



Tennessee Supreme Court  
**DISCRETIONARY APPEALS**  
Grants & Denials List  
January 9, 2023 - January 13, 2023

**GRANTS**

<b>Style/Appeal Number</b>	<b>County/Trial Judge/ Trial Court No.</b>	<b>Intermediate Court</b>	<b>Supreme Court Action</b>
<b><u>Nashville</u></b>			
MELISSA BINNS v. TRADER JOE'S EAST, INC. M2022-01033-SC-R11-CV	Davidson County Circuit Court Amanda Jane McClendon 19C938	Per Curiam: Case Dispositional Decision	GRANTED - Application of Trader Joe's East, Inc.;  Order Filed 1-11-2023

**DENIALS**

<b>Style/Appeal Number</b>	<b>County/Trial Judge/ Trial Court No.</b>	<b>Intermediate Court</b>	<b>Supreme Court Action</b>
<b><u>Nashville</u></b>			
TMS CONTRACTING, LLC v SMITHGROUP JJR, INC. ET AL. M2020-01028-SC-R11-CV	Montgomery County Chancery Court Laurence M. McMillan, Jr. DT-15-3	McBrayer, W. Neal: Affirm	DENIED - Application of SmithGroup JJR, Inc.;  Order Filed 1-11-2023

STATE OF TENNESSEE v. MICHAEL MIMMS M2021-00383-SC-R11-CD	Montgomery County Circuit Court William R. Goodman, III CC-2017-CR-1065	Wedemeyer, Robert W.: Affirm	DENIED - Application of Michael Joseph Mimms;  Order Filed 1-11-2023
DEANGELO MONTEZE MOODY v. STATE OF TENNESSEE M2021-00605-SC-R11-ECN	Davidson County Criminal Court Mark J. Fishburn 2009-D-3252	Campbell Sr., John W.: Affirm	DENIED - Application of Deangelo Monteze Moody;  Order Filed 1-11-2023
STATE OF TENNESSEE v. BARRY JAMAL MARTIN M2021-00667-SC-R11-CD	Giles County Circuit Court Stella L. Hargrove CR-14901	Campbell Sr., John W.: Affirm	DENIED - Application of Barry Jamal Martin; GRANTED - TACDL motion for leave to file amicus curiae brief in support of Application;  Order Filed 1-11-2023
BANK OF NEW YORK MELLON V. HELEN E. CHAMBERLAIN M2021-00684-SC-R11-CV	Davidson County Circuit Court Hamilton V. Gayden, Jr. 18C326	McGee, Carma Dennis: Affirm	DENIED - Application of Helen E. Chamberlain;  Order Filed 1-11-2023

JOHN ANTHONY MEYER, III v. STATE OF TENNESSEE M2021-00712-SC-R11-PC	Sumner County Criminal Court Dee David Gay 2020-CR-132	Witt Jr., James Curwood: Affirm	DENIED - Application of John Anthony Meyer, III;  Order Filed 1-12-2023
MARK BRIAN DOBSON v. STATE OF TENNESSEE M2021-00949-SC-R11-PC	Davidson County Criminal Court Mark J. Fishburn 2013-C-2464	Ayers, Jill Bartee: Affirm	DENIED - Application of Mark Brian Dobson;  Order Filed 1-11-2023
MARKREO QUINTEZ SPRINGER v. STATE OF TENNESSEE M2021-01145-SC-R11-PC	Davidson County Criminal Court Mark J. Fishburn 2009-D-3254	Hixson, Kyle A.: Dismiss	DENIED - Application of Markreo Quintez Springer;  Order Filed 1-11-2023
STATE OF TENNESSEE v. BENJAMIN HARTSHAW M2021-01231-SC-R11-CD	Rutherford County Circuit Court (CRIMINAL) James A. Turner F-79617	Montgomery Jr., Robert H.: Affirm	DENIED - Application of Benjamin Hartshaw;  Order Filed 1-11-2023
STATE OF TENNESSEE v. JEFFREY LLOYD LOCKE M2021-01437-SC-R11-CD	Warren County Circuit Court Larry B. Stanley, Jr. 19-CR-2238	Campbell Sr., John W.: Affirm	DENIED - Application of Jeffrey Lloyd Locke;  Order Filed 1-11-2023

TERESA LOCKE v. GAIUS LOCKE ET AL.  
M2021-01454-SC-R11-CV

Williamson County Circuit Court  
James G. Martin, III  
2021-CV-279

Frierson II, Thomas R.: Affirm

DENIED - Application of Gaius  
Locke and Marie Locke;

Order Filed 1-11-2023

STATE OF TENNESSEE v. JEFFREY L. CROWE  
M2022-00072-SC-R11-CD

Davidson County Criminal Court  
Cheryl A. Blackburn  
2019-D-3053

Easter, Timothy L.: Affirm

DENIED - Application of Jeffrey L.  
Crowe;

Order Filed 1-11-2023

GLENARD THORNE v. STATE OF TENNESSEE  
M2022-01055-SC-R11-PC

Davidson County Criminal Court  
Steve R. Dozier  
2007-A-591

Easter, Timothy L., Holloway Jr.,  
Robert L., Wedemeyer, Robert W.:  
Case Dispositional Decision

DENIED - Application of Glenard  
Thorne;

Order Filed 1-11-2023

### **Knoxville**

STATE OF TENNESSEE v. TYRONE DEANGELO  
SHAW  
E2021-00437-SC-R11-CD

Knox County Criminal Court  
G. Scott Green  
118439

Montgomery Jr., Robert H.: Affirm

DENIED - Application of Tyrone  
DeAngelo Shaw;

Order Filed 1-11-2023

DARYL J. CARTER v. STATE OF TENNESSEE  
E2021-00669-SC-R11-PC

Bledsoe County Circuit Court  
J. Curtis Smith  
2013-CR-2

Easter, Timothy L.: Affirm

DENIED - Application of Daryl J. Carter;  
Order Filed 1-11-2023

JENELLE LEIGH POTTER v. STATE OF TENNESSEE  
E2021-01063-SC-R11-PC

Washington County Criminal Court  
William B. Acree  
45930

Wedemeyer, Robert W.: Affirm

DENIED - Application of Jenelle Leigh Potter;  
DENIED - Jenelle Leigh Potter's motions for appointment of counsel and to proceed In Forma Pauperis;  
Order Filed 1-11-2023

DALE VINSON MERRITT v. STATE OF TENNESSEE  
E2021-01095-SC-R11-PC

Knox County Criminal Court  
Steven Wayne Sword  
114584, 114585

Witt Jr., James Curwood: Affirm

DENIED - Application of Dale Vinson Merritt;  
Order Filed 1-11-2023

STATE OF TENNESSEE v. STEPHEN V. WALKER  
E2021-01115-SC-R11-CD

Hamilton County Criminal Court  
Barry A. Steelman  
166974

Witt Jr., James Curwood: Affirm

DENIED - Application of Stephen V. Walker;  
Order Filed 1-11-2023

STATE OF TENNESSEE v. RANDALL LEE PRUITT E2021-01118-SC-R11-CD	Monroe County Criminal Court Andrew M. Freiberg 19198CRM	Montgomery Jr., Robert H.: Affirm	DENIED - Application of Randall Lee Pruitt; GRANTED-Counsel's motion to withdraw and Pruitt's motion to be declared indigent;  Order Filed 1-11-2023
STATE OF TENNESSEE v. CONNER LEWIS BELL E2021-01120-SC-R11-CD	Hamilton County Criminal Court Barry A. Steelman 307910	Easter, Timothy L.: Affirm	DENIED - Application of Conner Lewis Bell;  Order Filed 1-11-2023
STATE OF TENNESSEE v. JASON ALBERT HAYES E2021-01123-SC-R11-CD	Knox County Criminal Court G. Scott Green 119273	Easter, Timothy L.: Affirm	DENIED - Application of Jason Albert Hayes;  Order Filed 1-11-2023
JEFFERSON HOWELL ET AL v. CHATTANOOGA HAMILTON COUNTY HOSPITAL ET AL. E2021-01197-SC-R11-CV	Hamilton County Circuit Court Kyle E. Hedrick 16-C-1210	Swiney, D. Michael: Affirm	DENIED - Application of Kimberly Howell and Jefferson Howell;  Order Filed 1-11-2023

STEPHEN BOESCH v. JAY R HOLEMAN ET AL. E2021-01242-SC-R11-CV	Sevier County Chancery Court Telford E. Forgety, Jr. 16-5-164	McClarty, John W.: Affirm	DENIED - Application of Stephen Boesch;  Order Filed 1-11-2023
LARRY LEE SMITH v. STATE OF TENNESSEE E2021-01303-SC-R11-PC	Knox County Criminal Court Kyle A. Hixson 106884	Witt Jr., James Curwood: Affirm	DENIED - Application of Larry Lee Smith;  Order Filed 1-11-2023
WILLIAM OWINGS v. REBA OWINGS E2021-01330-SC-R11-CV	Roane County Circuit Court Michael S. Pemberton 2019-CV-127	Frierson II, Thomas R.: Affirm	DENIED - Application of William Owings;  Order Filed 1-11-2023
STATE OF TENNESSEE v. RIKEALYN L. FAIN E2022-00026-SC-R11-CD	Knox County Criminal Court G. Scott Green 118361	Montgomery Jr., Robert H.: Affirm	DENIED - Application of Rikealyn L. Fain;  Order Filed 1-11-2023
BENJAMIN MCCURRY v. AGNESS MCCURRY E2022-00635-SC-R11-CV	Washington County Circuit Court James E. Lauderback 38147	Armstrong, Kenny W.: Affirm	DENIED - Application of Agness McMurry;  Order Filed 1-11-2023

INDUSTRIAL BOILER AND MECHANICAL CO.,  
LLC v. TYLER ANDREW EVATT ET AL.  
E2022-01291-SC-R11-CV

Hamilton County Chancery Court  
Jeffrey M. Atherton  
21-0126

Per Curiam: Case Dispositional  
Decision

DENIED - Application of Gene  
Matthew Davies, Premier Boiler  
and Combustion, LLC, and Tyler  
Andrew Evatt;

Order Filed 1-11-2023

STATE OF TENNESSEE v. CHRISTIAN PEYTON  
BENNETT  
E2022-01370-SC-R10-CD

Knox County Criminal Court  
G. Scott Green  
122149

Hixson, Kyle A., Montgomery Jr.,  
Robert H., Witt Jr., James Curwood:  
Case Dispositional Decision

DENIED - Rule 10 Application of  
Christian Peyton Bennett;

Order Filed 1-11-2023

**Jackson**

STATE OF TENNESSEE v. ASHLEY NICOLE  
THOMAS  
W2021-00534-SC-R11-CD

Tipton County Circuit Court  
Joe H. Walker, III  
RD 9732

Montgomery Jr., Robert H.: Affirm in  
Part

DENIED - Application of Ashley  
Thomas;

Order Filed 1-12-2023

ROBERT BEHAM v. STATE OF TENNESSEE  
W2021-00771-SC-R11-PC

Shelby County Criminal Court  
Carolyn W. Blackett  
16-00648

Holloway Jr., Robert L.: Affirm

DENIED - Application of Robert  
Beham;

Order Filed 1-12-2023



STATE OF TENNESSEE v. ERIC R. WRIGHT W2021-01270-SC-R11-CD	Shelby County Criminal Court John Wheeler Campbell 90-02654, 90-02655	Montgomery Jr., Robert H.: Affirm	DENIED - Application of Eric R. Wright;  Order Filed 1-12-2023
JOHNNY LORENZO WADE v. STATE OF TENNESSEE W2021-01419-SC-R11-PC	Madison County Circuit Court Kyle C. Atkins C-19-253	Easter, Timothy L.: Dismiss	DENIED - Application of Johnny Lorenzo Wade;  Order Filed 1-12-2023
ERIC DATES v. STATE OF TENNESSEE W2021-01464-SC-R11-PC	Shelby County Criminal Court Lee V. Coffee 09-07729	Williams, John Everett: Affirm	DENIED - Application of Eric Dates;  Order Filed 1-12-23
JOE L. FORD v. STATE OF TENNESSEE W2022-00247-SC-R11-PC	Shelby County Criminal Court Glenn Ivy Wright 17-03523, C1705772	Dyer, J. Ross: Affirm	DENIED - Application of Joe L. Ford;  Order Filed 1-13-2023
STATE OF TENNESSEE v. JOSHUA HOLM W2022-01161-SC-R11-CD	Lake County Circuit Court Tony Childress 21-CR-10810	Campbell Sr., John W., Dyer, J. Ross, McMullen, Camille R.: Case Dispositional Decision	DENIED - Application of Joshua Holm;  Order Filed 1-12-2023

TINA MAE HILL ET AL. v. METHODIST  
HEALTHCARE MEMPHIS ET AL  
W2022-01393-SC-R11-CV

Shelby County Circuit Court  
Felicia Corbin Johnson  
CT-1979-20

Per Curiam: Case Dispositional  
Decision

DENIED - Application of  
Methodist Healthcare Memphis  
Hospitals, Dawn C. Young, and  
Wanda Burcham;

Order Filed 1-12-2023

KAYDEN K. ET. AL. v. JESSICA RUFFIN, M.D., ET  
AL.  
W2022-01406-SC-R11-CV

Shelby County Circuit Court  
Yolanda Kight Brown  
CT-0454-20

Per Curiam: Case Dispositional  
Decision

DENIED - Joint Application of  
Susan Lacy, M.D., Primary Care  
Group, LLC; Jessica Ruffin, M.D.;  
and Methodist Healthcare-  
Memphis Hospitals;

Order Filed 1-12-2023

IN THE SUPREME COURT OF TENNESSEE  
AT NASHVILLE

**FILED**

01/11/2023

Clerk of the  
Appellate Courts

**MELISSA BINNS V. TRADER JOE'S EAST, INC.**

**Circuit Court for Davidson County  
No. 19C938**

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**No. M2022-01033-SC-R11-CV**

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**ORDER**

Upon consideration of the application for permission to appeal of Trader Joe's East, Inc. and the record before us, the application is granted.

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

PER CURIAM