

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

Monday, March 16, 2009

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Joseph Davis, et al v. Patrick J. McGuigan, et al M2007-02242-SC-R11-CV	Davidson County Circuit Court Judge Hamilton V. Gayden, Jr. No. 05C-1155	Stafford, J., Affirmed	Rule 11	Granted - Application of Joseph and Kimberli Davis (Order attached hereto)
<u>Knoxville</u>				
Joseph Bailey, et al v. Blount County Board of Education, et al E2007-01028-SC-R11-CV	Blount County Circuit Court Judge W. Dale Young No. L-15716	Lee, J., Vacated in Part; Affirmed as Modified in Part; Remanded	Rule 11	Granted - Application of Blount County Board of Education and Alvin Hord (Lee, J., not participating) (Order attached hereto)

Jackson

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
<u>Nashville</u>				
Marcellus Betty v. State of Tennessee M2007-02200-SC-R11-PC	Davison County Criminal Court Judge J. Randall Wyatt, Jr. No. 2001-A-276	Ogle, J., Affirmed	Rule 11	Denied - Application of Marcellus Betty
Thomas Earl Bradshaw v. State of Tennessee M2007-02725-SC-R11-PC	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2004-B-1763	Witt, J., Affirmed	Rule 11	Denied - Thomas Earl Bradshaw

C. S. v. The Diocese of Nashville M2007-02076-SC-R11-CV	Davidson County Circuit Court Judge Walter C. Kurtz No. 07C649	Cottrell, J., Affirmed and Remanded	Rule 11	Denied - Application of C. S.
Claude F. Garrett v. State of Tennessee M2008-02508-SC-R10-CO	Davidson County Criminal Court Judge Seth Norman No. 92-B-961	Wedemeyer,J., Welles, J. and Woodall, J., Rule 10 Denied	Rule 10	Denied - Application of Claude F. Garrett
Jeffery W. Haithcote v. State of Tennessee M2007-01469-SC-R11-PC	Bedford County Circuit Court Judge Lee Russell Nos. 9934 & 9935	Welles, J., Appeal Dismissed	Rule 11	Denied - Application of Jeffery Haithcote
Douglas V. Killins v. State of Tennessee M2007-02086-SC-R11-PC	Montgomery County Circuit Court Judge Michael R. Jones No. 40200141	Smith, J., Affirmed	Rule 11	Denied - Application of Douglas V. Killins
James Wayne Kimbrough v. State of Tennessee M2007-00612-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2001-D-2439	Williams, J., Affirmed	Rule 11	Denied - Application of James Wayne Kimbrough
State of Tennessee v. Joseph S. Lucas, Jr. M2007-01411-SC-R11-CD	Williamson County Circuit Court Judge Timothy Easter No. II-CR121536	Williams, J., Affirmed	Rule 11	Denied - Application of Joseph S. Lucas, Jr.
Homer Alson Maddin, III v. State of Tennessee M2007-02708-SC-R11-PC	Davidson County Criminal Court Judge Steve R. Dozier No. 2003-A-393	Witt, J., Affirmed	Rule 11	Denied - Application of Homer Alson Maddin, III

Johnny L. McGowan, Jr. v. State of Tennessee M2008-01813-SC-R11-PC	Rutherford County Circuit Court Judge James K. Clayton, Jr. Nos. F-27902, F-27903, F-27904 & F-27905	Welles, J., Affirmed Pursuant to Rule 20	Rule 11	Denied - Application of Johnny L. McGowan, Jr.
State of Tennessee v. Raymond McNeil M2007-01566-SC-R11-CD	Williamson County Circuit Court Judge R. E. Lee Davies No. II-CR081268	Witt, J., Affirmed	Rule 11	Denied - Petition to Rehear Application of Raymond McNeil
State of Tennessee v. William C. Osborne, Jr. M2007-02005-SC-R11-CD	Lawrence County Circuit Court Judge Stella Hargrove No. 25090	Wells, J., Affirmed	Rule 11	Denied - Application of William C. Osborne
Tyrice L. Sawyers v. State of Tennessee M2007-02707-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn Nos. 94-A-153, 94-A-163 & 94-A-780	Witt, J., Affirmed	Rule 11	Denied - Application of Tyrice L. Sawyers
State of Tennessee v. Nathaniel Shelbourne, Jr. M2007-01844-SC-R11-CD	Davidson County Criminal Court Judge Steve Dozier No. 2001-B-1279	Smith, J., Affirmed	Rule 11	Denied - Application of Nathaniel Shelbourne, Jr.
Roland R. Smith v. State of Tennessee M2007-01420-SC-R11-PC	Davidson County Criminal Court Judge Steve R. Dozier No. 2002-A-600	Ogle, J., Dismissed	Rule 11	Denied - Application of Roland Smith
State of Tennessee v. Monqueze Summers M2007-02392-SC-R11-PC	Davidson County Criminal Court Judge J. Randall Wyatt No. 2001-D-2297	Welles, J., Affirmed	Rule 11	Denied - Application of Monqueze Summers

WS Investments, et al v. David E. Danner, P.C. M2007-00847-SC-R11-CV	Davidson County Circuit Court Judge J. S. Daniel No. 06C-1962	Bennett, J., Affirmed	Rule 11	Denied - Application of David E. Danner, P.C.
<u>Knoxville</u>				
Lisa Marie Walls Altman v. Benjamin Altman E2008-00081-SC-R11-CV	Washington County Chancery Court Chancellor G. Richard Johnson No. 36562	Franks, J., Affirmed as Modified and Remanded	Rule 11	Denied - Application of Lisa Marie Walls Altman
State of Tennessee v. Tony Best E2007-00296-SC-R11-CD	Monroe County Criminal Court Judge Carroll L. Ross No. 04184	Ogle, J., Affirmed in Part; Reversed in Part	Rule 11	Denied - Application of Tony Best
Timothy Bickers v. State of Tennessee E2008-00817-SC-R11-PC	Greene County Circuit Court Judge John F. Dugger, Jr. No. 9373	Witt, J., Ogle, J. and Thomas, J., Motion Denied	Rule 11	Denied - Application of Timothy Bickers
Franklin Jewel Ealey v. State of Tennessee E2008-00583-SC-R11-PC	Knox County Criminal Court Judge Kenneth F. Irvine, Jr. No. 85341	Welles, J., Affirmed	Rule 11	Denied - Application of Franklin Jewel Ealey
State of Tennessee v. John William Gay E2007-02466-SC-R11-CD	Bradley County Criminal Court Judge Amy A. Reedy No. M-06-469	McLin, J., Affirmed	Rule 11	Denied - Application of John William Gay

Richard Lynn Norton v. State of Tennessee E2003-00183-SC-R11-PC	Greene County Circuit Court Judge James E. Beckner No. 02CR190	Tipton, J., Witt, J. and Ogle, J., Motion Denied	Rule 11	Denied - Application of Richard Lynn Norton
State of Tennessee v. Alejandro Rivera E2002-00491-SC-DAS-CD	Cocke County Circuit Court Judge Ben W. Hooper, II No. 7144	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Alejandro Rivera
<u>Jackson</u>				
State of Tennessee v. Markese Alexander Brooks W2007-02595-SC-R11-CD	Shelby County Criminal Court Judge Chris B. Craft No. 05-05703	Glenn, J., Affirmed	Rule 11	Denied - Application of Markese Alexander Brooks
Anthony Brown v. State of Tennessee W2007-02402-SC-R11-PC	Obion County Circuit Court Judge William Acree No. C06-410	Tipton, J., Affirmed	Rule 11	Denied - Application of Anthony Brown
State of Tennessee v. Andre Davis W2007-01442-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 06-07425	Thomas, J., Affirmed	Rule 11	Denied - Application of Andre Davis
John Doe v. Catholic Bishop for the Diocese of Memphis W2007-01575-SC-R11-CV	Shelby County Circuit Court Judge Robert L. Childers No. CT-004850-06	Kirby, J., Reversed	Rule 11	Denied - Application of John Doe
State of Tennessee, Department of Children's Services v. Linda Estes, Alfonzo Holmes, and Kelly Taylor In the Matter of Q.E., D.E., & N.H. W2008-00634-SC-R11-PT	Haywood County Juvenile Court Judge J. Roland Reid No. 7686	Kirby, J., Affirmed	Rule 11	Denied - Application of Linda Estes

Xzaria Fason by and through her next friend Berry Cooper v. Joseph K. Lawrence, M.D. W2008-02414-SC-S10-CV	Shelby County Circuit Court Judge John R. McCarroll No. CT0996535-04	Kirby, J., Rule 10 Denied	Rule 10	Denied - Application of Joseph K. Lawrence, M.D.
State of Tennessee v. George Franklin W2006-01204-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft Nos. 02-08108 & 02-08109	Woodall, J., Affirmed in Part and Modified in Part	Rule 11	Denied - Application of George Franklin
State of Tennessee v. Melvin Goodman W2007-00956-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 04-05622	Williams, J., Affirmed in Part; Reversed in Part and Remanded	Rule 11	Denied - Application of Melvin Goodman
Vickie F. (Lout) Hudson v. David P. Lout W2007-02704-SC-R11-CV	Tipton County Chancery Court Judge Martha Brasfield No. 12151	Farmer, J., Affirmed in Part; Vacated in Part; and Remanded	Rule 11	Denied - Application of David P. Lout
In the Matter of N.B., C.B. & T.B. W2007-02436-SC-R11-PT	Shelby County Chancery Court Chancellor Walter L. Evans No. 05-1294-1	Kirby, J., Affirmed	Rule 11	Denied -Application of Father
Bobby Lee Jeffries v. State of Tennessee W2008-00948-SC-R11-PC	Shelby County Criminal Court Judge John Everett Williams No. 84-01331	Williams, J., Rule 20 Affirmed	Rule 11	Denied - Application of Bobby Lee Jeffries
State of Tennessee v. Starbrough Jones W2006-02230-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 05-01013	Ogle, J., Affirmed	Rule 11	Denied - Application of Starbrough Jones

State of Tennessee v. Mario Lester W2007-01447-SC-R11-CD	Shelby County Criminal Court Judge W. Mark Ward No. 05-08740	Williams, J., Affirmed	Rule 11	Denied - Application of Mario Lester
State of Tennessee v. Stacy Dwayne Ramsey W2006-01827-SC-R11-PC	Carroll County Circuit Court Judge Julian P. Guinn No. 93CR-561-I	Ogle, J., Affirmed	Rule 11	Denied - Application of Stacy Dwayne Ramsey
Frank Smith v. State of Tennessee W2007-02773-SC-R11-PC	Shelby County Criminal Court Judge W. Mark Ward No. 00-10325	Glenn, J., Affirmed	Rule 11	Denied - Application of Frank Smith
Michael Upshaw v. State of Tennessee W2008-02187-SC-R11-PC	Shelby County Criminal Court Judge Carolyn Blackett No. P-25894	McLin, J., Motion Denied; Trial Court Affirmed	Rule 11	Denied - Application of Michael Upshaw
State of Tennessee v. Mario Ward W2007-00672-SC-R11-CD	Shelby County Criminal Court Judge Carolyn Wade Blackett No. 05-08628	Williams, J., Affirmed	Rule 11	Denied - Application of Mario Ward
Timothy Earl Waters v. State of Tennessee W2008-02183-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes, Jr. Nos. 88-00474; P-11301	Glenn, J., Rule 28 Denied	Rule 11	Denied - Application of John T. Fowlkes, Jr.
State of Tennessee v. McKinley Wright W2007-00823-SC-R11-CD	Shelby County Criminal Court Judge Paula Skahan No. 06-01671	Thomas, J., Affirmed	Rule 11	Denied - Application of McKinley Wright

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

JOSEPH DAVIS ET AL. v. PATRICK J. McGUIGAN ET AL.

**Circuit Court for Davidson County
No. 05C-1155**

No. M2007-02242-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Joseph and Kimberli Davis 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

**JOSEPH BAILEY ET AL. v. BLOUNT COUNTY
BOARD OF EDUCATION ET AL.**

**Circuit Court for Blount County
No. L-15716**

No. E2007-01028-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of the Blount County Board of Education and Alvin Hord 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

SHARON G. LEE, J., not participating