



Tennessee Supreme Court  
**DISCRETIONARY APPEALS**  
Grants & Denials List  
September 14, 2015 - September 18, 2015

**GRANTS**

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

ROGELYNN EMORY v. MEMPHIS CITY SCHOOLS  
BOARD OF EDUCATION, NOW KNOWN AS SHELBY  
COUNTY BOARD OF EDUCATION  
W2014-01293-SC-R11-CV

Shelby County Chancery Court  
Walter L. Evans  
CH062420

Gibson, Brandon O.: Reversed

TRAP 11

Granted:  
Application of  
Rogelynn Emory  
and Shelby County  
Board of Eduaction

Order filed 9-18-15  
(See Attached  
Order)

**DENIALS**

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. CHRISTOPHER DEWAYNE HENSON M2013-01285-SC-R11-CD	Maury County Circuit Court Stella L. Hargrove 21745	McMullen, Camille R.: Affirmed	TRAP 11	Denied: Application of Christopher Dewayne Henson  Order filed 9-17-15
REGINA D. WISER v. CYRUS W. WISER, JR. M2013-02510-SC-R11-CV	Rutherford County Circuit Court Larry B. Stanley, Jr. 50085	Bennett, Andy D.: Affirmed	TRAP 11	Denied: Application of Cyrus W. Wisser, Jr.  Order filed 9-17-15
STATE OF TENNESSEE v. JIMMIE LEE REEDER M2013-02538-SC-R11-CD	Cheatham County Circuit Court Larry J. Wallace 16157	Ogle, Norma McGee: Affirmed	TRAP 11	Denied: Application of Jimmie Lee Reeder  Order filed 9-18-15
STATE OF TENNESSEE v. MICHAEL CROCKETT M2013-02744-SC-R11-CD	Rutherford County Circuit Court David M. Bragg F70116	Woodall, Thomas T.: Affirmed	TRAP 11	Denied: Application of Michael Crockett  Order filed 9-17-15

JAMES R. CRANMER v. STATE OF TENNESSEE M2013-02866-SC-R11-PC	Montgomery County Circuit Court Michael R. Jones 41100425	Wedemeyer, Robert W.: Affirmed	TRAP 11	Denied: Application of James R. Cranmer  Order filed 9-17-15
KATHYRNE KENNEDY v. KARL E. CHILDS M2014-00093-SC-R11-JV	Montgomery County Juvenile Court Ray Grimes 113318	McBrayer, W. Neal: Affirmed in Part, Vacated in Part	TRAP 11	Denied: Application of Karl E. Childs  Order filed 9-16-15
DAVID EDWARD NILES v. STATE OF TENNESSEE M2014-00147-SC-R11-PC	Bedford County Circuit Court Robert G. Crigler 17706	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of David Edward Niles  Order filed 9-17-15
JASON CHRISTOPHER UNDERWOOD v. STATE OF TENNESSEE M2014-00159-SC-R11-PC	Bedford County Circuit Court Robert G. Crigler 11978	Thomas Jr., D. Kelly: Affirmed	TRAP 11	Denied: Application of Jason Christopher Underwood  Order filed 9-17-15

COMMUNITY FIRST BANK AND TRUST v. THE VELLIGAN FAMILY TRUST, ET AL. M2014-00370-SC-R11-CV	Maury County Chancery Court Stella L. Hargrove 11578	Clement Jr., Frank G.: Affirmed	TRAP 11	Denied: Application of The Velligan Family Trust, Mark Velligan and Mary Margaret Velligan  Order filed 9-16-15
STATE OF TENNESSEE v. MARK A. CRITES M2014-00383-SC-R11-CD	Williamson County Circuit Court James G. Martin, III IICR0161122	Williams, John Everett: Affirmed	TRAP 11	Denied: Application of Mark A. Crites  Order filed 9-17-15
JAMES RANDALL ROSKAM v. STATE OF TENNESSEE M2014-00599-SC-R11-PC	Davidson County Criminal Court Cheryl A. Blackburn 2010C2679	Woodall, Thomas T.: Affirmed	TRAP 11	Denied: Application of James Randall Roskam  Order filed 9-17-15
CHARLES WALKER v. BANK OF AMERICA, N. A., ET AL. M2014-00672-SC-R11-CV	Davidson County Circuit Court Joseph P. Binkley, Jr. 13C1461	Goldin, Arnold B.: Affirmed	TRAP 11	Denied: Application of Charles Walker; Opinion of Court of Appeals designated "Not For Citation"

STATE OF TENNESSEE v. JOE CLARK MITCHELL M2014-00754-SC-R11-CD	Maury County Circuit Court Robert Lee Holloway, Jr. 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322	Ogle, Norma McGee: Affirmed	TRAP 11	Denied: Application of Joe Clark Mitchell  Order filed 9-17-15
STATE OF TENNESSEE v. TRACY LYNN CARMEN- THACKER M2014-00757-SC-R11-CD	Coffee County Circuit Court Vanessa Jackson 39310	Wedemeyer, Robert W.: Reversed	TRAP 11	Denied: Application of Tracy Lynn Carmen-Thacker  Order filed 9-17-15
CANDANCE CAROL BUSH v. STATE OF TENNESSEE M2014-00824-SC-R11-PC	Rutherford County Circuit Court Mitchell Keith Siskin 68966	Holloway Jr., Robert L.: Affirmed	TRAP 11	Denied: Application of Candance Carol Bush  Order filed 9-17-15

STATE OF TENNESSEE v. JAMES CAULEY M2014-00973-SC-R11-CD	Rutherford County Circuit Court David M. Bragg F55903, F55904, F55905	Woodall, Thomas T.: Affirmed	TRAP 11	Denied: Application of James Jasper Cauley  Order filed 9-17-15
DAVIDSON PABTS, LLC v. LUCIEN WORSHAM M2014-01061-SC-R11-CV	Davidson County Chancery Court Russell T. Perkins 131487IV	Clement Jr., Frank G.: Affirmed	TRAP 11	Denied: Application of Lucien Worsham  Order filed 9-17-15
EVAN KENYON KNOX v. STATE OF TENNESSEE M2014-01104-SC-R11-PC	Davidson County Criminal Court Cheryl A. Blackburn 2011C2668	Woodall, Thomas T.: Affirmed	TRAP 11	Denied: Application of Evan Kenyon Knox  Order filed 9-17-15
RUSSELL H. HIPPE, JR. v. MILLER & MARTIN, PLLC M2014-01184-SC-R11-CV	Davidson County Chancery Court Claudia Bonnyman 1421I	Bennett, Andy D.: Affirmed	TRAP 11	Denied: Application of Russell H. Hippe, Jr.  Order filed 9-16-15

STATE OF TENNESSEE v. ORLANDO E. BOURRAGE  
M2014-01194-SC-R11-CD

Williamson County Circuit Court  
Timothy L. Easter  
IICR096708

Page, Roger A.: Affirmed

TRAP 11

Denied: Application  
of Orlando E.  
Bourrage

Order filed 9-17-15

STATE OF TENNESSEE v. PHILLIP WAYNE KELLEY  
M2014-01230-SC-R11-CD

Maury County Circuit Court  
Robert L. Jones  
1371, 1372, 1373, 1374

McMullen, Camille R.: Affirmed

TRAP 11

Denied: Application  
of Phillip Wayne  
Kelley

Order filed 9-17-15

JOHNNY L. SMITH, ET AL. v. METROPOLITAN  
GOVERNMENT OF NASHVILLE AND DAVIDSON  
COUNTY  
M2014-01325-SC-R11-CV

Davidson County Circuit Court  
Thomas W. Brothers  
13C661

Bennett, Andy D.: Affirmed

TRAP 11

Denied: Application  
of Johnny L. Smith  
d/b/a Sugar Creek  
Carriage & Metro  
Livery, Inc.

Order filed 9-16-15

WHITNEY LEIGH HARMON, ET AL. v. GREGG IAN SHORE, ET AL. M2014-01339-SC-R11-CV	Maury County Circuit Court Stella L. Hargrove 14641	Armstrong, Kenny W.: Affirmed	TRAP 11	Denied: Application of Whitney Leigh Harmon and Joshua David Harmon  Order filed 9-16-15
ALEJANDRO NEAVE VASQUEZ v. STATE OF TENNESSEE M2014-01404-SC-R11-PC	Davidson County Criminal Court Steve R. Dozier 2009B1141	Page, Roger A.: Affirmed	TRAP 11	Denied: Application of Alejandro Neave Vasquez  Order filed 9-17-15
CHRISTOPHER M. MIMMS v. STATE OF TENNESSEE M2014-01616-SC-R11-PC	Montgomery County Circuit Court Michael R. Jones 40901172	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Christopher M. Mimms; Opinion of Court of Criminal Appeals designated "Not For Citation" accordance with Supreme Court Rule 4(E)(1), Order filed 9-17-15



GENE EARL STANLEY v. STATE OF TENNESSEE M2014-01659-SC-R11-PC	Sumner County Criminal Court Dee David Gay CR8872013	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Gene Earl Stanley  Order filed 9-17-15
STATE OF TENNESSEE v. ROBERT GUERRERO M2014-01669-SC-R11-CD	Maury County Circuit Court Stella L. Hargrove 17884	Montgomery Jr., Robert H.: Affirmed	TRAP 11	Denied: Application of Robert Guerrero  Order filed 9-17-15
KLINE PRESTON v. W. STANFORD BLALOCK, ET AL. M2014-01739-SC-R11-CV	Davidson County Circuit Court Don R. Ash 13C2459	Gibson, Brandon O.: Affirmed	TRAP 11	Denied: Application of Kline Preston  Order filed 9-17-15
DAVID R. SMITH v. THE TENNESSEE NATIONAL GUARD M2014-02375-SC-R11-CV	Davidson County Circuit Court Thomas W. Brothers 11c3080	Clement Jr., Frank G.: Affirmed	TRAP 11	Denied: Application of David R. Smith  Order filed 9-17-15

JEROME SIDNEY BARRETT v. TURNEY CENTER DISCIPLINARY BOARD, ET AL. M2015-00489-SC-R11-CV	Hickman County Chancery Court Deanna B. Johnson 14CV5397	Per Curiam: Case Dispositional Decision	TRAP 11	Denied: Application of Jerome Sidney Barrett  Order filed 9-17-15
STATE OF TENNESSEE v. RICKY FLAMINGO BROWN, SR. M2015-00672-SC-R11-CO	Davidson County Criminal Court Cheryl A. Blackburn 86F1484	Easter, Timothy L., Wedemeyer, Robert W., Woodall, Thomas T.: Case Dispositional Decision	TRAP 11	Denied: Application of Ricky Flamingo Brown, Sr.  Order filed 9-17-15
STATE OF TENNESSEE v. RONNIE LEE JOHNSON M2015-00701-SC-R11-CD	Putnam County Criminal Court  070589	Holloway Jr., Robert L., Wedemeyer, Robert W., Woodall, Thomas T.: Case Dispositional Decision	TRAP 11	Denied: Application of Ronnie Lee Johnson  Order filed 9-17-15

STACIA MARY KING v. MICHAEL LEE KING  
M2015-00817-SC-R11-CV

Rutherford County Chancery  
Court  
Mitchell Keith Siskin  
090604DR

Per Curiam: Case Dispositional  
Decision

TRAP 11

Denied: Application  
of Michael Lee King  
  
Order filed 9-17-15

**Knoxville**

IRENE KESTERSON v. LANNY JONES, ET AL  
E2013-02092-SC-R11-CV

Greene County Chancery Court  
Kindall T. Lawson  
20110247

McClarty, John W.: Affirmed

TRAP 11

Denied: Application  
of Lanny Jones and  
Melisa Jones  
  
Order filed 9-16-15

STATE OF TENNESSEE v. PAUL JEROME JOHNSON,  
JR.  
E2013-02437-SC-R11-CD

Knox County Criminal Court  
Jon Kerry Blackwood  
90518

Williams, John Everett: Affirmed

TRAP 11

Denied: Application  
of Paul Jerome  
Johnson, Jr.  
  
Order filed 9-17-15

STATE OF TENNESSEE v. HAROLD FRANCIS BUTLER, III E2014-00631-SC-R11-CD	Hamilton County Criminal Court Don W. Poole 280013	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Harold Francis Butler, III  Order filed 9-17-15
STATE OF TENNESSEE v. LONNIE LEE ANGEL, JR. E2014-00732-SC-R11-CD	Bledsoe County Circuit Court Thomas W. Graham 2009CR10	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Lonnie Lee Angel, Jr.  Order filed 9-17-15
JENNIFER WALDEN v. CENTRAL PARKING SYSTEM OF TENNESSEE, INC., ET AL. E2014-00939-SC-R11-CV	Knox County Circuit Court Dale C. Workman 151909	Swiney, D. Michael: Reversed	TRAP 11	Denied: Application of Central Parking System of Tennessee, Inc. and Fort Sanders Regional Medical Center  Order filed 9-17-15

DOUGLAS WAYNE YOUNG v. STATE OF TENNESSEE E2014-00968-SC-R11-PC	Sullivan County Criminal Court Robert H. Montgomery, Jr. C61340	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Douglas Wayne Young  Order filed 9-17-15
STATE OF TENNESSEE v. JEFFERY LYN COMBS E2014-01175-SC-R11-CD	Sullivan County Criminal Court Robert H. Montgomery, Jr. S61248	Thomas Jr., D. Kelly: Affirmed	TRAP 11	Denied: Application of Jeffery Lynn Combs  Order filed 9-17-15
TERRY LYNN KING v. STATE OF TENNESSEE E2014-01202-SC-R11-ECN	Knox County Criminal Court Mary B. Leibowitz 101842	Montgomery Jr., Robert H.: Affirmed	TRAP 11	Denied: Application of Terry Lynn King  Order filed 9-16-15

PLASTIC SURGERY ASSOCIATES OF KINGSPORT INC v. GREGORY H. PASTRICK E2014-01203-SC-R11-CV	Sullivan County (Kingsport) Law Court E. G. Moody C35389C	McClarty, John W.: Affirmed	TRAP 11	Denied: Application of Gregory H. Pastrick  Order filed 9-16-15
PAUL STACKHOUSE v. STATE OF TENNESSEE E2014-01328-SC-R11-PC	Hamblen County Criminal Court John F. Dugger, Jr. 13CR112	Wedemeyer, Robert W.: Affirmed	TRAP 11	Denied: Application of Paul Stackhouse  Order filed 9-17-15
JAMAR SILER v. STATE OF TENNESSEE E2014-01433-SC-R11-PC	Knox County Criminal Court Mary B. Leibowitz 99943	Montgomery Jr., Robert H.: Affirmed	TRAP 11	Denied: Application of Jamar Siler  Order filed 9-17-15
STATE OF TENNESSEE v. RANDY WAYNE JOHNSON E2014-01613-SC-R11-CD	Carter County Criminal Court Robert E. Cupp 22378, 22386	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of Randy Wayne Johnson

LISA GAY LOVE v. FEDERAL NATIONAL MORTGAGE ASSOCIATION ET AL. E2014-01649-SC-R11-CV	Knox County Chancery Court Michael W. Moyers 1781833	Swiney, D. Michael: Affirmed	TRAP 11	Denied: Application of Lisa Gay Love  Order filed 9-17-15
LINDA HANKE v. LANDON SMELCER CONSTRUCTION E2014-01826-SC-R11-CV	Sevier County Circuit Court Rex H. Ogle 13CV791III	McClarty, John W.: Affirmed	TRAP 11	Denied: Application of Linda Hanke; Opinion of Court of Appeals designated "Not For Citation" accordance with Supreme Court Rule 4(E), Order filed 9-16-15

ANTWON COOK v. STATE OF TENNESSEE E2014-02229-SC-R11-PC	Bradley County Criminal Court Andrew M. Freiberg 14CR459	Williams, John Everett: Affirmed	TRAP 11	Denied: Application of Antwon Cook; Opinion of Court of Criminal Appeals designated "Not For Citation" accordance with Supreme Court Rule 4(E)(1), Order filed 9-17-15
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WILLIAM KINNEY, ET AL v. ANDERSON LUMBER COMPANY, ET AL. E2015-01139-SC-R11-CV	Blount County Circuit Court David Reed Duggan E24747	Frierson II, Thomas R., Susano Jr., Charles D., Swiney, D. Michael: Case Dispositional Decision	TRAP 11	Denied: Application of William Kinney and Margaret Kinney  Order filed 9-16-15
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**Jackson**

STATE OF TENNESSEE v. GERALD STEPHEN CASSELL and BRIAN JAMES BECKWITH W2013-02368-SC-R11-CD	Hardin County Circuit Court Charles C. McGinley 9649	McMullen, Camille R.: Affirmed	TRAP 11	Denied: Application of Gerald Stephen Cassell  Order filed 9-16-15
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STATE OF TENNESSEE v. DETRICK COLE  
W2013-02766-SC-R11-CD

Shelby County Criminal Court  
Lee V. Coffee  
0101221

Wedemeyer, Robert W.: Dismissed

TRAP 11

Denied: Application  
of Detrick Cole

Order filed 9-18-15

UNDRAY LUELLEN v. STATE OF TENNESSEE  
W2014-00508-SC-R11-PC

Shelby County Criminal Court  
Glenn Ivy Wright  
0708953

Glenn, Alan E.: Affirmed

TRAP 11

Denied: Application  
of Undray Luellen

Order filed 9-16-15

BOBBY GLEN CROCKER v. STATE OF TENNESSEE  
W2014-01082-SC-R11-PC

Carroll County Circuit Court  
Donald E. Parish  
05CR98PC

Easter, Timothy L.: Affirmed

TRAP 11

Denied: Application  
of Bobby Glen  
Crocker

Order filed 9-18-15

STATE OF TENNESSEE v. ANTONIO CRENSHAW  
W2014-01367-SC-R11-CD

Shelby County Criminal Court  
Lee V. Coffee  
1205228

McMullen, Camille R.: Affirmed

TRAP 11

Denied: Application  
of Antonio  
Crenshaw

Order filed 9-18-15

GREGORY D. ALLEN v. DEBBIE D. ALBEA  
W2014-01414-SC-R11-CV

Madison County Circuit Court  
Donald H. Allen  
C12326

Goldin, Arnold B.: Affirmed

TRAP 11

Denied: Application  
of Gregory D. Allen

Order filed 9-16-15

STATE OF TENNESSEE v. DAMIEN CLARK  
W2014-01729-SC-R11-CD

Shelby County Criminal Court  
Carolyn W. Blackett  
0504275

Montgomery Jr., Robert H.: Affirmed

TRAP 11

Denied: Application  
of Damien Clark

Order filed 9-18-15

RONNIE BRADFIELD v. STATE OF TENNESSEE W2014-01735-SC-R11-PC	Shelby County Criminal Court James C. Beasley, Jr. P18580	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Ronnie Bradfield  Order filed 9-16-15
STATE OF TENNESSEE v. TAMMY JOY OGDEN aka TAMMY JOY TERRY, TAMMY MILLER, TAMMY PRENTISS, TAMMY SULLIVAN, TAMMY BRAY, TAMMY CRAUSE, TAMMY LUNA, TAMMY CROUSE, TINA CROUSE W2014-01851-SC-R11-CD	Hardeman County Circuit Court J. Weber McCraw 14CR18	Montgomery Jr., Robert H.: Affirmed	TRAP 11	Denied: Application of Tammy Joy Ogden  Order filed 9-18-15
STATE OF TENNESSEE v. KASSY JANIKOWSKI W2014-02107-SC-R11-CD	Shelby County Criminal Court Carolyn W. Blackett 9808052	Wedemeyer, Robert W.: Affirmed	TRAP 11	Denied: Application of Kassy Janikowski  Order filed 9-18-15
BARBARA MCGINNIS v. STATE OF TENNESSEE W2014-02272-SC-R11-CV	Tennessee Claims Commission Commissioner, TN. Claims Commission (Western Division)	Armstrong, Kenny W.: Reversed Stafford, J. Steven: Dissent	TRAP 11	Denied: Application of Barbara McGinnis; Opinion of the Court of

20131446

Appeals is designated "Not For Citation" in accordance with Supreme Court Rule 4(E), Order filed 9-16-15

TONY HOOVER v. STATE OF TENNESSEE  
W2015-00609-SC-R11-PC

Shelby County Criminal Court  
W. Mark Ward  
0504655, 0504656

McMullen, Camille R., Page, Roger A., TRAP 11  
Williams, John Everett: Case  
Dispositional Decision

Denied: Application  
of Tony Hoover

Order filed 9-18-15

IN THE SUPREME COURT OF TENNESSEE  
AT JACKSON

**ROGELYNN EMORY v. MEMPHIS CITY SCHOOLS BOARD OF  
EDUCATION, NOW KNOWN AS SHELBY COUNTY BOARD OF  
EDUCATION**

**Chancery Court for Shelby County  
No. CH-06-2420**

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**No. W2014-01293-SC-R11-CV**

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**ORDER**

Two parties, Rogelynn Emory and the Shelby County Board of Education, have filed applications for permission to appeal. Upon consideration of the applications and the record before us, the applications are granted. For purposes of the filing of briefs, see Tenn. R. App. P. 29, and for the order of oral argument, see Tenn. R. App. P. 35(e), the Shelby County Board of Education is deemed to be the “appellant.” Rogelynn Emory is deemed to be the “appellee.” Rogelynn Emory, however, may file a reply brief pursuant to Tenn. R. App. P. 27(c) (permitting an appellee who is seeking relief from the judgment to file a brief in reply to the response of the appellant to the issues presented by the appellee’s request for relief).

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

PER CURIAM