

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

**Monday, September 29, 2008**

**GRANTS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
Cracker Barrel Old Country Store, Inc., et al v. Richard Epperson, et al M2006-02424-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 05-2220-II	Cottrell, J., Affirmed and Remanded	Rule 11	<b>Granted</b> - Application of Cracker Barrel Old Country Store, Inc., et al  <b>(Order attached hereto; filed 9/24/2008)</b>
John Wesley Green v. Edna L. Green, et al M2006-02119-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 05-2817-II	Bennett, J., Affirmed in Part.; Reversed and Remanded in Part	Rule 11	<b>Granted</b> - Application of Edna L. Green and Champs-Elysees, Inc.  <b>(Order attached hereto)</b>
<b><u>Knoxville</u></b>				
NONE				
<b><u>Jackson</u></b>				
NONE				

**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
<b><u>Nashville</u></b>				
Mary Ann Armstrong v. David Pierre Armstrong M2006-02713-SC-R11-CV	Rutherford County Chancery Court Judge Don Ash No. 03-7011DR	Harris, Sp.J., Affirmed as Modified and Remanded	Rule 11	<b>Denied</b> - Application of Mary Ann Armstrong
Robin Cunningham v. Norman E. Jones, M.D., et al M2007-01112-SC-R11-CV	Bedford County Circuit Court Judge Franklin L. Russell No. 10672	Highers, J., Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Norman E. Jones, M.D.
Wayford Demonbreun, Jr. v. State of Tennessee M2007-01934-SC-R11-HC	Davidson County Criminal Court Judge Cheryl Blackburn No. 94-B-1131	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Wayford Demonbreun, Jr.;  <b>Denied</b> - Motion for Appointment of Counsel of Wayford Demonbreun, Jr.

Metropolitan Government of Nashville and Davidson County v. C & A Entertainment, Inc., d/b/a Club Platinum and Printers Alley Theater, LLC, d/b/a Brass Stables M2007-00329-SC-R11-CV	Davidson County Circuit Court Judge Walter Kurtz Nos. 06-C-1814 and 06-C-1815	Highers, J., Affirmed	Rule 11	<b>Denied</b> - Application of C & A Entertainment, Inc., d/b/a Club Platinum and Printers Alley Theater, LLC, d/b/a Brass Stables
James C. Murray v. James Fortner, Warden M2007-01395-SC-R11-HC	Davidson County Criminal Court Judge Steve Dozier No. 94-C-1532	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of James C. Murray
Young Bok Song v. State of Tennessee M2007-00404-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2003-C-1792	Glenn, J., Affirmed	Rule 11	<b>Denied</b> - Application of Young Bok Song
State of Tennessee v. William Floyd Cartwright M2007-00500-SC-R11-CD	Putnam County Criminal Court Judge Lillie Ann Sells No. 04-0694A	Smith, J., Affirmed	Rule 11	<b>Denied</b> - Application of William Floyd Cartwright
State of Tennessee v. Gerry Hoover M2007-01595-SC-R11-CD	Coffee County Circuit Court Judge John W. Rollins No. 33,125-F	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Gerry Hoover
State of Tennessee v. Christine H. Osborne M2006-01301-SC-R11-CD	Wilson County Criminal Court Judge J. O. Bond No. 04-1142	Tipton, J., Modified	Rule 11	<b>Denied</b> - Application of State of Tennessee;  <b>Granted</b> - T.R.A.P., Rule 8 Motion of Christine Osborne.
State of Tennessee v. Edward Poe M2007-01714-SC-R11-CD	Marion County Circuit Court Judge Curtis Smith No. 6142	Witt, J., Affirmed as Modified	Rule 11	<b>Denied</b> - Application of Edward Poe

**Knoxville**

Misty Nanette Brooks v. Stephen Earl Brooks E2007-01250-SC-R11-CV	Knox County Circuit Court Judge Bill Swann No. 106794	Swiney, J., Affirmed	Rule 11	<b>Denied</b> - Application of Stephen Earl Brooks
John E. Carter v. State of Tennessee E2007-02616-SC-R11-HC	Johnson County Circuit Court Judge Lynn Brown No. 5151	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of John E. Carter
Club LeConte v. Caroline Swann E2007-00852-SC-R11-CV	Knox County Circuit Court Judge Wheeler A. Rosenbalm No. C-06-360306	Franks, J., Reversed	Rule 11	<b>Denied</b> - Application of Caroline Swann
Quita Louise Grasty v. Ralph E. Williams, Jr. E2008-01003-SC-S10-CV	Hamilton County Circuit Court Judge W. Jeffrey Hollingsworth No. 08D-461	Susano, J., Swiney, J., Lee, J., Denied Rule 10, Denied Writ of Mandamus, Granted Request to proceed as poor person	Rule 10	<b>Denied</b> - Rule 10 Application of Ralph E. Williams;  <b>Denied</b> - Motion of Ralph E. Williams to proceed in forma pauperis.
Ruby Marsee v. CSX Transportation, Inc., et al E2007-00769-SC-R11-CV	Campbell County Circuit Court Judge John D. McAfee No. 11800	Franks, J., Affirmed	Rule 11	<b>Denied</b> - Application of Ruby Marsee

In Re: The Adoption of D.P.E. E2007-02794-SC-R11-PT	Knox County Chancery Court Chancellor Daryl R. Fransler No. 161576-1	Swiney, J., Affirmed	Rule 11	<b>Denied</b> - Application of the Mother, M.L.P.E.
In Re: Estate of Helen B. Price v. Chris Price, et al E2007-00523-SC-R11-CV	Carter County Chancery Court Chancellor G. Richard Johnson No. P3162	Swiney, J., Remanded	Rule 11	<b>Denied</b> - Application of Chris Price, et al
S.L.C., et al v. Alden Joe Daniel, Jr. E2006-01413-SC-R11-CV	Bradley County Circuit Court Judge Lawrence Puckett Nos. V-01-267 and V-01-301	Franks, J., Affirmed	Rule 11	<b>Denied</b> - Application of Alden Joe Daniel, Jr.
State of Tennessee v. Robert Cash E2007-00720-SC-R11-CD	Bradley County Criminal Court Judge Amy F. Reedy No. 05-558	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Robert Cash
State of Tennessee v. Gary Joseph Latham E2006-02262-SC-R11-CD	Cumberland County Criminal Court Judge Leon C. Burns, Jr. No. 7217	Tipton, J., Affirmed	Rule 11	<b>Denied</b> - Application of Gary Joseph Latham
Kathy H. Wright v. James C. Wright E2008-01583-SC-S10-CV	Knox County Chancery Court Judge William D. Young No. 147753-2	Susano, J. Rule 10 Denied	Rule 10	<b>Denied</b> - Application for Extraordinary Appeal of Kathy H. Wright;  <b>Denied</b> - T.R.A.P. Rule 7 Request for stay of trial court proceedings of Kathy H. Wright.

**Jackson**

Kevin Burns v. State of Tennessee W2008-00794-SC-R11-PD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. P-21820	Glenn, J., Hayes, J., Williams, J., Denied Rule 28 Application	Rule 11	<b>Denied</b> - Application of Kevin Burns
Alphonzo Chalmers v. State of Tennessee W2008-00398-SC-R11-PC	Shelby County Criminal Court Judge W. Mark Ward No. P-25919	Glenn, J., Hayes, J., Williams, J., Dismissed Rule 28 Application	Rule 11	<b>Denied</b> - Application of Alphonzo Chalmers
Glen Cook v. State of Tennessee W2006-01514-SC-R11-PC	Shelby County Criminal Court Judge W. Fred Axley No. P-23297	Williams, J., Affirmed	Rule 11	<b>Denied</b> - Application of Glen Cook;  <b>Granted</b> - Motion of Glen Cook to proceed in forma pauperis
In Re: Estate of James F. Geary W2007-00958-SC-R11-CV	Madison County Probate Court Judge Christy Little No. 06-13544	Highers, J., Affirmed	Rule 11	<b>Denied</b> - Application of James S. Geary
Selma P. Griffin v. Munford Development Company and Charles Walker W2007-00812-SC-R11-CV	Tipton County Circuit Court Judge Joe H. Walker, III No. 6075	Kirby, J., Affirmed	Rule 11	<b>Denied</b> - Application of Selma P. Griffin
Ronnie Henry v. State of Tennessee W2006-00344-SC-R11-CD	Shelby County Criminal Court Judge w. Fred Axley No. 03-08309	Williams, J., Affirmed, Remanded for Resentencing	Rule 11	<b>Denied</b> - Application of Ronnie Henry
Tarkis Jones v. State of Tennessee W2007-01165-SC-R11-PC	Shelby County Criminal Court Judge W. Fred Axley No. P-28338	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Tarkis Jones

Robert Kimbrel v. State of Tennessee W2007-00739-SC-R11-CO	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 87-04089, 88-04450	McLin, J., Affirmed per Rule 20	Rule 11	<b>Denied</b> - Application of Robert Kimbrel
Bobby Joe Lester v. State of Tennessee W2006-02042-SC-R11-PC	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 02-02080	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Bobby Joe Lester
Carmen Rampaul Mohammed v. Farouk Mohammed W2007-00360-SC-R11-CV	Shelby County Circuit Court Judge Rita L. Stotts No. CT-004275-02	Highers, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Farouk Mohammed
Pee Wee Wisdom Child Development Center, Inc. And Vivian Braxton v. Paul G. Summers, in his official capacity as Attorney General and Reporter for the State of Tennessee W2007-01218-SC-R11-CV	Shelby County Chancery Court Chancellor Walter Evans No. CH-02-1540	Per Curiam, Denied	Rule 11	<b>Denied</b> - Application of Vivian Braxton
Philip C. Penny, et al v. The City of Memphis and The City of Memphis Civil Service Commission W2007-00861-SC-R11-CV	Shelby County Chancery Court Chancellor Arnold Goldin No. CH-06-0108-2	Kirby, J., Affirmed	Rule 11	<b>Denied</b> - Application of Kurtis Schilk
Antonio Sanders v. State of Tennessee W2007-01089-SC-R11-PC	Shelby County Criminal Court Judge Chris Craft No. 02-05449	Welles, J., Affirmed	Rule 11	<b>Denied</b> - Petition to Rehear of Antonio Sanders
State of Tennessee v. Corey Finley W2007-02321-SC-R11-CD	Shelby County Criminal Court Judge John P. Colton No. 03-05912	Witt, J., Affirmed	Rule 11	<b>Denied</b> - Application of Corey Finley

State of Tennessee v. Wilbur Johnson W2008-01176-SC-R11-CD	Shelby County Circuit Court Judge Carolyn Wade Blackett Nos. 05-04416; 05-05252	Williams, J., Rule 9 Application Denied	Rule 11	<b>Denied</b> - Application of Wilbur Johnson
State of Tennessee v. Maurice Lashaun Nash W2007-00321-SC-R11-CD	Tipton County Circuit Court Judge Joseph H. Walker, III Nos. 5385, 5386, 5387, 5388	Hayes, J., Affirmed	Rule 11	<b>Denied</b> - Application of Maurice Nash
State of Tennessee v. Damon Whitley and Anthony Randaul W2008-00280-SC-S09-CD	Lake County Circuit Court Judge Lee Moore No. 06-CR-8817-C	Williams, J. Denied Rule 9	Rule 9	<b>Denied</b> - Applications of Damon Whitley and Anthony Randaul
Timothy Earl Waters v. Tony Parker, Warden W2007-02739-SC-R11-HC	Lauderdale County Circuit Court Judge Joe H. Walker, III No. 6184	Hayes, J., Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Timothy Earl Waters



IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**CRACKER BARREL OLD COUNTRY STORE, INC. ET AL v. RICHARD  
EPPERSON ET AL**

**Chancery Court for Davidson County  
No. 05-2220-II**

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**No. M2006-02424-SC-R11-CV**

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**ORDER**

Upon consideration of the application for permission to appeal of Cracker Barrel Old Country Store, Inc., et al, 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

**JOHN WESLEY GREEN v. EDNA L. GREEN ET AL.**

**Chancery Court for Davidson County  
No. 05-2817-II**

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**No. M2006-02119-SC-R11-CV**

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**ORDER**

Upon consideration of the application for permission to appeal of Edna L. Green and Champs-Elysees, Incorporated 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