC-R11-CD</b>	Blount D. Kelly Thomas, Jr. C-11098	Riley, J. Affirmed	Rule 11	<b>Denied</b> - Application of Douglas Bryan Boruff: Court Of Criminal Appeals opinion is designated "Not for Citation" in accordance with Supreme Court Rule 4 § F.
<b>State of Tennessee</b> v. <b>Nathan Allen Dougherty, Jr.</b> <b>E2000-02816-SC-R11-CD</b>	Hawkins Circuit James E. Beckner 7718B	Witt, Wade, Ogle, J.J. Dismissed	Rule 11	<b>Denied</b> - Application of Nathan Allen Dougherty, Jr.
<b>State of Tennessee</b> v. <b>Gary L. Haney</b> <b>E1999-00552-SC-R11-CD</b>	Jefferson Criminal Ben Walter Hooper, III 6260	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Gary L. Haney.

<b>State of Tennessee</b> v. <b>Matthew Scott Johnston</b> <b>E1999-00496-SC-R11-CD</b>	Roane E. Eugene Eblen 11624A	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Matthew Scott Johnston.
<b>State of Tennessee</b> v. <b>Robert Morrow</b> <b>E2000-02796-SC-R11-CD</b>	Cocke Criminal Robert E. Cupp 7793 & 7794	Witt, J. Affirmed	Rule 11	<b>Denied</b> - Application of Robert Morrow.
<b>State of Tennessee</b> v. <b>Almeer Nance</b> <b>E2000-00170-R11-CD</b>	Knox Criminal Jerry Smith 61277	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Almeer Nance.
<b>State of Tennessee</b> v. <b>Linnell Richmond</b> <b>E2000-01545-SC-R11-CD</b>	Knox Richard R. Baumgartner 58152B	Woodall Reversed & Remanded	Rule 11	<b>Granted</b> - Application of Linnell Richmond. <sup>4</sup>
<b>State of Tennessee</b> v. <b>David Wayne Salley</b> <b>E1999-00203-SC-R11-CD</b>	Sullivan Phyllis H. Miller S40,026	Witt, J. Affirmed	Rule 11	<b>Denied</b> - Application of David Wayne Sallee: Court Of Criminal Appeals opinion is designated “Not for Citation”.

<sup>4</sup>For oral argument, the Court is particularly interested in the following issues:

1. Did the trial court err by failing to instruct the jury on the “natural and probable consequence rule” in relation to the charges for attempted first degree murder?
2. Did the trial court err by failing to instruct the jury on (1) robbery as a lesser-included offense of aggravated robbery and (2) attempted robbery as a lesser-included offense of attempted aggravated robbery?

This statement of the issue(s) for oral argument does not prevent the parties from raising additional issues pursuant to Rule13(a), Tenn. R. App. P.

<b>State of Tennessee v. Daniel Wade Wilson E2000-01885-SC-R11-CD</b>	Sullivan Phyllis H. Miller S42,735	Woodall, J. Affirmed in part; Reversed in part	Rule 11	<b>Denied</b> - Application of Daniel Wade Wilson and The State of Tennessee.
<b>Karen Renee Howell v. State of Tennessee E2001-2518-SC-S09-PC</b>	Greene James E. Beckner 01-CR-039	Witt, Wade, Ogle, J.J. Rule 9 Denied	Rule 11	<b>Denied</b> - Application of Karen Renee Howell.
<b>John D. Rushing v. State of Tennessee E2001-01762-SC-R11-PC</b>	Bledsoe Buddy D. Perry 24-2001	Witt, Tipton, Ogle, J.J. Affirmed pursuant to Rule 20.	Rule 11	<b>Denied</b> - Application of John D. Rushing.
