

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

Tuesday, February 22, 2011

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Sheila Brown v. Rico Roland M2009-01885-SC-R11-CV	Davidson County Circuit Court Judge Thomas W. Brothers No. 08C-2927	Clement, J., Affirmed	Rule 11	Granted - Application of Sheila Brown (Order filed 2-16-2011; copy attached)
State of Tennessee v. Nelson Aguilar Gomez and Florinda Lopez M2008-02737-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2007-D-3177	Welles, J., Affirmed in Part; Reversed in Part; Remanded	Rule 11	Granted - Application of Florinda Lopez (Order filed 2-16-2011; copy attached)
<u>Knoxville</u>				
Dave Brundage, et al. v. Cumberland County, et al. E2010-00089-SC-R11-CV	Cumberland County Chancery Court Chancellor Ronald Thurman No. 09-CH-271	Franks, J., Affirmed and Remanded	Rule 11	Granted - Application of Dave Brundage, et al. (Order filed 2-16-2011; copy attached)

Federal Insurance Company a/s/o Robert and Joanie Emerson v. Martin Winters, d/b/a Winters Roofing Company E2009-02065-SC-R11-CV	Hamilton County Circuit Court Judge W. Neil Thomas, III No. 09C136	Franks, J., Reversed	Rule 11	Granted - Application of Martin Winters, d/b/a Winters Roofing Company (Order filed 2-16-2011; copy attached)
Melinda Long v. Hillcrest Healthcare - West et al. E2009-01405-SC-R11-CV	Knox County Circuit Court Judge Wheller A. Rosebalm No. 3-119-09	Franks, J., Affirmed and Remanded	Rule 11	Granted for the purpose of remanding case to Knox County Circuit Court - Application of Melinda Long; (Koch, J., concurring separately) (Order filed 2-18-2011; copy attached)
State of Tennessee v. Joshua Lynn Parker E2008-02541-SC-R11-CD	Cocke County Circuit Court Judge Ben W. Hooper, II No. 0177	Tipton, J., Affirmed; Witt, J., Concurring and Dissenting	Rule 11	Granted - Application of Joshua Lynn Parker (Order filed 2-16-2011; copy attached)
<u>Jackson</u>				
NONE				

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

Tuesday, February 22, 2011

DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Bobby Reed Aldridge v. State of Tennessee M2009-01763-SC-R11-PC	Lawrence County Circuit Court Judge Robert L. Jones No. 26821	Wedemeyer, J., Affirmed	Rule 11	Denied - Application of Bobby Reed Aldridge (Order filed 2-16-2011)
State of Tennessee v. Brandy Lea Birdwell M2009-00722-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2008-A-88	Smith, J., Affirmed	Rule 11	Denied - Application of Brandy Lea Birdwell (Order filed 2-17-2011)
State of Tennessee v. Adam Clyde Braseel M2009-00839-SC-R11-CD	Grundy County Circuit Court Judge Buddy Perry No. 4221	Woodall, J., Affirmed	Rule 11	Denied - Application of Adam Clyde Braseel (Order filed 2-17-2011)
Roy G. Butler v. David A. Still M2009-01729-SC-R11-CV	Rutherford County Chancery Court Chancellor Robert E. Corlew, III No. 07-1577CV	Clement, J., Affirmed and Remanded	Rule 11	Denied - Application of David A. Still (Order filed 2-16-2011)

George Campbell, Jr. v. Tennessee Department of Corrections, et al. M2009-02218-SC-R11-CV	Wayne County Chancery Court Judge Stella L. Hargrove No. 2009-CV-4600	Kirby, J., Affirmed and Remanded	Rule 11	Denied - Application of George Campbell, Jr. (Order filed 2-17-2011)
Clear Channel Outdoors, et al. v. Tennessee Department of Transportation M2009-01631-SC-R11-CV	Davidson County Chancery Court Chancellor Carol McCoy No. 05-1839-II	Clement, J., Affirmed	Rule 11	Denied - Application of Clear Channel Outdoors (Order filed 2-16-2011)
Rufus R. Clifford, III, et al. v. Layda Tacogue, M.D., et al. M2009-01703-SC-R11-CV	Davidson County Circuit Court Judge Barbara N. Haynes No. 06C-1413	Dinkins, J., Affirmed and Remanded	Rule 11	Denied - Application of Rufus R. Clifford, III and Carrie C. Clifford (Order filed 2-17-2011)
Roy L. Crawford v. Tennessee Department of Correction, et al. M2009-00439-SC-R11-CV	Davidson County Chancery Court Chancellor Ellen Hobbs Lyle No. 042148-III	Kirby, J., Affirmed	Rule 11	Denied - Application of Roy L. Crawford (Order filed 2-16-2011)
Jeremy Crosby v. State of Tennessee M2009-00934-SC-R11-PC	Davidson County Criminal Court Judge Steve R. Dozier No. 2003-C-1601	Ogle, J., Affirmed	Rule 11	Dismissed - Application of Jeremy Crosby (Order filed 2-17-2011)
Teresa Rita Day v. State of Tennessee M2009-01165-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier Nos. 2005-C-2371 and 2006-B-1148	Glenn, J., Affirmed	Rule 11	Denied - Application of Teresa Rita Day; Granted - Teresa Rita Day's Motion to Proceed in forma pauperis; Denied as Moot - Teresa Rita Day's Motion for appointment of counsel (Order filed 2-16-2011)
Gursheel Dhillon, M.D. v. State of Tennessee Health Related Boards M2010-01085-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 10449-II	Per Curiam, Appeal Dismissed	Rule 11	Dismissed - Application of Gursheel Dhillon, M.D. (Order filed 2-17-2011)

Victor L. Dobbins v. State of Tennessee M2009-02652-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn No. 2006-C-2624	Welles, J., Affirmed	Rule 11	Denied - Application of Victor L. Dobbins (Order filed 2-17-2011)
Bobby Ervin v. State of Tennessee M2010-01767-SC-R11-PC	Sumner County Circuit Court Judge David Dee Gay No. 587-2010	Wells, J., Affirmed pursuant to CCA Rule 20	Rule 11	Dismissed - Application of Bobby Ervin (Order filed 2-22-2011)
Marla Dean Evans v. Johnny Howard Evans M2010-00079-SC-R11-CV	Franklin County Circuit Court Judge Thomas W. Graham No. 17199CV	Dinkins, J., Affirmed	Rule 11	Denied - Application of Cynthia A. Cheatham (Order filed 2-17-2011)
State of Tennessee v. Havin Hameed M2009-00152-SC-R11-CD	Davidson County Criminal Court Judge Monte Watkins No. 2006-A-409	McMullen, J., Affirmed	Rule 11	Denied - Application of Havin Hameed (Order filed 2-16-2011)
State of Tennessee v. Joshua Shane Hayes M2008-01066-SC-R11-CD	Davidson County Criminal Court Judge Steve R. Dozier No. 2006-B-1092	Woodall, J., Reversed and Remanded	Rule 11	Denied - Applications of the State of Tennessee and of Joshua Shane Hayes (Order filed 2-17-2011)
Jean Hensley v. Robert Cerza and Cardiac Anesthesia Services, PLLC M2009-01860-SC-R11-CV	Putnam County Circuit Court Judge John Maddux, Jr. No. 06N0166	Bennett, J., Affirmed; Clement, J., separate concur	Rule 11	Denied - Application of Jean Hensley (Order filed 2-16-2011)
In Re: Isaiah L. M2009-02455-SC-R11-JV	Davidson County Circuit Court Judge Philip E. Smith No. 09-D-315	Kirby, J., Affirmed	Rule 11	Denied - Application of Dianne Patterson (Order filed 2-16-2011)

Matthew Melton Jackson v. State of Tennessee M2010-00329-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 2001-A-386	Smith, J., Affirmed	Rule 11	Denied - Application of Matthew Melton Jackson (Order filed 2-16-2011)
Timothy Neal James v. State of Tennessee M2009-02167-SC-R11-PC	Sumner County Criminal Court Judge Dee David Gay No. 89-2008	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Timothy Neal James (Order filed 2-17-2011)
Theo Kampert, et al. v. Valley Farmers Cooperative, et al. M2009-02360-SC-S10-CV	Giles County Circuit Court Judge Jim T. Hamilton No. CC-11161	Cottrell, J., Reversed	Rule 11	Denied - Application of Theo Kampert, Ruth Kampert and Kampert Dairy, LLC (Order filed 2-16-2011)
Sharon M. Keisling v. Daniel Kerry Keisling, et al. M2009-01025-SC-R11-CV	Wilson County Circuit Court Judge Jon Kerry Blackwood No. 1644	Cottrell, J., Affirmed and Remanded	Rule 11	Denied - Application of Sharon M. Keisling (Order filed 2-17-2011)
Larry Paul Koffman v. State of Tennessee M2009-00951-SC-R11-PC	Robertson County Circuit Court Judge Michael R. Jones No. 02-0440	Witt, J., Affirmed	Rule 11	Denied - Application of Larry P. Koffman (Order filed 2-17-2011)
Charles Lee Rochell v. State of Tennessee M2010-00150-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn No. 2006-A-150	Smith, J., Affirmed	Rule 11	Denied - Application of Charles Lee Rochell (Order filed 2-16-2011)
State of Tennessee v. Patrick M. Lonie M2009-01894-SC-R11-CD	Hickman County Circuit Court Judge Timothy Easter No. 095018CR	Glenn, J., Affirmed and Remanded for Entry of Corrected Judgments	Rule 11	Denied - Application of Patrick M. Lonie (Order filed 2-16-2011)

State of Tennessee v. Claude David Merritt M2010-00181-SC-R11-CD	Bedford County Circuit Court Judge Robert Crigler No. 16813	Welles, J., Affirmed	Rule 11	Denied - Application of Claude David Merritt (Order filed 2-16-2011)
Joe Clark Mitchell v. State of Tennessee M2010-00269-SC-R11-HC	Maury County Circuit Court Judge Stella Hargrove Nos. 2311-12, 2314, 2315-18, 2320-22	Wedemeyer,J., Affirmed	Rule 11	Denied - Application of Joe Clark Mitchell (Order filed 2-16-2011)
State of Tennessee v. Aso Nejad and Ako Nejad M2009-00481-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2007B1748	Williams, J., Affirmed	Rule 11	Denied - Application of Aso Nejad and Ako Nejad (Order filed 2-17-2011)
State of Tennessee v. Frank Edward Nixon, Jr. M2009-01047-SC-R11-CD	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2007-B-1823	Smith, J., Affirmed	Rule 11	Denied - Application of Frank Edward Nixon, Jr. (Order filed 2-17-2011)
State of Tennessee v. Michael Deshay Peoples, Jr. M2009-01783-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn No. 2006-C-1980	Welles, J., Affirmed	Rule 11	Denied - Application of Michael Deshay Peoples, Jr. (Order filed 2-17-2011)
Charles Ray Powell v. State of Tennessee M2009-01618-SC-R11-PC	Franklin County Circuit Court Judge Thomas W. Graham No. 10667	Woodall, J., Affirmed	Rule 11	Dismissed - Application of Charles Ray Powell (Order filed 2-17-2011)
William J. Reinhart v. Rising Star Ranch, LLC M2009-01776-SC-R11-CV	Bedford County Circuit Court Judge Franklin L. Russell No. 11807	Stafford, J., Affirmed and Remanded	Rule 11	Denied - Application of William J. Reinhart (Order filed 2-16-2011)

State of Tennessee v. Roger Stephen Riner M2009-00579-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn No. 2008-D-3892	Smith, J., Affirmed	Rule 11	Denied - Application of Roger Stephen Riner (Order filed 2-17-2011)
State of Tennessee v. Shawn Simmons M2009-01362-SC-R11-CD	Lincoln County Circuit Court Judge Robert Crigler No. S0800082	Smith, J., Affirmed	Rule 11	Denied - Application of Shawn Simmons (Order filed 2-17-2011)
State of Tennessee v. Robert Charles Taylor M2010-00033-SC-R11-CD	Coffee County Circuit Court Judge Charles Lee No. 33000	Smith, J., Affirmed	Rule 11	Denied - Application of Robert Charles Taylor (Order filed 2-17-2011)
Regina D. Wiser v. Cyrus W. Wiser, Jr. M1009-00620-SC-R11-CV	Rutherford County Circuit Court Judge Royce Taylor No. 50085	Kirby, J., Affirmed in Part; Reversed in Part; Modified	Rule 11	Denied - Application of Cyrus W. Wiser, Jr. (Order filed 2-16-2011)
State of Tennessee v. Anthony Eugene Young M2009-00674-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2007-D-3214	Wedemeyer, J., Affirmed	Rule 11	Denied - Application of Anthony Eugene Young (Order filed 2-16-2011)
<u>Knoxville</u>				
State of Tennessee v. Julius T. Andrews E2011-00032-SC-OT-CO	Shelby County Criminal Court Trial Judge Unknown No. 102322JDT	Per Curiam, Denial		Denied - "Notice of Appeal, Petition for a Writ of Habeas Corpus, and Writ of Certiorari Jurisdiction, Proceeding and Relief from Supreme Court Review" filed by Julius T. Andrews (Order filed 2-16-2011)

State of Tennessee v. Michael James Bell E2008-01499-SC-R11-CD	Anderson County Criminal Court Judge Donald R. Elledge No. A4CR0490	Ogle, J., Affirmed	Rule 11	Denied - Application of Michael James Bell (Order filed 2-16-2011)
Ken Brown v. City of Chattanooga E2010-00684-SC-R11-CV	Hamilton County Chancery Court Chancellor Frank Brown No. 07-1088	Franks, J., Dismissed	Rule 11	Denied - Application of Ken Brown (Order filed 2-16-2011)
State of Tennessee v. Milton Lebron Byrd E2006-02619-SC-DAS-CD	Hamilton County Criminal Court Judge Rebecca J. Stern No. 257167	Tipton, J., Affirmed	Rule 11	Denied - Application of Milton Lebron Byrd (Order filed 2-17-2011)
State of Tennessee v. Traci Carpenter E2010-02049-SC-S09-CD	Hamilton County Criminal Court Judge Don W. Poole No. 262492	Tipton, J., Witt, J. and Ogle, J., Rule 9 Denied	Rule 9	Denied - Application of Traci Carpenter (Order filed 2-16-2011)
State of Tennessee v. David Freeman Clay E2009-00868-SC-R11-CD	Knox County Criminal Court Judge Bob R. McGee No. 83421	Thomas, J., Affirmed	Rule 11	Denied - Application of David Freeman Clay; <i>The opinion of the Court of Criminal Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4(E).</i> (Order filed 2-17-2011)
State of Tennessee v. Mitchell Eads E2009-01574-SC-R11-CD	Claiborne County Criminal Court Judge E. Shayne Sexton No. 12019	Tipton, J., Affirmed	Rule 11	Denied - Application of Mitchell Eads (Order filed 2-17-2011)
Ned Fisher v. Dave H. Tate, d/b/a Tate's Service Center, (and/or Tate Salvage and Service, and/or Tate Tire Company) E2010-02644-WC-R9-WC	Anderson County Circuit Court Judge Donald Ray Elledge No. BOLA0151	N/A	Rule 9	Denied - Application of Dave H. Tate (Order filed 2-16-2011)

Floyd L. Fletcher, et al. v. Ashley R. White, et al. E2009-01199-SC-R11-CV	Knox County Circuit Court Judge Dale Workman No. 1-511-07	McClarty, J., Affirmed; Case Remanded	Rule 11	Denied - Application of Floyd L. Fletcher (Order filed 2-17-2011)
In Re Keri C. E2010-00381-SC-R11-PT	Jefferson County Chancery Court Chancellor Telford E. Forgety No. 08-013	Kirby, J., Affirmed	Rule 11	Denied - Application of Christy C. (Order filed 2-17-2011)
Dexter F. Johnson v. State of Tennessee E2010-01038-SC-R11-PC	Hamilton County Criminal Court Judge Barry Steelman No. 202013	Thomas, J., Affirmed	Rule 11	Denied - Application of Dexter F. Johnson; Denied - Motion for Consideration of Post-Judgment Facts filed by Dexter F. Johnson (Order filed 2-16-2011)
Michael Wayne Maples v. State of Tennessee E2009-02558-SC-R11-PC	Blount County Circuit Court Judge Jon Kerry Blackwood No. C-15142	Witt, J., Affirmed	Rule 11	Denied - Application of Michael Wayne Maples (Order filed 2-17-2011)
David Mathews, et al. v. The City of Chattanooga, et al. E2009-01418-SC-R11-CV	Hamilton County Circuit Court Judge W. Neil Thomas No. 09-C-171	Swiney, J., Affirmed and Remanded	Rule 11	Denied - Application of David Mathews and Tommy Baker; The opinion of the Court of Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4(E) (Order filed 2-17-2011)
Travis Morris v. State of Tennessee E2009-00497-SC-R11-HC	Rhea County Circuit Court Judge Thomas W. Graham No. 16733	Tipton, J., Affirmed	Rule 11	Denied - Application of Travis Morris (Order filed 2-17-2011)

State of Tennessee v. Alphanza Pitts E2009-00974-SC-R1-CD	Hamilton County Criminal Court Judge Barry A. Steelman No. 266697	Tipton, J., Affirmed	Rule 11	Denied - Application of Alphanza Pitts (Order filed 2-17-2011)
Patrick Joseph Rigger v. State of Tennessee E2009-01052-SC-R11-PC	Knox County Criminal Court Judge Mary Beth Leibowitz No. 90084	Witt, J., Affirmed	Rule 11	Denied - Application of Patrick Joseph Rigger (Order filed 2-16-2011)
Gene Shelton Rucker v. State of Tennessee E2010-00440-SC-R11-HC	Hamilton County Criminal Court Judge Barry A. Steelman No. 274427	Thomas, J., Affirmed	Rule 11	Denied - Application of Gene Shelton Rucker (Order filed 2-16-2011)
Kimberly Smith v. Thomas Smith E2009-01593-SC-R11-CV	Cocke County Circuit Court Chancellor Telford E. Forgety, Jr. No. 26,355-IV	Franks, J., Affirmed in Part; Reversed in Part	Rule 11	Denied - Application of Thomas Smith (Order filed 2-17-2011)
Tennessee Farmers Mutual Insurance Company v. Gerald Farrar E2008-00779-SC-R11-CV	Rhea County Chancery Court Chancellor Jeffrey F. Stewart No. 10215	Susano, J., Affirmed and Remanded	Rule 11	Denied - Application of Gerald Farrar; Granted - Motion of Tennessee Farmers Mutual Insurance Company to Act Upon and Deny Application for Permission to Appeal of Gerald B. Farrar (Order filed 2-16-2011)
State of Tennessee v. Joe Michael Turner E2009-00069-SC-R11-CD	Knox County Criminal Court Judge Bob R. McGee No. 85422	Ogle, J., Affirmed in Part; Reversed in Part	Rule 11	Denied - Application of Joe Michael Turner (Order filed 2-16-2011)

State of Tennessee v. Charles R. Underwood, Jr. E2009-02160-SC-R11-CD	Sullivan County Circuit Court Judge Robert H. Montgomery, Jr. Nos. S55301; S55302; S55303; S55304	Tipton, J., Affirmed	Rule 11	Denied - Application of Charles R. Underwood, Jr. (Order filed 2-16-2011)
Reginald Denard Usher, son of Reginald Smith, deceased v. Charles Blalock & Sons, Inc., et al. E2009-00658-SC-R11-CV	Knox County Circuit Court Judge Dale C. Workman No. 1-245-04	Susano, J., Affirmed in Part; Vacated in Part and Remanded	Rule 11	Denied - Application of Reginald Denard Usher, son of Reginald Smith, deceased (Wade, J., not participating) (Order filed 2-17-2011)
<u>Jackson</u>				
Howard Jefferson Atkins v. State of Tennessee W2010-00092-SC-R11-CO	Tipton County Circuit Court Judge Joseph H. Walker, III No. 3956	Williams, J., Affirmed	Rule 11	Denied - Application of Howard Jefferson Atkins (Order filed 2-16-2011)
Philander Butler v. State of Tennessee W2010-00118-SC-R11-PC	Shelby County Criminal Court Judge W. Otis Higgs, Jr. Nos. 88-08249, 9004544, 90-06943	Williams, J., Affirmed	Rule 11	Denied - Application of Philander Butler (Order filed 2-17-2011)
State of Tennessee v. Jerry Phillip Haley W2009-01800-SC-R11-CD	Lauderdale County Circuit Court Judge Joseph H. Walker, III No. 8498	Williams, J., Affirmed	Rule 11	Denied - Application of Jerry Phillip Haley (Order filed 2-17-2011)
Eldridge Hill v. State of Tennessee W2009-01481-SC-R11-PC	Shelby County Criminal Court Judge James M. Lammey, Jr. No. 04-06183	McMullen, J., Affirmed	Rule 11	Denied - Application of Eldridge Hill (Order filed 2-17-2011)

State of Tennessee v. Derrick Johnson W2008-02070-SC-R11-CD	Shelby County Criminal Court Judge James M. Lammey, Jr. No. 05-05455	McMullen, J., Affirmed	Rule 11	Denied - Application of Derrick Johnson (Order filed 2-17-2011)
Tina Johnson, et al. v. David J. Richardson, M.D. W2009-02626-SC-R11-CV	Shelby County Circuit Court Judge Karen R. Williams No. CT-003760-01	Stafford, J., Affirmed	Rule 11	Denied - Application of Tina Johnson, et al. (Order filed 2-16-2011)
State of Tennessee v. Shannon V. Jones W2009-01706-SC-R11-CD	Lauderdale County Circuit Court Judge Joseph H. Walker, III No. 8503	McMullen, J., Affirmed	Rule 11	Denied - Application of Shannon V. Jones (Order filed 2-16-2011)
State of Tennessee v. Billy Earl McIlwain, Jr. W2009-00987-SC-R11-CD	Gibson County Circuit Court Judge Clayburn Peeples No. 17837	Welles, J., Affirmed	Rule 11	Denied - Application of Billy Earl McIlwain, Jr. (Order filed 2-17-2011)
Kevin Millen v. Shelby County Sheriff's Office W2010-01343-SC-R11-CV	Shelby County Chancery Court Judge Walter L. Evans No. CH-10-0168-I	Highers, J., Affirmed	Rule 11	Denied - Application of Kevin Millen (Order filed 2-17-2011)
Lamario Sumner a/k/a Lamario Fleming v. State of Tennessee W2009-00453-SC-R11-PC	Shelby County Criminal Court Judge Paula Skahan No. 03-07118	Woodall, J., Affirmed	Rule 11	Denied - Application of Lamario Sumner a/k/a Lamario Fleming (Order filed 2-16-2011)
John A. Van Grouw v. Tracey P. Malone W2009-02119-SC-R11-CV	Shelby County Circuit Court Judge Walter C. Kurtz, Sr. No. CT-006012-07	Farmer, J., Affirmed and Remanded	Rule 11	Denied - Application of John A. Van Grouw (Order filed 2-16-2011)

Walker's, Inc. d/b/a Walker's Quality Cleaners v. Reagan Farr, Commissioner of the Department of Revenue, State of Tennessee W2010-00164-SC-R11-CV	Madison County Chancery Court Judge James F. Butler No. 65707	Kirby, J., Reversed and Remanded	Rule 11	Denied - Application of Walker's, Inc. (Order filed 2-16-2011)
Oscar C. Wells v. State of Tennessee W2009-02231-SC-R11-PC	Shelby County Criminal Court Judge James Lammey No. 01-03299	Williams, J., Affirmed	Rule 11	Denied - Application of Oscar C. Wells (Order filed 2-16-2011)
Terrence Woods v. State of Tennessee W2009-02060-SC-R11-PC	Shelby County Criminal Court Judge John P. Colton, Jr. No. 05-03561	McMullen, J., Affirmed	Rule 11	Denied - Application of Terrence Woods (Order filed 2-16-2011)
Eric Wright v. State of Tennessee W2009-00864-SC-R11-PC	Shelby County Criminal Court Judge Lee Coffee No. P-24313	McLin, J., Affirmed	Rule 11	Denied - Application of Eric Wright (Order filed 2-16-2011)

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

SHEILA BROWN v. RICO ROLAND

Circuit Court for Davidson County
No. 08C-2927

No. M2009-01885-SC-R11-CV - Filed February 16, 2011

ORDER

Upon consideration of the application for permission to appeal of Sheila Brown, 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. NELSON AGUILAR GOMEZ
AND FLORINDA LOPEZ**

**Criminal Court for Davidson County
No. 2007-D-3177**

No. M2008-02737-SC-R11-CD - Filed February 16, 2011

ORDER

Upon consideration of Florinda Lopez's application for permission to appeal 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

DAVE BRUNDAGE ET AL v. CUMBERLAND COUNTY ET AL

**Chancery Court for Cumberland County
No. 09-CH-271**

No. E2010-00089-SC-R11-CV - Filed February 16, 2011

ORDER

Upon consideration of the application for permission to appeal of Dave Brundage, 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 KNOXVILLE

**FEDERAL INSURANCE COMPANY A/S/O ROBERT AND JOANIE EMERSON v.
MARTIN WINTERS, D/B/A WINTERS ROOFING COMPANY**

**Circuit Court for Hamilton County
No. 0362**

No. E2009-02065-SC-R11-CV - Filed February 16, 2011

ORDER

Upon consideration of the application for permission to appeal of Martin Winters, d/b/a Winters Roofing Company, 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

MELINDA LONG v. HILLCREST HEALTHCARE - WEST ET AL.

**Circuit Court for Knox County
No. 3-119-09**

No. E2009-01405-SC-R11-CV - Filed February 18, 2011

ORDER

Upon consideration of the application for permission to appeal of Melinda Long and the record before us, the Court is of the opinion that the application should be, and is hereby, granted for the purpose of remanding the case to the Knox County Circuit Court for reconsideration in light of this Court's decision rendered in Estate of French v. Stratford House, ___ S.W.3d ___, 2011 WL 238819 (Tenn. Jan. 26, 2011).

PER CURIAM

WILLIAM C. KOCH, JR., J., concurring separately.

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

MELINDA LONG v. HILLCREST HEALTHCARE-WEST ET AL.

**Circuit Court for Knox County
No. 3-119-09**

No. E2009-01405-SC-R11-CV - Filed February 18, 2011

WILLIAM C. KOCH, JR., J., concurring in the disposition of the Tenn. R. App. P. 11 application.

I concur with the disposition of the Tenn. R. App. P. 11 application in this case because the facts supporting this common-law negligence claim differ from those in *Estate of French v. Stratford House*, ___ S.W.3d ___, 2011 WL 238819 (Tenn. Jan. 26, 2011). The common-law negligence claim in this case rests on the allegation that Ms. Hughes was injured because one of her caregivers ignored a sign posted on the door to her room stating that she should be picked up and moved using a special lift device and special wheelchairs. A lay jury addressing this claim can determine whether the caregiver acted negligently based on common, everyday experience without the assistance of expert medical proof.

WILLIAM C. KOCH, JR., JUSTICE

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

STATE OF TENNESSEE v. JOSHUA LYNN PARKER

Circuit Court for Cocke County
No. 0177

No. E2008-02541-SC-R11-CD - Filed February 16, 2011

ORDER

Upon consideration of the Tenn. R. App. P. 11 application for permission to appeal filed on behalf of Joshua Lynn Parker, and the record before us, the application is granted.

It is further ordered, in accordance with Tenn. R. App. P. 11(f), that within thirty (30) days following the entry of this order, Mr. Parker shall file with this Court a brief complying with all the requirements of Tenn. R. App. P. 27(a) and other applicable rules. The brief shall contain a full and complete analysis of all the issues raised on this appeal and shall be supported by appropriate legal authorities.

PER CURIAM