



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
October 13, 2014 - October 17, 2014

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. AARON DEJUAN OSTINE M2013-00467-SC-R11-CD	Cheatham County Circuit Court Robert E. Burch 16307, 16705	Wedemeyer, Robert W.: Affirmed	TRAP 11	Granted: Application of Aaron Dejuan Ostine , Order filed 10-15-14 (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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Nashville

ANTONIO SANTIAL JONES v. STATE OF TENNESSEE M2012-01548-SC-R11-PC	Davidson County Criminal Court Monte Watkins 2007A628	Williams, John Everett: Affirmed	TRAP 11	Denied: Application of Antonio Santial Jones Order filed 10-15-14
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STATE OF TENNESSEE v. HAROLD D. DOSS, JR. & JOHNATHAN HATHAWAY M2012-02201-SC-R11-CD	Davidson County Criminal Court Mark J. Fishburn 2010D3315	Wedemeyer, Robert W.: Affirmed	TRAP 11	Denied: Application of Harold Doss, Jr., June 10, 2014 OPN of the Court of Criminal Appeals designated "Not For Citation" with Supreme Court Rule 4(E)(1). Order filed 10-15-14
STATE OF TENNESSEE v. GLENN CLIMER, JR. M2013-00651-SC-R11-CD	Rutherford County Circuit Court David M. Bragg F67353	Smith, Jerry L.: Affirmed	TRAP 11	Denied: Application of Glenn Climer, Jr. Order filed 10-15-14
STATE OF TENNESSEE v. LARRY MITCHELL BROOKS M2013-00866-SC-R11-CD	Maury County Circuit Court Jim T. Hamilton 21716	Smith, Jerry L.: Reversed	TRAP 11	Denied: Application of Larry Mitchell Brooks Order filed 10-15-14

MICHAEL MARTEZ RHODES v. STATE OF TENNESSEE M2013-01168-SC-R11-PC	Davidson County Criminal Court Cheryl A. Blackburn 2007B1384	Williams, John Everett: Affirmed	TRAP 11	Denied: Application of Michael Martez Rhodes Order filed 10-15-14
STATE OF TENNESSEE v. CHRISTOPHER LEE RICHARDSON M2013-01178-SC-R11-CD	Bedford County Circuit Court Franklin L. Russell 17420	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Christopher Lee Richardson, application to proceed in forma pauperis is granted Order filed 10-15 - 14
SARAH MCKISSACK, BY CONSERVATOR TYOWANNA MCKISSACK v. DAVIDSON TRANSIT ORGANIZATION, ET AL. M2013-01224-SC-R11-CV	Davidson County Circuit Court Thomas W. Brothers 10C2262	Bennett, Andy D.: Affirmed	TRAP 11	Dismissed: Application of Sarah McKissack, by Conservator Tyowanna McKissack Order filed 10-15-14

TAVARES BRADEN v. STATE OF TENNESSEE M2013-01340-SC-R11-PC	Davidson County Criminal Court Steve R. Dozier 2006B1637	Page, Roger A.: Affirmed	TRAP 11	Denied: Application of Tavares Braden Order filed 10-16-14
LAUREL HILLS CONDOMINIUMS PROPERTY OWNERS' ASSOCIATION v. TENNESSEE REGULATORY AUTHORITY M2013-01392-SC-R11-CV	Tennessee Regulatory Authority Director Sara Kyle 1200030	Bennett, Andy D.: Affirmed	TRAP 11	Denied: Application of Laurel Hills Condominium Property Owners' Association Order filed 10-15-14
HOWARD L. BOYD. v. AMANDA WACHTLER, ET AL. M2013-01545-SC-R11-CV	Davidson County Circuit Court Thomas W. Brothers 12C1398	Farmer, David R.: Affirmed in Part	TRAP 11	Denied: Application of Howard L. Boyd Order filed 10-15-14
STATE OF TENNESSEE v. JAMES EDWARD BROWN M2013-01997-SC-R11-CD	Maury County Circuit Court Stella L. Hargrove 21717, 21902	Page, Roger A.: Affirmed	TRAP 11	Denied: Application of James Edward Brown Order filed 10-15-14

CHARLES ORLANDO FIELDS v. DEBRA JOHNSON, WARDEN M2013-02484-SC-R11-HC	Hickman County Circuit Court Timothy L. Easter 13CV45	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Charles Orlando Fields Order filed 10-16-14
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KELVIN DEWAYNE KING v. STATE OF TENNESSEE M2013-02505-SC-R11-PC	Davidson County Criminal Court J. Randall Wyatt, Jr. 2006B1695	Thomas Jr., D. Kelly: Affirmed	TRAP 11	Denied: Application of Kelvin Dewayne King Order filed 10-16-14
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LISA SMITH v. ROUNDTREE, NAPIER & OGILVIE FUNERAL HOME, ET AL. M2014-00476-SC-R11-CV	Maury County Circuit Court Stella L. Hargrove 14908	Per Curiam: Case Dispositional Decision	TRAP 11	Denied: Application of Lisa Smith Order filed 10-15-14
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Knoxville

State of Tennessee vs. George Timmons E2008-01628-SC-R11-CD	Hamilton County Criminal Court Rebecca J. Stern 250266	Thomas Jr., D. Kelly: Affirmed	TRAP 11	Denied: Application of George Timmons Order filed 10-16-14
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STATE OF TENNESSEE v. STEVE DUCLAIR
E2012-02580-SC-R11-CD

Sullivan County Circuit Court
R. Jerry Beck
S56038

Smith, Jerry L.: Affirmed

TRAP 11

Denied: Application
of Steve Duclair

Order filed 10-16-14

STATE OF TENNESSEE v. WALTER FRANCIS
FITZPATRICK, III
E2013-00456-SC-R11-CD

Monroe County Circuit Court
Walter C Kurtz
12108CRM

Smith, Jerry L.: Affirmed

TRAP 11

Denied: Application
of Walter Francis
Fitzpatrick, III, April
11, 2014 OPN of
Court of the Court
of Criminal Appeals
designated "Not For
Citation" Supreme
Court Rule 4(E)(1)
Order filed 10-15-14

STATE OF TENNESSEE v. HAROLD MORRIS
E2013-00803-SC-R11-CD

Morgan County Circuit Court
E. Eugene Eblen
9338

Thomas Jr., D. Kelly: Affirmed

TRAP 11

Denied: Application
of Harold Morris

Order filed 10-15-14

STATE OF TENNESSEE v. RONALD LEE WEST, JR. E2013-00830-SC-R11-CD	Greene County Circuit Court John F. Dugger, Jr. 12CR138	Thomas Jr., D. Kelly: Affirmed	TRAP 11	Denied: Application of Ronald Lee West Order filed 10-15-14
GRIFFITH DRILLING SERVICES, ET AL v. ARROW GAS & OIL, INC. E2013-01349-SC-R11-CV	Anderson County Circuit Court Donald Ray Elledge B1LA0022	Swiney, D. Michael: Vacated	TRAP 11	Denied: Application of Arrow Gas & Oil, Inc. Order filed 10-16-14
STATE OF TENNESSEE v. LEE C. PALMER E2013-01516-SC-R11-CD	Knox County Criminal Court Steven Wayne Sword 97080	Bivins, Jeffrey S.: Affirmed	TRAP 11	Denied: Application of Lee C. Palmer Order filed 10-16-14
JANET WYNN SNYDER v. FIRST TENNESSEE BANK, N.A. E2013-01524-SC-R11-CV	Knox County Chancery Court John F. Weaver 1838631	Swiney, D. Michael: Affirmed	TRAP 11	Denied: Application of Janet Wynn Snyder Order filed 10-15-14

LISA M. PATERSON POTTER v. SCOTT D. PATERSON E2013-01569-SC-R11-CV	Johnson County Chancery Court G. Richard Johnson 6182	Susano Jr., Charles D.: Reversed	TRAP 11	Denied: Application of Lisa M. Paterson Order filed 10-15-14
STATE OF TENNESSEE v. JOHN BOYD COLLETT, ET AL E2013-01781-SC-R11-CD	Claiborne County Criminal Court E. Shayne Sexton 2010CR771	Page, Roger A.: Affirmed	TRAP 11	Denied: Application of John Boyde Collett and Ronald L. Carroll Order filed 10-15-14
DEANNA R. LAMBERT v. FEDERAL NATIONAL MORTGAGE ASSOCIATION E2013-01876-SC-R11-CV	Bledsoe County Circuit Court J. Curtis Smith 2013CV5184	McClarty, John W.: Affirmed	TRAP 11	Denied: Application of Deanna R. Lambert Order filed 10-16-14
CLEVELAND CUSTOM STONE, INC. ET AL. v. ACUITY INSURANCE, ET AL. E2013-02132-SC-R11-CV	Bradley County Chancery Court J. Michael Sharp 2011CV104	McClarty, John W.: Affirmed	TRAP 11	Denied: Application of Acuity Mutual Insurance Company Order filed 10-15-14

MICHAEL ANTHONY LEWIS v. SHARON TAYLOR, WARDEN E2013-02492-SC-R11-HC	Johnson County Circuit Court Stacy L. Street CC13CV109	Bivins, Jeffrey S.: Affirmed	TRAP 11	Denied: Application of Michael Anthony Lewis Order filed 10-15-14
GARY LATHAM v. STATE OF TENNESSEE E2014-00634-SC-R11-PC	Cumberland County Criminal Court Leon C. Burns, Jr. 7217	Thomas Jr., D. Kelly, Tipton, Joseph M., Witt Jr., James Curwood: Case Dispositional Decision	TRAP 11	Denied: Application of Gary Latham Order filed 10-15-14
JOHN CRONCE v. JB HUNT TRANSPORT SERVICES, ET AL. E2014-01639-SC-R9-WC	Sevier County Circuit Court Ben W. Hooper, II 13CV177I		TRAP 9	Denied: Application of JB Hunt Transport Services, Inc. and Liberty Mutual Insurance Company Order filed 10-16-14

Jackson

MORGAN KEEGAN & COMPANY, INC. V. WILLIAM HAMILTON SMYTHE, III, ET AL. W2010-01339-SC-R11-CV	Shelby County Chancery Court Walter L. Evans CH092353	Farmer, David R.: Reversed	TRAP 11	Denied: Application of Morgan Keegan & Company, Inc.
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HANNAH ANN CULBERTSON v. RANDALL ERIC
CULBERTSON
W2012-01909-SC-R11-CV

Shelby County Circuit Court
James F. Russell
CT00548410

Kirby, Holly M.: Vacated

TRAP 11

Denied: Application
of Hannah Ann
Culbertson

Order filed 10-17-14

STATE OF TENNESSEE V. JEDARRIUS ISABELL
W2013-00435-SC-R11-CD

Shelby County Criminal Court
W. Otis Higgs, Jr.
1007091

Glenn, Alan E.: Affirmed

TRAP 11

Denied:Application
of Jedarrius Isabell,
Granted:Motion for
Ct to waive requir.
Tenn Sup. Ct.
R.4(H), Ct of CCA
OPN designated
"Not For
Citation"Supreme
Ct. R (4)Sec.(E),
Order filed 10-17-14

SHONTEL S. ROSS, ET AL. V. DEIDRA LATRICE
GRANDBERRY, MD, ET AL.
W2013-00671-SC-R11-CV

Shelby County Circuit Court
James F. Russell
CT00335707

Highers, Alan E.: Reversed

TRAP 11

Denied: Application
of Methodist
Healthcare-
Memphis Hospitals

STATE OF TENNESSEE v. DANIEL MUHAMMAD W2013-01395-SC-R11-CD	Shelby County Criminal Court James C. Beasley, Jr. 1002631	Woodall, Thomas T.: Affirmed	TRAP 11	Denied: Application of Daniel Muhammad
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Order filed 10-17-14

WILLIAM H. FLEMING v. TEJINDER SAINI, MD ET AL. W2013-01540-SC-R11-CV	Shelby County Circuit Court Gina C. Higgins CT00041812	Kirby, Holly M.: Affirmed	TRAP 11	Denied: Application of William H. Fleming
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Order filed 10-15-14

DERICKO JACKSON v. MICHAEL DONAHUE, WARDEN W2013-01718-SC-R11-HC	Hardeman County Circuit Court Joe H. Walker, III CC13CR86	Woodall, Thomas T.: Affirmed	TRAP 11	Denied: Application of Dericko Jackson
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Order filed 10-15-14

STATE OF TENNESSEE v. BOBBY JOE CROOM W2013-01863-SC-R11-CD	Madison County Circuit Court Roy B. Morgan, Jr. 1065	McMullen, Camille R.: Affirmed	TRAP 11	Denied: Application of Bobby Joe Croom
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STATE OF TENNESSEE v. PAUL EPPS
W2013-02194-SC-R11-CD

Fayette County Circuit Court
J. Weber McCraw
12CR24

McMullen, Camille R.: Affirmed

TRAP 11

Denied: Application
of Paul Epps

Order filed 10-15-14

KRISTI KIMBRO v. STATE OF TENNESSEE
W2013-02323-SC-R11-HC

Shelby County Criminal Court
Glenn Ivy Wright
P38908

Ogle, Norma McGee: Affirmed

TRAP 11

Denied: Application
of Kristi Kimbro

Order filed 10-15-14

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

STATE OF TENNESSEE v. AARON D. OSTINE

**Circuit Court for Cheatham County
Nos. 16307, 16705**

No. M2013-00467-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Aaron D. Ostine, 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 State v. Jackson, ___ S.W.3d ___, 2014 WL 4161966 (Tenn. Aug. 22, 2014).

PER CURIAM