



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
September 18, 2017 - September 22, 2017

GRANTS AND DENIALS LIST

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Nashville</u>			
STATE OF TENNESSEE v. THOMAS BRADEN M2015-00991-SC-R11-CD	Maury County Circuit Court Robert L. Jones 23892	Ogle, Norma McGee: Affirm	Denied: Application of State of Tennessee, Order filed 9-21-17
STATE OF TENNESSEE v. JONATHAN GUTIERREZ M2015-01235-SC-R11-CD	Davidson County Criminal Court Cheryl A. Blackburn 2008-A-505	Ogle, Norma McGee: Affirm	Denied: Application of Jonathan Gutierrez, Order filed 9-21-17
STATE OF TENNESSEE v. MACK J. THOMPSON M2015-01601-SC-R11-CD	Davidson County Criminal Court Seth W. Norman 2005B1113	Ogle, Norma McGee: Affirm	Denied: Application of Mack J. Thompson, Order filed 9-20-17
GALLATIN HOUSING AUTHORITY v. MAHOGANEE PELT M2015-01694-SC-R11-CV	Sumner County Circuit Court Joe Thompson 83CC12015CV699	McBrayer, W. Neal: Affirm	Denied: Application of Mahogane Pelt, Order filed 9-21-17

STATE OF TENNESSEE v. DEWAYNE D. FLEMING M2015-01774-SC-R11-CD	Sumner County Criminal Court Dee David Gay 8522012	Woodall, Thomas T.: Affirm	Denied: Application of Dewayne D. Fleming, Order filed 9-21-17
STATE OF TENNESSEE v. LEROY MYERS, JR. M2015-01855-SC-R11-CD	Davidson County Criminal Court Steve R. Dozier 2014B1303	Wedemeyer, Robert W.: Affirm	Granted: Application of Leroy Myers, Jr., Order filed 9-22-17
STATE OF TENNESSEE v. RAWNEY JEAN TAYLOR M2015-02142-SC-R11-CD	Montgomery County Circuit Court William R. Goodman, III CC15-CR-348	Ogle, Norma McGee: Affirm	Denied: Application of Rawney Jean Taylor, Order filed 9-21-17
STATE OF TENNESSEE v. JACOB PEARMAN M2015-02271-SC-R11-CD	Rutherford County Circuit Court David M. Bragg F-71592	McMullen, Camille R.: Affirm	Denied: Application of Jacob Pearman, Order filed 9-21-17
STATE OF TENNESSEE v. DAVID G. JENKINS M2016-00270-SC-R11-CD	Franklin County Circuit Court Thomas W. Graham 2013-CR-93	Williams, John Everett: Affirm	Denied: Application of David G. Jenkins, Order filed 9-20-17
STATE OF TENNESSEE v. ROBERT GUERRERO M2016-00481-SC-R11-CD	Maury County Circuit Court Stella L. Hargrove 17884	Woodall, Thomas T.: Affirm	Denied: Application of Robert Guerrero, Order filed 9-21-17

FELTON NEVILLE JACKSON v. STATE OF
TENNESSEE
M2016-00490-SC-R11-PC

Wilson County Criminal Court
Brody N. Kane
09-CR-416

Ogle, Norma McGee: Affirm

Denied: Application of Felton
Neville Jackson, Order filed 9-21-
17

STATE OF TENNESSEE v. JOHN ALFRED
WATERS
M2016-00522-SC-R11-CD

Davidson County Criminal Court
J. Randall Wyatt, Jr.
2014-D-2991

Thomas Jr., D. Kelly: Affirm

Denied: Application of John
Alfred Waters, Order filed 9-21-
17

STATE OF TENNESSEE v. LARSHEIKA HILL
M2016-00526-SC-R11-CD

Marshall County Circuit Court
Franklin L. Russell
2013-CR-150

Ogle, Norma McGee: Affirm

Denied: Application of Larsheika
Hill, Order filed 9-20-17

JEFFERY LEE MILLER v. STATE OF TENNESSEE
M2016-00706-SC-R11-ECN

Montgomery County Circuit Court
William R. Goodman, III
037842

McMullen, Camille R.: Affirm

Denied: Application of Jeffery Lee
Miller, Order filed 9-21-17

STATE OF TENNESSEE v. DEQUAN HASANI
BERTRAND
M2016-00920-SC-R11-CD

Davidson County Criminal Court
J. Randall Wyatt, Jr.
2013-D-3070

Wedemeyer, Robert W.: Affirm

Denied: Application of Dequan
Hasani Bertrand, Order filed 9-
21-17

STATE OF TENNESSEE v. KELLY RENE DUBOIS M2016-00923-SC-R11-CD	Bedford County Circuit Court Franklin L. Russell 18176, 18179	Wedemeyer, Robert W.: Affirm	Denied: Application of Kelly Renea Dubois, Order filed 9-21-17
GEORGE WASHINGTON MATTHEWS v. STATE OF TENNESSEE M2016-01011-SC-R11-HC	Trousdale County Criminal Court John D. Wootten, Jr. 16-CV-4525	Per Curiam: Affirm	Denied: Application of George Washington Matthews, Order filed 9-21-17
MICHELLE SHOEMAKER v. STATE OF TENNESSEE M2016-01146-SC-R11-ECN	Jackson County Criminal Court John D. Wootten, Jr. 02-160	Ogle, Norma McGee: Affirm	Denied: Application of Michelle Dawn Shoemaker, Order filed 9-21-17
STATE OF TENNESSEE v. WESTLEY A. ALBRIGHT M2016-01217-SC-R11-CD	Dickson County Circuit Court David D. Wolfe 22CC-2013-CR-206	Dyer, J. Ross: Affirm	Granted: Application of Westley A. Albright, Order filed 9-21-17
ALEJANDRO AVILA SALAZAR v. STATE OF TENNESSEE M2016-01336-SC-R11-HC	Wayne County Circuit Court Russell Parkes 15677	McMullen, Camille R.: Affirm	Denied: Application of Alejandro Avila Salazar, Order filed 9-21-17

IN RE CHAZ B., ET AL. M2016-01585-SC-R11-PT	Franklin County Juvenile Court Thomas C. Faris 2015-JV-115	Susano Jr., Charles D.: Affirm in Part	Denied: Application of John Walter, B., and Carla Fae B., Order filed 9-22-17
STATE OF TENNESSEE v. MICHAEL EUGENE JONES M2016-02277-SC-R11-CD	Marshall County Circuit Court Franklin L. Russell 16-CR-85	Ogle, Norma McGee: Affirm	Denied: Application of Michael Eugene Jones, Order filed 9-21-17
MARILYN CARPENTER v. ROSEMARY TRUDEAU, ET AL. M2017-01108-SC-R11-CV	Davidson County Circuit Court Amanda Jane McClendon 16C2730	Per Curiam: Case Dispositional Decision	Denied: Application of Rosemary Trudeau, Order filed 9-20-17
<u>Knoxville</u>			
STATE OF TENNESSEE v. ROBERT GRISHAM E2015-02446-SC-R11-CD	Knox County Criminal Court G. Scott Green 104067	Thomas Jr., D. Kelly: Reverse in Part	Denied: Application of Robert Alexander Grisham, Order filed 9-20-17
CARL C SMITH, II v. ANDERSON COUNTY SHERIFF PAUL WHITE, ET AL. E2016-00656-SC-R11-CV	Anderson County Chancery Court M. Nichole Cantrell 13CH5655	Frierson II, Thomas R.: Reverse in Part	Denied: Application of Carl C. Smith, II, and the Civil Service Board of Anderson County Sheriff's Department and Sheriff Paul White, Order filed 9-20-17

MARCUS JOHNSON v. STATE OF TENNESSEE E2016-00758-SC-R11-PC	Knox County Criminal Court Steven Wayne Sword 107042	Ogle, Norma McGee: Affirm	Denied: Application of Marcus Johnson, Order filed 9-20-17
STATE OF TENNESSEE v. MELVIN KING E2016-01043-SC-R11-CD	Knox County Criminal Court Steven Wayne Sword 104304	Easter, Timothy L.: Affirm	Denied: Application of Melvin King, Order filed 9-20-17
TOM WATSON v. ROSEMARIE RALSTON-GOOD, ET AL. E2016-01505-SC-R11-CV	Hamilton County Circuit Court W. Neil Thomas, III 16-C-118	Frierson II, Thomas R.: Affirm	Denied: Application of Tom Watson, Order filed 9-20-17
DEADRICK GARRETT v. STATE OF TENNESSEE E2016-01519-SC-R11-PC	Knox County Criminal Court G. Scott Green 99056	Holloway Jr., Robert L.: Affirm	Denied: Application of Deadrick Garrett, Order filed 9-20-17
GWENDOLYN HAGERMAN v. STATE OF TENNESSEE E2016-01555-SC-R11-PC	Sullivan County Criminal Court James F. Goodwin C65178	Easter, Timothy L.: Affirm	Denied: Application of Gwendolyn Hagerman, Order filed 9-20-17
JONATHAN FITZRANDOLPH ZINK v. RURAL/METRO OF TENNESSEE, L.P., ET AL. E2016-01581-SC-R11-CV	Knox County Circuit Court Kristi M. Davis 2-202-15	Frierson II, Thomas R.: Reverse	Denied: Application of Rural/Metro of Tennessee, L.P., Rural/Metro Corporation, and Dennis Randy Osborne, Order filed 9-20-17

JACKIE F. CURRY v. STATE OF TENNESSEE
E2016-01893-SC-R11-PC

Knox County Criminal Court
Bobby R. McGee
101343

Easter, Timothy L.: Affirm

Denied: Application of Jackie F. Curry, Opinion of the Court of Criminal Appeals is designated "Not For Citation" accordance with Supreme Court Rule 4(E), Order filed 9-20-17

LARRY PEOPLES v. STATE OF TENNESSEE
E2016-02315-SC-R11-PC

Knox County Criminal Court
Bobby R. McGee
107074

Williams, John Everett: Affirm

Denied: Application of Larry Peoples, Order filed 9-20-17

IN RE FRANCIS P.
E2016-02493-SC-R11-PT

McMinn County Circuit Court
Lawrence Howard Puckett
2015-CV-316

Frierson II, Thomas R.: Modify in Part

Denied: Application of Tony P., Order filed 9-22-17

JEFFERY YATES v. RANDY LEE, WARDEN
E2017-00201-SC-R11-HC

Johnson County Criminal Court
Stacy L. Street
CC-16-CR-176

Ogle, Norma McGee: Affirm

Denied: Application of Jeffery Yates, Order filed 9-20-17

RONALD JACOWAY v. CHARLES W. HICKS, ET AL.
E2017-00314-SC-R11-CV

Hamilton County Circuit Court
Ward Jeffrey Hollingsworth
14C845

Per Curiam: Case Dispositional Decision

Denied: Application of Ronald Jacoway, Order filed 9-20-17

Jackson

STATE OF TENNESSEE v. CHRISTOPHER WILSON W2015-00699-SC-R11-CD	Shelby County Criminal Court W. Mark Ward 1400109	Wedemeyer, Robert W.: Affirm Woodall, Thomas T.: Concur	Denied: Application of Christopher Wilson, Order filed 9-22-17
STATE OF TENNESSEE v. OCTAVIUS FLYNN and DERRICK BENSON W2015-01648-SC-R11-CD	Shelby County Criminal Court Paula L. Skahan 12-06552	Williams, John Everett: Affirm	Denied: Application of Octavius Flynn And Derrick Benson, Order filed 9-22-17
STATE OF TENNESSEE v. CARL ADKINS W2015-01810-SC-R11-CD	Henderson County Circuit Court Roy B. Morgan, Jr. 141051	Woodall, Thomas T.: Affirm	Denied: Application of Carl Adkins, Order filed 9-22-17
STATE OF TENNESSEE v. JARVIS SHERROD and ANTONIO DODSON W2015-02022-SC-R11-CD	Shelby County Criminal Court Chris Craft 11-00787	McMullen, Camille R.: Affirm	Denied: Application of Jarvis Sherrod, and Antonio Dodson, Order filed 9-22-17
DAVID E. BREEZEE v. STATE OF TENNESSEE W2015-02251-SC-R11-PC	Benton County Circuit Court Charles C. McGinley 10-CR-45	Ogle, Norma McGee: Affirm	Denied: Application of David Eugene Breezee, Order filed 9-22-17

STATE OF TENNESSEE v. WILLIAM LANGSTON W2015-02359-SC-R11-CD	Shelby County Criminal Court J. Robert Carter, Jr. 14-04014	McMullen, Camille R.: Affirm	Denied: Application of William Langston, Order filed 9-22-17
STATE OF TENNESSEE v. TRAVIS SMITH W2015-02360-SC-R11-CD	Shelby County Criminal Court Glenn Ivy Wright 11-05223	Williams, John Everett: Affirm	Denied: Application of Travis Smith, Order filed 9-22-17
STATE OF TENNESSEE v. HEATH BELL W2016-00136-SC-R11-CD	Shelby County Criminal Court Lee V. Coffee 13-01286	Glenn, Alan E.: Affirm	Denied: Application of Heath Bell, Order filed 9-22-17
DAVARIUS SMITH v. STATE OF TENNESSEE W2016-00345-SC-R11-PC	Lauderdale County Circuit Court Joe H. Walker, III 9190	Thomas Jr., D. Kelly: Affirm	Denied: Application of Davarius Smith, Order filed 9-22-17
TINA YVETTE VAUGHN v. METHODIST HOSPITAL STAFF & ADMINISTRATION W2016-00422-SC-R11-CV	Shelby County Circuit Court Robert Samual Weiss CT-000644-15	Armstrong, Kenny W.: Affirm	Denied: Application of Tina Yvette Vaughn, Order filed 9-22-17
STATE OF TENNESSEE v. WILLIAM SAPPINGTON W2016-01010-SC-R11-CD	Shelby County Criminal Court W. Mark Ward 13-02533	McMullen, Camille R.: Affirm	Denied: Application of William Sappington, Order filed September 22, 2017

JEFFREY WALTON v. STATE OF TENNESSEE W2016-01395-SC-R11-PC	Shelby County Criminal Court Lee V. Coffee 11-02773	Holloway Jr., Robert L.: Affirm	Denied: Application of Jeffrey Walton, Order filed 9-22-17
STATE OF TENNESSEE v. TORIAN DILLARD W2016-01551-SC-R11-CD	Shelby County Criminal Court James C. Beasley, Jr. 03-01405	Dyer, J. Ross: Affirm	Denied: Application of Torian Dillard, Order filed 9-22-17
STATE OF TENNESSEE v. SHANE H. BISHOP W2016-01688-SC-R11-CD	Chester County Circuit Court Kyle Atkins 15-CR-73	Easter, Timothy L.: Affirm	Denied: Application of Shane H. Bishop, Order filed 9-22-17
STATE OF TENNESSEE v. DONALD GWIN W2016-01783-SC-R11-CD	Shelby County Criminal Court J. Robert Carter, Jr. 15-00010	Glenn, Alan E.: Affirm	Denied: Application of Donald Gwin, Order filed 9-22-17
STATE OF TENNESSEE v. DEANGELO NORTON W2016-02069-SC-R11-CD	Shelby County Criminal Court J. Robert Carter, Jr. 15-00754	Glenn, Alan E.: Affirm	Denied: Application of Deangelo Norton, Order filed 9-22-17
JARROD REESE SPICER v. STATE OF TENNESSEE W2016-02160-SC-R11-PC	Obion County Circuit Court Jeff Parham CC-16-CR-2	Dyer, J. Ross: Affirm	Denied: Application of Jarrod Reese Spicer, Order filed 9-22-17

KELVIN WINN v. STATE OF TENNESSEE
W2016-02200-SC-R11-PC

Shelby County Criminal Court
James C. Beasley, Jr.
09-04902

Holloway Jr., Robert L.: Affirm

Denied: Application of Kelvin
Winn, Order filed 9-22-17

RICKY FLAMINGO BROWN v. TONY PARKER ET
AL.
W2017-00737-SC-R11-CV

Hardeman County Chancery Court
William C. Cole
18598

Per Curiam: Case Dispositional
Decision

Dismissed: Applicaiton of Ricky
Flamingo Brown, Order filed
9-22-17

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
09/22/2017
Clerk of the
Appellate Courts

STATE OF TENNESSEE v. LEROY MYERS, JR.

**Criminal Court for Davidson County
No. 2014B1303**

No. M2015-01855-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal filed on behalf of Leroy Myers, Jr., and the record before us, the application is granted for the purpose of vacating the judgment of the Court of Criminal Appeals and remanding the case to the Court of Criminal Appeals for consideration on the merits upon supplementation of the record.

While this case was pending before the Court of Criminal Appeals, the defendant filed a motion to strike the State's assertion on appeal that the defendant failed to provide a complete record of what fully transpired below regarding discussion of reckless endangerment as a lesser-included offense. In the alternative, the defendant asked that the Court of Criminal Appeals order the State to supplement the record with a transcript of such discussion. The Court of Criminal Appeals' order addressing this motion did not specifically grant or deny the motion but stated that it would treat the motion as a reply brief. Upon review, this Court determines that the interests of justice necessitate supplementation of the record to fully consider the merits of this case.

Therefore, the Court of Criminal Appeals shall order the trial court clerk to supplement the record with the full transcript of the bench trial in this case, including the proceedings on May 28, 2015, and June 4, 2015. Upon the filing of the transcript, the Court of Criminal Appeals may order additional briefing, if appropriate, and thereafter shall reconsider the case.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

09/21/2017

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. WESTLEY A. ALBRIGHT

**Circuit Court for Dickson County
No. 22CC-2013-CR-206**

No. M2016-01217-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Westley A. Albright 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