

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

MONDAY, JUNE 25, 2012

**GRANTS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u><b>Nashville</b></u>				
Neal Lovelace, <u>et al.</u> v. Timothy Kevin Copley, <u>et al.</u> M2011-00170-SC-R11-CV	Hickman County Chancery Court Chancellor Robbie T. Beal No. 06128C	Stafford, J. Affirmed in Part and Remanded	Rule 11	<b>Granted</b> - Application of Neal and Norma Jean Lovelace  <b>(Order filed - 6-21-12 - order attached)</b>
State of Tennessee v. Angela M. Merriman M2011-01682-SC-R11-CD	Warren County Circuit Court Judge Larry Stanley No. F-12979	Witt, J. Affirmed	Rule 11	<b>Granted</b> - Application of the State of Tennessee  <b>(Order filed - 6-21-12 - order attached)</b>
<u><b>Knoxville</b></u>				
NONE				
<u><b>Jackson</b></u>				

State of Tennessee v. LeDarren S. Hawkins W2010-01687-SC-R11-CD	Madison County Circuit Court Judge Roy B. Morgan, Jr. No. 09-253	Wedemeyer, J. Affirmed	Rule 11	<b>Granted</b> - Application of LeDarren Hawkins  <b>(Order filed - 6-20-12 - order attached)</b>
State of Tennessee v. Michael Shane Springer W2010-02153-SC-R11-CD	Gibson County Circuit Court Judge Clayburn Peeples No. 17764	Bivins, J. Affirmed	Rule 11	<b>Granted</b> - Application of Michael Shane Springer  <b>(Order filed - 6-19-12 - order attached)</b>
Saundra Thompson v. Memphis City Schools Board of Education W2010-02631-SC-R11-CV	Shelby County Chancery Court Chancellor Arnold B. Goldin No. CH-07-1926-3	Stafford, J. Affirmed in Part; Vacated in Part; and Remanded	Rule 11	<b>Granted</b> - Application of Saundra Thompson  <b>(Order filed - 6-19-12 - order attached)</b>

**SUPREME COURT OF TENNESSEE  
SUPREME COURT DISCRETIONARY APPEALS**

**MONDAY, JUNE 25, 2012**

**DENIALS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				

Dr. Joyce Brown v. Kroger Company M2012-00382-SC-S09-CV	Davidson County Circuit Court Judge Amanda Jane McClendon No. 11C4016	Per Curiam Denied - Rule 9	Rule 11	<b>Denied</b> - Application of Kroger Company  <b>(Order filed - 6-22-12)</b>
Tabatha S. Donnelly v. State of Tennessee M2012-00534-CCA-R11-PC	Wilson County Criminal Court Judge David Earl Durham No. 09-CR-45	Wedemeyer, J. Order Denying Motion to Reopen	Rule 11	<b>Denied</b> - Application of Tabatha Donnelly  <b>(Order filed - 6-20-12)</b>
Gary Wayne Garrett v. Cherry Lindamood, Warden M2010-02662-SC-R11-HC	Wayne County Circuit Court Judge Stella Hargrove No. 14943	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Gary Wayne Garrett  <b>(Order filed - 6-20-12)</b>
Charlie Lee Ingram v. Rebecca Wasson et al. M2010-02208-SC-R11-CV	Perry County Circuit Court Judge Jeffrey S. Bivins No. 3411	Kirby, J., Affirmed	Rule 11	<b>Denied</b> - Application of Rebecca Wasson and Randy Wasson  <b>(Order filed -6-25-12)</b>
Jerry Jackson, et al. v. Sumner County Board of Education M2012-00802-SC-S10-CV	Sumner County Circuit Court Judge Jane Wheatcraft No. 83CC12011492	Per Curiam Denied	Rule 11	<b>Denied</b> - Application of Sumner County Board of Education  <b>(Order filed - 6-20-12)</b>
Roger T. Johnson v. Ricky Bell, Warden M2011-00945-SC-R11-HC	Davidson County Criminal Court Judge Randall Wyatt No. 94-B-1113	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Roger T. Johnson  <b>(Order filed - 6-20-12)</b>
State of Tennessee v. Johnny Lynn a/k/a Jerome Alvin Buss M2008-00532-SC-R11-CD	Perry County Circuit Court Judge Timothy Easter No. 747	Welles, J. Affirmed	Rule 11	<b>Denied</b> - Application of Johnny Lynn  <b>(Order filed - 6-19-12)</b>

David Kwasniewski v. Scott Lefevers et al. M2012-00363-SC-S09-CV	Wilson County Circuit Court Judge John D. Wootten, Jr. No. 2011CV30	Per Curiam Denied Rule 9	Rule 9	<b>Denied</b> - Application of David Kwasniewski  <b>(Order filed-6-25-12)</b>
State of Tennessee v. Cortni L. Nichols M2012-00604-SC-R11-CD	Montgomery County Circuit Court Judge John Gasaway No. 40801265	Bivins, J., Smith, J., Woodall, J., Rule 9 Denied	Rule 11	<b>Denied</b> - Application of Cortni L. Nichols  <b>(Order filed-6-25-12)</b>
Charles E. Orange v. State of Tennessee M2011-01168-SC-R11-PC	Bedford County Circuit Court Chancellor Robert G. Crigler No. 12199	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Charles E. Orange  <b>(Order filed - 6-19-12)</b>
Jeremy Prickette, et al. v. Roger C. Lind, M.D., et al. M2012-00909-SC-S10-CV	Montgomery County Circuit Court Judge John Casaway No. 50600236	Per Curiam Denied	Rule 11	<b>Denied</b> - Application of Roger C. Lind, M.D., et al.  <b>(Order filed - 6-20-12)</b>
Johnny Ralone v. Tennessee Department of Labor and Workforce Development M2011-01831-SC-R11-CV	Davidson County Chancery Court Chancellor Ellen H. Lyle No. 11129III	Per Curiam Rehear Denied	Rule 11	<b>Denied</b> - Petition to Rehear of Johnny Ralone  <b>(Order filed - 6-19-12)</b>
Patrick Edward Reeder v. Jo Beth (Curtis) Reeder M2011-00162-SC-R11-CV	Wilson County General Sessions Court Judge John Thomas Gwin No. 8415	Clement, J. Affirmed in Part; Reversed in Part; and Remanded	Rule 11	<b>Denied</b> - Application of Patrick Edward Reeder  <b>(Order filed - 6-20-12)</b>
Judy Roberts v. Brodie Wilkinson Properties, Inc. And Brodie Wilkinson M2012-00665-SC-R10-CV	Robertson County Circuit Court Judge Ross H. Hicks No. 74CC12011CV284	Per Curiam Denied	Rule 11	<b>Denied</b> - Application of Brodie Wilkinson Properties, Inc. And Brodie Wilkinson  <b>(Order filed - 6-19-12)</b>

Scholastic Book Clubs, Inc. v. Tennessee Department of Revenue, Richard H. Roberts, Commissioner M2011-01443-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 09587II	Farmer, J. Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Scholastic Book Clubs, Inc. (Granted - motions to file amicus brief of the Tennessee Chamber of Commerce & Industry, the American Catalog Mailer's Association, the Tennessee Reading Association, and the Tennessee Education Association) <b>(Order filed - 6-22-12)</b>
Tarina Simmons v. State of Tennessee M2011-00953-SC-R11-PC	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2008-C-3114	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Tarina Simmons <b>(Order filed - 6-20-12)</b>
State of Tennessee v. Gregory A. Shaver M2011-00538-SC-R11-CD	Williamson County Circuit Court Judge timothy L. Easter No. CR034763	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Gregory A. Shaver <b>(Order filed - 6-19-12)</b>
State of Tennessee v. Chelsy Marie Smith M2011-00427-SC-R11-CD	Montgomery County Circuit Court Judge John H. Gasaway, III Nos. 40801238 and 40801322	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Chelsy Marie Smith <b>(Order filed-6-25-12)</b>
State of Tennessee v. Tyrone Ralph Wright M2010-02096-SC-R11-CD	Coffee County Circuit Court Judge L. Craig Johnson No. 35237F	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Tyrone Ralph Wright <b>(Order filed - 6-25-12)</b>

Ronald Windrow and Sherry Windrow v. Middle Tennessee Electric Membership Corporation M2011-00905-SC-R11-CV	Williamson County Circuit Court Judge Jeff Bivins No. 2010656	Kirby, J. Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Middle Tennessee Electric Membership Corporation (Motion for leave to file amicus brief in support of the application filed by TN Electric Cooperative Association is granted)  <b>(Order filed - 6-20-12)</b>
<b><u>Knoxville</u></b>				
Carl Richard Abbott, <u>et al.</u> v. A. W. Chesterton Co., <u>et al.</u> E2012-00203SC-S09-CV	Hamilton County Circuit Court Judge L. Marie Williams No. 10-C-1510	Franks, P.J. Susano, J. McClarty, J. Rule 9 Application Denied	Rule 11	<b>Denied</b> - Application of General Electric Company  <b>(Order filed - 6-20-12)</b>
W. Turner Boone, <u>et al.</u> V. Loren L. Chumley, Commissioner, Tennessee Department of Revenue E2010-01692-SC-R11-CV	Grainger County Chancery Court Judge Telford E. Forgety, Jr. No. 03125	Susano, J. Affirmed	Rule 11	<b>Denied</b> - Application of W. Turner Boone, et al.  <b>(Order filed - 6-20-12)</b>
Michael Brandon Adams v. Morgan County Correctional Complex, <u>et al.</u> E 2010-02346-SC-R11-CV	Morgan County Chancery Court Chancellor Frank V. Williams III No. 1064	Franks, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Michael Brandon Adams  <b>(Order filed - 6-20-12)</b>
Shelley S. Breeding v. Knox County Election Commission E2012-01094-SC-R11-CV	Knox County Chancery Court Chancellor W. Frank Brown III No. 1827531	Susano, J. Affirmed	Rule 11	<b>Denied</b> - Application of Shelley Breeding  <b>(Order filed - 6-19-12)</b>

Gary Wayne Calhoun v. State of Tennessee E2010-01022-SC-R11-HC	Morgan County Circuit Court Judge E. Eugene Eblen No. 2010CR48	Woodall, J. Reversed	Rule 11	<b>Denied</b> - Application of Gary Wayne Calhoun  <b>(Order filed - 6-19-12)</b>
Commercial Bank v. Raymond E. Lacy No. E2011-01491-SC-R11-CV	Knox County Chancery Court Chancellor Michael W. Moyers No. 1788321	Stafford, J. Affirmed	Rule 11	<b>Denied</b> - Application of Raymond E. Lacy  <b>(Order filed - 6-20-12)</b>
Jackie Hardin v. State of Tennessee E2011-00567-SC-R11-PC	Knox County Criminal Court Sr. Judge Jon Kerry Blackwood No. 95037	Page, J. Affirmed	Rule 11	<b>Denied</b> - Application of Jackie Hardin  <b>(Order filed - 6-19-12)</b>
Roger Dale Harris v. David Sexton, Warden E2011-01775-SC-R11-HC	Johnson County Circuit Court Judge Lynn W. Brown No. 5897	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Roger Dale Harris  <b>(Order filed - 6-20-12)</b>
Cole Bryan Howell, <u>et al.</u> v. Cheryl Ryerkerk, <u>et al.</u> E2011-01498-SC-R11-CV	Knox County Circuit Court Judge Dale C. Workman No. 161907	Stafford, J. Affirmed	Rule 11	<b>Denied</b> - Application of Cole Bryan Howell III  <b>(Order filed - 6-19-12)</b>
In re: Estate of Marshal San Miguel E2010-02436-SC-R11-CV	Knox County Chancery Court Chancellor Michael W. Moyers No. 69238-3	McClarty, J. Affirmed in Part; Reversed in Part; Remanded	Rule 11	<b>Denied</b> - Application of Michael San Miguel  <b>(Order filed - 6-20-12)</b>
Todd Marsh and Kari Marsh v. First Tennessee Bank National Association E2011-00101-SC-R11-CV	Blount County Circuit Court Sr. Judge Jon Kerry Blackwood No. E-21943	Swiney, J. Affirmed	Rule 11	<b>Denied</b> - Application of Todd Marsh and Kari Marsh  <b>(Order filed - 6-20-12)</b>

George C. Norton, <u>et al.</u> v. Barbara W. Boots, <u>et al.</u> E2010-02304-SC-R11-CV	Sevier County Circuit Court Judge Ben W. Hooper II No. 20090937	McClarty, J. Affirmed	Rule 11	<b>Denied</b> - Application of George C. Norton and Teresa Norton  <b>(Order filed - 6-19-12)</b>
James Wesley Osborne v. State of Tennessee E2010-01548-SC-R11-PC	Jefferson County Circuit Court Judge O. Duane Slone No. 21,857	Bivins, J. Affirmed	Rule 11	<b>Denied</b> - Application of James Wesley Osborne  <b>(Order filed - 06-20-12)</b>
George Arthur Lee Smith v. State of Tennessee E2010-00488-SC-R11-PC	Hamblen County Criminal Court Judge John Dugger No. 09CR113	Woodall, J., Affirmed	Rule 11	<b>Denied</b> - Application of George Arthur Lee Smith  <b>(Order filed-6-25-12)</b>
State of Tennessee v. Andrew Bryan Mann E2010-00601-SC-R11-CD	Knox County Criminal Court Judge Richard R. Baumgartner No. 87826A	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Andrew Bryan Mann  <b>(Order filed - 6-20-12)</b>
State of Tennessee v. Tyeshia Stewart E2011-00232-SC-R11-CD	Knox County Criminal Court Judge Richard R. Baumgartner No. 88062	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Tyeshia Stewart  <b>(Order filed - 6-19-12)</b>
Oscar H. Vaughn v. James D.Morton E2011-00719-SC-R11-CV	Hamilton County Circuit Court Judge L. Marie Williams No. 10C785	Susano, J. Affirmed	Rule 11	<b>Denied</b> - Application of Oscar H. Vaughn  <b>(Order filed - 6-19-12)</b>



<p>Arlie “Max” Watson, <u>et al.</u> V. Larry Waters, <u>et al.</u> E2010-01663-SC-R11-CV</p>	<p>Sevier County Chancery Court Judge David Reed Duggan No. 088358</p>	<p>Susano, J. Affirmed</p>	<p>Rule 11</p>	<p><b>Denied</b> - Application of Arlie “Max” Watson, Peggy Marshall, and Gerra Davis-Mary (Motion for Leave to File Supplemental petition by Arlie “Max” Watson, Peggy Marshall, and Gerra Davis-Mary is granted to the extent that it satisfies the provisions for citing supplemental authority pursuant to Rule 37(d) of the Tennessee Rules of Appellate Procedure)  <b>(Order filed - 6-20-12)</b></p>
<p><b><u>Jackson</u></b></p>				
<p>Leon Dickson, Sr. v. Sidney H. Kriger W2011-00379-SC-R11-CV</p>	<p>Shelby County Circuit Court Judge James F. Russell No. CT-005591-04</p>	<p>Farmer, J. Affirmed in Part; Reversed in Part</p>	<p>Rule 11</p>	<p><b>Denied</b> - Application of Leon Dickson, Sr.  <b>(Order filed - 6-19-12)</b></p>
<p>Fred Erby v. State of Tennessee W2011-01638-SC-R11-CO</p>	<p>Shelby County Criminal Court Judge W. Otis Higgs, Jr. No. M35891</p>	<p>Glenn, J. Williams, J. McMullen, J. Pro Se Motions Denied-future pleadings to be filed by counsel of record</p>	<p>Rule 11</p>	<p><b>Denied</b> - Application of Fred Erby (Denied - Fred Erby’s Motion for counsel of Record to Represent Defendant)  <b>(Order filed - 6-22-12)</b></p>
<p>Christopher J. Etheridge, <u>ex rel.</u>, Selena A. Ethridge, <u>et al.</u> v. YMCA of Jackson and West Tennessee, <u>et al.</u> W2011-00495-SC-R11-CV</p>	<p>Madison County Circuit Court Judge Roger A. Page No. C-09-165</p>	<p>Highers, P.J. Affirmed</p>	<p>Rule 11</p>	<p><b>Denied</b> - Application of Christopher J. Etheridge, Sr. and Selena A. Etheridge  <b>(Order fled - 6-19-12)</b></p>

David Hearing v. David Mills, Warden W20011-01226-SC-R11-PC	Lake County Circuit Court Judge R. Lee Moore, Jr. No. 11-CR-9583	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of David Hearing  <b>(Order filed - 6-19-12)</b>
Albert Frank Kelly v. State of Tennessee W2011-01216-SC- R11-HC	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 01-11190	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Albert Frank Kelly  <b>(Order filed - 6-19-12)</b>
Gerald Lee Powers v. State of Tennessee W2009-01068-SC-R11-PD	Shelby County Criminal Court Judge Carolyn Wade Blackett No. P27411	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Gerald Lee Powers  <b>(Order filed - 6-19-12)</b>
State of Tennessee v. Charles Jackson and Willis Holloway W2010-01133-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 09-01388	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Applications of Charles Jackson and Willis Holloway  <b>(Order filed - 6-22-12)</b>
State of Tennessee v. Myron McNeal W2010-01130-SC-R11-CD	Shelby County Criminal Court Judge James C. Beasley, Jr. No. 09-03099	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Myron McNeal  <b>(Order fled - 6-20-12)</b>
State of Tennessee v. Maurice Shaw, Sr. W2010-02529-SC-R11-CD	Tipton County Circuit Court Judge Joseph H. Walker No. 6551	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Maurice Shaw, Sr.  <b>(Order filed - 6-19-12)</b>
Mario Thomas v. State of Tennessee W2011-01635-SC-R11-PC	Obion County Circuit Court Judge William B. Acree No. 4116	Page, J. Affirmed - Rule 20	Rule 11	<b>Denied</b> - Application of Mario Thomas  <b>(Order filed - 6-20-12)</b>
Tony Scott Walker v. State of Tennessee W2011-01668-SC-R11-HC	Gibson (Trenton) County Circuit Court Judge Clayburn Peeples No. 8563	Glenn, J. Affirmed - Rule 20	Rule 11	<b>Denied</b> - Application of Tony Scott Walker  <b>(Order filed - 6-19-12)</b>



IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**NEAL LOVELACE ET AL v. TIMOTHY KEVIN COPLEY ET AL**

**Chancery Court for Hickman County  
No. 06128C**

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**No. M2011-00170-SC-R11-CV - Filed: June 21, 2012**

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**ORDER**

Upon consideration of the application for permission to appeal of Neal and Norma Jean Lovelace 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

**STATE OF TENNESSEE v. ANGELA M. MERRIMAN**

**Circuit Court for Warren County  
No. F-12979**

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**No. M2011-01682-SC-R11-CD - Filed: June 21, 2012**

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**ORDER**

Upon consideration of the application for permission to appeal of the State of Tennessee 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 JACKSON

**STATE OF TENNESSEE v. LeDARREN S. HAWKINS**

**Circuit Court for Madison County**  
**No. 09-253**

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**No. W2010-01687-SC-R11-CD - Filed: June 20, 2012**

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**ORDER**

Upon consideration of the application for permission to appeal of LeDarren Hawkins 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 JACKSON

**STATE OF TENNESSEE v. MICHAEL SHANE SPRINGER**

**Circuit Court for Gibson County**  
**No. 17764**

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**No. W2010-02153-SC-R11-CD -Filed: June 19, 2012**

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**ORDER**

Upon consideration of the application for permission to appeal of Michael Shane Springer 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 JACKSON

**SAUNDRA THOMPSON v. MEMPHIS CITY SCHOOLS BOARD OF EDUCATION**

**Chancery Court for Shelby County  
No. CH0719263**

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**No. W2010-02631-SC-R11-CV - Filed: June 19, 2012**

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**ORDER**

Upon consideration of the application for permission to appeal of Sandra Thompson 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