



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
April 11, 2016 - April 15, 2016

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Appellate Judge/Judgment	Nature Of Appeal	Action
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Nashville

STATE OF TENNESSEE v. WALTER H. WEBB M2014-01929-SC-R11-CD	Wilson County Criminal Court David Earl Durham 11CR16	Easter, Timothy L.: Affirmed	TRAP 11	Granted: Application of Walter H. Webb Order filed 4-13-16 (See Attached Order)
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DENIALS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Appellate Judge/Judgment	Nature Of Appeal	Action
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Knoxville

STATE OF TENNESSEE v. THOMAS PAUL ODUM E2016-00342-SC-R10-CD	McMinn County Criminal Court Andrew M. Freiberg 14-313	Ogle, Norma McGee, Thomas Jr., D. Kelly, Witt Jr., James Curwood: Case Dispositional Decision	TRAP 10 (from Interm. Court)	Denied: Application of Thomas Paul Odum
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Jackson

FEDERAL NATIONAL MORTGAGE ASSOCIATION v.
DANNY O. DANIELS
W2015-00999-SC-R11-CV

Haywood County Circuit Court
Clayburn Peoples
2012CV4085

Goldin, Arnold B.: Affirmed

TRAP 11

Dismissed:
Application of
Danny O. Daniels

Order filed 4-14-16

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE v. WALTER H. WEBB

**Criminal Court for Wilson County
No. 11CR16**

No. M2014-01929-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Walter H. Webb and the record before us, the application is granted.

Since Mr. Webb is currently not represented by counsel, the Court reappoints former counsel, the Public Defender for the 15th Judicial District, to represent Mr. Webb before the Court.

In addition to the issue raised in the application, the parties are directed to brief the following issues:

Whether this Court's holding in *State v. Wilkerson*, 905 S.W.2d 933 (Tenn. 1995), that a trial court's "dangerous offender" finding be supported by proof that "the terms imposed are reasonably related to the severity of the offenses committed and are necessary in order to protect the public from further criminal acts by the offender," *Id.* at 938, survives the Court's adoption of the abuse of discretion standard for all trial court sentencing decisions in *State v. Bise*, 380 S.W.3d 683, 706 (Tenn. 2012), and subsequent cases.

Whether this Court's original holding in *State v. Wilkerson*, 905 S.W.2d 933 (Tenn. 1995), that a trial court's "dangerous offender" determination must be supported by specific findings that "the terms imposed are reasonably related to the severity of the offenses committed and are necessary in order to protect the public from further criminal acts by the offender," *Id.* at 938, should be revisited given that no such requirement exists in Tennessee Code

Annotated section 40-35-115(a) for making these additional findings on this one factor.

The Clerk is directed to place this matter on the docket for oral argument upon the completion of briefing.

PER CURIAM