

**IN THE COURT OF APPEALS OF TENNESSEE  
WESTERN SECTION AT JACKSON**

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<b>HERBERT ADAMS,</b>	)	From the Chancery Court
	)	for Crockett County, Tennessee
Plaintiff/Appellee,	)	
	)	The Hon. George R. Ellis, Chancellor
<b>vs.</b>	)	
	)	Crockett County Chancery No. 6358
<b>ROBERT SIMS AND</b>	)	Appeal No. 02A01-9411-CH-00252
<b>PATRICIA SIMS</b>	)	
	)	<b>DISMISSED &amp; REMANDED</b>
Defendants/Appellants.	)	
	)	Theo J. Emison
	)	Alamo, Tennessee
	)	Attorney for Appellants
	)	
	)	James Belew Webb
	)	Milan, Tennessee
	)	Attorney for Appellee

**FILED**

**February 6, 1996**

**Cecil Crowson, Jr.**  
Appellate Court Clerk

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**OPINION AND ORDER**

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**LILLARD, J.**

This case came to be considered by the Court upon a grant of a Rule 9 application for permission to appeal an interlocutory Order of the trial court.

The appellants, Robert and Patricia Sims, seek to appeal the trial court's ruling on their motion in limine to exclude from the trial certain types of evidence. The trial court granted the appellants' Rule 9 application for permission to appeal the denial of appellants' motion in limine. This Court thereafter granted appellant's Rule 9 request for permission to appeal the trial court's ruling.

After hearing oral argument, and upon examination of the record, the Court is of the Opinion that the Rule 9 application for permission to appeal was improvidently granted and that the matter should be remanded to the trial court for further proceedings.

It is therefore ordered that the Rule 9 application is dismissed and the matter is remanded to the trial court. Costs are taxed to the appellant.

It is SO ORDERED this \_\_\_\_\_ day of January, 1996.

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**LILLARD, J.**

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**CRAWFORD, P.J.,W.S.**

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**HIGHERS, J.**