

Supreme Court Appeals
 Pending Cases
 1-16-26

1. Style	State of Tennessee v. Antonio Demetrius Adkisson a/d/a Antonio Demetrius Turner, Jr.
2. Docket Number	W2022-01009- SC-R11-CD
3. Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/AdkissonAntonioOPN.pdf https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/AdkissonAntonioDIS.pdf
4. Lower Court Summary	A Gibson County jury convicted the defendant, Antonio Demetrius Adkisson a/k/a Antonio Demetrius Turner, Jr., of two counts of second-degree murder, for which he received an effective sentence of twenty years in confinement. On appeal, the defendant contends (1) that the juvenile court erred in transferring the defendant to circuit court and (2) that the trial court erred in failing to suppress the defendant's statement. After reviewing the record and considering the applicable law, we affirm the judgments of the trial court.
5. Status	Heard 5/28/25 at Cookeville SCALES.
6. Issue(s)	As stated in the Appellant's Rule 11 Application: <ol style="list-style-type: none"> 1. Whether the Juvenile Court lacked probable cause to bind the case over to the Circuit Court? 2. Did the Circuit Court err in not suppressing Defendant's statement? 3. Is the standard of review of a juvenile court bindover order, as it relates to the probable cause clause in T.C.A. § 37-1-134(a)(4)(A) (probable cause to believe the child committed the delinquent act), de novo as suggested by the dissent or abuse of discretion as used by the majority.

1. Style	State of Tennessee v. Anthony Cornelius Baylis
2. Docket Number	E2023-00886-SC-R11-CV
3. Lower Court Decision Links	https://tncourts.gov/sites/default/files/OpinionsPDFVersion/State%20vs.%20Anthony%20Cornelius%20Baylis%20Opinion.pdf
4. Lower Court Summary	Defendant, Anthony Cornelius Baylis, appeals his Monroe County Circuit Court jury conviction of trafficking a person for a commercial sex act, arguing that the trial court erred in denying his motion for judgment of acquittal; that the trial court erred in affirming his conviction as the thirteenth juror; that the trial court erred by denying his motion to dismiss the indictment for lack of the grand jury foreperson's signature attesting that witnesses were sworn; that the trial court erred by admitting certain testimony; that the State wrongfully commented on Defendant's election to not testify; and that the trial

court erred by imposing a fully-incarcerative sentence. Discerning no reversible error, we affirm.

5. Status Heard 12/3/25 SCALES at Bryan College in Dayton.

6. Issue(s) As stated in the application:

1. Whether there was insufficient evidence to convict Mr. Baylis of trafficking for a commercial sex act where testimony elicited at trial showed Mr. Baylis used neither coercion or deception, nor could a rational trier of fact find that Mr. Baylis believed the adult undercover officer was actually a minor or that Mr. Baylis intended or attempted to force her into sexual slavery?
2. Whether the actus rei for trafficking for a commercial sex act and promoting prostitution are too similar and cause a lack of uniformity of decision among lower courts in the application of these statutes, which ultimately resulted in an erroneous conviction in the trial court and affirmation of that conviction by the appellate court, and whether this confusion causes a lack of notice to defendants accused of these crimes?
3. Whether the trial court erred in permitting TBI Agent Jamesena Walker to give improper opinion testimony as a lay witness to the meaning of everyday language in a manner that did not aid the jury in determining ultimate issues of fact?
4. Whether the trial court erred in allowing the State to comment in closing argument, in violation of the Fifth Amendment, on Mr. Baylis's decision not to testify by implying that he should have explained why he had knowledge of the "hourly rate" for prostitution?
5. Whether the trial court erred in ordering an eight-year sentence of confinement rather than split confinement under the facts alleged, where a mandatory prison sentence was not required?

1. Style Berkeley Research Group, LLC v. Southern Advanced Materials, LLC

2. Docket Number W2023-00720- SC-R11-CV

3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/BerkleyResearchGroupLLCOPN.pdf>

4. Lower Court Summary Defendant appeals the trial court's decision to deny its motion to dismiss for lack of personal jurisdiction and grant the plaintiff's motion to confirm an arbitration award. Because we conclude that the plaintiff failed to establish that the trial court had either specific or general jurisdiction over this matter, we reverse.

5. Status Heard 5/29/25 at Nashville.

6. Issue(s) As stated in the Appellant's Rule 11 Application:

1. Whether a trial court must make an independent determination of personal jurisdiction under the TUAA rather than looking through to the jurisdictional contacts in the underlying proceeding—before confirming arbitration awards when the party opposing confirmation of the award does business and has assets in this state?

2. Whether the Court of Appeals erred by determining that BRG, a company registered to do business in Tennessee with an office in Tennessee failed to meet its burden of establishing a *prima facie* case of personal jurisdiction to confirm an arbitration award when BRG alleged and presented evidence that Southern: (i) was organized under the laws of Tennessee; (ii) has and continues to maintain a principal office and registered agent in Tennessee; (iii) has and continues to maintain money in a bank account in Tennessee; (iv) made payment for the services rendered by BRG (which were the subject of the arbitration) with checks drawn from a bank account in Tennessee; (v) mailed checks for payment for three invoices arising from work performed under contract that was subject of the underlying arbitration with funds from the Tennessee bank account; and (vi) was served with process of the Petition to Confirm the arbitration award at its principal office in Tennessee?
3. Whether the Court of Appeals erred by reversing and remanding this case to the Trial Court for dismissal?

In addition to the issues raised in Berkeley Research Group's application, the Court directed the parties to address the following:

1. Whether Tennessee courts have subject-matter jurisdiction over this action even though it arises from an arbitration that, by agreement, was to occur in another state. See Tenn. Code Ann. § 29-5-327(b).
2. Assuming subject-matter jurisdiction exists, did Southern Advanced Materials, LLC consent to personal jurisdiction in Tennessee by contractually agreeing that "judgment upon any award rendered by the arbitrator may be entered by any State or Federal Court having jurisdiction thereof."

1. Style	State of Tennessee v. Torrian Seantel Bishop
2. Docket Number	W2023-00713-SC-R11-CD
3. Lower Court Decision Links	BishopTorrianSeantelOPN.pdf BishopTorrianSeantel2OPN.pdf
4. Lower Court Summary	The Tennessee Supreme Court remanded this case for reconsideration in light of State v. Andre JuJuan Lee Green, --- S.W.3d ---, No. M2022-00899-SC-R11-CD, 2024 WL 3942511 (Tenn. 2024). See State v. Torrian Seantel Bishop, No. W2023-00713-CCA-R3- CD, 2024 WL 1564346, (Tenn. Crim. App. Apr. 11, 2024) (Bishop I), case remanded (Tenn. Aug. 27, 2024). This court concluded in the previous appeal that the certified question was dispositive of the case and that the officers had probable cause to search the Defendant's car because an officer smelled the odor of marijuana. Upon further review, we conclude that the certified question is not dispositive of the case because our supreme court in Andre JuJuan Lee Green made clear that a trial court must apply a totality of the circumstances analysis when determining whether an officer has probable cause to conduct a warrantless search of a car. --- S.W.3d ---, 2024 WL 3942511, at *6. Upon consideration of the certified question and our supreme court's holding in Andre JuJuan Lee Green, we conclude that we are without jurisdiction to consider the certified question presented. The appeal is dismissed.
5. Status	Heard 10/1/25 in Nashville.
6. Issue(s)	As stated in the Appellant's Rule 11 application:

Under existing case law, if an officer purports to smell marijuana during a routine traffic stop, this alone may be used to establish probable cause, thus enabling the officer to conduct a warrantless search of the vehicle. This “plain smell” exception to the warrant requirement was the result of marijuana’s unique smell and illegal nature. Now, however, the Tennessee General Assembly has legalized hemp, a substance that is derived from the same plant as marijuana and thus has the same smell that once distinguished marijuana from all legal substances. In the face of this change to the criminal code and the legalization of hemp, does the smell of cannabis still provide an officer with probable cause to search a vehicle, or must some other standard be adopted?

1. Style Shirley Buckley et al. v. Jackson Radiology Associates, P.A., et al.
2. Docket Number W2023-01777-SC-R11-CV
3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Buckley-ShirleyOPN.pdf>
4. Lower Court Summary This is a healthcare liability/wrongful death case. Appellees, healthcare providers, alleged that appellant abused the discovery process in failing to make her expert available for deposition within the time set by the trial court’s scheduling order. Appellant moved for amendment of the scheduling order and for continuance of the trial date. The trial court denied appellant’s motions and granted appellees’ motion to exclude appellant’s expert. The exclusion of appellant’s expert resulted in the trial court granting appellees’ motion for summary judgment, thus dismissing appellant’s lawsuit. Under the circumstances, the trial court’s exclusion of appellant’s expert (and the resulting dismissal of her lawsuit) was too harsh a punishment. Vacated and remanded.
5. Status Application granted 6/20/25. Fully briefed.
6. Issue(s) As stated in the Appellant’s Rule 11 application:

Do trial judges in Tennessee have the authority to enforce their scheduling orders and control their dockets by using the means expressly set forth in the Tennessee Rules of Civil Procedure, which includes exclusion of an expert witness, when there is a clear violation of an order, or must trial judges also find “contumacious, intentional, blatant, or egregious” conduct to exclude an expert witness or otherwise enforce an order?

1. Style Emily Elizabeth Buckner v. Complete Wellness Chiropractic Center, et al.
2. Docket Number E2024-00698- SC-R11-CV
3. Lower Court Decision Links <https://tncourts.gov/sites/default/files/OpinionsPDFVersion/E2028-698%20Majority%20Opinion%20%28Unsigned%29.pdf>

<https://tncourts.gov/sites/default/files/OpinionsPDFVersion/E2025-698%20Separate%20Opinion%20%28Unsigned%29.pdf>

<https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/E2025-698%20Seperate%20Opinon1.pdf>

4. Lower Court Summary This healthcare liability case comes before the court on appeal from the trial court's granting of a Rule 12.02(6) motion to dismiss for failure to state a claim upon which relief can be granted. The defendants asserted that the plaintiff failed to comply with Tennessee Code Annotated section 29-26-121, part of Tennessee's Health Care Liability Act. The trial court found that the plaintiff failed to establish that unsigned medical authorizations attached to the complaint were sufficient to satisfy the mandatory requirements of section 29-26-121 and dismissed the case. The plaintiff appealed. Upon our review, we reverse the judgment of the trial court.

5. Status Application granted 10/8/25. Fully briefed.

6. Issue(s) As stated in the Appellant's Rule 11 application:

Whether the trial court correctly dismissed the Plaintiff's health care liability action when there is no proof in the record that Plaintiff provided HIPPA-compliant authorizations along with her pre-suit notice, as required by T.C.A. § 29-26-121.

1. Style State of Tennessee v. William Tony Burrell

2. Docket Number E2023-01404-SC-R11-CD

3. Lower Court Decision Links <https://tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%202024-10-17%20-%20State%20of%20Tennessee%20v.%20William%20Tony%20Burrell%20-%20E2023-01404-CCA-R3-CD.pdf>

4. Lower Court Summary Defendant, William Tony Burrell, was indicted for driving under the influence (DUI), possession of a handgun while under the influence, possession of a handgun by a convicted felon, and violation of the implied consent law. After Defendant's motion to suppress evidence obtained against him during a traffic stop that led to his arrest was denied by the trial court, Defendant entered into negotiated guilty pleas to one count of DUI and one count of possession of a handgun while under the influence. Pursuant to the plea agreement, the parties reserved a certified question of law for appeal under Tennessee Rule of Criminal Procedure 37(b)(2). After review, we conclude that we do not have jurisdiction to address the certified question because the certification did not meet the requirements of Rule 37(b)(2) and *State v. Preston*, 759 S.W.2d 647 (Tenn. 1988), and we dismiss the appeal.

5. Status Heard 10/1/25 in Nashville.

6. Issue(s) As set forth in the Appellant's Rule 11 application:

Whether the Defendant's certified question of law met the requirements of Tennessee Rule of Criminal Procedure 37(b) as set out by the Tennessee Supreme Court in *State v. Preston*, 759 S.W.2d 647 (Tenn. 1988). The Defendant's certified question of law was:

Whether or not an unreasonable seizure occurred when the arresting officer blocked the Defendant's vehicle into a parking spot based solely on an uncorroborated, anonymous caller, who allegedly reported reckless driving regarding an unknown vehicle and driver.

1.	Style	Christopher Todd Cain, et al. v. Board of Professional Responsibility of the Supreme Court of Tennessee
2.	Docket Number	E2025-01393-SC-R3-BP
3.	Lower Court Decision Links	N/A
4.	Lower Court Summary	N/A
5.	Status	Notice of Appeal filed 9/12/25. Motion for extension to file appellant's brief granted and due 2/13/26.
6.	Issue(s)	N/A

1.	Style	The Chattanooga-Hamilton County Hospital Authority d/b/a Erlanger Health System v. UnitedHealthcare Plan of the River Valley, Inc. d/b/a Americhoice
2.	Docket Number	M2022-01543-SC-R11-CV
3.	Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2022-01543-COA-R3-CV.pdf
4.	Lower Court Summary	An out-of-network hospital sued a TennCare managed care organization ("MCO"), seeking additional payment for healthcare services rendered to the MCO's members. The MCO moved for summary judgment on the hospital's claims for payment for post-stabilization services provided to both existing and retroactive members. With respect to the existing members, the MCO argued that the hospital could not show that the MCO had a legal obligation to pay for the post-stabilization services at issue. So the hospital could not establish that the MCO was unjustly enriched. The trial court agreed and summarily dismissed these claims. It also certified the dismissal as final. We vacate the dismissal and remand for further proceedings.
5.	Status	Granted 8/6/25. Fully briefed. TBH 2/12/26 at Nashville.
6.	Issues(s)	<p>Applicant AmeriChoice states the following issue:</p> <p>Can a healthcare provider pursue payment from a TennCare managed care organization on a theory of unjust enrichment when the provider is not entitled by law to payment?</p> <p>Respondent Erlanger re-states AmeriChoice's issue and presents two additional issues:</p> <ol style="list-style-type: none"> 1. To recover on its claim of unjust enrichment, must Erlanger show that AmeriChoice had a separate legal obligation to pay under its risk agreement? 2. Does a federal regulation, 42 C.F.R. § 422.113, require hospitals to furnish payers

with some notice of stabilization from the treating physician as a prerequisite to payment for post-stabilization care?

3. If so, did the trial court nonetheless err in ignoring substantial record evidence showing AmeriChoice knew, or at least had adequate notice, that it was approving post-stabilization care?

In addition to the issues raised, the Court requests that the parties address in their briefing the elements of an unjust enrichment claim and whether AmeriChoice satisfied its burden at summary judgment by affirmatively negating an essential element of Erlanger's claims or demonstrating that Erlanger's evidence at summary judgment was insufficient to establish its claims. See *Rye v. Women's Care Ctr. of Memphis, PLLC*, 477 S.W.3d 235, 264 (Tenn. 2015).

1. Style	Kendall Collier ex rel Chayce C. v. Periculis Roussis, M.D. et al.
2. Docket Number	E2022-00636-SC-R11-CV
3. Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Kendall%20Collier%20vs.%20Periculis%20Roussis%20M.D.%20et%20al.%20%28unsigned%29.pdf
4. Lower Court Summary	This appeal concerns juror misconduct. Chayce Collier ("Chayce"), a minor, by and through his parent and next friend, Kendall Collier ("Plaintiff"), sued Periculis Roussis, M.D. ("Dr. Roussis"), Fort Sanders Perinatal Center, and Fort Sanders Regional Medical Center ("the Hospital") ("Defendants," collectively) in the Circuit Court for Knox County ("the Trial Court") alleging health care liability in Chayce's delivery. A major issue at trial was whether Dr. Roussis fell below the standard of care by failing to administer epinephrine to Plaintiff when she had an anaphylactic reaction during labor. The jury found for Defendants. However, it emerged that a juror had gone home and looked at the warning on an epipen which said that epinephrine should only be used when the potential benefit justifies the potential risk to the fetus. The juror shared this information with the rest of the jury. Plaintiff filed a motion for a new trial, which the Trial Court first granted and then denied. Plaintiff appeals. Under Tenn. R. Evid. 606(b), jurors may not be asked what effect, if any, that extraneous information had on them. Instead, courts look to the extraneous information itself to determine whether there is a reasonable possibility that it altered the verdict. We hold that there is a reasonable possibility that the extraneous information shared with the jury in this case altered the verdict, and Defendants failed to rebut the presumption of prejudice. The Trial Court applied an incorrect legal standard and thereby abused its discretion in denying Plaintiff's motion for a new trial. We reverse the judgment of the Trial Court and remand for further proceedings consistent with this Opinion.
5. Status	Heard 9/4/25 in Knoxville.
6. Issue(s)	As stated in the Appellant's Rule 11 application:

1. Did the Court of Appeals apply the incorrect legal standard of review in holding that there was a possibility that a juror's conduct altered the jury's verdict?
2. Did the Court of Appeals incorrectly apply improper inference and speculation in determining that the alleged juror misconduct possibly affected the jury's verdict?
3. Did the Court of Appeals incorrectly apply the framework for determining the "probable objective effect" of a juror's statement on the jury's verdict when the Court

of Appeals only concluded that the juror's statement was possibly a "tiebreaker"?

1. Style Virginia Curtis ex rel Bruce Allen Curtis v. Tiffany L. Sharp et al.
2. Docket Number E2023-01583-SC-R11-CV
3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Buckley-ShirleyOPN.pdf>
4. Lower Court Summary This is a healthcare liability/wrongful death case. Appellees, healthcare providers, alleged that appellant abused the discovery process in failing to make her expert available for deposition within the time set by the trial court's scheduling order. Appellant moved for amendment of the scheduling order and for continuance of the trial date. The trial court denied appellant's motions and granted appellees' motion to exclude appellant's expert. The exclusion of appellant's expert resulted in the trial court granting appellees' motion for summary judgment, thus dismissing appellant's lawsuit. Under the circumstances, the trial court's exclusion of appellant's expert (and the resulting dismissal of her lawsuit) was too harsh a punishment. Vacated and remanded.
5. Status Application granted 6/20/25. Appellant's brief filed 8/19/25. Appeal stayed pending substitution of parties. Order requesting supplemental filings filed 12/29/25 and due 1/16/26. Appellant's response filed 1/8/26.
6. Issue(s) As stated in the Appellant's Rule 11 application:
 1. Is a HIPAA authorization facially valid when it includes all six (6) "core elements," as set forth in HIPAA and in Stevens v. Hickman?
 2. Does the investigatory function under Tennessee Code Annotated Section 29-26-121(a) ("Section 121(a)") include oral communications between each health care provider that will be named as a defendant in an HCLA?
 3. Whether service of the mandatory pre-suit notice to providers, required under Section 121(a)(1), in accordance with the provisions on personal service or service by mail in Section 121(c), entitles an HCLA plaintiff to the 120-day extension of the statute of limitations, regardless of the content of the notice?
 4. Is an HCLA plaintiff required to cite to or specifically reference Section 121(f) in her HIPAA authorizations in order to be afforded its protections?
 5. May an Appellate Court rely on the statements of counsel made during oral arguments as though they were evidence and part of the record on appeal, when such statements were not evidence and were not part of the record on appeal?
 6. Whether Applicant's original pre-suit HIPAA authorizations failed to "substantially comply" with Section 121(a)(2)(E) by inclusion of the "Limiting Language"?
 7. Whether Applicant is entitled to the 120-day extension to the 1-year Statute of Limitations, as provided in Section 121(c)?

1. Style	Fred C. Dance v. BPR
2. Docket Number	M2024-01757-SC-R3-BP
3. Lower Court Decision Links	N/A
4. Lower Court Summary	N/A
5. Status	Heard 11/5/25 on briefs.
6. Issue(s)	N/A

1. Style	BPR v. Valerie Wyber Epstein.
2. Docket Number	E2025-02000-SC-R3-BP
3. Lower Court Decision Links	N/A
4. Lower Court Summary	N/A
5. Status	Notice of appeal filed 12/13/25.
6. Issue(s)	N/A

1. Style	Preston Garner et al. v. Southern Baptist Convention et al.
2. Docket Number	E2024-00100-SC-R11-CV
3. Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Preston%20Garner%20Et%20Al.%20v.%20Southern%20Baptist%20Convention%20Et%20Al.%20Opinion.pdf
4. Lower Court Summary	The appellees filed suit against the appellants for defamation, defamation by implication, false light invasion of privacy, and loss of consortium. The appellants moved to dismiss the case, arguing that the ecclesiastical abstention doctrine barred the trial court from exercising subject matter jurisdiction. They also filed petitions seeking to have the case dismissed pursuant to the Tennessee Public Participation Act (“TPPA”). The trial court denied in part the motions to dismiss for lack of subject matter jurisdiction, finding that the ecclesiastical abstention doctrine does not apply to this case. It also denied the TPPA petitions, finding that the TPPA does not apply to this case. Alternatively, it found that the appellees satisfied their <i>prima facie</i> burden under the TPPA burden-shifting framework. We conclude that the trial court erred in finding that the TPPA does not apply to this case and reverse that portion of the judgment. Finding no other error, we otherwise affirm the judgment of the trial court.
5. Status	Heard 1/8/26 in Knoxville.

6. Issue(s) As stated by the Applicants:

1. Whether the First Amendment bars civil courts from exercising jurisdiction to adjudicate tort claims over a religious association's internal communications about a sensitive matter of church governance regarding ecclesiastical affiliation and church leadership.
2. Whether the Tennessee Public Participation Act sets an enhanced evidentiary standard at the *prima facie* stage.
3. Whether truth is an absolute defense to a defamation claim.
4. Whether Tennessee courts should, for the first time, import the "special relationship" exception to the publicity requirement of false light invasion of privacy.

1. Style Josphene Guirguis, et al. v. Metropolitan Government of Nashville and Davidson County
2. Docket Number M2024-01310-SC-R11-CV
3. Lower Court Decision Links <https://tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2024-01310-COA-R3-CV.pdf>
4. Lower Court Summary The plaintiffs were injured by gunfire when the police were called to their residence to stop a domestic incident and burglary in progress. The plaintiffs sued the defendant city, arguing that their employee police officers were negligent in failing to adhere to department policies and rules. Some years after the case had been filed, the city filed a motion for summary judgment on the basis that the claims involved civil rights and that the city's governmental immunity was not removed under the Tennessee Governmental Tort Liability Act. The trial court agreed and granted the city's motion, dismissing the case. Discerning no reversible error, we affirm.
5. Status Application granted 12/16/25.
6. Issue(s) As stated in the Appellants' rule 11 application:

Whether a claim against a municipality, the gravamen of which is unequivocally that of negligence, can be barred by governmental immunity because a ruling subsequently renders possible a suit against municipal employees who have never been sued

1. Style Cinda Haddon v. Ladarius Vanlier, et al.
2. Docket Number M2023-01151-SC-R11-CV
3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2023-01151-COA-R3-CV.pdf>
4. Lower Court Summary A driver was injured in a car accident with an uninsured motorist and filed a negligence suit against the uninsured motorist. The driver served her uninsured motorist insurance carrier with notice of the lawsuit. After the driver could not obtain service of process on the uninsured motorist, the case proceeded against the insurance carrier. The case proceeded to a jury trial, where the jury found in favor of the driver. The trial court entered judgment on the verdict, awarding damages to the driver. The trial court denied

the driver's post-trial motion for prejudgment interest based upon its determination that the suit was a personal injury action and that, therefore, the court could not award prejudgment interest. We have concluded that the trial court erred in classifying the claim against the insurance carrier as a personal injury action. Therefore, we reverse the trial court's order denying prejudgment interest and remand for a determination of the proper amount of prejudgment interest.

5. Status Heard 10/1/25 in Nashville.

6. Issue(s) As stated by Applicant:

1. Whether the rule established over 130 years ago by this Court in *Louisville & N.R. Co. v. Wallace*, 17 S.W. 882 (Tenn. 1891), that prejudgment interest is categorically barred in personal injury actions, remains the law of this State.
2. Whether the claims against an uninsured motorist carrier sued as an unnamed defendant in a personal injury case sound in personal injury and, therefore, whether an award of prejudgment interest against the uninsured motorist carrier is barred.
3. If an award of prejudgment interest against the uninsured motorist carrier sued as an unnamed defendant in a personal injury case is not barred, whether the trial court, nevertheless, abused its discretion by concluding that the equities favored an award of prejudgment interest.

1. Style April Hawthorne v. Morgan & Morgan Nashville, PLLC, et al.

2. Docket Number W2023-01186-SC-R11-CV

3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/HawthorneApril2OPN.pdf>

4. Lower Court Summary This is an appeal from a trial court's decision to grant class action certification. Discerning no abuse of discretion in the trial court's decision to certify the class at issue, we affirm.

5. Status Application granted 5/22/25. Fully briefed.

6. Issue(s) As stated in the Appellant's Rule 11 application:

1. The trial court expressly and impermissibly stated that it was applying a motion to dismiss standard – accepting all allegations as true and drawing all doubts in favor of plaintiff – to Ms. Hawthorne's class certification motion. That is legally incorrect. As Tennessee and federal courts evaluating class certification motions have repeatedly explained, Rule 23 does not set forth a mere pleadings standard but, rather, requires that the trial court conduct a rigorous analysis of the evidentiary and legal issues. Despite that clear legal error, the Court of Appeals affirmed. In so doing, it compounded the trial court's error by applying an abuse of discretion standard to the trial court's erroneous conclusions of law and presumptions of fact. Should the Court of Appeals' opinion be reversed, both to clarify the correct legal standard and where, following a de novo review using that standard, it is clear that Ms. Hawthorne could not meet her burden under Rule 23?
2. Any class certification analysis starts with the threshold question of standing: the named plaintiff or plaintiffs must have standing, and therefore representative capacity,

to pursue the claims at issue. For the underlying Galilee Class, the Court of Appeals correctly determined that meant there must be a class representative with a relationship to each defendant funeral home – i.e., a relationship (and therefore duty) giving rise to that claim. Wofford, 528 S.W.3d at 542; see also Prado-Steiman, 221 F.3d at 1280. The Court of Appeals in this case disregarded that requirement and, in the process, created a split of authority in the Tennessee courts, finding that a class representative could establish standing based entirely on the alleged existence of an injury and commonality of damages. Should the Court of Appeals’ opinion be reversed, where standing relies on a connection between the injury and specific conduct that caused that injury, rather than situational similarity and shared damages?

3. A class representative’s most important role is to fairly and adequately advance the right and interests of the class. That is also true of class counsel. And, that cannot happen if there exists a conflict of interest in that representation. Here, Ms. Hawthorne claims that lead class counsel for the Galilee Class failed to properly advise class members of settlement offers and negligently failed to secure more advantageous settlements with 11 funeral home defendants over the course of the Galilee trial. But, at least one of her current attorneys was also responsible, pursuant to court order, for representing the entire Galilee Class, including advising the Galilee Class about settlement negotiations, and for participating in those negotiations. Other of the attorneys currently representing Ms. Hawthorne collected substantial attorneys fees for work either representing the Galilee Class or acting as experts on behalf of the Galilee Class. Yet, instead of initiating litigation against all of the attorneys responsible for representing the Galilee Class, Ms. Hawthorne – via her counsel – has elected to sue only Ms. Barnett and her firm. Should the Court of Appeals’ opinion be reversed, where the court declined to evaluate those conflict issues and instead found Ms. Hawthorne’s proposed class counsel satisfied the “adequacy” test because proposed class counsel have class action experience and are members in good standing of the Tennessee bar?

In addition to addressing the issues raised in the application, the Court directed the parties to address the following issues in their briefs and at oral argument:

- (1) what effect, if any, Case v. Wilmington Trust, N.A., 703 S.W.3d 274 (Tenn. 2024), has on Plaintiff’s standing to bring this putative class action; and
- (2) whether certification of the proposed class is warranted under Tennessee Rule of Civil Procedure 23.02
- (3) and is consistent with Walker v. Sunrise Pontiac-GMC Truck, Inc., 249 S.W.3d 301 (Tenn. 2008).

1. Style	State of Tennessee v. James R. Holley
2. Docket Number	W2024-00748-SC-R11-CV
3. Lower Court Decision Links	HolleyJamesROPN.pdf
4. Lower Court Summary	The Defendant, James R. Holley, appeals the Henderson County Circuit Court’s denial of his request for alternative sentencing after his guilty pleas to eight counts involving drugs, weapons, and traffic offenses. Based on our review, we conclude that the Defendant failed to provide this court with an adequate appellate record. Accordingly, his appeal is dismissed.
5. Status	Heard 11/5/25 in Jackson.

6. Issue(s) As stated in the Appellant's Rule 11 application:

1. Whether the record reflected adequate evidence to conduct a meaningful review of the Appellant's case.
2. Whether the record contained adequate evidence to show a clear clerical error as to Count 5.
3. Whether the record contained adequate evidence to show an improper sentence as for Count 8.

In addition to the issues raised in the application, the Court requests that the parties also address the following issues in their briefs and at oral argument:

- (1) whether, as argued by the parties, the application of the statutory enhancement factors found in Tenn. Code Ann. § 40-35-114 is appropriate in determining manner of service of a sentence, and
- (2) whether the Court of Criminal Appeals' sua sponte dismissal of the appeal is contrary to this Court's decision in State v. Bristol, 654 S.W.3d 917 (Tenn. 2022).

1. Style Jamesway Construction, Inc. v. David W. Salyers, P.E.
2. Docket Number M2023-01704-SC-R11-CV
3. Lower Court Decision Links <https://tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2023-01704-COA-R3-CV.pdf>
<https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Separate%20Opinion%20-%20M2023-01704-COA-R3-CV.pdf>
4. Lower Court Summary The plaintiff appeals from the dismissal of its claim concerning the Water Quality Control Act ("WQCA"), codified at Tennessee Code Annotated section 69-3-101, et seq.1 We now affirm the dismissal due to the applicable statute of limitations.
5. Status Heard 11/5/25 in Jackson.
6. Issue(s) As stated in the Appellant's Rule 11 application:

The Water Act provides that an administrative appeal must be filed within 30 days of an initial order. The UAPA provides that an administrative appeal must be filed within 15 days of an initial order. Did the Court of Appeals err in holding that the UAPA provision prevails over the Water Act provision by discounting duly enacted but uncodified legislation expressly providing that the Water Act provision shall govern in the event of such a conflict?

1. Style State of Tennessee v. Randall Corey Johnson (In re: Nashville Banner)

2. Docket Number M2024-00959-SC-R10-CO

3. Lower Court Decision Links <https://ctrack.tncourts.gov/ctrack/document/documentUpload.do?doView&tableListID=169&itemID=1381486>

4. Lower Court Summary N/A

5. Status Heard 6/25/25 on-briefs.

6. Issue(s) As stated in the Appellant's R10 application:

A. RULE 11(b)(2) STATEMENT

1. May intervenors in criminal cases seek review under Tennessee Rule of Appellate Procedure 10?
2. Does the traditional abuse of discretion standard apply when reviewing trial court sealing determinations, or is a trial court's decision to seal accorded less deference on appeal?
3. Must the proponent of a seal demonstrate the need for sealing, or may a trial court sua sponte seal records filed by parties for reasons that the trial court announces for the first time in a sealing order?
4. Does misapplying a controlling legal standard render a trial court's decision "illegal" for purposes of certiorari review?

B. RULE 10(c) STATEMENT

1. Did the trial court err by ruling that "the cited documents [regarding Judge Cheryl Blackburn's potential incompetency] should remain under seal"?

In addition to the issues presented in the Nashville Banner's application, the Court is particularly interested in briefing and oral argument on the following issues:

1. If the appeal is not authorized under Tennessee Rule of Appellate Procedure 10, is an appeal from the denial of certiorari review authorized under Tennessee Rule of Appellate Procedure 11?
2. If not, should the Court treat the Nashville Banner's application as a petition for the common law writ of certiorari?
3. What legal standard and standard of review should apply to a motion to unseal records when no initial sealing order was filed?

1. Style Board of Professional Responsibility of the Supreme Court of Tennessee v. Loring Justice

2. Docket Number E2025-01449-SC-R3-BP

3. Lower Court Decision Links N/A

4. Lower Court Summary N/A

5. Status Notice of Appeal filed 9/22/25.

6. Issue(s) N/A

1. Style State of Tennessee v. Ronald Matthew Lacy

2. Docket Number E2022-01442-SC-R11-CD

3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%202024-09-27%20-%20State%20of%20Tennessee%20v.%20Ronald%20Matthew%20Lacy%20-%20E2022-01442-CCA-R3-CD.pdf>

4. Lower Court Summary A Loudon County jury convicted the Defendant, Ronald Matthew Lacy, of theft of property over \$60,000. The Defendant, a Kentucky resident, entered into a transaction for the sale of a car with a Tennessee resident, but with the intent not to perform as promised and to misappropriate the money instead. The trial court sentenced him to ten years, which was suspended after service of eleven months and twenty-nine days in confinement. On appeal, the Defendant argues that the evidence was legally insufficient to support his conviction. He also asserts that the trial court lacked territorial jurisdiction and that the case should be addressed as a civil matter. Alternatively, the Defendant contends that he is entitled to a new trial because his trial counsel failed to provide effective assistance. Upon our review, we respectfully affirm the judgment of the trial court.

5. Status Heard 9/4/25 in Knoxville.

6. Issue(s) The Court granted the application solely on the following issues:

1. Whether the trial court had territorial jurisdiction over the defendant.
2. Whether the evidence was sufficient to support the defendant's theft conviction.

1. Style Danielle Lowe, ex rel. Beau Christopher Lowe et al. v. Bridgestone Americas Tire Operations, LLC

2. Docket Number M2023-01774-SC-R11-CV

3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2023-01774-COA-R3-CV.pdf>

4. Lower Court Summary This is a premises liability/wrongful death case. Decedent, an employee of appellee's independent contractor, died when the suspension system that was used to lift and turn

tire molds failed, and the mold fell onto decedent. The trial court denied appellee's motion for summary judgment on the question of workers' compensation exclusivity, but it granted appellee's motion for summary judgment on the question of duty. Because disputed material facts concerning appellee's duty to decedent preclude summary judgment, we reverse the trial court's grant of the motion on that question. We affirm the trial court's denial of summary judgment on the workers' compensation exclusivity question.

5. Status Heard 12/3/25 SCALES at Bryan College in Dayton.

6. Issue(s) As stated in the Appellant's Rule 11 application:

1. Whether the Court of Appeals erred in affirming, without discussion or analysis, the trial court's conclusory finding that disputed material facts precluded summary judgment with respect to two dispositive issues relating to the workers' compensation exclusivity rule, Tenn. Code Ann. § 50-6-108.
2. Whether the Court of Appeals erred in affirming the trial court's denial of Defendant's motion for summary judgment under the workers' compensation exclusivity rule when:
 - a. The Court of Appeals expressly found that Defendant had the right to control the procedures that Mr. Lowe used to perform his work;
 - b. There is no genuine dispute that the work that Mr. Lowe performed was part of Defendant's regular business; and
 - c. There is no genuine dispute that the work that Mr. Lowe performed was the same type of work usually performed by Defendant's employees.
3. Whether the Court of Appeals court erred in its application of *Blair v. Campbell*, 924 S.W.2d 75 (Tenn. 1996), and in reversing the trial court's grant of summary judgment to Defendant.

7. Style *Jedidiah Charles McKeehan v. Board of Professional Responsibility*

8. Docket Number E2025-01543-SC-R3-BP

9. Lower Court Decision Links N/A

10. Lower Court Summary N/A

11. Status Notice of Appeal filed 10/2/25.

12. Issue(s) N/A

1. Style *Metropolitan Government of Nashville and Davidson County v. Bill Lee, et al.*

2. Docket Number M2023-01678-SC-R11-CV

3. Lower Court Decision Links <https://tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2023-01678-COA-R3-CV.pdf>

4. Lower Court Summary In this dispute, the trial court found that certain subsections of 2023 Tennessee Public Acts, chapter 488, violated the home rule amendment and the equal protection guarantee found in the Tennessee Constitution. The defendants, who are officials of the State of Tennessee, have appealed the trial court's ruling. Following our thorough review, we affirm the trial court's determination that section two of the act is unconstitutional. However, we reverse the trial court's determination that sections two, six, seven, eight, and nine of the Act violate the equal protection guarantee found in the Tennessee Constitution. We therefore also reverse the trial court's elision of sections six, seven, eight, and nine from the statute.

5. Status Application granted 9/18/25. Appellants brief filed 11/19/25; Appellees brief filed 12/17/25; Appellants reply brief due 1/16/26. **TBH 2/12/26 in Nashville.**

6. Issue(s) The application for permission to appeal presents the question of "Whether 2023 Tennessee Public Acts, chapter 488, § 2, violates the Local Legislation Clause of the Tennessee Constitution's Home Rule Amendment." With respect to that issue, the Court requests that the parties address in their briefing whether the Court of Appeals erred in determining that Subsection 2(1)(C) of the Act cannot be elided.

The Court also requests that the parties address in their briefing whether the trial court erred in determining that Section Two of the Act violates the Anti-Ripper Clause in the Home Rule Amendment.

1. Style Metropolitan Government of Nashville and Davidson County, et al. v. Bill Lee, et al.

2. Docket Number M2024-01182-SC-R11-CV

3. Lower Court Decision Links <https://tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2024-01182-COA-R3-CV.pdf>

<https://tncourts.gov/sites/default/files/OpinionsPDFVersion/Separate%20Opinion%20-%20M2024-01182-COA-R3-CV.pdf>

4. Lower Court Summary A three-judge panel was convened in this case to determine the constitutionality of 2023 Tennessee Public Chapter 21. While the case was pending, the trial court temporarily stayed implementation of subsection 1(b) of the legislation, the result of which was that the deadlines contained therein were rendered moot. In considering competing summary judgment motions, the trial court unanimously ruled that subsection 1(a) of the act was not also moot. In a divided decision, however, the trial court concluded that the legislation violated two provisions of the Tennessee Constitution: the home rule amendment and a clause exempting metropolitan governments from a twenty-five-member cap on county legislative bodies. Both parties appeal. We affirm the trial court's ruling that subsection 1(a) is not moot. We reverse, however, its conclusion that the statute is barred by either constitutional provision at issue.

5. Status Application granted 9/18/25. Appellants brief filed 11/19/25; Appellees brief filed

12/19/25; Appellants reply brief due 1/16/26. **TBH 2/12/26 in Nashville.**

6. Issue(s) As stated by Metro, with the Individual Plaintiffs joining in Issues 1 and 3:

1. Are Metro Nashville's constitutional challenges to Subsection 1(a) of the Act justiciable following the expiration of Subsection 1(b)'s implementation provisions?
2. May the General Assembly, by statute, limit the size of metropolitan councils to twenty members consistent with the Exemption Clause in Article VII, Section 1 of the Tennessee Constitution, which exempts metropolitan governments from the constitutional and statutory limitations applicable to other county legislative bodies?
3. Insofar as Subsection 1(a) imposes an independent mandate for Metro Nashville to reduce its metropolitan council size to no more than twenty members, does Subsection 1(a) violate the Local Legislation Clause in Article XI, Section 9 of the Tennessee Constitution?

In its answer, the State restates these issues as:

1. Whether the Court of Appeals correctly interpreted § 1(a) of 2023 Tenn. Pub. Acts, ch. 21, to impose ongoing legal obligations on all metropolitan governments.
2. Whether the Court of Appeals correctly held that the Exemption Clause in Article VII, § 1 does not prevent statutory restrictions on consolidated governments.
3. Whether the Court of Appeals correctly concluded that § 1(a)'s restriction on metropolitan councils throughout the State complies with the Local Legislation Clause in Article XI, § 9.

1. Style City of Milan, Tennessee, et al. v. Frederick H. Agee
2. Docket Number W2024-00200-SC-R11-CV
3. Lower Court Decision Links <https://tncourts.gov/sites/default/files/OpinionsPDFVersion/CityofMilanOPN.pdf>
4. Lower Court Summary This appeal arises from a dispute between two municipalities and the district attorney general responsible for prosecuting cases in the jurisdiction in which the municipalities lie. The district attorney general threatened to cease the prosecution of cases in the courts of the municipalities and stated that he would only continue to do so if the municipalities provided an additional assistant attorney general position for his office or funding for such a position. The district attorney general justifies his threat by citing Tennessee Code Annotated section 8-7-103(1), which he asserts requires municipalities to fund additional prosecutorial personnel in order for his duty to prosecute cases in municipal court to be triggered. The municipalities filed a complaint for writ of mandamus and later amended their claims to include a request for declaratory judgment. The trial court ordered that the municipalities were entitled to a declaratory judgment "that they ha[d] provided 'sufficient personnel'" to the district attorney general and that he could not avoid the responsibility of prosecuting cases "by invoking Tenn. Code Ann. § 8-7-103(6)." The trial court also determined that the district attorney general had a "clear statutory mandate" and issued a "peremptory writ of mandamus" compelling the district attorney general to comply with the statute. The district attorney general appeals. Finding that Tennessee Code

Annotated section 8-7-103(1)'s "personnel requirement" does not refer to prosecutorial personnel, we affirm in part and reverse in part.

5. Status Application granted 11/21/25. Motion for extension to file Appellant's brief granted and due 1/20/26.

6. Issue(s) As stated in the Appellant's Rule 11 Application:

Tennessee Code Annotated § 8-7-103 sets out the duties of the State's elected district attorneys. One of those duties is to "prosecut[e] cases in a municipal court where the municipality provides sufficient personnel to the district attorney general for that purpose." Tenn. Code Ann. § 8-7-103(1). The General Assembly also made clear, just a few subsections later, that district attorneys "[s]hall have discretion in the performance of duties and responsibilities in the allocation of resources . . . , any other law notwithstanding." Id. § 8-7-103(6).

When a municipality staffs its court with judges, clerks, and bailiffs, but provides neither prosecutorial personnel nor funding to the district attorney, must that district attorney nevertheless prosecute cases in that municipality's court?

1. Style State of Tennessee v. Brent Paul Moon

2. Docket Number M2023-01192-SC-R11-CD

3. Lower Court Decision Links [Microsoft Word - MoonBrentPaul.OPN FINAL](#)

4. Lower Court Summary The Defendant, Brent Paul Moon, appeals the trial court's revocation of his effective three-year probationary sentence for felony evading arrest, simple possession of methamphetamine, and driving on a revoked license. On appeal, the Defendant argues that his right to a speedy trial was violated and, as such, the probation violation should be dismissed. Next, he contends that the trial court erred by admitting hearsay statements at the revocation hearing because no "good cause" existed for the statements' entry and that the statements were not reliable. Lastly, he claims the trial court erred by revoking his probation and running the revocation sentence consecutively to the sentence for his new criminal convictions. After review, we affirm the judgments of the trial court but remand for correction of a clerical error on the Defendant's judgment form for simple possession of methamphetamine.

5. Status Application granted 12/19/25.

6. Issue(s) As stated in the appellant's rule 11 application:

1. For a probation revocation, does the issuance of the warrant trigger the defendant's right to a speedy trial? If so, was the right violated?

2. The statute Tennessee Code Annotated § 40-35-310(a) only allows for a judge to stack a revocation on top of a new charge if he finds that the defendant actually committed the "conduct . . . that resulted in a conviction[.]" . . . Did the trial court violate the statute by running a revocation consecutive to new charges, without finding the Defendant guilty of the same criminal conduct embodied in said charges?

1. Style State of Tennessee v. Jeffrey Tate and Steven J. Ogle

2. Docket Number E2023-01737-SC-R11-CD

3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%202024-11-05%20-%20State%20of%20Tennessee%20v.%20Jeffrey%20August%20Tate%20and%20Steven%20Ogle%20-%20E2023-01737%20-CCA-R3-CD.pdf>

4. Lower Court Summary Defendants, Jeffrey August Tate and Steven Ogle, were indicted in separate cases for multiple counts of theft of property and home construction fraud involving separate victims. Before trial, both Defendants filed motions to dismiss the home construction fraud counts in their respective indictments, alleging that a portion of the home construction fraud statute, Tennessee Code Annotated section 39-14-154(b)(1), was unconstitutionally vague on its face, and Defendant Tate also argued that the statute was vague as applied to him. Following a joint hearing on both Defendants' motions, the trial court concluded that the home construction fraud statute is unconstitutionally vague on its face. The State appealed both Defendants' cases pursuant to Tennessee Rule of Appellate Procedure 3(c), and this court consolidated the appeals. We conclude that the State does not have an appeal as of right pursuant to Rule 3(c) because the record does not reflect that the substantive effect of the trial court's order resulted in the dismissal of the indictments. Accordingly, we dismiss the appeals

5. Status Heard 10/1/25 on briefs.

6. Issue(s) As stated in the Appellant's Rule 11 Application:

1. Whether the State has a right of appeal under Tenn. R. App. P. 3(c) when the trial court dismisses some, but not all, counts of an indictment.
2. Whether the State has a right of appeal under Tenn. R. App. P. 3(c) when the trial court enters an order declaring a criminal statute facially unconstitutional, effectively dismissing counts of an indictment brought under that statute, even if the court does not enter a separate dismissal order or judgment.

In addition to addressing the issues raised in the application, the Court directed the parties to address the following issues in their briefs and at oral argument:

(1) whether the Court of Criminal Appeals abused its discretion by dismissing the State's appeal for lack of jurisdiction without giving the parties notice and an opportunity to be heard on that issue, see State v. Bristol, 654 S.W.3d 917, 927 (Tenn. 2022); and

(2) whether, if the State is not entitled to an appeal as of right under Tennessee Rule of Appellate Procedure 3(c), the Court of Criminal Appeals should have treated the notice of appeal as an application for extraordinary appeal under Tennessee Rule of Appellate Procedure 10.

1. Style State of Tennessee v. Ginny Elizabeth Parker

2. Docket Number M2022-00955-SC-R11-CD

3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20%2818%29.pdf>

4. Lower Court Summary The Defendant, Ginny Elizabeth Parker, was convicted following a bench trial of five counts of forgery, for which she received an effective six-year sentence to serve. On appeal, the Defendant argues that: (1) the evidence is insufficient to support her forgery convictions, specifically regarding whether she acted without authorization; (2) the trial court shifted the burden of service of medical records pursuant to Tennessee Code Annotated section 24-7-122(c) from the State to the Defendant; (3) the trial court erroneously admitted proof of a PayPal account that was linked to the victims' bank account; (4) she is entitled to relief based on cumulative error; and (5) her sentence is grossly disproportionate to her offenses, in violation of the Eighth Amendment to the United States Constitution and article I, section 16 of the Tennessee Constitution. Following our review, we affirm the judgments of the trial court.

5. Status Heard 5/28/25 at Cookeville SCALES.

6. Issue(s) The Court limits its review to the following issue:
Whether the evidence is sufficient to sustain the defendant's convictions for forgery.

1. Style Connie Reguli v. BPR

2. Docket Number M2024-00153-SC-R3-BP

3. Lower Court Decision Links N/A

4. Lower Court Summary N/A

5. Status Heard 5/29/25 on-briefs.

6. Issue(s) N/A

1. Style Connie Reguli v. BPR

2. Docket Number M2025-00454-SC-R3-BP

3. Lower Court Decision Links N/A

4. Lower Court Summary N/A

5. Status Notice of appeal filed 4/1/25. Record filed 9/3/25. Appellant's brief filed 11/10/25. Appeal stayed by order filed 12/16/25.

6. Issue(s) N/A

1. Style Saint Claude Renel, et al. v. Drexel Chemical Company

2. Docket Number W2023-01693-SC-R11-CV

3. Lower Court Decision Links
<https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/SaintClaudeRenel-OPN.pdf>
<https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/SaintClaudeRenelDIS.pdf>

4. Lower Court Summary The Plaintiffs in this case, who live in the Dominican Republic, were allegedly injured by toxic herbicides used in the sugar cane industry. Following the Plaintiffs' filing of a lawsuit against the Defendant, a Tennessee corporation, pursuant to the Tennessee Products Liability Act, the Defendant moved to dismiss the case on several grounds. Although the trial court rejected the viability of a number of these defenses asserted by the Defendant at the motion to dismiss stage, the trial court concluded that the case should be dismissed on the basis that "the TPLA does not have extraterritorial application." The trial court also opined that, "even if a case were to proceed in Tennessee, the applicable law would be the law of the Dominican Republic" but noted that the Plaintiffs "have only set forth a specific claim under the TPLA." For the reasons stated herein, we affirm the trial court's dismissal of the case.

5. Status Application granted 11/25/25. Motion for extension to file appellant's brief granted and due 2/13/26.

6. Issue(s) As stated by Applicant:

Did the Court of Appeals err by affirming the Shelby County Circuit Court's dismissal of the Complaint based on its finding that the Tennessee Products Liability Act, Tenn. Code Ann. § 29-28-101 et seq ("TPLA") could not be applied extraterritorially, solely on the basis that the TPLA does not expressly apply extraterritorially, while ignoring Appellants' argument that the Shelby County Circuit Court erred in its conclusion under the second prong of the framework established in *RJR Nabisco, Inc. v. Eur. Cnty.*, that, based on the allegations in the Complaint, the TPLA can be applied domestically in this case.

A. Did the Court of Appeals' reliance on *Williaford v. Holiday Inns, Inc.*, deprive Appellants of a full and fair consideration of their arguments on appeal under circumstances where those arguments involved a question of first impression in Tennessee of an important question of law?

In conjunction with the issues raised in the application, the Court directs the parties to address the following question encompassed by the issue presented: What framework should Tennessee courts use in determining whether a statute applies extraterritorially and whether a presumption against extraterritoriality applies under Tennessee law.

1. Style Brenda Sands v. Robert Williard et al.

2. Docket Number W2024-00772-SC-R11-CV

3. Lower Court Decision Links
<https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/SandsBrendaOPN.pdf>

4. Lower Court Summary

The Plaintiff, who was injured by tripping on a sidewalk, filed suit against the private property owners and city but failed to properly serve the city. In their original answer, the private property owners asserted the city's comparative fault but not in express terms. The Plaintiff voluntarily dismissed the city as a defendant. In an amended answer, the private property owners expressly asserted comparative fault against the city. The Plaintiff promptly amended her complaint to add the city as a defendant under Tennessee Code Annotated section 20-1-119, which provides a plaintiff 90 days after the filing of an answer asserting comparative fault against a non-party to add that non-party as a defendant, even if doing so would otherwise be barred by a statute of limitations. The city asserted this was not in accordance with the statute because the private property owners asserted comparative fault against the city in the original answer. The trial court determined that, although the original answer did raise comparative fault of the city, this did not trigger the 90-day window under the statute because the city was a party at the time. The trial court concluded that the amended answer was timely filed within 90 days of the filing of the first answer alleging comparative fault against a non-party, which was the amended answer. The city appeals. We affirm.

5. Status

Fully briefed.

6. Issue(s)

As stated by Applicant:

Whether, under Tenn. Code Ann. § 20-1-119, an added defendant's status as a party is determined when the plaintiff amends her complaint, as the court of appeals held in Townes v. Sunbeam Oster Co. and Queen's Tree Surgery, Inc. v. Metropolitan Government of Nashville and Davidson County, or when the answer raising the added defendant's comparative fault is filed, as the court of appeals held in Scales v. H.G. Hill Realty Co., LLC and this case.

1. Style

Elliott James Schuchardt v. BPR

2. Docket Number

E2024-00812-SC-R3-BP

3. Lower Court Decision Links

N/A

4. Lower Court Summary

N/A

5. Status

Heard 9/4/25 On Briefs.

6. Issue(s)

N/A

1. Style

SH Nashville, LLC et al. v. FWREF Nashville Airport, LLC

2. Docket Number

M2023-01147-SC-R11-CV

3. Lower Court Decision Links

<https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/E-SIGNED-M2023-1147-COA-SH%20NASHVILLE.pdf>

4. Lower Court Summary

This appeal arises out of a contract for the sale of a hotel property near the Nashville airport. After numerous amendments to the purchase and sale agreement, the seller declared the prospective buyer to be in default, sold the property to a different buyer, and retained

over 18 million dollars in earnest money. The prospective buyer filed suit against the seller for a declaratory judgment that the liquidated damages provision in the contract was unenforceable and for conversion. The trial court dismissed the conversion claim and ruled in favor of the seller on summary judgment. We have concluded that the trial court erred in its disposition of both causes of action.

5. Status Heard 10/1/25 in Nashville.

6. Issue(s) As stated in the Appellant's Rule 11 Application:

1. Under the prospective approach adopted by this Court to review liquidated damages provisions, does the defaulting party have the burden to show that a liquidated damages provision is unenforceable if the party seeking to enforce the provision has presented an agreement with clear and unambiguous terms on the reasonableness of damages and that damages would be difficult if not impossible to ascertain?
2. In a real estate contract where the liquidated damages are a percentage of the purchase price, must the parties' agreement contain a "metric for calculating the amount of liquidated damages or an explanation of the basis for the amounts provided" at the time of entering into the contract?
3. Under Rule 56 of the Tennessee Rules of Civil Procedure, is presentation of the parties' express agreement as to liquidated damages by the non-defaulting party sufficient to show it is entitled to summary judgment on a declaratory judgment claim such that the burden shifts to the defaulting party to present evidence of why the liquidated damages are not reasonable or must the non-breaching party present evidence extrinsic to the agreement regarding the reasonableness of the estimated damages?

1. Style Derry M. Thompson, et al. v. Timothy A. Graham, et al.

2. Docket Number E2024-00568-SC-R11-CV

3. Lower Court Decision Links https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20_E2024-00568-COA%20%28unsigned%29.pdf

4. Lower Court Summary This appeal stems from a trial court's order enforcing a settlement agreement regarding a long-running business divorce. However, because the appellants' notice of appeal is untimely, this Court lacks subject matter jurisdiction, and the appeal must be dismissed.

5. Status Application granted 10/9/25. Fully briefed.

6. Issue(s) Three issues presented by Applicants:

1. Whether the Court of Appeals improperly failed to consider whether a trial court's order taxing all costs against one party affects the substantive rights or obligations of that party when the settlement agreement previously enforced by the trial court provided such costs are to be split equally.
2. Whether the Court of Appeals improperly denied Defendants' requests for remand to seek relief under Tenn. R. Civ. P. 60.02 as a matter of fact and law by enhancing Defendants' burden and applying a heightened standard from that established by this Court in Spence v. Allstate Ins. Co., 883 S.W.2d 586 (Tenn. 1994).

3. Whether the Court of Appeals improperly neglected to consider Defendants' indisputably timely appeal of the Trial Court's Order taxing all costs against them.

In addition to the issues raised in the application, the Court, pursuant to Tennessee Rule of Appellate Procedure 13(b), directs the parties to address the following issue:

Whether judgment in this case was effectively entered pursuant to Tennessee Rule of Civil Procedure 58 on March 18, 2024, even though the clerk's certificate of service was dated March 20, 2024.

1. Style	Tinsley Properties, LLC et al. v. Grundy County, Tennessee
2. Docket Number	M2022-01562-SC-R11-CV
3. Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Majority%20Opinion%20-%20M2022-01562-COA-R3-CV.pdf
4. Lower Court Summary	This case concerns the validity of a county resolution prohibiting quarries and rock crushers "within five thousand (5,000) feet of a residence, school, licensed daycare facility, park, recreation center, church, retail, commercial, professional or industrial establishment." The plaintiff landowners argued that the county failed to comply with the requirements in Tennessee's county zoning statute, Tennessee Code Annotated § 13-7-101 to -115. In the alternative, they argued that state law expressly preempted local regulation of quarries. However, the county argued that it was exercising its authority to protect its citizens' health, safety, and welfare under the county powers statute, Tennessee Code Annotated § 5-1-118. The trial court granted summary judgment to the county on the ground that it had no comprehensive zoning plan. This appeal followed. We affirm.
5. Status	Heard 5/29/25 at Nashville.
6. Issue(s)	As stated in Appellant's Rule 11 application:

I. Whether the Court of Appeals erred when it held that the "police powers" set forth in Tenn. Code Ann. § 5-1-118 permitted Grundy County to enact Resolution No. 19-5-20c and Grundy County Resolution No. 24-1-22A (collectively, the "Resolutions"), when that statute specifically provides that a county cannot use such powers to enact ordinances affecting any "activities, businesses, or uses of property and business occupations and practices that are subject to regulation pursuant to" the Tennessee Air Quality Act or Tennessee's Water Quality Control Act of 1977, and the Resolutions purport to restrict quarrying, which is subject to permitting requirements under these acts.

II. Whether the Court of Appeals erred when it concluded that the Resolutions, which by their plain terms establish areas in which quarrying is permitted and areas in which quarrying is not permitted, were not "tantamount to . . . zoning regulation[s]" for purposes of the "substantial effects" test adopted by this Court, thereby departing from the reasoning in cases relied on by this Court and injecting confusion into how the substantial effects test should be applied.

1. Style	Tri-State Insurance Company of Minnesota a/s/o Campus Chalet, Inc. v. East Tennessee Sprinkler Company, Inc.
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2. Docket Number E2024-00599-SC-R11-CV

3. Lower Court Decision Links <https://tncourts.gov/sites/default/files/OpinionsPDFVersion/E2024-00599.pdf>

4. Lower Court Summary This appeal stems from a dispute over a purportedly defective sprinkler system which malfunctioned, causing significant damage to Campus Chalet, Inc. (“Campus Chalet”). East Tennessee Sprinkler Company, Inc. (“ETS”) installed the system in 1992 and remained contractually responsible for subsequent inspections, testing, and maintenance of the system. On October 5, 2023, Campus Chalet’s insurance carrier filed a complaint in the Circuit Court for Washington County (the “trial court”), against ETS, alleging that the sprinkler system malfunctioned and caused significant damage to Campus Chalet. ETS filed a motion to dismiss, arguing that the complaint was time-barred by a statute of repose. The trial court granted ETS’s motion, and this appeal followed. Because we agree with the appellant that the negligence and breach of contract claims are based on ongoing failures to inspect, test, and maintain the system, we reverse.

5. Status Heard 1/8/26 in Knoxville.

6. Issue(s) As stated in the Appellant’s Rule 11 application:

1. Whether the Court of Appeals erred in finding that Plaintiff sufficiently stated a cause of action for negligence and breach of contract under Tenn. Code Ann. § 28-3-202 where the cause of Plaintiff’s claim for damages—as pleaded in the Complaint—arose from the allegedly improper design and construction of an improvement to real property in 1992.
2. Whether the Court of Appeals erred in finding that Plaintiff sufficiently stated a cause of action for negligence and breach of contract where no duty was adequately pleaded.
3. Whether the Trial Court’s award of attorney’s fees to Defendant under Tenn. Code Ann. § 20-12-119 should be affirmed.

1. Style Sarah Elizabeth Woodruff v. Ford Motor Company

2. Docket Number E2023-00889-SC-R11-CV

3. Lower Court Decision Links <https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Wood%20ruff%20vs.%20Ford%20Motor%20Co.%20COA%20Opinion.pdf>

4. Lower Court Summary After a tragic motor vehicle accident caused her husband’s death and her minor child’s serious injuries, the plaintiff filed this products liability action against several manufacturers and sellers. We granted the instant interlocutory appeal in which the defendant requests review — based on the Tennessee Supreme Court’s majority opinion in Carolyn Coffman, et al. v. Armstrong International, Inc., et al., 615 S.W.3d 888 (Tenn. 2021) — of the trial court’s denial of its motion for relief from unfavorable summary judgment orders. We reverse the trial court.

5. Status Heard 9/4/25 in Knoxville.

6. Issue(s) As stated in the Appellant’s Rule 11 Application:

1. Whether this Court's holding in *Coffman v. Armstrong International, Inc.*, 615 S.W.3d 888 (Tenn. 2021), means that manufacturers in Tennessee have no legal duty to adequately warn about the uses and misuses of their own products if the harm to be warned against happens to involve interplay with another manufacturer's product.
2. Whether the subject seat belt extender was defective or unreasonably when it left Ford's control within the meaning of section 29-28-105(a), when Ford failed to reasonably communicate the danger of misusing the subject extender to restrain children, and when Ford had pre-sale notice and knowledge that consumers were misusing the product to restrain children riding in booster seats.

1. Style	Sarah Elizabeth Woodruff ex rel Ethan Woodruff et al. v. Ford Motor Company et al.
2. Docket Number	E2023-00488-SC-R11-CV
3. Lower Court Decision Links	https://www.tncourts.gov/sites/default/files/OpinionsPDFVersion/Sarah%20Elizabeth%20Woodruff%20vs.%20Ethan%20Woodruff%20et%20al.%20COA%20Opinion.pdf
4. Lower Court Summary	After a tragic motor vehicle accident caused her husband's death and her minor child's serious injuries, the plaintiff filed this products liability action against several manufacturers and sellers. The plaintiff appeals from the trial court's order granting summary judgment in favor of Dorel Juvenile Group, Inc., a booster seat manufacturer. Based on the Tennessee Supreme Court's majority opinion in <i>Carolyn Coffman, et al. v. Armstrong International, Inc., et al.</i> , 615 S.W.3d 888 (Tenn. 2021), and the relevant provisions of the Tennessee Products Liability Act, we affirm the trial court.
5. Status	Heard 9/4/25 in Knoxville.
6. Issue(s)	As stated in the Appellant's Rule 11 Application: Whether <i>Coffman v. Armstrong International, Inc.</i> , 615 S.W.3d 888, 897 (Tenn. 2021), defeats Plaintiff's claim against Dorel for failing to warn of the dangers associated with using a seat belt extender to install the subject booster seat, when Dorel negligently and recklessly instructed consumers to "contact your dealer for a seat belt extender" if "your vehicle belt is too short."
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7. Style	Mark T. Young, Individually and d/b/a Mark T. Young & Associates v. Bonnie Young Davidson
8. Docket Number	E2025-01385-SC-R3-CV
9. Lower Court Decision Links	N/A
10. Lower Court Summary	N/A
11. Status	Record filed 9/10/25. Order transferring appeal from the COA filed 9/10/25. (Associated case E2025-00304-COA-R3-CV.) Appellant's brief filed 1/8/26.
12. Issue(s)	N/A

