



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
February 15, 2016 - February 19, 2016

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Appellate Judge/Judgment	Nature Of Appeal	Action
<u>Nashville</u>				
STATE OF TENNESSEE v. JERRY LEWIS TUTTLE M2014-00566-SC-R11-CD	Maury County Circuit Court Stella L. Hargrove 21695, 22091	McMullen, Camille R.: Affirmed in Part, Reversed in Part Page, Roger A.: Concur in Part/Dissent in Part	TRAP 11	Granted: Application of the State of Tennessee Order filed 2-18-16
JOSEPH BRENNAN, ET AL. v. BOARD OF PAROLE FOR THE STATE OF TENNESSEE M2014-01591-SC-R11-CV	Davidson County Chancery Court Carol L. McCoy 131171II	Goldin, Arnold B.: Vacated	TRAP 11	Granted: Application of Tennessee Board of Parole Order filed 2-18-16

STATE OF TENNESSEE v. NICOLE FLOWERS M2014-01744-SC-R11-CD	Maury County Circuit Court Robert Lee Holloway, Jr. 22821	McMullen, Camille R.: Affirmed	TRAP 11	Granted: Application of Nicole Flowers Order filed 2-19-16
---	---	--------------------------------	---------	---

CHARLES GROGAN v. DANIEL UGGLA, ET AL. M2014-01961-SC-R11-CV	Williamson County Circuit Court James G. Martin, III 2011443	McBrayer, W. Neal: Affirmed	TRAP 11	Granted: Application of Charles Grogan Order filed 2-18-16
---	--	-----------------------------	---------	---

Knoxville

SANDRA L. WALLIS v. BRAINERD BAPTIST CHURCH, ET AL. E2015-01827-SC-R11-CV	Hamilton County Circuit Court L. Marie Williams 12C765	Frierson II, Thomas R., McClarty, John W., Swiney, D. Michael: Case Dispositional Decision	TRAP 11	Granted: Application of ExtendedLife, Inc. Order filed 2-19-16
---	--	--	---------	---

DENIALS

Style/Appeal Number

**County/Trial Judge/
Trial Court No.**

Appellate Judge/Judgment

Nature Of Appeal

Action

Nashville

STATE OF TENNESSEE v. DENNIS ALLEN RAYFIELD M2013-02167-SC-R11-CD	Wayne County Circuit Court Jim T. Hamilton 15198	Montgomery Jr., Robert H.: Affirmed	TRAP 11	Denied: Application of Dennis Allen Rayfield
				Order filed 2-18-16
ANGELI CHAN SELITSCH v. MICHAEL JOHN SELITSCH M2014-00905-SC-R11-CV	Rutherford County Chancery Court Robert E. Corlew, III 12CV1621	Clement Jr., Frank G.: Affirmed	TRAP 11	Denied: Application of Michael John Selitsch Order filed 2-17-16
STATE OF TENNESSEE v. JEFFERY D. AARON M2014-01483-SC-R11-CD	Williamson County Circuit Court Michael Binkley ICR017709	Woodall, Thomas T.: Reversed	TRAP 11	Denied: Application of Jeffery D. Aaron
				Order filed 2-19-16
TIMOTHY GUILFOY v. STATE OF TENNESSEE M2014-01619-SC-R11-PC	Davidson County Criminal Court Monte Watkins 2011A779	Holloway Jr., Robert L.: Affirmed	TRAP 11	Denied: Application of Timothy Patrick Guilfoy
				Order filed 2-18-16

TIMOTHY EUGENE KELLY v. STATE OF TENNESSEE M2014-01666-SC-R11-PC	Davidson County Criminal Court Steve R. Dozier 2010B1511	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Timothy Eugene Kelly, Jr. Order filed 2-18-16
STATE OF TENNESSEE v. LUIS JORGE DIAZ M2014-01685-SC-R11-CD	Davidson County Criminal Court J. Randall Wyatt, Jr. 2012B1673	Page, Roger A.: Affirmed	TRAP 11	Denied: Application of Luis Jorge Diaz Order filed 2-18-16
STATE OF TENNESSEE v. CORTNEY LOGAN M2014-01687-SC-R11-CD	Davidson County Criminal Court Seth W. Norman 2009C2822	McMullen, Camille R.: Affirmed	TRAP 11	Denied: Application of Courtney Logan Order filed 2-18-16
CODY WADE BY HIS CO-CONSERVATORS, ET AL. v. TENNESSEE DEPARTMENT OF FINANCE AND ADMINISTRATION, ET AL. M2014-01736-SC-R11-CV	Davidson County Chancery Court Russell T. Perkins 14463IV	Bennett, Andy D.: Reversed	TRAP 11	Denied: Application of Ronnie Wade and Reba Wade

GREGORY GENE SPICELAND v. STATE OF
TENNESSEE
M2014-01833-SC-R11-PC

Stewart County Circuit Court
Robert E. Burch
42011CR09

Witt Jr., James Curwood: Affirmed

TRAP 11

Denied:
Application of
Gregory Gene
Spiceland; the
opinion is
designated "Not For
Citation" in
accordance with
Supreme Court
Rule 4(e)
Order filed 2-18-16

MICHAEL WATSON v. KARLA MYERS
M2014-01862-SC-R11-CV

Williamson County Chancery
Court
Robbie T. Beal
42155

Bennett, Andy D.: Affirmed

TRAP 11

Denied:
Application of
Michael Watson

Order filed 2-18-16

RAY NEIL THOMPSON v. STATE OF TENNESSEE
M2014-01935-SC-R11-PC

Davidson County Criminal Court
Steve R. Dozier
2008D3845

McMullen, Camille R.: Affirmed

TRAP 11

Denied: Application
of Ray Neil
Thompson

Order filed 2-18-16

CYRUS WHITSON v. STATE OF TENNESSEE
M2014-01941-SC-R11-PC

Davidson County Criminal Court
Mark J. Fishburn
2005D3215

Wedemeyer, Robert W.: Affirmed

TRAP 11

Denied: Application
of Cyrus Randy
Whitson

Order filed 2-18-16

STATE OF TENNESSEE v. CHRISTOPHER EPPS
M2014-01955-SC-R11-CD

Davidson County Criminal Court
Mark J. Fishburn
2012B1179

Holloway Jr., Robert L.: Affirmed

TRAP 11

Denied:
Application of
Christopher M.
Epps

Order filed 2-18-16

ESTATE OF PHYLLIS THIBODEAU, ET AL. v. ST.
THOMAS HOSPITAL
M2014-02030-SC-R11-CV

Davidson County Circuit Court
Joseph P. Binkley, Jr.
12C4289

Clement Jr., Frank G.: Affirmed

TRAP 11

Denied:
Application of
Estate of Phyllis
Thibodeau and
Robert Thibodeau

Order filed 2-17-16

STATE OF TENNESSEE v. THEODORE LEBRON JOHNSON M2014-02046-SC-R11-CD	Davidson County Criminal Court Monte Watkins 2013A428	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Theodore Lebron Johnson Order filed 2-18-16
COFFEE COUNTY BOARD OF EDUCATION v. CITY OF TULLAHOMA, ET AL. M2014-02269-SC-R11-CV	Coffee County Chancery Court Vanessa Jackson 2014CV179	Bennett, Andy D.: Reversed	TRAP 11	Denied: Application of City of Tullahoma; opinion designated "not for citation" pursuant to Tenn. Supp. Ct. R. 4(E) Order filed 2-18-16
IN RE ANNA J. M2014-02287-SC-R11-JV	Williamson County Juvenile Court Sharon Guffee 37304	Armstrong, Kenny W.: Affirmed in Part, Reversed in Part	TRAP 11	Denied: Application of Appellant, R.J. Order filed 2-18-16
JASON LEE FISHER v. STATE OF TENNESSEE M2014-02327-SC-R11-PC	Marshall County Circuit Court Robert G. Crigler 2014CR6	Holloway Jr., Robert L.: Affirmed	TRAP 11	Denied: Application of Jason Lee Fisher

AUSTIN DAVIS v. COVENANT PRESBYTERIAN
CHURCH OF NASHVILLE, ET AL.
M2014-02400-SC-R11-CV

Davidson County Circuit Court
Carol L. McCoy
14C2556

Bennett, Andy D.: Reversed

TRAP 11

Denied:
Application of
Austin Davis

Order filed 2-18-16

JAMES MITCHELL SMITH v. STATE OF TENNESSEE
M2014-02558-SC-R11-PC

Rutherford County Circuit Court
David M. Bragg
F71484

Page, Roger A.: Affirmed

TRAP 11

Denied:
Application of
James Mitchell
Smith

Order filed 2-19-16

ROBERT BEAN, ET AL. v. WILSON COUNTY SCHOOL
SYSTEM, ET AL.
M2014-02577-SC-R11-CV

Wilson County Chancery Court
Charles K. Smith
2014CV288

Goldin, Arnold B.: Affirmed

TRAP 11

Denied:
Application of
Wilson County
School System

Order filed 2-18-16

JOHN A. W. BRATCHER, CLERK AND MASTER/SPECIAL COMMISSIONER v. BEVERLY M. HUBLER, ET AL. M2015-00060-SC-R11-CV	Rutherford County Chancery Court Ben H Cantrell 14CV517	Gibson, Brandon O.: Reversed	TRAP 11	Denied: Application of John Bratcher Order filed 2-18-16
MORGAN MOORE v. STATE OF TENNESSEE M2015-00139-SC-R11-PC	Sumner County Criminal Court Dee David Gay CR1522014	Page, Roger A.: Affirmed	TRAP 11	Denied: Application of Morgan James Moore Order filed 2-18-16
MITCHELL BOWERS v. STATE OF TENNESSEE M2015-00419-SC-R11-CV	Tennessee Claims Commission Commissioner, TN. Claims Commission (Middle Division) T20150449	Per Curiam: Case Dispositional Decision	TRAP 11	Denied: Application of Mitchell Bowers Order filed 2-18-16
JAMES EDWARD BASSHAM v. STATE OF TENNESSEE M2015-01599-SC-R11-CV	Tennessee Claims Commission Commissioner, TN. Claims Commission (Middle Division) T20141372	Per Curiam: Case Dispositional Decision	TRAP 11	Denied: Application of James Edward Bassham Order filed 2-18-16

CAROLYN PRIMM v. TENNESSEE BOARD OF APPEALS, ET AL.
M2015-02205-SC-R11-CV

Davidson County Chancery Court
Russell T. Perkins
140798IV

Per Curiam: Dismissed

TRAP 11

Denied:
Application of
Carolyn Ivey Primm

Order filed 2-17-16

Knoxville

STATE OF TENNESSEE v. ANTHONY TODD GHORMLEY
E2014-00736-SC-R11-CD

Loudon County Criminal Court
Don R. Ash
10654

Montgomery Jr., Robert H.: Affirmed
Easter, Timothy L.: Concur

TRAP 11

Denied:
Application of
Anthony Todd
Ghormley;the
opinion of the
Supreme Court is
designated "Not For
Citation" in
accordance with
Supreme Court
Rule 4(e).
Order filed 2-18-16

JOSHUA D. KRUSE v. STATE OF TENNESSEE
E2014-01141-SC-R11-HC

Blount County Circuit Court
Tammy M. Harrington
C20362

Williams, John Everett: Affirmed

TRAP 11

Denied:
Application of
Joshua D. Kruse and
Donald Wayne
Bowman

Order filed 2-18-16

STATE OF TENNESSEE v. DANNY SANTARONE E2014-01551-SC-R11-CD	Sullivan County Criminal Court Robert H. Montgomery, Jr. S60198	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of Danny Santarone Order filed 2-18-16
MICKEL HOBACK v. CITY OF CHATTANOOGA E2014-01678-SC-R11-CV	Hamilton County Chancery Court Jeffrey M. Atherton 090965, 130370	Frierson II, Thomas R.: Affirmed	TRAP 11	Denied: Application filed Mickel G. Hoback Order filed 2-18-16
CODY COFER v. STATE OF TENNESSEE E2014-01844-SC-R11-PC	Cumberland County Circuit Court David A. Patterson 090016	McMullen, Camille R.: Affirmed	TRAP 11	Denied: Application of Cody Rickey Cofer Order filed 2-18-16
STATE OF TENNESSEE v. WALTER FRANCIS FITZPATRICK, III E2014-01864-SC-R11-CD	McMinn County Criminal Court Jon Kerry Blackwood 14CR69	McMullen, Camille R.: Affirmed	TRAP 11	Denied: Application of Walter Francis Fitzpatrick, III Order filed 2-18-16

STATE OF TENNESSEE EX REL. INGER BROWN V. LARRY SHIPE, JR. E2014-02064-SC-R11-JV	Knox County Juvenile Court Timothy E. Irwin E6994	Susano Jr., Charles D.: Vacated	TRAP 11	Denied: Application of Larry W. Shipe, Jr.; "Motion to Continue as an Indigent Party" denied as moot. Order filed 2-18-16
MARK THOMAS CHURCH, ET AL. v. CHARLES BLALOCK & SONS, INC., ET AL. E2014-02077-SC-R11-CV	Johnson County Circuit Court Thomas J. Seeley, Jr. X3322, X3327	Frierson II, Thomas R.: Reversed	TRAP 11	Denied: Application of Mark Thomas Church and Sherry Carlson Order filed 2-18-16
STATE OF TENNESSEE v. LIONEL R. LINDSEY E2014-02096-SC-R11-CD	Sullivan County Criminal Court R. Jerry Beck S46409	McMullen, Camille R.: Affirmed	TRAP 11	Denied: Application of Lionel R. Lindsey Order filed 2-18-16

HONEY BUNCH v. B.F. BUNCH E2014-02121-SC-R11-CV	Anderson County Chancery Court William Everett Lantrip 12CH4776	Swiney, D. Michael: Affirmed	TRAP 11	Denied: Application of B. F. Bunch Order filed 2-18-16
STATE OF TENNESSEE v. TRAVIS WARE E2014-02172-SC-R11-CD	Bradley County Criminal Court Sandra Donaghy 95036, 95064, 96256, 96257	Williams, John Everett: Affirmed Ogle, Norma McGee: Dissent	TRAP 11	Denied: Application of Travis Ware Order filed 2-18-16
HAROLD FLYNN ET AL v. CITIZENS NATIONAL BANK E2014-02231-SC-R11-CV	Sevier County Circuit Court Jon Kerry Blackwood 12CV1281III	Gibson, Brandon O.: Affirmed	TRAP 11	Denied: Application of Citizens National Bank Order filed 2-18-16
ROBERT E. BOLING v. STATE OF TENNESSEE E2014-02258-SC-R11-PC	Sullivan County Criminal Court Robert H. Montgomery, Jr. C56458	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of Robert E. Boling Order filed 2-18-16

STATE OF TENNESSEE v. KRISTY L. POLAND E2014-02521-SC-R11-CD	Roane County Criminal Court E. Eugene Eblen 2011CR37	Holloway Jr., Robert L.: Modified McMullen, Camille R.: Dissent	TRAP 11	Denied: Application of Kristy L. Poland Order filed 2-18-16
WARREN BRUCE MAPLES v. TENNESSEE FARMERS MUTUAL INSURANCE CO ET AL E2015-00285-SC-R11-CV	Cumberland County Circuit Court Amy V. Hollars CCI2014CV5873	McClarty, John W.: Affirmed	TRAP 11	Denied: Application of Warren Bruce Maples Order filed 2-18-16
CRAIG O. MAJORS v. STATE OF TENNESSEE E2015-00400-SC-R11-HC	Johnson County Criminal Court Stacy L. Street CC14CR162	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of Craig O. Majors Order filed 2-18-16
STATE OF TENNESSEE v. KENNETH LEBRON WYNN E2015-00575-SC-R11-CD	Hamilton County Criminal Court Don W. Poole 188918, 189686, 189687, 189688	Williams, John Everett: Affirmed Witt Jr., James Curwood: Dissent	TRAP 11	Denied: Application of Kenneth Lebron Wynn

RICHARD ANTHONY v. STATE OF TENNESSEE
E2015-00850-SC-R11-PC

Bradley County Criminal Court
Andrew M. Freiberg
15CR093

Glenn, Alan E.: Affirmed

TRAP 11

Denied:
Application of
Richard Anthony

Order filed 2-18-16

APRIL DIANE SHELTON v. MICHAEL LYNN
SHELTON, ET AL.
E2015-00962-SC-R11-CV

Hawkins County Circuit Court
Thomas J. Wright
10CV0407

McClarty, John W., Susano Jr., Charles
D., Swiney, D. Michael: Case
Dispositional Decision

TRAP 11

Denied: Application
of April Diane
Shelton and Daniel
G. Boyd

Order filed 2-18-16

Jackson

STATE OF TENNESSEE v. JOE JACKSON
W2014-00901-SC-R11-CD

Shelby County Criminal Court
Lee V. Coffee
1300783

Ogle, Norma McGee: Affirmed

TRAP 11

Denied:
Application of Joe
Jackson

Order filed 2-18-16

STATE OF TENNESSEE v. WILLIE NOLAN W2014-00990-SC-R11-CD	Shelby County Criminal Court John Wheeler Campbell 1203247	Thomas Jr., D. Kelly: Affirmed	TRAP 11	Denied: Application of Willie Nolan Order filed 2-18-16
STATE OF TENNESSEE v. MICHAEL RICHARDSON W2014-01053-SC-R11-CD	Shelby County Criminal Court J. Robert Carter, Jr. 1302996	Thomas Jr., D. Kelly: Affirmed	TRAP 11	Denied: Application of Michael Richardson; the opinion of the Court of Criminal Appeals is designated "Not for Citation" in accordance with Supreme Court Rule 4 (e). Order filed 2-18-16
STATE OF TENNESSEE v. ELIOT RUSSELL W2014-01212-SC-R11-CD	Shelby County Criminal Court John Wheeler Campbell 1302746	Williams, John Everett: Affirmed	TRAP 11	Denied: Application of Eliot Russell Order filed 2-18-16

STATE OF TENNESSEE v. ALVIN STEWART W2014-01517-SC-R11-CD	Shelby County Criminal Court John Wheeler Campbell 1301980	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Alvin Stewart Order file 2-18-16
STATE OF TENNESSEE v. TERRELL SMITH W2014-01988-SC-R11-CD	Shelby County Criminal Court Carolyn W. Blackett 1302217	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Terrell Smith Order filed 2-18-16
STATE OF TENNESSEE v. CHRISTOPHER LOYD DAVIS W2014-02101-SC-R11-CD	Hardin County Circuit Court Charles C. McGinley 9807	Easter, Timothy L.: Affirmed in Part	TRAP 11	Denied: Application of Christopher Loyd Davis Order filed 2-19-16
WILLIAM FORD v. STATE OF TENNESSEE W2014-02105-SC-R11-PC	Shelby County Criminal Court Glenn Ivy Wright P27768	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of William Ford Order filed 2-18-16

STATE OF TENNESSEE v. MICHAEL LINDSEY W2014-02109-SC-R11-CD	Shelby County Criminal Court Carolyn W. Blackett 8803169	Holloway Jr., Robert L.: Affirmed	TRAP 11	Denied: Application of Michael Lindsey Order filed 2-18-16
KENNETH A. ADAMS v. STATE OF TENNESSEE W2014-02160-SC-R11-PC	Tipton County Circuit Court Joe H. Walker, III 3275	Thomas Jr., D. Kelly: Affirmed	TRAP 11	Denied: Application of Kenneth A. Adams Order filed 2-19-16
MARQUETTE HOUSTON V. STATE OF TENNESSEE W2014-02201-SC-R11-PC	Shelby County Criminal Court Glenn Ivy Wright 0308488	Montgomery Jr., Robert H.: Affirmed	TRAP 11	Denied: Application of Marquette Houston Order filed 2-18-16
STATE OF TENNESSEE v. ANDRE BERNARD EASLEY W2014-02266-SC-R11-CD	Benton County Circuit Court Charles C. McGinley 13CR56	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Andre Bernard Easley Order filed 2-18-16

TERRANCE WILKS v. STATE OF TENNESSEE W2014-02304-SC-R11-PC	Shelby County Criminal Court John Wheeler Campbell 9801734	Thomas Jr., D. Kelly: Affirmed	TRAP 11	Denied: Application of Terrance Wilks Order filed 2-18-16
STATE OF TENNESSEE v. ABRAHAM MEDINA, JR. W2014-02358-SC-R11-CD	Madison County Circuit Court Donald H. Allen 13354	Holloway Jr., Robert L.: Affirmed	TRAP 11	Denied: Application of Abraham Medina, Jr. Order filed 2-19-16
STATE OF TENNESSEE v. WALTER SHEGOG W2014-02440-SC-R11-CD	Shelby County Criminal Court James C. Beasley, Jr. 1301793	Witt Jr., James Curwood: Affirmed	TRAP 11	Denied: Application of Walter Shegog Order filed 2-19-16
MICHAEL R. ADAMS v. JOHNNIE B. WATSON, ET AL. W2015-00325-SC-R11-CV	Shelby County Circuit Court Robert L. Childers CT00363014	Stafford, J. Steven: Affirmed	TRAP 11	Denied: Application of Michael Ray Adams Order filed 2-19-16

STATE OF TENNESSEE v. MARLON YARBRO
W2015-00475-SC-R11-CD

Hardin County Circuit Court
Charles C. McGinley
9894

Easter, Timothy L.: Affirmed in Part,
Modified in Part

TRAP 11

Denied:
Application of
Marlon Yarbro

Order filed 2-18-16

IN RE MARCH 9, 2012 ORDER
W2015-02314-SC-R10-CV

Shelby County Circuit Court
Gina C. Higgins
CT00456815

Per Curiam: Case Dispositional
Decision

TRAP 10 (from
Interm. Court)

Denied: Application
of William Goetz

Order filed 2-18-16

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

**JOSEPH BRENNAN, ET AL. v. BOARD OF PAROLE FOR THE STATE OF
TENNESSEE**

**Chancery Court for Davidson County
No. 131171II**

No. M2014-01591-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Tennessee Board of Parole 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

CHARLES GROGAN v. DANIEL UGGLA, ET AL.

**Circuit Court for Williamson County
No. 2011443**

No. M2014-01961-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Charles Grogan 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

STATE OF TENNESSEE v. NICOLE FLOWERS

**Circuit Court for Maury County
No. 22821**

No. M2014-01744-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Nicole Flowers 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

STATE OF TENNESSEE v. JERRY LEWIS TUTTLE

**Circuit Court for Maury County
No. 22091, 21695**

No. M2014-00566-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of the State of Tennessee and the record before us, the application is granted.

In addition to the issues raised in the State's application for permission to appeal, the Court is interested in briefing and argument of the question whether this Court should revisit the continuing vitality of *State v. Jacumin*, 778 S.W.2d 430 (Tenn. 1989). In addition, the parties should address the issue raised in the defendant's response to the State's application for permission to appeal, to wit: If the affidavit in support of the search warrant was insufficient to support a finding of probable cause, thus invalidating the search warrant, whether the lower courts erred in allowing forfeiture of the \$1,098,050 in cash found on the defendant's property during the search under a theory of "equitable tolling" of the statute of limitations (Tenn. Code Ann. § 39-11-708(d) (2010)).

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

SANDRA L. WALLIS v. BRAINERD BAPTIST CHURCH ET AL.

**Circuit Court for Hamilton County
No. 12C765**

No. E2015-01827-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of ExtendLife, Inc. and the record before us, the application is granted. In addition to the issues certified in the order of the trial court, the Court directs the parties to address in their briefs and at oral argument the issue of whether the Court should adopt the Restatement (Third) of Torts: Phys. & Emotional Harm § 40.

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

PER CURIAM