

SUPREME COURT OF TENNESSEE  
 SUPREME COURT DISCRETIONARY APPEALS  
**May 6, 2002**  
**AMENDED MAY 9, 2002**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b>Jeffrey A. Simmons</b> v. <b>Gath Baptist Church, et al.</b> <b>M2001-02511-SC-R11-CV</b>	Warren Circuit Charles D. Haston, Sr. 909	Cain, J.	Rule 11	<b>Denied</b> - Application of Jeffrey A. Simmons.
<b>Guy Wilson, et ux.</b> v. <b>Thompson Construction Company,</b> <b>et al.</b> <b>M2000-03200-SC-R11-CV</b>	Sumner Circuit C.L. Rogers 20134-C	Cain, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Guy and Rhessa Wilson.
<b>Alexander Wells</b> v. <b>State of Tennessee</b> <b>M2001-00144-SC-R11-CV</b>	Tennessee Claims Commission William Baker 98000548	Cantrell, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Alexander Wells.
<b>Williamson County, et al.</b> v. <b>Tennessee State Board of</b> <b>Equalization</b> <b>M2000-03178-SC-R11-CV</b>	Davidson Chancery Ellen H. Lyle 00-522-III	Cain, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Shelby County, TN., Williamson County, TN., Tennessee County Governments, Tennessee City Governments, Metropolitan Government of Nashville and Davidson County.
<b>Donald Joseph Russo</b> v. <b>Debra Ann Russo</b> <b>M1999-02380-SC-R11-CV</b>	Sumner Chancery Tom E. Gray 98D-355	Highers, J. Crawford, J. Cain, J. Affirmed in Part, Reversed in Part.	Rule 11	<b>Denied</b> - Application of Debra Ann Russo.

<b>Anthony D. Myers, et al.</b> v. <b>W. Allen Bryan, III. et al.</b> <b>M2000-03188-SC-R11-CV</b>	Williamson Chancery Russ Heldman 1-25483	Susano, J. Affirmed, Case Remanded.	Rule 11	<b>Denied</b> - Application of W. Allen Bryan, III.
<b>American Child Care, Inc.</b> v. <b>State of Tennessee, Department of Human Services, et al.</b> <b>M2000-01790-SC-R11-CV</b>	Davidson Chancery Ellen H. Lyle 00-413-III	Cantrell, J. Reversed and Remanded.	Rule 11	<b>Denied</b> - Application of State of Tennessee, Department of Human Services, and Natasha K. Metcalf.
<b>State of Tennessee</b> v. <b>Deadrick M. Pigg</b> <b>M2000-03056-SC-R11-CD</b>	Davidson Criminal Cherly Blackburn 2000-C-1314	Welles, J. Wade, J. Smith, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Deadrick M. Pigg.
<b>State of Tennessee</b> v. <b>Nordell Buggs</b> <b>M2000-02759-SC-R11-CD</b>	Davidson Criminal Carol Soloman 99-D-3045	Williams, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Nordell Buggs.
<b>State of Tennessee</b> v. <b>Timothy I. Robertson</b> <b>M2000-01235-SC-R11-CD</b>	Davidson Criminal J. Randall Wyatt, Jr. 99-B-1027	Smith, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Timothy I. Robertson.
<b>State of Tennessee</b> v. <b>Steven Lloyd Givens</b> <b>M2001-00021-SC-R11-CD</b>	Davidson Circuit J. Randall Wyatt, Jr. 99-C-2110	Welles, J. Smith, J. Witt, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Steven Lloyd Givens.
<b>State of Tennessee</b> v. <b>Rita Davis</b> <b>M2000-03227-SC-R11-CD</b>	Marshall Circuit Charles Lee 13809, 14296	Hayes, J. Reversed and Remanded in Part and Affirmed in Part.	Rule 11	<b>Denied</b> - Application of Rita Davis.

State of Tennessee v. <b>Kenneth L. Boggs</b> M2000-02724-SC-R11-CD	Davidson Criminal Seth Norman 99-B-1205	Witt, J. Welles, J. Smith, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Kenneth L. Boggs.
State of Tennessee v. <b>John Malone</b> M2000-02265-SC-R11-CD	Davidson Criminal J. Randall Wyatt 99-C-2194	Williams, J. Affirmed.	Rule 11	<b>Denied</b> - Application of John Malone.
State of Tennessee v. <b>Mikel U. Primm</b> M2001-02447-SC-R11-CD	Dickson Circuit Robert E. Burch CR-5414		Rule 11	<b>Denied</b> - Application of Mikel U. Primm.
State of Tennessee v. <b>Jerry Breeding</b> M2001-00043-SC-R11-CD	Overton Criminal Leon C. Burns, Jr. 3820	Williams, J. Tipton, J. Witt, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Jerry Breeding.
State of Tennessee v. <b>Oscar Gomez</b> M2001-00130-SC-R11-CD	Davidson Criminal Walter Kurtz 99-C-1975	Welles, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Oscar Gomez.
<b>Kerry Jo Bradley</b> v. State of Tennessee M2000-02222-SC-R11-PC	Maury Criminal Robert L. Jones 10402	Williams, J. Wade, J. Tipton, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Kerry Jo Bradley.
State of Tennessee v. <b>Tommy Lee Page</b> M2001-01046-SC-R11-CO	Davidson Criminal Seth W. Norman 95-D-1955	Welles, J. Woodall, J. Wedemeyer, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Tommy Lee Page.

<b>Harold Dennis Shores, Jr.</b> v. <b>Stephanie Rene Bonds</b> W2001-01514-SC-R11-JV	Shelby Juvenile Blancett M3374	Lillard, J. Crawford, J. Dismissed.	Rule 11	<b>Denied</b> - Application of Harold Dennis Shores, Jr.
<b>Tennessee Wildlife Resources Agency, et al.</b> v. <b>Steve Davis</b> W2001-03016-S10-CV	Benton Chancery Ron E. Harmn 00-028	Lillard, J. Crawford, J. Denied Rule 10 Application.	Rule 10	<b>Denied</b> - Application of Tennessee Wildlife Resources Agency.
<b>Joan C. Schmitt</b> v. <b>James Charles Smith</b> In Re: S. Denise McCrary v. <b>Joan Carol Schmitt</b> W2000-01726-SC-R11-CV	Shelby Circuit George H. Brown, Jr. 158942-6	Farmer, J. Vacated and Remanded.	Rule 11	<b>Granted</b> - Application of S. Denise McCrary.
<b>State of Tennessee</b> v. <b>Ronald Cox</b> W2000-02238-SC-R11-CD	Shelby Criminal Joseph B. Dailey 99-02650 & 99-02770	Woodall, J. Reversed and Remanded.	Rule 11	<b>Denied</b> - Application of State of Tennessee.
<b>State of Tennessee</b> v. <b>Dale Godwin</b> W2001-00212-SC-R11-CD	Obion Circuit William B. Acree, Jr. 9654, 9655, 9656, 9713	Wedemeyer, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Dale Godwin.
<b>State of Tennessee</b> v. <b>Johnny White</b> W2001-02174-SC-R11-CD	Shelby Criminal P-25268	Hayes, J. Denied Motion to Late File Appeal.	Rule 11	<b>Denied</b> - Application of Johnny White.

<b>State of Tennessee</b> v. <b>Lewis A. Forbes</b> <b>W2001-00202-SC-R11-CD</b>	Tipton Circuit Joseph H. Walker, III 3977-3978	Wade, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Lewis A. Forbes.
<b>State of Tennessee</b> v. <b>Charles David Vanderford</b> <b>W2000-02639-SC-R11-CD</b>	Hardin Circuit Charles C. McGinley 7329	Ogle, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Charles David Vanderford.
<b>State of Tennessee</b> v. <b>James Whitelow and Robert Robertson</b> <b>W2001-00713-SC-R11-CD</b>	Lauderdale Circuit Joe H. Walker, III 6214	Riley, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Robert Robertson.
<b>State of Tennessee</b> v. <b>Gregory Hollingsworth</b> <b>W2000-01993-SC-R11-PC</b>	Madison Circuit Joe C. Morris C-00-176	Welles, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Gregory Hollingsworth,
<b>Linda D. Mucisk</b> v. <b>Calvin L. Musick</b> <b>E2001-01140-SC-R11-CV</b>	Sullivan Chancery John S. McLellan, III 30263	Franks, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Calvin L. Musick.
<b>State Ex Rel Steven M. Wrzesniewski</b> v. <b>Lori Miller</b> <b>E2001-00317-SC-R11-CV</b>	Blount Circuit William D. Young E-17018	Franks, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Lori Miller.
<b>Alvin Bates</b> v. <b>Dr. Joseph Metcalf, IV, et al.</b> <b>E2001-00358-SC-R11-CV</b>	Anderson Circuit James B. Scott, Jr. 98LA0448	Goddard, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Alvin Bates.

<b>Anthony McNabb, et al.</b> v. <b>Highways, Inc., et al.</b> <b>E2001-00867-SC-R11-CV</b>	Polk Circuit Lawrence H. Puckett 3596 & 3597	Franks, J. Vacated and Remanded.	Rule 11	<b>Granted</b> - Application of Highways, Inc. <sup>1</sup>
<b>State of Tennessee</b> v. <b>Donald R. Eady</b> <b>E2000-01152-SC-R11-CD</b>	Bradley Circuit Carroll L. Ross M-97-528	Wedemeyer, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Donald R. Eady.
<b>State of Tennessee</b> v. <b>Robbie Bailey</b> <b>E2001-00210-SC-R11-CD</b>	Washington Criminal Robert E. Cupp 26013	Hayes, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Robbie Bailey.
<b>State of Tennessee</b> v. <b>Garland Godsey</b>	Cumberland Circuit Leon C. Burns, Jr. 4969	Witt, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Garland Godsey. It is recommended that the opinion of the Court of Criminal Appeals be published.

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<sup>1</sup>For oral argument, the Court is particularly interested in the following issues:

1. Whether the Court of Appeals erred in reversing the trial court's dismissal of the case based on the plaintiff's failure to comply with the rule adopted in Samuelson v. McMurtry, 962 S.W. 2d 473, 476 (Tenn. 1998) that "where the separate, independent negligent acts of more than one tortfeasor combine to cause a single, indivisible injury, all tortfeasors must be joined in the same action, unless joinder is specifically prohibited by law.

2. How does Tenn. R. Civ. P. 19.03 apply to this case?

The parties are directed to file supplemental briefs addressing the second issue, and may, if they choose, file a supplemental brief on the first issue as well.

<b>State of Tennessee</b> v. <b>Ricky Harris</b> <b>E1999-02771-SC-R11-PC</b>	Carter Circuit R. Jerry Beck 10297	Tipton, J. Ogle, J. Rule 28 Granted.	Rule 11	<b>Granted</b> - Application of State of Tennessee. <sup>2</sup>
<b>Franklin Scott Keith</b> v. <b>State of Tennessee</b> <b>E2001-00220-SC-R11-PC</b>	Cocke Circuit Rex Henry Ogle 26,1212	Glenn, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Franklin Scott Keith.
<b>Jeffrey E. Dunlap</b> v. <b>State of Tennessee</b> <b>E2001-00189-SC-R11-PC</b>	Knox Criminal Ray L. Jenkins 68159	Wade, J. Affirmed.	Rule 11	<b>Denied</b> - Application of Jeffrey E. Dunlap.

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<sup>2</sup>For oral argument, the Court is particularly interested in the following issue:

Did the Court of Criminal Appeals err in treating the petitioner's Motion to Reopen as a petition for writ of error coram nobis, and extending the due process rationale of Workman v. State, 41 S.W. 3d 100 (Tenn.2001) to a non-capital case in which the petitioner alleged the State withheld exculpatory evidence?