

**SUPREME COURT OF TENNESSEE  
SUPREME COURT DISCRETIONARY APPEALS  
Grants & Denials List**

**MONDAY, JANUARY 14, 2013**

**GRANTS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
NONE				
<b><u>Knoxville</u></b>				
NONE				
<b><u>Jackson</u></b>				
State of Tennessee Dewayne Collier W2010-01606-SC-R11-CD	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. 09-04165	Smith, J. Affirmed	Rule 11	<b>Granted</b> - Application of Dewayne Collier  <b>(Order filed - 1-08-13 - copy attached)</b>

**SUPREME COURT OF TENNESSEE  
SUPREME COURT DISCRETIONARY APPEALS**

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**DENIALS**

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<b><u>Nashville</u></b>				
Quinton A. Cage v. State of Tennessee M2011-00234-SC-R11-PC	Montgomery County Circuit Court Judge John Gasaway No. 034374	Ogle, J. Dismissed	Rule 11	<b>Denied</b> - Application of Quinton A. Cage  <b>(Order filed - 1-09-13)</b>
Charles Chambers v. Gayle Ray, Commissioner, Tennessee Department of Correction M2011-01841-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 101364-II	Clement, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Charles Chambers  <b>(Order filed - 1-08-130)</b>
DKB Trucking, LLC v. JNJ Express, Inc. M2012-00008-SC-R11-CV	Putnam County Circuit Court Judge John J. Maddux, Jr. No. 08J0206	Bennett, J. Reversed	Rule 11	<b>Denied</b> - Application of JNJ Express, Inc.  <b>(Order filed - 1-09-13)</b>

Derrann William Estill v. State of Tennessee M2011-01313-SC-R11-PC	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2007-A-25	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Derrann William Estill  <b>(Order filed - 1-09-13)</b>
Kevin DeWitt Ford v. State of Tennessee M2011-02105-SC-R11-CO	Davidson County Criminal Court Judge Cheryl Blackburn No. 2001-A-600, 601	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Kevin DeWitt Ford  <b>(Order filed - 1-09-13)</b>
Gerry Hoover v. State of Tennessee M2011-02413-SC-R11-PC	Coffee County Circuit Court Judge Charles Lee No. 37346	Daniel, Sp.J. Affirmed	Rule 11	<b>Denied</b> - Application of Gerry Hoover  <b>(Order filed - 1-09-13)</b>
Pete C. Jenkins v. State of Tennessee M2011-02240-SC-R11-HC	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 93-D-1489	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Pete C. Jenkins  <b>(Order filed - 1-09-13)</b>
Craig O. Majors v. State of Tennessee M2011-02353-SC-R11-PC	Montgomery County Circuit Court Judge Michael R. Jones No. 40701074	Daniel, Sp.J. Affirmed	Rule 11	<b>Denied</b> - Application of Craig O. Majors  <b>(Order filed - 1-10-13)</b>
Mario Pendergrass v. State of Tennessee M2011-00126-SC-R11-PC	Davidson County Criminal Court Judge Seth Norman No. 93-C-1345	Page, J. Affirmed	Rule 11	<b>Denied</b> - Application of Mario Pendergrass  <b>(Order filed - 1-09-13)</b>
Antwain Tapaige Sales v. State of Tennessee M2011-02001-SC-R11-PC	Bedford County Circuit Court Judge Franklin Russell No. 16158	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Antwain Tapaige Sales  <b>(Order filed - 1-10-13)</b>

Vicki Spurlock, <u>et al.</u> v. Metropolitan Government of Nashville M2011-01696-SC-R11-CV	Davidson County Probate Court Judge David Randall Kennedy No. 10-P652	Bennett, J. Affirmed	Rule 11	<b>Denied</b> - Application of Vicki Spurlock, <u>et al.</u>  (Order filed - 1-08-13)
State of Tennessee v. Louis W. Alford M2012-00114-SC-R11-CO	Coffee County Circuit Court Judge Vanessa A. Jackson No. 24,187	Smith, J. Appeal Dismissed	Rule 11	<b>Denied</b> - Application of Louis W. Alford  (Order filed - 1-10-13)
State of Tennessee v. Francisco Javier Ancona M2010-02095-SC-R11-CD	Davidson County Criminal Court Judge Mark J. Fishburn No. 2010-B-977	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Francisco Javier Ancona  (Order filed - 1-09-13)
State of Tennessee v. Mel Lindsay Atwell M2011-01327-SC-R11-CD	Grundy County Circuit Court Judge Thomas W. Graham No. 4637	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Mel Lindsay Atwell  (Order filed - 1-09-13)
State of Tennessee v. Yoni Sales Barahona M2011-01300-SC-R11-CD	Davidson County Criminal Court Judge J. Randall Wyatt, Jr.	Witt, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Yoni Sales Barahona  (Order filed - 1-10-13)
State of Tennessee v. James Edward Church, Jr. M2011-02032-SC-R11-CD	Bedford County Circuit Court Judge Lee Russell No. 17187	Daniel, Sp. J. Affirmed	Rule 11	<b>Denied</b> - Application of James Edward Church, Jr.  (Order filed - 1-09-13)
State of Tennessee v. Melissa L. Grayson M2011-00648-SC-R11-CD	Davidson County Criminal Court Judge Steve Dozier No. 2008-A-10	Page, J. Affirmed	Rule 11	<b>Denied</b> - Application of Melissa L. Grayson  (Order filed - 1-09-13)

State of Tennessee v. Andrew Helton M2012-00250-SC-R11-CD	Davidson County Criminal Court Judge Seth Norman No. 98-B-1052	Smith, J. Rule 20 Affirmed	Rule 11	<b>Denied</b> - Andrew Helton  (Order filed - 1-09-13)
State of Tennessee v. Kendell Edward Johnson M2011-00792-SC-R11-CD	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2008-D-3883	Thomas, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Kendell Edward Johnson  (Order filed - 1-10-13)
State of Tennessee v. Timothy Eugene Kelly, Jr. M2011-01260-SC-R11-CD	Davidson County Criminal Court Judge Steve R. Dozier No. 2010-B-1511	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Timothy Eugene Kelly, Jr. (Opinion of the Court of Criminal Appeals is designated "Not for Citation" in accordance with Tenn. Sup. Ct. R. 4(E)(1))  (Order filed - 1-08-13)
State of Tennessee v. Marvin Long, <u>et al.</u> (Dontillus Williams) M2010-01491-SC-R11-CD	Davidson County Criminal Court Judge Monte Watkins No. 2008-D-3724	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Dontillus Williams  (Order filed - 1-10-13)
State of Tennessee v. Timothy A. Lowe M2012-00302-SC-R11-CD	Sumner County Circuit Court Judge Dee David Gay No. 833-2010	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Timothy A. Lowe  (Order filed - 1-10-13)
State of Tennessee v. Denny McAbee M2011-01524-SC-R11-CD	Davidson County Criminal Court Judge Steve R. Dozier No. 2011-A-717	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Denny McAbee  (Order filed - 1-10-13)
State of Tennessee v. Gregory M. Moore M2012-00528-SC-R11-CD	Rutherford County Criminal Court Judge Don R. Ash No. F-65045	Witt, Jr, J. Affirmed as Modified; Remanded	Rule11	<b>Denied</b> - Application of Gregory M. Moore  (Order filed - 1-10-13)

State of Tennessee v. Devarick D. Nicks M2011-02395-SC-R11-CD	Montgomery County Circuit Court Judge John H. Gasaway Nos. 41001108, 41100112	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Devarick D. Nicks  <b>(Order filed - 1-10-13)</b>
Darryl D. Thompson v. State of Tennessee M2011-02139-SC-R11-PC	Davidson County Criminal Court Judge Cheryl Blackburn No. 2008-A-88	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Darryl D. Thompson  <b>(Order filed - 1-10-13)</b>
<b><u>Knoxville</u></b>				
Cumecus Cates v. State of Tennessee E2012-01216-SC-R11-PC	Knox County Criminal Court Judge Bobby R. McGee No. 72267	Tipton, P.J. Ogle, J. Thomas, J. Dismissed	Rule 11	<b>Denied</b> - Application of Cumecus Cates  <b>(Order filed - 1-09-13)</b>
Club Chalet Homeowners Association, Inc. v. Kimberly Matthews  E2011-02237-SC-R11-CV	Sevier County Circuit Court Judge Ben W. Hooper II No. 200807681	Susano, J. Affirmed	Rule 11	<b>Denied</b> - Application of Kimberly Matthews  <b>(Order filed - 1-09-13)</b>
Timothy Lynn Denton v. State of Tennessee E2011-02429-SC-R11-PC	Sullivan County Circuit Court Judge R. Jerry Beck No. C57232	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Timothy Lynn Denton  <b>(Order filed - 1-08-13)</b>
Kimberlie Edmonson v. Jeremy James McCosh, <u>et al.</u> E2010-01588-SC-R11-CV	McMinn County Chancery Court Judge Jerri S. Bryant No. 23964	McClarty, J. Affirmed	Rule 11	<b>Denied</b> - Application of Kimberlie Edmonson  <b>(Order filed - 1-08-13)</b>
Charles Montague v. State of Tennessee E2012-00147-SC-R11-HC	Washington County Circuit Court Judge Lynn W. Brown No. 37428	Thomas, Jr., J. Affirmed in Part; Reversed in Part	Rule 11	<b>Denied</b> - Application of Charles Montague  <b>(Order filed - 1-08-13)</b>

Lori Anne Yattoni-Prestwood v. John Stewart Prestwood E2011-01967-SC-R11-CV	Hamilton County Circuit Court Judge Jacqueline Schulten Bolton No. 09D1303	Susano, J. Affirmed	Rule 11	<b>Denied</b> - Application of John Stewart Prestwood  (Order filed - 1-09-13)
Rocky Top Realty, Inc. V. Debra Young E2011-01966-SC-R11-CV	Knox County Chancery Court Chancellor Michael W. Moyers No. 1692643	Franks, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Debra Young  (Order filed - 1-09-13)
State of Tennessee v. Benjamin E. Barlow E2011-01573-SC-R11-CD	Hamblen County Circuit Court Judge John F. Dugger, Jr. No. 11CR012	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Benjamin E. Barlow  (Order filed - 1-09-13)
State of Tennessee v. Traci Carpenter E2012-01821-SC-S09-CD	Hamilton County Criminal Court Judge Don W. Poole No. 262492	Tipton, P.J. Witt, Jr., J. Thomas, Jr., J. Rule 9 Denied	Rule 9	<b>Denied</b> - Application of Traci Carpenter  (Order filed - 1-09-13)
State of Tennessee v. James Michael Flinn E2009-00849-SC-R10-CD	Anderson County Circuit Court Sr. Judge David G. Hayes No.A6CR0027	Hayes, J.	Rule 10	<b>Denied</b> - Application of James Michael Flinn (Motion for Accelerated Hearing is denied as moot)  (Order filed - 1-08-13)
State of Tennessee v. Wendi Nicole Garrison E2011-00496-SC-R11-CD	Carter County Criminal Court Judge Lynn W. Brown No. S17724	Ogle, J. Affirmed	Rule 11	<b>Denied</b> - Application of Wendi Nicole Garrison  (Order filed - 1-09-13)
State of Tennessee v. Bert Durand Hatmaker E2011-01553-SC-R11-CD	Campbell County Criminal Court Judge E. Shayne Sexton No. CR13907	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Bert Durand Hatmaker  (Order filed - 1-08-13)

Jason R. Williams v. David Sexton E2011-02557-SC-R11-HC	Johnson County Criminal Court Judge Lynn W. Brown No. 5951	Smith, J. Affirmed	Rule 11	<b>Denied</b> - Application of Jason R. Williams  <b>(Order filed - 1-08-13)</b>
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**Jackson**

Larry Boyd v. State of Tennessee W2011-02035-SC-R11-PC	Shelby County Criminal Court Judge W. Mark Ward No. 08-06088	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Larry Boyd  <b>(Order filed - 1-09-13)</b>
Chris Brown v. State of Tennessee W2011-01084-SC-R11-PC	Shelby County Criminal Court Judge W. Otis Higgs, Jr. No. 05-05633	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Chris Brown  <b>(Order filed - 1-08-13)</b>
Kim Brown v. Mapco Express, Inc. W2011-01751-SC-R110CV	Shelby County Circuit Court Judge Karen Williams No. CT-005663-09	Kirby, J. Affirmed	Rule 11	<b>Denied</b> - Application of Kim Brown  <b>(Order filed - 1-08-13)</b>
City of Memphis, A Municipal Corporation for the Use and Benefit of Memphis Light Gas and Water v. Tandy J.Gilliland Family, LLC, <u>et al.</u> W2011-01611-SC-R11-CV	Shelby County Circuit Court Judge James F. Russell No. CT-000435-10	Stafford, J. Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Tandy J. Gilliland Family, LLC, Tandy J. Gilliland and Rudolph Jones, Jr., LLC, and Tandy Jones Gilliland, Trustee of Callis Brunswick Trust  <b>(Order filed - 1-09-13)</b>



Charles Hall v. State of Tennessee W2011-02683-SC-R11-PC	Shelby County Criminal Court Judge John T. Fowlkes, Jr. No. 04-00119	Witt, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Charles Hall  <b>(Order filed - 1-09-13)</b>
Michael Wayne Howell v. State of Tennessee W2009-02426-SC-R11-PC	Shelby County Criminal Court Judge W. Otis Higgs, Jr. No. P-14334	Woodall, J. Affirmed	Rule 11	<b>Denied</b> - Application of Michael Wayne Howell (Based upon the record and the Court's decision in David Keen v. State, No. W2011-00789-SC-R11-PD, 2012 WL 6631245 (Tenn. Dec. 20, 2012 - application denied)  <b>(Order filed - 1-09-13)</b>
Danny E. Iloube, Sr. V. Don M. Cain W2011-02460-SC-R11-CV	Shelby County Circuit Court Judge Roy Robert Samuel Weiss No. CT-000349-08	Farmer, J. Reversed and Remanded	Rule 11	<b>Denied</b> - Application of Don M. Cain  <b>(Order filed - 1-09-13)</b>
Jamie Paul Ledbetter, <u>et al.</u> v. Donald L. Schacht, <u>et al.</u> W2011-01857-SC-R11-CV	Henderson County Circuit Court Judge Roy B. Morgan, Jr. No. 09175	Highers, P.J., W.S. Affirmed	Rule 11	<b>Denied</b> - Application of Jamie Paul Ledbetter and Charlene Ledbetter  <b>(Order filed - 1-09-13)</b>
Michael Lindsey v. Joe Easterling, Warden W2011-01897-SC-R11-HC	Hardeman County Circuit Court Judge Joe H. Walker III No. 11-CR-150	Bivins, J. Affirmed	Rule 11	<b>Denied</b> - Application of Michael Lindsey  <b>(Order filed - 1-08-13)</b>
Norman C. Loggins v. First Tennessee Bank, N.A. W2012-00319-SC-R11-CV	Shelby County Circuit Court Judge Jerry Stokes No. CT00211609	Farmer, J. Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Norman C. Loggins  <b>(Order filed - 1-09-13)</b>
Ophelia L. Lomax v. State of Tennessee W2011-01567-SC-R11-PC	Lauderdale County Circuit Court Judge Joe H. Walker III No. 8203	Tipton, P.J. Affirmed	Rule 11	<b>Denied</b> - Application of Ophelia L. Lomax  <b>(Order filed - 1-09-13)</b>

Delano Parker v. Shelby County Government Civil Service Merit Board and The Shelby County Sheriff's Department W2012-01298-R11-CV	Shelby County Chancery Court Chancellor Arnold B. Goldin No. CH0920302	Stafford, J. Reversed in Part; Vacated in Part; and Remanded	Rule 11	<b>Denied</b> - Application of Delano Parker (Appellant's motion to proceed <u>in forma pauperis</u> is granted)  <b>(Order filed - 1-09-13)</b>
State of Tennessee v. Rickey Benson W2011-01436-SC-R11-CD	Shelby County Criminal Court Judge Carolyn Wade Blackett No. 1101429	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Rickey Benson  <b>(Order filed - 1-09-13)</b>
State of Tennessee v. Serena Carter W2011-01275-SC-R11-CD	Shelby County Criminal Court Judge W. Otis Higgs, Jr. No. 06-09508	McMullen, J. Affirmed	Rule 11	<b>Denied</b> - Application of Serena Carter  <b>(Order filed - 1-08-13)</b>
State of Tennessee v. Demariceo Chalmers W2011-01274-SC-R11-CD	Shelby County Criminal Court Judge W. Otis Higgs, Jr. No. 10-01339	McMullen, J. Affirmed	Rule 11	<b>Denied</b> - Application of Demariceo Chalmers  <b>(Order filed - 1-09-13)</b>
State of Tennessee v. Gregory O. Cherry W2010-02577-SC-R11-CD	Hardin County Circuit Court Judge C. Creed McGinley No. 8429	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Gregory O. Cherry  <b>(Order filed - 1-08-13)</b>
State of Tennessee v. Troy Ector W2011-02039-SC-R11-CD	Shelby County Criminal Court Judge J. Robert Carter No. 0907890	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - Application of Troy Ector  <b>(Order filed - 1-08-13)</b>
State of Tennessee v. Donald Jones W2011-00973-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 09-01473	McMullen, J. Affirmed	Rule 11	<b>Denied</b> - Application of Donald Jones  <b>(Order filed - 1-09-13)</b>

State of Tennessee v. Isaac McDonald, Jr. W2011-01233-SC-R11-CD	Madison County Circuit Court Judge Roger A. Page No. 10332	Williams, J. Affirmed	Rule 11	<b>Dismissed</b> - Application of Isaac McDonald, Jr.  <b>(Order filed - 1-08-13)</b>
State of Tennessee v. Heralal Nandlal W2011-00142-SC-R11-CD	Shelby County Criminal Court Judge James M. Lammey, Jr. No. 09-01571	Bivins, J. Affirmed and Remanded	Rule 11	<b>Denied</b> - Application of Heralal Nandlal  <b>(Order filed - 1-09-13)</b>
State of Tennessee v. Travis Vaughn W2011-01707-SC-R11-CD	Dyer County Circuit Court Judge Lee Moore No. 09-CR-179	Williams, J. Affirmed	Rule 11	<b>Denied</b> - Application of Travis Vaughn  <b>(Order filed - 1-08-13)</b>
State of Tennessee v. Charles W. White, Sr. W2011-02301-SC-R11-CD	Henderson County Circuit Court Judge Roy B. Morgan, Jr. No. 11008-1	Glenn, J. Affirmed	Rule 11	<b>Denied</b> - Application of Charles W. White, Sr.  <b>(Order filed - 1-09-13)</b>
State of Tennessee v. Trutonio Yancey and Bernard McThune W2011-01543-SC-R11-CD	Shelby County Criminal Court Judge Robert Carter No. 10-02855	Page, J. Affirmed in Part; Reversed in Part; and Remanded	Rule 11	<b>Denied</b> - Application of Trutonio Yancey  <b>(Order filed - 1-08-13)</b>
James Patrick Stout v. State of Tennessee W2011-00277-SC-R11-PD	Shelby County Criminal Court Judge Walter C. Kurtz No. M26091	Wedemeyer, J. Affirmed	Rule 11	<b>Denied</b> - James Patrick Stout  <b>(Order filed - 1-08-13)</b>
Timothy Dewayne Williams v. State of Tennessee W2011-01919-SC-R11-PC	Tipton County Circuit Court Judge Joseph H. Walker No. 5815	Thomas, Jr., J. Affirmed	Rule 11	<b>Denied</b> - Application of Timothy Williams  <b>(Order filed - 1-08-13)</b>

George Woodson, <u>et al.</u> V. MEG Capital Management, Inc., <u>et al.</u> W2011-02513-SC-R11-CV	Shelby County Circuit Court Judge Jerry Stokes No. CT-004658-09	Highers, P.J., W.S. Affirmed in Part; Reversed in Part	Rule 11	<b>Denied</b> - Application of MEG Capital Management and Dale Green  <b>(Order filed - 1-08-13)</b>
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IN THE SUPREME COURT OF TENNESSEE  
AT JACKSON

**STATE OF TENNESSEE v. DEWAYNE COLLIER**

**Criminal Court for Shelby County  
No. 0904165**

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**No. W2010-01606-SC-R11-CD - Filed January 8, 2013**

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**ORDER**

Upon consideration of the application for permission to appeal of Dewayne Collier and the record before us, the application is granted. The Court is particularly interested in the following issue:

Whether the Court should modify the rule classifying the victim of statutory rape as an accomplice and requiring corroboration of the victim's testimony.

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

PER CURIAM