

SUPREME COURT OF TENNESSEE  
SUPREME COURT DISCRETIONARY APPEALS

**Monday, December 20, 2004**

**DENIALS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
	<b><u>NASHVILLE</u></b>			
Albert Bender v. Saletta Holloway M2003-02318-SC-R11-CV	Davidson Chancery Irvin H. Kilcrease, Jr. 03-753-I	Koch, J Cain, J Cottrell, J Dismissed	Rule 11	<b>Denied</b> - Application of Albert Bender
Timothy R. Bowles v. State of Tennessee M2003-01740-SC-R11-PC	Davidson Criminal Seth Norman 96-C-1534	Smith, J Affirmed	Rule 11	<b>Denied</b> - Application of Timothy R. Bowles
Floyd Campbell v. Kevin Myers, Warden M2003-02084-SC-R11-HC	Wayne Circuit Robert L. Holloway 14002	Riley, J Affirmed	Rule 11	<b>Denied</b> - Application of Floyd Campbell
Don Allen Coleman v. Jack Morgan, Warden M2002-02237-SC-R11-CO	Hickman Circuit R.E. Lee Davies 02-5044C-II	Witt, J Reversed	Rule 11	<b>Denied</b> - Application of The State of Tennessee
Kevin Demers, Individually and d/b/a Demers, Inc. v. Walter Whittenberg, et al. M2003-00184-SC-R11-CV	Robertson Circuit John H. Gasaway 9908	Cain, J Affirmed as Modified (Sep. Conc. Op. By Koch)	Rule 11	<b>Denied</b> - Application of Kevin Demers
In Re: Estate of Clarice Lee Miller v. Cecil Ewin Miller M2003-01241-SC-R11-CV	Davidson Probate Frank Clement, Jr. 02P-726	Kirby, J Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Cecil Ewin Miller

Howard Morris v. State of Tennessee M2004-01210-SC-R11-PC	Warren Circuit 7749, 7718, 7721, 7834, 7722	Welles, J Woodall, J Wedemeyer Dismissed	Rule 11	<b>Denied</b> - Application of Howard Morris
James C. Murray v. State of Tennessee M2003-01239-SC-R11-PC	Davidson Criminal Seth Norman 94-C-1532	Riley, J Affirmed	Rule 11	<b>Denied</b> - Application of James C. Murray
Sam Spicer and wife, Karen Spicer v. Stace Thompson, Don Pickard, M. Dwayne Hicks, and Howard Morris M2002-03110-SC-R11-CV	Rutherford Circuit Clara W. Byrd 40350 & 43290	Cain, J Affirmed in Part and Reversed in Part	Rule 11	<b>Denied</b> - Application of Stace Thompson and Don Pickard
State of Tennessee v. Stefanie M. Henson M2003-02413-SC-R11-CD	Davidson Criminal Cheryl Blackburn 2003-B-1228	Tipton, J Affirmed	Rule 11	<b>Denied</b> - Application of Stefanie M. Henson
State of Tennessee v. James G. Huppe, Jr. M2003-00618-SC-R11- CD	Warren Circuit James L Weatherford F-8275	Glenn, J Affirmed	Rule 11	<b>Denied</b> - Application of James G. Huppe
State of Tennessee v. Sherry Lynn Johnson M2002-01495-SC-R11-CD	Robertson Circuit John H. Gasaway, III 01-0425	Welles, J Dismissed	Rule 11	<b>Denied</b> - Application of Sherry Lynn Johnson
State of Tennessee v. Eric Pendleton M2003-091762-SC-R11-CD	Davidson Crim J. Randall Wyatt, J 87-5-777	Williams, J Affirmed		<b>Denied</b> - Petition for rehearing of the Rule 11 Application denial of Eric Pendleton
State of Tennessee v. Marty Lavern Pyburn M2003-01090-SC-R11-CD	Marion Circuit Thomas W. Graham 5601	Ogle, J Affirmed	Rule 11	<b>Denied</b> - Application of Marty Lavern Pyburn
State of Tennessee v. Marvin Glenn White M2003-02299-SC-R11-CD	Marion Circuit Thomas W. Graham 5534	Riley, J Affirmed	Rule 11	<b>Denied</b> - Application of Marvin Glenn White

	<b><u>JACKSON</u></b>			
Dewayne Cathey v. State of Tennessee W2003-00411-SC-R11-CO	Hardeman Circuit Jon Kerry Blackwood 9578	Witt, J Reversed and Vacated	Rule 11	<b>Denied</b> - Application of the State of Tennessee
Eddie DePriest v. State of Tennessee W2003-02561-SC-R11-HC	Shelby Criminal Carolyn Wade Blackett P-27440	Witt, J Affirmed	Rule 11	<b>Denied</b> - Application of Eddie DePriest
Jeffrey E. Dunlap v. Tony Parker, Warden W2004-01042-SC-R11-HC	Lake County R. Lee Moore, Jr. 04-CR-8553	Glenn, J Affirmed Rule 20	Rule 11	<b>Denied</b> - Application of Jeffrey E. Dunlap
Charles Orlando Fields v. State of Tennessee W2003-02051-SC-R11-PC	Obion Circuit William B. Acree, Jr. 3-03	Ogle, J Affirmed	Rule 11	<b>Denied</b> - Application of Charles Orlando Fields
Jeremiah A. Leavy v. State of Tennessee W2001-03031-SC-R11-PC	Tipton Circuit Joseph H. Walker 3275B	Wedemeyer, J Affirmed	Rule 11	<b>Denied</b> - Application of Jeremiah A. Leavy
Lon Adelbert Pierce v. State of Tennessee W2003-02384-SC-R11-PC	Benton Circuit C. Creed McGinley CR690-PC-1	Glenn, J Affirmed	Rule 11	<b>Denied</b> - Application of Lon Adelbert Pierce
Lyle Reid v. Robert Neil Price, Jr. et al W2004-00663-SC-R9-CV	Haywood Chancery George Ellis 12,362	Highers, J Farmer, J Denial of Rule 9	Rule 9	<b>Denied</b> - Application of Lyle Reid
Riddell's Piggly Wiggly, Inc. V. Brown, Ltd., Inc. W2004-01645-SC-R09-CV	Henry Circuit Julian P. Guinn 3770	Crawford, J Highers, J Rule 9 Denied	Rule 11	<b>Denied</b> - Application of Brown, Ltd., Inc.

State of Tennessee v. Malcolm Benson W2003-02211-SC-R11-CD	Lake Circuit R. Lee Moore, Jr. 02-CR-8247	Smith, J Affirmed	Rule 11	<b>Denied</b> -Application of Malcom Benson
State of Tennessee v. Adams Betts W2003-01910-SC-R11-CD	Shelby Criminal J.C. McLin 02-023911	Welles, J Affirmed	Rule 11	<b>Denied</b> - Application of Adam Betts
State of Tennessee v. Kenneth Javon Bills W2001-00396-SC-R11-CD	Hardeman Circuit Kerry Blackwood 6451	Welles, J Affirmed in part; reversed in part	Rule 11	<b>Denied</b> - Application of Kenneth Javon Bills
State of Tennessee v. Tony Harp W2003-01655-SC-R11-CD	Lauderdale Circuit Joseph H. Walker 7356	Hayes, J Affirmed	Rule 11	<b>Denied</b> - Application of Tony Harp
State of Tennessee v. Billy Harris W2003-01911-SC-R11-CD	Shelby Criminal W. Otis Higgs 01-02675, 01-02676	Tipton, J Modified in Part; Reversed in Part	Rule 11	<b>Denied</b> - Application of Billy Harris
Randall Watson v. State of Tennessee W2003-02399-SC-R11-HC	Shelby Criminal Bernie Weinman F-27209	Welles, J Affirmed	Rule 11	<b>Denied</b> - Application of Randall Watson
Rita Werne v. Robert Sanderson W2002-02118-SC-R11-CV	Shelby Chancery Walter Evans 101911-1	Farmer, J Affirmed in Part and Remanded	Rule 11	<b>Denied</b> - Application of Protection Unlimited, Inc.
Alonzo C. Williams V. State of Tennessee W2004-00499-SC-R11-HC	Lauderdale Circuit Joe H. Walker, III 5822	Glenn, J Affirmed Rule 20	Rule 11	<b>Denied</b> - Application of Alonzo C. Williams

Mary Rachel Brown Williams v. Jeweline R. Crenshaw W2003-01029-SC-R11-CV	Shelby Chancery Walter Evans CH-01-0197-1	Highers, J Affirmed	Rule 11	<b>Denied</b> - Application of Mary Rachel Brown
	<b><u>KNOXVILLE</u></b>			
Patricia Albright v. Lloyd Button E2003-01591-SC-R11-CV	Loudon Probate William H. Russell 2619	Susano, J Reversed; Complaint Dismissed	Rule 11	<b>Denied</b> - Application of Patricia Albright The Opinion of the Court of Appeals is designated "Not for Citation"
Monroe Brown v. State of Tennessee E2003-02512-SC-R11-HC	Morgan Circuit E. Eugene Eblen 8590	Wade, J Affirmed Pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Monroe Brown
Jerry Lee Chilton v. State of Tennessee E2003-00667-SC-R11-HC	Morgan Circuit E. Eugene Eblen 8818 & 8892	Welles, J Affirmed	Rule 11	<b>Denied</b> - Application of Jerry Lee Chilton
Richard Hickey v. David Mills, Warden E2003-01520-SC-R11-HC	Morgan Circuit E. Eugene Eblen 8937	Witt, J Affirmed	Rule 11	<b>Denied</b> - Application of Richard Hickey
Patricia Henderson Jolley, et al v. Wanda K. Henderson E2003-01406-SC-R11-CV	Hamilton Chancery Howell N. Peoples 01-0723	Susano, J Affirmed & Remanded	Rule 11	<b>Denied</b> - Application of Patricia Henderson Jolley, et al
Dexter Frank Johnson v. State of Tennessee E2004-01260-SC-R11-HC	Hamilton Criminal Stephen Bevil 247583	Ogle, J Affirmed Pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Dexter Frank Johnson

Roger K. Jones v. State of Tennessee E2003-02501-SC-R11-HC	Morgan Circuit E. Eugene Eblen 8949	Tipton, J Affirmed Pursuant to Rule 20	Rule 11	<b>Denied</b> - Application of Roger K. Jones
Bernie R. McGill v. State of Tennessee E2004-00142-SC-R11-PC	Knox Criminal Richard Baumgartner 74853	Hayes, J Affirmed	Rule 11	<b>Denied</b> - Application of Bernie R. McGill
Harrison Pearison v. State of Tennessee E2003-02158-SC-R11- PC	Hamilton Criminal Douglas Meyer 235756	Wade, J Affirmed	Rule 11	<b>Denied</b> - Application of Harrison Pearison
Jimmy Leslie Sluder v. State of Tennessee E2003-02222-SC-R11-PC	Knox Criminal Ray Jenkins 76772	Wade, J Affirmed	Rule 11	<b>Denied</b> - Application of Jimmy Leslie Sluder
State of Tennessee v. David Lee Bellamy E2003-02936-SC-R11-CD	Sullivan Circuit R. Jerry Beck S47,546	Smith, J Affirmed	Rule 11	<b>Denied</b> - Application of David Lee Bellamy
State of Tennessee v. Michael Wayne Poe E2003-00417-SC-R11-CD	Hamilton Criminal Douglas Meyer 237715	Wade, J Affirmed	Rule 11	<b>Denied</b> - Application of Michael Wayne Poe
State of Tennessee v. Michael Prechtel E2003-02653-SC-R11-CD	Cumberland Circuit Leon C. Burns, Jr. 7722	Woodall, J Affirmed	Rule 11	<b>Denied</b> -Application of Michael Prechtel
State of Tennessee v. Marty William Thomas E2003-00829-SC-R11-CD	Hamilton Criminal Douglas Meyer 237927	Ogle, J Affirmed	Rule 11	<b>Denied</b> - Application of Marty William Thomas
The Realty Store, Inc. Et al v. Tarl Partnership, L.P., et al E2003-01415-SC-R11-CV	Sevier Chancery Telford E. Forgety, Jr. 02-6-293	Franks, J Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Tarl Partnership, L.P.
Roger L. Wilson v. State of Tennessee E2003-01378-SC-R11-PC	Anderson Circuit James B. Scott, Jr. A2CR0017	Woodall, J Affirmed	Rule 11	<b>Denied</b> - Application of Roger L. Wilson

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**GRANTS**

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<b><u>NASHVILLE</u></b>				
In Re: C.K.G., C.A.G., C.L.G. Cindy L. Culpepper v. Charles Kenneth Galiwango M2003-01320-SC-R11-CV	Williamson Juvenile Lonnie Hoover 38410	Clement, J. Cain, J. Cottrell, J.	Rule 11	<b>Granted</b> - Application of Charles Kenneth Galiwango
State v. Antonio Fuller and Marcellus Betty M2002-02377-SC-R11-CD	Davidson Circuit J. Randall Wyatt 2001-A-276	Wade, P.J. Glenn, J. Wedemeyer, J. Affirmed in Part; Reversed and Dismissed in Part	Rule 11	<b>Granted</b> - Application of the State of Tennessee <b>Denied</b> - Application of Antonio Fuller
<b><u>KNOXVILLE</u></b>				
Larry E. Parrish et al. v. Robert S. Marquis et al. E2004-00875-SC-R11-CV	Knox Circuit Dale C. Workman 1-701-01	Franks, J. Wade, Sp. J. Goddard, P.J. - Not Participating Affirmed in Part; Reversed in Part and Remanded	Rule 11	<b>Granted</b> - Applications of Larry E. Parrish, Robert S. Marquis, and Ronald Koksall



STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
Gary L. West et al. v. East Tennessee Pioneer Oil Company, d/b/a Exxon Convenience Store E2002-03039-SC-R11-CV	Knox Circuit Harold Wimberly 2-390-01	Swiney, J. Susano, J. Inman, Sr. J. Affirmed in Part; Reversed in Part and Remanded	Rule 11	<b>Granted</b> - Application of East Tennessee Pioneer Oil Company d/b/a Exxon Convenience Store
<b>JACKSON</b>				
Rickey Hogan v. David G. Mills, Warden W2004-00182-SC-R11-HC	Lauderdale Circuit Joseph H. Walker 5806	Williams, J. Ogle, J. Glenn, J. Reversed & Remanded	Rule 11	<b>Granted</b> - Application of David G. Mills, Warden
Robert D. Walsh v. State of Tennessee W2003-02040-SC-R11-PC	Shelby Criminal Arthur T. Bennett P-26520	Hayes, J. Welles, J. Wedemeyer, J. Affirmed	Rule 11	<b>Granted</b> - Application of Robert D. Walsh