

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

Monday, November 16, 2009

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
NONE				
<u>Knoxville</u>				
NONE				
<u>Jackson</u>				
In Re: S.E.J. Donald Jordan, et al v. Donald Roberson, et al W2008-01354-SC-R11-PT	Madison County Chancery Court Judge James F. Butler Nos. 64429 and 64437	Highers, J., Reversed and Remanded	Rule 11	GRANTED - Application of Donald Jordan and Wanda Jordan (Order attached hereto)

**SUPREME COURT OF TENNESSEE
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Monday, November 16, 2009

DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
David Housler v. State of Tennessee M2009-02126-SC-R10-PC	Montgomery County Circuit Court Judge John Gasaway, III Nos. 39217, 36548	Welles, J., Woodall, J., Wedemeyer, J., Rule 10 Denied	Rule 10	Denied - Application of State of Tennessee; Denied - Motion for Stay filed on behalf of State of Tennessee (Clark, J., not participating)
Evay Markel Kelley v. State of Tennessee M2008-02738-SC-R11-HC	Wayne County Circuit Court Judge Robert L. Jones No. 14464	Woodall, J., Affirmed, pursuant to CCA Rule 20	Rule 11	Dismissed as Untimely - Application of Evay Markel Kelley (Order filed 11-12-2009)
Mike Settle v. Tennessee Department of Correction M2009-01606-SC-R11-CV	Davidson County Circuit Court Judge Amanda McClendon No. 09C-1387	Per Curiam, Dismissal	Rule 11	Dismissed - Application of Mike Settle (Order filed 11-12-2009)

Knoxville

NONE				
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Jackson

NONE				
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IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

IN RE: S.E.J.
DONALD JORDAN, ET AL. v. DONALD ROBERSON, ET AL.

Chancery Court for Madison County
No. 64429

No. W2008-01354-SC-R11-PT - Filed November 16, 2009

ORDER

Upon consideration of the application for permission to appeal of Donald Jordan and Wanda Kay Jordan, and the record before us, the application is granted.

The Court is particularly interested in hearing oral argument on the construction given to Tennessee Code Annotated section 36-1-116(f)(1) both in the Court of Appeals opinion in this case and in In re Adoption of M.J.S., 44 S.W.3d 41 (Tenn. Ct. App. 2000), in particular the statement that “where an intervening adoption petition has been filed, neither the original petitioners nor the intervening petitioners will be granted an adoption of the child unless the trial court finds that the petitioner have either physical custody of the child or the right to receive custody of the child pursuant to a validly executed surrender.”

The Court is mindful of the provisions of Tennessee Code Annotated section 36-1-124(b), which requires appellate courts to expedite contested adoption proceedings. Accordingly, this cause shall be set for oral argument on the February 2010 docket in Nashville.

PER CURIAM