

SUPREME COURT OF TENNESSEE  
 SUPREME COURT DISCRETIONARY APPEALS  
 November 13, 2000

| STYLE/APPEAL NUMBER   | COUNTY          | TRIAL JUDGE          | TRIAL COURT NO.                         | APPELLATE JUDGE/JUDGMENT                                       | NATURE OF APPEAL   | ACTION   |
|---|-----------------|----------------------|---|--|--------------------|--|
| <b>Johnie N. Gibson</b><br>vs.<br><b>Douglas Trant, et al</b><br><b>M1999-00390-SC-R11-CV</b>                     | Knox Circuit    | Wheeler A. Rosenbalm | 3-399-93                                | Inman, Sr. J.<br>Affirmed                                      | Rule 11            | <b>Granted</b> - Application of Johnie N. Gibson <sup>1</sup>  |
|   |                 |                      |   |  |                    |  |
| <b>Stuart Bowden</b><br>vs.<br><b>Memphis Board of Education</b><br><b>W1998-00646-SC-R11-CV</b>                  | Shelby Chancery |                      | 100712-1                                |  | Petition to rehear | <b>Denied</b> - Application of Stuart Bowden (released 11/9/00)  |
|   |                 |                      |   |  |                    |  |
| <b>State of Tennessee</b><br>vs.<br><b>Michael A. Peek</b><br><b>E1998-00038-SC-R11-CD</b>                        | Hamilton        | Douglas A. Meyer     | 213107-<br>213118,<br>213449-<br>213450 | Glenn, J.<br>Affirmed  | Rule 11            | <b>Denied</b> - Application of Michael A. Peek   |
| <b>Fred Edmond Dean a/k/a Omawali Shabazz</b><br>vs.<br><b>State of Tennessee</b><br><b>E1998-00135-SC-R11-PC</b> | Sullivan        | R. Jerry Beck        | C40,348                                 | Welles, J.<br>Reversed in part; P.C.<br>relief granted in part | Rule 11            | <b>Denied</b> - Application of Fred Edmond Dean, a/k/a Omawali Shabazz; <b>Granted</b> - Application of the State of Tennessee |

---

<sup>1</sup>For oral argument, the Court is particularly interested in the following issue: Whether an inmate-plaintiff in a legal malpractice action arising from his or her criminal conviction must prevail in a post-conviction proceeding as a prerequisite to establishing causation in the legal malpractice action. This statement of the issue for oral argument does not prevent the parties from raising additional issues pursuant to Rule 13(a), T.R.A.P.

|   |               |             |       |                          |         |  |
|---|---------------|-------------|-------|--------------------------|---------|--|
| <b>David Earl Miller<br/>vs.<br/>State of Tennessee<br/>E1998-00247-SC-R11-PD</b> | Knox Criminal | Ray Jenkins | 47700 | Williams, J.<br>Affirmed | Rule 11 | <b>Granted</b> - Application of David Earl Miller <sup>2</sup> |
|   |               |             |       |                          |         |  |

The following Rule 11 Dismissals were filed the week of November 6<sup>th</sup> - November 10<sup>th</sup>, 2000

| STYLE/APPEAL NUMBER | COUNTY | TRIAL JUDGE | TRIAL COURT NO. | APPELLATE JUDGE/JUDGMENT | NATURE OF APPEAL | ACTION |
|---------------------|--------|-------------|-----------------|--------------------------|------------------|--------|
|                     |        |             |                 |                          |                  |        |

---

<sup>2</sup>For oral argument, the Court is particularly interested in the following issue: Whether the jury instruction on premeditation and deliberation at the guilt phase relieved the State of its burden to prove deliberation beyond a reasonable doubt. This statement of the issue for oral argument does not prevent the parties from raising additional issues pursuant to Rule 13(a), T.R.A.P.