



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
September 21, 2015 - September 25, 2015

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Appellate Judge/Judgment	Nature Of Appeal	Action
<u>Nashville</u>				
STATE OF TENNESSEE v. KENNETH MCCORMICK M2013-02189-SC-R11-CD	White County Criminal Court David A. Patterson CR5719	Williams, John Everett: Affirmed	TRAP 11	Granted: Application of Kenneth McCormick Order filed 9-25-15 (See Attached Order)
MS. BOWEN, ET AL v. WILLIAM E. ARNOLD, JR. M2015-00762-SC-R11-CV	Davidson County Circuit Court Hamilton V. Gayden, Jr. 11C1425	Per Curiam: Case Dispositional Decision	TRAP 11	Granted: Application of William Edward Arnold Order filed 9-22-15 (See Attached Order)

Knoxville

STATE OF TENNESSEE v. THOMAS WILLIAM
WHITED
E2013-02523-SC-R11-CD

Knox County Criminal Court
Steven Wayne Sword
100430

Williams, John Everett: Affirmed
McMullen, Camille R.: Dissent

TRAP 11

Granted:
Application of
Thomas William
Whited

Order filed 9-22-15
(See Attached
Order)

Jackson

STATE OF TENNESSEE v. JAMES ROBERT
CHRISTENSEN, JR.
W2014-00931-SC-R11-CD

Tipton County Circuit Court
Joe H. Walker, III
7799

Page, Roger A.: Affirmed
Williams, John Everett: Concur in
Part/Dissent in Part

TRAP 11

Granted:
Application of
James Robert
Christensen, Jr.

Order filed 9-22-15
(See Attached
Order)

DENIALS

Style/Appeal Number

**County/Trial Judge/
Trial Court No.**

Appellate Judge/Judgment

Nature Of Appeal

Action

Nashville

STATE OF TENNESSEE v. ROBERT R. BISHOP
M2014-01485-SC-R11-CD

Wilson County Criminal Court
David Earl Durham
2013CR858

Page, Roger A.: Affirmed

TRAP 11

Denied: Application
of Robert R. Bishop

Order filed 9-24-15

Knoxville

IN RE JAYDEN B. T.
E2014-00715-SC-R11-PT

Roane County Juvenile Court
Dennis W. Humphrey
2013JC200

Frierson II, Thomas R.: Affirmed in
Part, Reversed in Part

TRAP 11

Denied: Application
of the father, Jayson
T.

Order filed 9-25-15

Jackson

STATE OF TENNESSEE v. TINA NELSON and
GREGORY NELSON
W2014-00494-SC-R11-CD

Lauderdale County Circuit Court
Joe H. Walker, III
9132

McMullen, Camille R.: Affirmed

TRAP 11

Denied: Application
of Tina Nelson and
Gregory Nelson

Order filed 9-21-15

STATE OF TENNESSEE v. KENON PACK and
JENNIFER BANKS
W2014-00518-SC-R11-CD

Shelby County Criminal Court
Chris Craft
1104834

Easter, Timothy L.: Affirmed

TRAP 11

Denied: Application
of Jennifer Banks

Order filed 9-21-15

STATE OF TENNESSEE v. CHARLES DERRICK BELK W2014-00887-SC-R11-CD	Obion County Circuit Court William B. Acree CC13CR93	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Charles Derrick Belk Order filed 9-21-15
STATE OF TENNESSEE v. ANTHEN LEE PARKER W2014-01221-SC-R11-CD	Henderson County Circuit Court Roy B. Morgan, Jr. 131191, 131201	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Anthen Lee Parker Order filed 9-21-15
TOMMY NUNLEY v. STATE OF TENNESSEE W2014-01776-SC-R11-PC	Shelby County Criminal Court John Wheeler Campbell 9610669	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of Tommy Nunley Order filed 9-21-15
DAVID WAYNE BRITT v. DEBRA JOHNSON, WARDEN W2014-01787-SC-R11-HC	Hardeman County Circuit Court J. Weber McCraw 5242	McMullen, Camille R.: Affirmed	TRAP 11	Denied: Application of David Wayne Britt Order filed 9-21-15

STATE OF TENNESSEE v. JERRY EDWARD LANIER W2014-01840-SC-R11-CD	Dyer County Circuit Court R. Lee Moore, Jr. 11CR443	Wedemeyer, Robert W.: Affirmed	TRAP 11	Denied: Application of Jerry Edward Lanier Order filed 9-21-15
CHARLES JONES v. STATE OF TENNESSEE W2014-02306-SC-R11-PC	Shelby County Criminal Court Lee V. Coffee P26528	Page, Roger A.: Affirmed	TRAP 11	Denied: Application of Charles Jones Order filed 9-21-15
IN RE DEVIN B. W2015-01749-SC-R10-JV	Shelby County Juvenile Court Dan H. Michael X4036	Per Curiam: Case Dispositional Decision	TRAP 10 (from Interm. Court)	Denied: Application of Tracey B. Order filed 9-21-15

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE v. KENNETH MCCORMICK

**Criminal Court for White County
No. CR5719**

No. M2013-02189-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Kenneth McCormick and the record before us, the application is granted. In addition to the issue raised in the application, the Court is particularly interested in briefing and oral argument on whether the Court should revisit its holding in *State v. Moats*, 403 S.W.3d 170 (Tenn. 2013) and prior Tennessee decisions that limited the community caretaking doctrine to third-tier consensual police-citizen encounters.

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

MS. BOWEN, ET AL v. WILLIAM E. ARNOLD, JR.

**Circuit Court for Davidson County
No. 11C1425**

No. M2015-00762-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of William Edward Arnold 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

STATE OF TENNESSEE v. THOMAS WILLIAM WHITED

**Criminal Court for Knox County
No. 100430**

No. E2013-02523-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Thomas William Whited 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. JAMES ROBERT CHRISTENSEN, JR.

**Circuit Court for Tipton County
No. 7799**

No. W2014-00931-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of James Robert Christensen, Jr., and the record before us, the application is granted.

In addition to the issue raised in the application, the Court is particularly interested in briefing and oral argument on the following issues: (1) the effect, if any, of the “unlicensed physical intrusion” definition of a search as articulated in *Florida v. Jardines*, 133 S.Ct. 1409 (2013); and (2) if the officers’ entry into the curtilage of Mr. Christensen’s home constituted a search, whether it was supported by probable cause and the existence of exigent circumstances.

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

PER CURIAM