

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

Monday, December 16, 2013

GRANTS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
Brenda Benz-Elliott v. Barrett Enterprises, LP Et Al. M2013-00270-SC-R11-CV	Rutherford County Chancery Court Judge John D. Wootten, Jr. No. 081355CV	Bennett, J., Reversed	Rule 11	Granted: Application of Brenda Benz-Elliott (Order filed 12-11-13)
Calvin Eugene Bryant v. State of Tennessee M2012-01560-SC-R11-PC	Davidson County Criminal Court Judge Steve R. Dozier No. 2008B1478	McMullen, J., Affirmed	Rule 11	Granted: Application of Calvin Eugene Bryant (Order filed 12-12-13)
<u>Knoxville</u>				

Terri Ann Kelly v. Willard Reed Kelly E2012-02219-SC-R11-CV	Hamilton County Circuit Court Judge Jackie S. Bolton No. 11-D-2052	Swiney, McClarty, JJ.; Susano, P.J., dissenting, Affirmed in Part, Modified, Reversed in Part	Rule 11	Granted: Application of Terri Ann Kelly (Order filed 12-10-13)
Greg Parker, Et Al v. Holiday Hospitality Franchising, Inc. Et Al E2013-00727-SC-R11-CV	Roane County Circuit Court Judge Russell E. Simmons, Jr. No. 11CV5	McClarty, J., Reversed	Rule 11	Granted: Application of Greg Parker and Diane Parker (Order filed 12-10-13)
State of Tennessee v. Charles D. Sprunger E2011-02573-SC-R11-CV	Cumberland County Chancery Court Chancellor Ron Thurman No. 2010CH389	Stafford, J., Affirmed	Rule 11	Granted: Application of Charles D. Sprunger (Order filed 12-12-13)
<u>Jackson</u>				
NONE				

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

Monday, December 16, 2013

DENIALS

STYLE/APPEAL NUMBER	COUNTY TRIAL JUDGE TRIAL COURT NO.	APPELLATE JUDGE JUDGMENT	NATURE OF APPEAL	ACTION
<u>Nashville</u>				
State of Tennessee v. Stephen Baker M2012-00155-SC-R11-CD	Putnam County Circuit Court Judge Leon C. Burns, Jr. No. 100017	Smith, J, Affirmed	Rule 11	Denied: Application of Stephen Baker <i>The opinion in the Court of Criminal Appeals is designated "Not For Citation" in accordance with Tennessee Supreme Court Rule 4(E)</i> (Order filed 12-11-13)
Albert Bender Et Al. v. Carmike Cinemas, Inc M2012-02506-SC-R11-CV	Davidson County Circuit Court Judge Joseph P. Binkley, Jr. No. 12C12	Per Curiam, Dismissed	Rule 11	Denied: Application of Albert Bender <i>Motion for Leave to Proceed as Indigent Person filed by Albert Bender is denied</i> (Order filed 12-10-13)
Albert Bender v. Lawson Stowe Warren Et Al. M2013-00305-SC-R11-CV	Davidson County Circuit Court Judge Hamilton Gayden No. 12C2392	Per Curiam, Dismissed	Rule 11	Denied: Application of Albert Bender (Order filed 12-10-13)
Cortez Bennett v. State of Tennessee M2013-01269-SC-R11-PC	Davidson County Criminal Court Judge Steve Dozier No. 99-D-2341	Bivins, J., Dismissed	Rule 11	Denied: Application of Cortez Bennett (Order filed 12-11-13)

Ernest Nathaniel Bowen v. State of Tennessee M2012-02305-SC-R11-PC	Bedford County Circuit Court Judge Franklin L. Russell No. 17488	Ogle, J., Affirmed	Rule 11	Denied: Application of Ernest Nathaniel Bowen (Order filed 12-11-13)
State of Tennessee v. Keith C. Buckalew M2012-02356-SC-R11-CD	Sumner County Criminal Court Judge Dee David Gay No. 2010CR391	Glenn, J., Affirmed	Rule 11	Denied: Application of Keith C. Buckalew (Order filed 12-11-13)
State of Tennessee v. Maurice O. Byrd M2010-02405-SC-R11-CD	Montgomery County Circuit Court Judge Michael R. Jones No. 40600534	Thomas, Jr., Affirmed	Rule 11	Denied: Application of Maurice O. Byrd (Order filed 12-11-13)
State of Tennessee v. Randall Coleman M2012-01285-SC-R11-CD	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2011B1027	Wedemeyer, J., Affirmed	Rule 11	Denied: Application of Randall Coleman (Order filed 12-11-13)
State of Tennessee v. Christopher Lee Davis M2012-01546-SC-R11-CD	Trousdale County Criminal Court Judge John Wooten, Jr. No. 07-55	Ogle, J., Affirmed	Rule 11	Denied: Application of Christopher Lee Davis (Order filed 12-12-13)
Dorothy J. Ethridge v. Anthony Ray Ethridge Ex Rel. Estate of Bobby Ray Ethridge M2012-01449-SC-R11-CV	Dickson County Probate Court Judge A Andrew Jackson No. 0208021P	Farmer, J., Reversed	Rule 11	Denied: Application of Anthony Ray Ethridge (Order filed 12-10-13)
State of Tennessee v. Kurt Gadke M2012-01519-SC-R11-CD	Williamson County Circuit Court Judge James G. Martin, III No. IICR126080	McMullen, J., Affirmed	Rule 11	Denied: Application of Kurt Gadke (Order filed 12-11-13)

State of Tennessee v. Amber R. Galemore M2012-01783-SC-R11-CD	Montgomery County Circuit Court Judge John H. Gasaway, III No. 41101226, 41200139	Wedemeyer, J., Affirmed	Rule 11	Denied: Application of Amber R. Galemore (Order filed 12-11-13)
State of Tennessee v. Myron Tyrone Harrison M2012-01155-SC-R11-CD	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2004-D-2851	Page, J., Affirmed	Rule 11	Denied: Application of Myron Tyrone Harrison (Order filed 12-12-13)
State of Tennessee v. Tiwon Antwan Harvell M2012-01953-SC-R11-CD	Davidson County Criminal Court Judge Cheryl A. Blackburn No. 2011AB1104	Tipton, J., Affirmed	Rule 11	Denied: Application of Tiwon Antwan Harvell (Order filed 12-11-13)
Doris Hinkle, Executrix of the Estate of Muriel Hinkle, Deceased Et Al. v. Kindred Hospital Et Al. M2010-02499-SC-R11-CV	Davidson County Circuit Court Judge Thomas W. Brothers No. 10C2397	Cottrell, J., Affirmed in Part; & Remanded (Dinkins Sep. Opinion concurring in part and dissenting in part)	Rule 11	Denied: Application of Kindred Hospital and Tuan Q. Nguyen (Order filed 12-10-13)
H. Preston Ingram Et Al. v. Scott T. Sohr, Et Al M2012-00782-SC-R11-CV	Davidson County Chancery Court Chancellor Carol L. McCoy No. 10725II	Clement, J., Affirmed	Rule 11	Denied: Application of H. Preston Ingram and IS Investment, Inc. (Order filed 12-10-13)
Timothy William Jelks v. State of Tennessee M2012-00984-SC-R11-PC	Sumner County Circuit Court Judge Dee David Gay No. 239-2012	Summers, Sr.J., Affirmed	Rule 11	Denied: Application of Timothy Jelks <i>Motion to supplement the record is denied</i> (Order filed 12-12-13)

State of Tennessee v. Gai D. Kuot M2012-01884-SC-R11-CD	Davidson County Criminal Court Judge Monte Watkins No. 2010-B-1529	Glenn, J., Affirmed	Rule 11	Denied: Application of Gai D. Kuot (Order filed 12-11-13)
Brian W. Lacey v. State of Tennessee M2012-00849-SC-R11-PC	Davidson County Criminal Court Judge Seth Norman No. 2007-D-3216	Woodall, J., Affirmed	Rule 11	Denied: Application of Brian W. Lacey (Order filed 12-11-13)
State of Tennessee v. Patrick L. Maliani M2012-01927-SC-R11-CD	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2011B1084	Wedemeyer, J., Affirmed	Rule 11	Denied: Application of Patrick L. Maliani (Order filed 12-11-13)
State of Tennessee v. Gregory Mathis and Elza Evans M2011-01096-SC-R11-CD	Davidson County Criminal Court Judge Steve R. Dozier No. 2009-B-1806	Thomas, Jr., J., Affirmed	Rule 11	Denied: Application of Gregory Mathis and Elza Evans (Order filed 12-12-13)
The Metropolitan Government of Nashville & Davidson County, Tennessee v. Metropolitan Nashville Education Association M2012-02006-SC-R11-CV	Davidson County Chancery Court Chancellor Claudia Bonnyman No. 101538I	Bennett, J., Affirmed	Rule 11	Denied: Application of Metropolitan Nashville Education association (Order filed 12-10-13)
State of Tennessee v. James Michael Naive M2012-00893-SC-R11-CD	Williamson County Circuit Court Judge Timothy L. Easter No. IICR105236	Witt, Jr. J., Affirmed	Rule 11	Denied: Application of James Michael Naive (Order filed 12-11-13)
Broderick Smith v. State of Tennessee M2012-02705-SC-R11-PC	Davidson County Criminal Court Judge J. Randall Wyatt, Jr. No. 2009A501	Glenn, J., Affirmed	Rule 11	Denied: Application of Broderick Smith (Order filed 12-11-13)

Glenard Thorne v. State of Tennessee M2012-02518-SC-R11-PC	Davidson County Criminal Court Judge Steve R. Dozier No. 2007A591	Wedemeyer, J., Affirmed	Rule 11	Denied: Application of Glenard Thorne (Order filed 12-11-13)
State of Tennessee v. Gregory D. Valentine M2012-02487-SC-R11-CD	Sumner County Criminal Court Judge Dee David Gay No. 1212-2009	McMullen, J., Affirmed	Rule 11	Denied: Application of Gregory D. Valentine (Order filed 12-12-13)
Rhonda Sue Watkins v. Kenneth Danny Watkins M2012-02378-SC-R11-CV	Williamson County Circuit Court Judge Timothy L. Easter No. 09101	Farmer, J., Affirmed in Part, Vacated in Part	Rule 11	Denied: Application of Rhonda Sue Watkins (Order filed 12-10-13)
Archie T. Wilson v. State of Tennessee M2012-02024-SC-R11-PC	Davidson County Criminal Court Judge Monte Watkins No. 2010-C-2491	Wedemeyer, J., Affirmed	Rule 11	Denied: Application of Archie Wilson (Order filed 12-12-13)
State of Tennessee v. David Chardwick Wooten M2012-00366-SC-R11-CD	Davidson County Criminal Court Judge Cheryl Blackburn No. 2010-D-3322	Ogle, J., Affirmed	Rule 11	Denied: Application of David Chardwick Wooten (Order filed 12-11-13)
William H. Worley, Et Al. v. Rarity Communities, Inc., Et Al. M2012-01373-SC-R11-CV	Marion County Circuit Court Judge Buddy D. Perry No. 18299	Cottrell, P.J., M.S., Affirmed	Rule 11	Denied: Application of Rarity Communities, Inc.; Nickajack Shores Holdings, LLC; and Michael L. Ross (Order filed 12-11-13)

Knoxville

State of Tennessee v. William E. Blake, Jr. E2012-02268-SC-R11-CD	Knox County Criminal Court Judge Bob McGee No. 86246	Williams, J., Affirmed	Rule 11	Denied: Application of William E. Blake, Jr. (Order filed 12-10-13)
George Wayne Edwards v. Velma Childs, Et Al. E2012-02592-SC-WCM-WC	Bradley County Chancery Court Chancellor Jerri S. Bryant No. 2011CV149	Panel Judgment of the Chancery Court Affirmed	Rule 11	Denied- SC Motion for Full Court Review (Holder., Not Participating) (Order filed 12-10-13)
State of Tennessee v. Michael David Fields E2011-02485-SC-R11-CD	Sullivan County Circuit Court Judge Jon Kerry Blackwood No. S52741	Woodall, J., Affirmed	Rule 11	Denied: Application of Michael David Fields (Order filed 12-11-13)
State of Tennessee v. Jerome R. Flanigan E2012-01852-SC-R11-CD	Hawkins County Criminal Court Judge John F. Dugger, Jr. No. 10-CR-478	Wedemeyer, J., Affirmed	Rule 11	Denied: Application of Jerome Flanigan (Order filed 12-10-13)
Ronald D. Graham, Et Al. v. Bradley County, Tennessee E2012-02369-SC-R11-CV	Bradley County Circuit Court Judge Michael Sharp No. V09491	McClarty, J., Affirmed	Rule 11	Denied: Application of Ronald D. Graham (Order filed 12-10-13)
Michael Jermaine Harris v. State of Tennessee E2012-02226-SC-R11-PC	Hamilton County Criminal Court Judge Don Poole No. 281168	Page, J., Affirmed	Rule 11	Denied: Application of Michael Jermaine Harris (Order filed 12-10-13)
State of Tennessee v. Stanley Abernathy James E2012-01912-SC-R11-CD	Knox County Criminal Court Judge Mary B. Leibowitz No. 93222	Tipton, J., Affirmed	Rule 11	Denied: Application of Stanley Abernathy James (Order filed 12-11-13)

State of Tennessee v. James Anthony Johnson E2012-01212-SC-R11-CD	Knox County Criminal Court Judge Bobby R. McGee No. 96373	Tipton, J., Dismissed	Rule 11	Denied: Application of James Anthony Johnson (Order filed 12-10-13)
State of Tennessee v. Charles King Morris a/k/a Carl Adam Jackson E2013-00230-SC-R11-CD	Hamilton County Criminal Court Judge Rebecca J. Stern No. 282591	Bivins, J., Affirmed	Rule 11	Denied: Application of Charles King Morris (Order filed 12-10-13)
Raleigh Court Condominiums Homeowners' Association, Inc. v. E. Doyle Johnson Construction Co. Et Al. E2012-02474-SC-R11-CV	Knox County Circuit Court Judge Harold Wimberly No. 2-4-40408	McClarty, J., Affirmed	Rule 11	Denied: Application of E. Doyle Johnson Construction Company (Order filed 12-10-13)
Sherry Sulfridge v. State of Tennessee E2012-01908-SC-R11-PC	Claiborne County Criminal Court Judge Shayne Sexton No. 12CR1364	Williams, J., Affirmed	Rule 11	Denied: Application of Sherry Sulfridge <i>Motion for Extension of Time to file reply to state's answer is denied as moot.</i> (Order filed 12-10-13)
David Andrew Thorneloe v. Cheree Anne Osborne E2012-02004-SC-R11-CV	Sullivan County Circuit Court Judge E. G. Moody No. C3925(C)	Frierson, II, J., Affirmed	Rule 11	Denied: Application of Cheree Anne Osborne (Order filed 12-11-13)
<u>Jackson</u>				
State of Tennessee v. Andre Benson W2011-02566-SC-R11-CD	Shelby County Criminal Court Judge James Beasley No. 09-05910	Smith, J., Affirmed in Part; Reversed in Part; Remanded	Rule 11	Denied: Application of Andre Benson (Order filed 12-11-13)

State of Tennessee v. Jacob Andrew Brown W2012-01297-SC-R11-CD	Tipton County Circuit Court Judge Joseph H. Walker No. 6861	Smith, J., Affirmed in Part; Modified in Part	Rule 11	Denied: Application of Jacob Andrew Brown (Order filed 12-10-13)
Tony Von Carruthers v. State of Tennessee W2012-01473-SC-R11-PD	Shelby County Criminal Court Judge John Fowlkes, Jr. No. P-25948	Smith, J., Affirmed	Rule 11	Denied: Application of Tony Von Carruthers (Order filed 12-10-13)
Eric Chamber v. State of Tennessee W2012-02726-SC-R11-PC	Shelby County Criminal Court Judge James Lammey, Jr. No. 97-03035-38	Woodall, J., Affirmed	Rule 11	Denied: Application of Eric Chamber Motion for appointment of counsel filed by Mr. Chamber is also denied (Order filed 12-10-13)
Kenneth E. Diggs v. Lasalle National Bank Association Et Al. W2013-01121-SC-R11-CV	Shelby County Chancery Court Judge Arnold B. Goldin No. CH1217932	Stafford, J., Appeal Dismissed	Rule 11	Denied: Application of Kenneth Diggs <i>Motion for default judgment of Kenneth Diggs denied</i> (Order filed 12-10-13)
State of Tennessee v. Luis Guillen W2012-00826-SC-R11-CD	Shelby County Criminal Court Judge Lee V. Coffee No. 10-04491	Williams, J., Affirmed	Rule 11	Denied: Application of Luis Guillen <i>Motion to late-file Rule 11 Application Granted</i> (Order filed 12-10-13)
Damon Houston v. State of Tennessee W2012-01645-SC-R11-PC	Shelby County Criminal Court Judge James C. Beasley No. 08-01235	Smith, J., Affirmed	Rule 11	Denied: Application of Damon Houston (Order filed 12-10-13)
State of Tennessee v. Curtis Keller W2012-00825-SC-R11-CD	Shelby County Criminal Court Judge James M. Lammey No. 10-07532	Williams, J., Affirmed in Part; Reversed in Part	Rule 11	Denied: Application of Curtis Keller (Order filed 12-10-13)

Lafayette Insurance Company v. Jerry S. Roberts, Et Al. W2012-02038-SC-R11-CV	Dyer County Circuit Court Judge William B. Acree No. 2010CV69	Highers, P.J., W.S., Reversed and Remanded	Rule 11	Denied: Application of Jerry Roberts, et al. (Order filed 12-10-13)
State of Tennessee v. Terrance Lewis W2012-00723-SC-R11-CD	Shelby County Criminal Court Judge Chris Craft No. 0806536	Bivins, Williams, JJ;Thomas, Jr., J., Concurring Affirmed	Rule 11	Denied: Application of Terrance Lewis (Order filed 12-10-13)
Richard Madkins v. State of Tennessee W2012-02450-SC-R11-HC	Lauderdale County Circuit Court Chancellor Walter Evans No. CH-11-1755	Farmer, J., Reversed and Remanded	Rule 11	Denied: Application of Richard Madkins <i>Mr. Madkins' motion to supplement the record with the transcript from the 2003 resentencing hearing is denied as moot.</i> (Order filed 12-10-13)
Main Street Market, LLC, Et Al. v. Emily V. Weinberg W2012-01774-SC-R11-CV	Shelby County Chancery Court Chancellor Walter Evans No.Ch-00-0844-1/98-0918-1	Farmer, J., Affirmed and Remanded	Rule 11	Denied: Application of Main Street Market, LLC Et Al (Order filed 12-10-13)
Delavunte' Moody v. State of Tennessee W2013-02097-SC-WRL-CO	Shelby County Criminal Court Judge Chris Craft No. P38947	Williams, J. Glenn, J. McMullen, J., Denied	Rule 11	Denied: Application of Delavunte' Moody (Order filed 12-10-13)
Jack North, Jr. v. State of Tennessee W2013-01374-SC-R11-PC	Hardin County Circuit Court Judge Charles C. McGinley No. PC7267	Glenn, J. McMullen, J. Page, J., Denied	Rule 11	Denied: Application of Jack North, Jr. (Order filed 12-10-13)

Richard Randall v Shelby County Unified School Board(Inclusive of the Former Memphis City Schools Board of Education), Et Al. W2012-02124-SC-R11-CV	Shelby County Chancery Court Chancellor Walter Evans No. Ch-11-1755	Farmer, J., Reversed and Remanded	Rule 11	Denied: Application of Richard Randall (Order filed 12-10-13)
Vario Talley v. State of Tennessee W2012-01478-SC-R11-PC	Shelby County Criminal Court Judge Mark Ward No. 0408519	Bivins, J., Affirmed	Rule 11	Denied: Application of Vario Talley (Order filed 12-10-13)
Christopher A. Williams v. State of Tennessee, Cherry Lindamood, Warden W2013-00555-SC-R11-HC	Hardeman County Circuit Court Judge Joseph H. Walker, III No. CC13CR30	Witt, Jr.,J, Affirmed	Rule 11	Denied: Application of Christopher A. Williams (Order filed 12-10-13)
James C. Williams, Et Al. v. SMZ Specialists, P.C. Et Al v. State of Tennessee W2012-00740-SC-R11-CV	Shelby County Circuit Court Judge Donna M. Fields No. CT-005482-10	Kirby, J., Reversed	Rule 11	Denied: Application of James C. Williams (Order filed 12-10-13)

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

BRENDA BENZ-ELLIOTT v. BARRETT ENTERPRISES, LP ET AL.

**Chancery Court for Rutherford County
No. 081355CV**

No. M2013-00270-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Brenda Benz-Elliott 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

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

CALVIN EUGENE BRYANT v. STATE OF TENNESSEE

**Criminal Court for Davidson County
No. 2008B1478**

No. M2012-01560-SC-R11-PC

ORDER

Upon consideration of the application for permission to appeal of Calvin Eugene Bryant 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

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

TERRI ANN KELLY v. WILLARD REED KELLY

Circuit Court for Hamilton County
No. 11D2052

No. E2012-02219-SC-R11-CV

ORDER

Upon consideration of the Tenn. R. App. P. 11 application for permission to appeal filed on behalf of Terri Ann Kelly, 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

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

GREG PARKER ET AL v. HOLIDAY HOSPITALITY FRANCHISING INC. ET AL

**Circuit Court for Roane County
No. 11CV5**

No. E2013-00727-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Greg Parker and Diane Parker and the application for permission to appeal of Shashi Patel and S.P. Partnership and the record before us, the applications are granted.

Since both parties' applications for permission to appeal are granted, for the purpose of the filing of briefs, see Tenn. R. App. P. 29, and for the order of oral argument, see Tenn. R. App. P. 35(e), Greg Parker and Diane Parker are deemed to be the appellants and Shashi Patel and S.P. Partnership are deemed to be the appellees. Greg Parker and Diane Parker shall file the appellants' brief addressing the issues presented in their application for permission to appeal. The brief of Shashi Patel and S.P. Partnership shall respond to the issues raised in Greg Parker and Diane Parker's brief and shall also present arguments regarding the issues raised in the application for permission to appeal filed by Shashi Patel and S.P. Partnership.

Thereafter, Greg Parker and Diane Parker may file a brief in reply to the brief of Shashi Patel and S.P. Partnership; and Shashi Patel and S.P. Partnership then may file a brief in reply to Greg Parker and Diane Parker's reply brief, pursuant to Tenn. R. App. P. 27(c).

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

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

STATE OF TENNESSEE V. CHARLES D. SPRUNGER

**Chancery Court for Cumberland County
No. 2010-CH-389**

No. E2011-02573-SC-R11-CV

ORDER

Upon consideration of the pro se application for permission to appeal of Charles D. Sprunger, and the entire record in this cause, the application is GRANTED.

This appeal is hereby transferred to Nashville for briefing and oral argument. Additionally, the Court hereby appoints Benjamin K. Raybin, Esq., Hollins, Raybin & Weissman, P.C., Fifth Third Center, 424 Church Street, Suite 2200, Nashville, Tennessee 37219 to represent Mr. Sprunger in the appeal before this Court. The Court appreciates Mr. Raybin's willingness to accept this pro bono appointment.

Mr. Sprunger's supplemental brief shall be filed no later than February 10, 2014. Unless otherwise ordered by this Court upon motion of either party, the appeal shall thereafter proceed in accordance with the time prescribed in Tennessee Rule of Appellate Procedure 11(f).

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

It is so ORDERED.

PER CURIAM