



Tennessee Supreme Court
DISCRETIONARY APPEALS

Grants & Denials List

April 4, 2016 - April 8, 2016

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Appellate Judge/Judgment	Nature Of Appeal	Action
<u>Nashville</u>				
ELIZABETH EBERBACH v. CHRISTOPHER EBERBACH M2014-01811-SC-R11-CV	Williamson County Chancery Court James G. Martin, III 37317	Armstrong, Kenny W.: Affirmed	TRAP 11	Granted: Application of Elizabeth Eberbach Order filed 4-6-16 (See Attached Order)
<u>Knoxville</u>				
EWIN B. JENKINS, ET AL. v. BIG CITY REMODELING, ET AL. E2014-01612-SC-R11-CV	Sevier County Circuit Court O. Duane Slone 13CV296IV	Frierson II, Thomas R.: Affirmed in Part, Reversed in Part Susano Jr., Charles D.: Concur in Part/Dissent in Part	TRAP 11	Granted: Application of Henson & Associates Flooring, Inc. and Jullan Luu d/b/a Quality Hardwood Floors Order filed 4-6-16 (See Attached Order)

DENIALS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Appellate Judge/Judgment	Nature Of Appeal	Action
<u>Nashville</u>				
BRIAN J. DODSON v. STATE OF TENNESSEE M2014-00693-SC-R11-PC	Maury County Circuit Court Stella L. Hargrove 18714	Ogle, Norma McGee: Affirmed	TRAP 11	Denied: Application of Brian J. Dodson Order filed 4-6-16
STATE OF TENNESSEE v. TANYA NICOLE SLIMICK M2014-00747-SC-R11-CD	Williamson County Circuit Court Michael Binkley ICR055631	Williams, John Everett: Affirmed	TRAP 11	Denied: Application of Tanya Nicole Slimick Order filed 4-6-16
JERRY KEVIN DUKE v. STATE OF TENNESSEE M2014-01673-SC-R11-ECN	Davidson County Criminal Court Mark J. Fishburn 87F1864	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Jerry Kevin Duke Order filed 4-6-16

STATE OF TENNESSEE v. JON MICHAEL JOHNSON M2014-01834-SC-R11-CD	Davidson County Criminal Court Amanda Jane McClendon 2012B1415	Witt Jr., James Curwood: Dismissed	TRAP 11	Denied: Application of Jon Michael Johnson Order filed 4-4-16
STATE OF TENNESSEE v. AURELIO GARCIA SANCHEZ M2014-01997-SC-R11-CD	Macon County Criminal Court David Earl Durham 2012CR13	Woodall, Thomas T.: Affirmed Holloway Jr., Robert L.: Concur	TRAP 11	Denied: Application of Aurelio Garcia Sanchez; Opinion of Court of Criminal Appeals designated "Not For Citation" with Supreme Court Rule 4(E), Order filed 4-7-16 (See Attached Order)
STATE OF TENNESSEE v. MAURICE MCALLISTER M2014-02022-SC-R11-CD	Giles County Circuit Court Stella L. Hargrove 15836	Wedemeyer, Robert W.: Affirmed	TRAP 11	Denied: Application of Maurice Dale McAllister Order filed 4-6-16

<p>EVERY PLACE, LLC ET AL v. HIGHWAYS, INC. M2014-02043-SC-R11-CV</p>	<p>Putnam County Chancery Court Ronald Thurman 2013282</p>	<p>Dinkins, Richard H.: Affirmed</p>	<p>TRAP 11</p>	<p>Denied: Application of Highways, Inc.; Opinion of Court of Appeals designated "Not For Citation" with Supreme Court Rule 4(E), Order filed 4-6-16 (See Attached Order)</p>
<p>STATE OF TENNESSEE v. BEAU C. VAUGHAN M2014-02530-SC-R11-CD</p>	<p>Maury County Circuit Court Robert L. Jones 9903B</p>	<p>Thomas Jr., D. Kelly: Affirmed</p>	<p>TRAP 11</p>	<p>Denied: Application of Beau C. Vaughan Order filed 4-7-16</p>
<p>ZACHERIAH L. HOLDEN v. STATE OF TENNESSEE M2015-00433-SC-R11-PC</p>	<p>Warren County Circuit Court Larry B. Stanley, Jr. F11837</p>	<p>Williams, John Everett: Affirmed</p>	<p>TRAP 11</p>	<p>Denied: Application of Zacheriah L. Holden Order filed 4-7-16</p>
<p>ALVIN GEORGE RYE v. STATE OF TENNESSEE M2015-01294-SC-R11-PC</p>	<p>Montgomery County Circuit Court Ross H. Hicks 41200256</p>	<p>Easter, Timothy L.: Affirmed</p>	<p>TRAP 11</p>	<p>Denied: Application of Alvin George Rye Order filed 4-7-16</p>

Knoxville

STATE OF TENNESSEE v. CARLOS CAMPBELL E2014-00697-SC-R11-CD	Knox County Criminal Court Steven Wayne Sword 100509	Thomas Jr., D. Kelly: Other	TRAP 11	Denied: Application of Carlos Campbell; OPN of Court of Criminal Appeals designated "Not For Citation" accordance with Supreme Court Rule 4(E) Order filed 4-6-16 (See Attached Order)
STATE OF TENNESSEE v. JORDAN THOMAS PETERS E2014-02322-SC-R11-CD	Sullivan County Criminal Court Robert H. Montgomery, Jr. S58069	Easter, Timothy L.: Affirmed McMullen, Camille R.: Concur	TRAP 11	Denied: Application of Jordan Thomas Peters Order filed 4-7-16
STATE OF TENNESSEE v. ANDRE DE'LANE ROSS E2014-02563-SC-R11-CD	Hamilton County Criminal Court Don W. Poole 251011	Thomas Jr., D. Kelly: Dismissed	TRAP 11	Denied: Application of Andre De'Lane Ross; Opn of Court of Criminal Appeals designated "Not For Citation" with Supreme Court Rule 4(E); Order

HILDA WILLIS ET VIR v. MCDONALD'S
RESTAURANTS OF TENNESSEE, INC.
E2015-00615-SC-R11-CV

Greene County Circuit Court
Alex E. Pearson
13CV276

McClarty, John W.: Affirmed

TRAP 11

Denied: Application
of Hilda Willis and
James Willis

Order filed 4-7-16

PAUL E. ISAAC v. STATE OF TENNESSEE
E2015-01119-SC-R11-PC

Knox County Criminal Court
Bobby R. McGee
103905

Thomas Jr., D. Kelly: Affirmed

TRAP 11

Denied: Application
of Paul E. Isaac

Order filed 4-6-16

JEANIE HOLSCLAW v. IVY HALL NURSING HOME,
INC.
E2015-02470-SC-R10-CV

Carter County Circuit Court
Jean A. Stanley
C12784

Frierson II, Thomas R., Susano Jr.,
Charles D., Swiney, D. Michael: Case
Dispositional Decision

TRAP 10 (from
Interm. Court)

Denied: Application
of Ivy Hall Nursing
Home, Inc.

Order filed 4-7-16

Jackson

Andrew Harville vs. State of Tennessee W2011-00835-SC-R11-PC	Tipton County Circuit Court Joe H. Walker, III 5765	Williams, John Everett: Affirmed	TRAP 11	Denied: Application of Andrew Harville Order filed 4-7-16
GUNNAR C. SKARBREVIK, ET AL. v. PERSONAL REPRESENTATIVE OF ESTATE OF CAROLYN E. BROWN W2014-00809-SC-R11-CV	Shelby County Circuit Court Donna M. Fields CT00543610	Dinkins, Richard H.: Affirmed	TRAP 11	Denied: Application of Zurich American Insurance Company Order filed 4-8-16
KATHLEEN N. BARRETT, ET AL. v. THOMAS M. CHESNEY, MD, ET AL W2014-01921-SC-R11-CV	Shelby County Circuit Court Robert Samual Weiss CT00084913	Armstrong, Kenny W.: Affirmed	TRAP 11	Denied: Application of Kathleen N. Barrett, et al; OPN of COA designated "Not For Citation" SC Rule 4(E); Order filed 4-7-16(See Attached Order)
KHADIJEH NARAGHIAN v. DARRYLE K. WILSON W2014-02002-SC-R11-CV	Shelby County Circuit Court Robert Samual Weiss CT00119609	Goldin, Arnold B.: Vacated	TRAP 11	Denied: Application of Darryle K. Wilson Order filed 4-7-16

STATE OF TENNESSEE v. CARLOS GONZALEZ W2014-02198-SC-R11-CD	Shelby County Criminal Court James C. Beasley, Jr. 1201055	Page, Roger A.: Affirmed	TRAP 11	Denied: Application of Carlos Gonzalez Order filed 4-7-16
JOYCE WATKINS v. STATE OF TENNESSEE W2015-00147-SC-R11-HC	Shelby County Criminal Court Chris Craft P39634	Montgomery Jr., Robert H.: Affirmed	TRAP 11	Denied: Application of Joyce Watkins Order filed 4-7-16
STATE OF TENNESSEE v. ELVIS STRICKLAND W2015-00153-SC-R11-CD	Shelby County Criminal Court James C. Beasley, Jr. 1305123	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Elvis Strickland Order filed 4-7-16
GEORGE HARVEY v. STATE OF TENNESSEE W2015-00224-SC-R11-PC	Shelby County Criminal Court James M. Lammey 1204860	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of George Harvey Order filed 4-7-16

CAMEO BOBO v. CITY OF JACKSON, TENNESSEE W2015-00386-SC-R11-CV	Madison County Circuit Court Roy B. Morgan, Jr. C1492	Goldin, Arnold B.: Affirmed	TRAP 11	Denied: Application of Cameo Bobo Order filed 4-7-16
GAIL D. SMITH v. THE KING'S DAUGHTERS AND SONS HOME W2015-00435-SC-R11-CV	Shelby County Chancery Court Jim Kyle CH1219382	Armstrong, Kenny W.: Affirmed	TRAP 11	Denied: Application of Gail Denise Smith Order filed 4-7-16
JORDAN CURRY v. STATE OF TENNESSEE W2015-00709-SC-R11-PC	Madison County Circuit Court Roy B. Morgan, Jr. C14322	Montgomery Jr., Robert H.: Affirmed	TRAP 11	Denied: Application of Jordan Arlando Curry Order filed 4-7-16
DEANGELO WHITE v. STATE OF TENNESSEE W2015-00926-SC-R11-PC	Madison County Circuit Court Roy B. Morgan, Jr. C1524	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of Deangelo White Order filed 4-7-16

WILLIE PEGUES v. STATE OF TENNESSEE
W2015-01965-SC-R11-PC

Shelby County Criminal Court
W. Mark Ward
9101420

Glenn, Alan E., McMullen, Camille R., TRAP 11
Williams, John Everett: Case
Dispositional Decision

Denied: Application
of Willie Pegues
Order filed 4-8-16

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

ELIZABETH EBERBACH v. CHRISTOPHER EBERBACH

**Chancery Court for Williamson County
No. 37317**

No. M2014-01811-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Elizabeth Eberbach 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

EWIN B. JENKINS, ET AL. v. BIG CITY REMODELING, ET AL.

**Circuit Court for Sevier County
No. 13CV296IV**

No. E2014-01612-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Henson & Associates Flooring, Inc., and Jullan Luu d/b/a Quality Hardwood Floors 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. AURELIO GARCIA SANCHEZ

**Criminal Court for Macon County
No. 2012-CR-13**

No. M2014-01997-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Aurelio Garcia Sanchez and the record before us, the application is denied.

The opinion of the Court of Criminal Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4, § E.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

AVERY PLACE, LLC ET AL v. HIGHWAYS, INC.

**Chancery Court for Putnam County
No. 2013282**

No. M2014-02043-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Highways, Inc. and the record before us, the application is denied.

The opinion of the Court of Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4, § E.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

STATE OF TENNESSEE v. CARLOS CAMPBELL

**Criminal Court for Knox County
No. 100509**

No. E2014-00697-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Carlos Campbell and the record before us, the application is denied.

The opinion of the Court of Criminal Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4, § E.

PER CURIAM

Page, Roger A., J., Not Participating

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

STATE OF TENNESSEE v. ANDRE DE'LANE ROSS

**Criminal Court for Hamilton County
No. 251011**

No. E2014-02563-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Andre De'Lane Ross and the record before us, the application is denied.

The opinion of the Court of Criminal Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4, § E. In addition, the Court hereby requests that the Advisory Commission on the Rules of Practice & Procedure consider amending Tenn. R. Crim. P. 36 to conform to the 2012 amendments to Tenn. R. App. P. 3(b) and (c).

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

KATHLEEN N. BARRETT v. THOMAS M. CHESNEY, MD ET AL.

**Circuit Court for Shelby County
No. CT00084913**

No. W2014-01921-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Kathleen N. Barrett, Trumbull Laboratories, LLC, Thomas M. Chesney, and Pathology Group of the Midsouth, PC and the record before us, the application is denied.

The opinion of the Court of Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4, § E.

PER CURIAM