



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
November 13, 2017 - November 17, 2017

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Nashville</u>			
KIMBERLY K. CARR v. FLOYD K. SUTTON M2015-01568-SC-R11-JV	Sumner County Juvenile Court Barry R. Brown 2013JV771	Dinkins, Richard H.: Affirm	Denied: Application of Kimberly K. Carr, Order filed 11-16-17
SETH ELLIOTT v. CITY OF MANCHESTER, TENNESSEE M2015-01798-SC-R11-CV	Coffee County Circuit Court Vanessa Jackson 37423	Dinkins, Richard H.: Affirm	Denied: Application of Seth Elliott, Order filed 11-16-17
WESTERN FARM PRODUCTS, LLC, INC. v. SUMNER COUNTY, TN, ET AL. M2015-02003-SC-R11-CV	Sumner County Chancery Court Joe Thompson 2011CV421	Dinkins, Richard H.: Affirm	Denied: Application of Western Farm Products LLC, Inc., Order filed 11-16-17
STATE OF TENNESSEE v. TABORIS JONES M2015-02515-SC-R11-CD	Maury County Circuit Court Robert L. Jones 24044	Woodall, Thomas T.: Affirm	Denied: Application of Taboris R. Jones, Order filed 11-16-17

STATE OF TENNESSEE v. SUSAN LYNETTE
BAKER
M2016-00434-SC-R11-CD

Sequatchie County Circuit Court
Buddy D. Perry
11CR67

Witt Jr., James Curwood: Affirm

Denied: Application of Susan
Lynette Baker, Order filed 11-16-
17

STATE OF TENNESSEE v. ROBERT ALLEN
TERRITO
M2016-00548-SC-R11-CD

Jackson County Circuit Court
Brody N. Kane
08-CR-57

McMullen, Camille R.: Affirm

Denied: Application of Robert
Allen Territo, Order filed 11-16-
17

MICHAEL GOODRUM v. STATE OF TENNESSEE
M2016-00684-SC-R11-PC

Maury County Circuit Court
Robert L. Jones
20549

Witt Jr., James Curwood: Affirm

Denied: Application of Michael
Keith Goodrum, Order filed 11-
16-17

BRIAN DUNKLEY v. STATE OF TENNESSEE
M2016-00961-SC-R11-PC

Davidson County Criminal Court
Steve R. Dozier
2009-B-1419

Williams, John Everett: Affirm

Denied: Application of Brian
Dunkley, Order filed 11-16-17

STATE OF TENNESSEE v. VIRGIL LUCAS BAKER
a.k.a. "LUKE"
M2016-00974-SC-R11-CD

Davidson County Criminal Court
Monte Watkins
2013-B-1033

Ogle, Norma McGee: Affirm

Denied: Application of Virgil
Lucus Baker, Order filed 11-16-
17

MAURICE O. BYRD, JR. v. STATE OF TENNESSEE M2016-01061-SC-R11-PC	Montgomery County Circuit Court William R. Goodman, III 40600534	Wedemeyer, Robert W.: Affirm	Denied: Application of Maurice Oscar Byrd, Jr., Order filed 11-16-17
STATE OF TENNESSEE v. ANTHONY BLACKWELL M2016-01063-SC-R11-CD	Giles County Circuit Court Russell Parkes CR16292	McMullen, Camille R.: Affirm	Denied: Application of Anthony Dean Blackwell, Order filed 11-17-17
IN RE ESTATE OF BESSIE ADCOCK BINGHAM M2016-01186-SC-R11-CV	Bedford County Chancery Court J. B. Cox 28900	Clement Jr., Frank G.: Affirm	Denied: Application of Peggy Bingham Artley, Order filed 11-16-17
STATE OF TENNESSEE v. LENARDO DEWAYNE SPENCER, REGINALD TYRONE BAXTER, JR., AND DEANDRE JAJUAN DEAN M2016-01219-SC-R11-CD	Williamson County Circuit Court Michael Binkley I-CR058025-A, I-CR058025-B, I-CR058025-C	Dyer, J. Ross: Affirm	Denied: Application of Deandre Jajuan Dean, Order filed 11-16-17
JAMES L. DOWELL, III v. STATE OF TENNESSEE M2016-01364-SC-R11-PC	Davidson County Criminal Court Cheryl A. Blackburn 2010-B-1177	Thomas Jr., D. Kelly: Affirm	Denied: Application of James Leon Dowell, III, Order filed 11-16-17

SHANTERRICA MADDEN v. STATE OF TENNESSEE M2016-01396-SC-R11-PC	Rutherford County Circuit Court Royce Taylor F-75377	McMullen, Camille R.: Affirm	Denied: Application of Shanterrica Denise Madden, Order filed 11-16-17
STATE OF TENNESSEE v. CYRUS RANDY WHITSON M2016-01420-SC-R11-CD	Davidson County Criminal Court Mark J. Fishburn 2005-D-3215	Woodall, Thomas T.: Dismiss	Denied: Application of Cyrus R. Whitson, Order filed 11-16-17
JEFFREY S. PETTY v. STATE OF TENNESSEE M2016-01488-SC-R11-PC	Dickson County Circuit Court Larry J. Wallace 22CC-2013-CR-647	McMullen, Camille R.: Affirm	Denied: Application of Jeffrey S. Petty, Order filed 11-16-17
TONY E. HANCOCK v. STATE OF TENNESSEE M2016-01501-SC-R11-CV	Tennessee Claims Commission Commissioner, TN. Claims Commission (Middle Division) T20131030	Stafford, J. Steven: Affirm	Denied: Application of Tony E. Hancock, Order filed 11-17-17
KEVIN TATE v. TENNESSEE DEPARTMENT OF CORRECTION M2016-01611-SC-R11-CV	Davidson County Chancery Court Russell T. Perkins 15-1263-IV	Susano Jr., Charles D.: Modify in Part	Denied: Application of Kevin Tate, Order filed 11-17-17
IN RE BROOKLYN B., ET AL. M2016-01642-SC-R11-JV	Montgomery County Circuit Court Ross H. Hicks CC-15-CV-2518	Susano Jr., Charles D.: Affirm	Denied: Application of mother, Kelly B., Order filed 11-16-17

STATE OF TENNESSEE v. YANGREEK TUT WAL
M2016-01672-SC-R11-CD

Davidson County Criminal Court
Cheryl A. Blackburn
2012-C-1981

Witt Jr., James Curwood: Affirm

Denied: Application of Yangreek
Tut Wal, Order filed 11-16-17

STATE OF TENNESSEE v. ANTHONY DOWLEN
M2016-01830-SC-R11-CD

Rutherford County Circuit Court
David M. Bragg
F-69958, F-70468A

Montgomery Jr., Robert H.: Affirm

Denied: Application of Anthony
Rodrickus Dowlen, Order filed
11-16-17

JOHN F. PINKARD, M. D. v. HCA HEALTH
SERVICES OF TENNESSEE, INC. D/B/A SUMMIT
MEDICAL CENTER
M2016-01846-SC-R11-CV

Davidson County Circuit Court
Joseph P. Binkley, Jr.
08C1708

Clement Jr., Frank G.: Reverse

Denied: Application of John F.
Pinkard, Order filed 11-16-17

STATE OF TENNESSEE v. ANNA CHICK
M2016-01907-SC-R11-CD

Williamson County Circuit Court
Joseph Woodruff
I-CR109180

Witt Jr., James Curwood: Affirm

Denied: Application of Anna
Chick, Order filed 11-16-17

STATE OF TENNESSEE v. RICKY LEE PALMER
M2016-02153-SC-R11-CD

Davidson County Criminal Court
Steve R. Dozier
2015-C-2248

Easter, Timothy L.: Affirm

Denied: Application of Ricky Lee
Palmer, Order filed 11-16-17

JEFFREY KING v. STATE OF TENNESSEE M2016-02166-SC-R11-PC	Sumner County Circuit Court Dee David Gay 2-2015	Dyer, J. Ross: Affirm	Denied: Application of Jeffrey King, Order filed 11-16-17
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY v. RSF INVESTORS, LLC. M2016-02221-SC-R11-CV	Davidson County Circuit Court Kelvin D. Jones 13C-2264	Clement Jr., Frank G.: Affirm	Denied: Application of RSF Investors, LLC, Order filed 11-16-17
MARDOCHE OLIVIER v. CITY OF CLARKSVILLE, ET AL. M2016-02474-SC-R11-CV	Montgomery County Circuit Court Ross H. Hicks 16-CV-1496	Clement Jr., Frank G.: Affirm	Denied: Application of Mardoche Olivier, Order filed 11-16-17
CHARZELLE LAMONTEZ SWAFFORD v. STATE OF TENNESSEE M2017-00082-SC-R11-PC	Davidson County Criminal Court Cheryl A. Blackburn 2012-A-291	Easter, Timothy L.: Affirm	Denied: Application of Charzelle Lamontez Swafford, Order filed 11-16-17
STATE OF TENNESSEE v. CHRISTIAN DEVON MCDUFFIE M2017-00103-SC-R11-CD	Montgomery County Circuit Court Jill Bartee Ayers 41300827	Montgomery Jr., Robert H.: Affirm	Denied: Application of Christian Devon McDuffie, Order filed 11-16-17

PHILLIP M. MULLINS v. CHERRY LINDAMOOD, WARDEN M2017-00139-SC-R11-HC	Wayne County Circuit Court Robert L. Jones 15943	Montgomery Jr., Robert H.: Affirm	Denied: Application of Phillip M. Mullins, Order filed 11-16-17
DOMINIQUE DANTWAN SIMONS v. STATE OF TENNESSEE M2017-00165-SC-R11-PC	Montgomery County Circuit Court William R. Goodman, III 40800701	Holloway Jr., Robert L.: Affirm	Denied: Application of Dominique Dantwan Simons, Order filed 11-17-17
FLOYD E. RAYNER, III v. TENNESSEE DEPARTMENT OF CORRECTION, ET AL. M2017-00223-SC-R11-CV	Davidson County Chancery Court Russell T. Perkins 16-508-IV	Armstrong, Kenny W.: Affirm	Denied: Application of Floyd E. Rayner, III, Order filed 11-16-17
JOEY GODWIN v. STATE OF TENNESSEE M2017-00267-SC-R11-HC	Trousdale County Criminal Court John D. Wootten, Jr. 2016-CV-4572	Montgomery Jr., Robert H.: Affirm	Denied: Application of Joey Godwin, Order filed 11-16-17
ALEXANDER R. CARINO v. STATE OF TENNESSEE M2017-00345-SC-R11-HC	Trousdale County Circuit Court John D. Wootten, Jr. 2017-CV-4591	Montgomery Jr., Robert H.: Affirm	Denied: Application of Alexander R. Carino, Order filed 11-17-17
STATE OF TENNESSEE v. ATLANTA PEARL HARDY M2017-00537-SC-R11-CD	Davidson County Criminal Court J. Randall Wyatt, Jr. 2002-D-1927	Easter, Timothy L.: Affirm	Denied: Application of Atlanta Pearl Hardy, Order filed 11-16-17

JERRY OLIVIER v. CLARKSVILLE POLICE
DEPARTMENT, ET AL
M2017-01753-SC-R10-CV

Montgomery County Circuit Court
Ross H. Hicks
CC2017-CV-1730

Per Curiam: Case Dispositional
Decision

Denied: Application of Jerry
Olivier, Order filed 11-17-17

Knoxville

STATE OF TENNESSEE v. JEFFREY SCOTT LONG
E2015-01287-SC-R11-CD

Blount County Circuit Court
David Reed Duggan
C18506

Woodall, Thomas T.: Affirm

Denied: Application of Jeffrey
Scott Long, Order filed 11-16-17

STATE OF TENNESSEE v. DAVID FRAZIER
E2016-00006-SC-R11-CD

Polk County Criminal Court
Andrew M. Freiberg
04-097

Witt Jr., James Curwood: Affirm

Denied: Application of David
Frazier, Order filed 11-16-17

DAVID WAYNE HEARING v. STATE OF
TENNESSEE
E2016-00566-SC-R11-CD

Greene County Criminal Court
Thomas J. Wright
05CR193

Ogle, Norma McGee: Affirm

Denied: Application of David
Wayne Hearing, Order filed 11-
16-17

STATE OF TENNESSEE v. JOHN LOWERY
E2016-00587-SC-R11-CD

Knox County Criminal Court
Bobby R. McGee
98047

Woodall, Thomas T.: Affirm

Denied: Application of John
Lowery, Order filed 11-16-17

STATE OF TENNESSEE v. JABRIEL LINZY
E2016-01052-SC-R11-CD

Knox County Criminal Court
G. Scott Green
104488

Thomas Jr., D. Kelly: Affirm

Denied: Application of Jabriel
Linzy, Order filed 11-16-17

COREY CORTEZ ABERNATHY v. STATE OF
TENNESSEE
E2016-01258-SC-R11-PC

Hamilton County Criminal Court
Barry A. Steelman
287830

Wedemeyer, Robert W.: Affirm

Denied: Application of Corey
Cortez Abernathy, Order filed 11-
16-17

DAVID HEARING v. STATE OF TENNESSEE
E2016-01297-SC-R11-ECN

Greene County Criminal Court
Thomas J. Wright
05CR193

Montgomery Jr., Robert H.: Affirm

Denied: Application of David
Hearing, Order filed 11-16-17

JERRY FAERBER, ET AL. v. TROUTMAN &
TROUTMAN, P.C., ET AL
E2016-01378-SC-R11-CV

Campbell County Circuit Court
Don R. Ash
15495

Armstrong, Kenny W.: Affirm in Part

Denied: Application of Jerry
Faerber and Margaret Faerber,
Order filed 11-16-17

STATE OF TENNESSEE v. TEDARRIUS LEBRON
MYLES
E2016-01478-SC-R11-CD

Hamilton County Criminal Court
Thomas C. Greenholtz
286113

Williams, John Everett: Affirm

Denied: Application of Tedarius
Lebron Myles, Order filed 11-16-
17

TEDDY ROBBINS, JR. v. STATE OF TENNESSEE
E2016-01531-SC-R11-PC

Scott County Criminal Court
E. Shayne Sexton
10780

Williams, John Everett: Affirm

Denied: Application of Teddy
Russell Robbins, Jr., Order filed
11-16-17

NELSON E BOWERS, II v. ESTATE OF
KATHERINE N MOUNGER
E2016-01724-SC-R11-CV

Roane County Circuit Court
Michael S. Pemberton
13-CV-76

Frierson II, Thomas R.: Reverse in
Part

Denied: Application of Estate of
Katherine N. Mounger, Order
filed 11-16-17

KNOX COUNTY, TENNESSEE, ET AL. v.
DELINQUENT TAXPAYERS, ET AL.
E2016-01750-SC-R11-CV

Knox County Chancery Court
John F. Weaver
187088-1

Susano Jr., Charles D.: Affirm

Denied: Application of Jon
Johnson, Order filed 11-17-17

STATE OF TENNESSEE v. ANTHONY JEROME
MILLER
E2016-01779-SC-R11-CD

Greene County Criminal Court
Alex E. Pearson
15CR342

Holloway Jr., Robert L.: Affirm

Granted: Application of Anthony
Jerome Miller, Order filed 11-16-
17

CLYDE GREEN v. STATE OF TENNESSEE
E2016-01847-SC-R11-PC

Sullivan County Criminal Court
R. Jerry Beck
C64541

Williams, John Everett: Affirm

Denied: Application of Clyde
Green, Order filed 11-16-17

RHONDA SUE GRIFFIS GRUBB v. JAMES
WESLEY GRUBB
E2016-01851-SC-R11-CV

Roane County Chancery Court
Frank V. Williams, III
2015-5

Swiney, D. Michael: Reverse in Part

Denied: Application of James
Wesley Grubb, Order filed 11-16-
17

JOHN H. BRICHETTO, JR. v. STATE OF TENNESSEE E2016-01855-SC-R11-PC	Morgan County Criminal Court Paul G. Summers 2011-CR-41A	Holloway Jr., Robert L.: Affirm	Denied: Application of John H. Brichetto, Jr., Order filed 11-16-17
JOHN JOSEPH KRATOCHVIL v. RANDY LEE, WARDEN E2016-02056-SC-R11-HC	Johnson County Criminal Court Lisa Rice CC-16-CR-108	Witt Jr., James Curwood: Affirm	Denied: Application of John J. Kratochvil, Order filed 11-16-17
MARQUIS D. HENDRICKS v. STATE OF TENNESSEE E2016-02123-SC-R11-PC	Knox County Criminal Court Steven Wayne Sword 105618	Holloway Jr., Robert L.: Affirm	Denied: Application of Marquis Dashawn Hendricks, Order filed 11-16-17
BRENDA RAMSEY v. COCKE COUNTY, TENNESSEE, ET AL. E2016-02145-SC-R11-CV	Cocke County Circuit Court Richard R. Vance 33414-II	Bennett, Andy D.: Reverse	Denied: Application of Cocke County Emergency Communications District and The City of Newport, Order filed 11-17-17
IN RE: ESTATE OF VIDA MAE MCCARTT E2016-02497-SC-R11-CV	Morgan County Chancery Court Frank V. Williams, III 14-79, P-6-12	Armstrong, Kenny W.: Affirm	Denied: Application of Sara Shannon Armes, Order filed 11-16-17

CHARLES D SPRUNGER v. CUMBERLAND
COUNTY TN SHERIFF'S OFFICE
E2016-02572-SC-R11-CV

Cumberland County Chancery Court
Ronald Thurman
2015-CH-899

Bennett, Andy D.: Affirm

Denied: Application of Charles D. Sprunger, Opinion of the Court of Criminal Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4(E), Order filed 11-17-17

TOMMY LYNN LAWSON, ET AL. v. KNOXVILLE
DERMATOLOGY GROUP, P.C., ET AL.
E2017-00077-SC-R11-CV

Knox County Circuit Court
William T Ailor
2-389-16

Frierson II, Thomas R.: Affirm

Denied: Application of Tommy Lynn Lawson and Katrina Lawson, Order filed 11-16-17

CARSON GENTRY v. NEYLAND APARTMENT
ASSOCIATES FIVE, LLC, ET AL.
E2017-01028-SC-R11-CV

Knox County Circuit Court
Kristi M. Davis
1-545-15

Per Curiam: Case Dispositional
Decision

Denied: Application of Knox County, Tennessee, Order filed 11-16-17

Jackson

STATE OF TENNESSEE v. ARTHUR GRAHAM
and MICHELLE GRAHAM
W2015-02410-SC-R11-CD

Shelby County Criminal Court
Glenn Ivy Wright
10-05643

Glenn, Alan E.: Reverse

Denied: Application of Arthur Graham and Michelle Graham, Order filed 11-17-17

STATE OF TENNESSEE v. HAROLD ALLEN
VAUGHN
W2016-00131-SC-R11-CD

Madison County Circuit Court
Donald H. Allen
15-231

McMullen, Camille R.: Affirm

Granted/Remanded: Application of Harold Allen Vaughn, Order filed 11-17-17

MITCH GOREE, ET AL. v. UNITED PARCEL
SERVICE INC.
W2016-01197-SC-R11-CV

Shelby County Circuit Court
Jerry Stokes
CT-003102-11

Armstrong, Kenny W.: Affirm

Denied: Application of Mitch
Goree, Order filed 11-17-17

STATE OF TENNESSEE v. JARVIS D. COHEN
W2016-01320-SC-R11-CD

Shelby County Criminal Court
John Wheeler Campbell
98-05756, 98-05757, 98-05758,
98-05759, 98-05760, 98-07555,
98-07556, 98-07557, 98-07558,
98-07559, 98-10932, 98-10933,
98-10934, 98-10935, 98-10946,
98-10952, 98-10953, 99-03980,
99-03981

Glenn, Alan E.: Affirm

Denied: Application of Jarvis D.
Cohen, Order filed 11-17-17

MICHAEL FISHER v. STATE OF TENNESSEE
W2016-01409-SC-R11-CV

Shelby County Circuit Court
Jerry Stokes
CT-000561-16

McBrayer, W. Neal: Affirm

Denied: Application of Michael
Fisher, Order filed 11-17-17

STEPHEN LYNN HUGUELEY v. STATE OF
TENNESSEE
W2016-01428-SC-R11-ECN

Hardeman County Circuit Court
J. Weber McCraw
6665

Glenn, Alan E.: Affirm

Denied: Application of Stephen
Lynn Huguely, Order filed 11-
17-17

STATE OF TENNESSEE v. BRANDON DEWAYNE
THEUS
W2016-01626-SC-R11-CD

Madison County Circuit Court
Roy B. Morgan, Jr.
16-14

Williams, John Everett: Affirm

Denied: Application of Brandon
Dewayne Theus, Order filed 11-
17-17

LARRYSTINE BATES v. MICHAEL J. GREEN, ET
AL.
W2016-01868-SC-R11-CV

Shelby County Circuit Court
Felicia Corbin Johnson
CT-003250-14

Gibson, Brandon O.: Reverse

Denied: Application of Shelter
Insurance Company, Order filed
11-17-17

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

FILED

11/16/2017

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. ANTHONY JEROME MILLER

**Criminal Court for Greene County
No. 15CR342**

No. E2016-01779-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Anthony Jerome Miller 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

FILED

11/17/2017

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. HAROLD ALLEN VAUGHN

**Circuit Court for Madison County
No. 15-231**

No. W2016-00131-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Harold Allen Vaughn 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 Court of Criminal Appeals for reconsideration in light of this Court's decision in *State v. Antonio Henderson*, No. W2015-00151-SC-R11-CD (Tenn. Oct. 5, 2017).

PER CURIAM