



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
April 13, 2015 - April 17, 2015

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Appellate Judge/Judgment	Nature Of Appeal	Action
<u>Knoxville</u>				
JERRY ROMMELL GRAY v. STATE OF TENNESSEE E2014-00849-SC-R11-PC	Knox County Criminal Court Steven Wayne Sword 102275	Easter, Timothy L.: Reversed	TRAP 11	Granted: Application of Jerry Rommell Gray Order filed 4-13-15 (See Attached Order)
<u>Jackson</u>				
RASHE MOORE v. STATE OF TENNESSEE W2013-00674-SC-R11-PC	Shelby County Criminal Court W. Otis Higgs, Jr. 0006306, 0006313, 0006314, 0006315, 0006316, 0006317	Thomas Jr., D. Kelly: Affirmed in Part, Reversed in Part Page, Roger A.: Concur in Part/Dissent in Part	TRAP 11	Granted: Application of Rashe Moore & The State of Tennessee Order filed 4-13-15 (See Attached Order)

DENIALS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Appellate Judge/Judgment	Nature Of Appeal	Action
<u>Nashville</u>				
IN RE ESTATE OF SARAH MARGARET WILKINS M2013-01536-SC-R11-CV	Robertson County Circuit Court Ross H. Hicks 74CC12012CV446	Dinkins, Richard H.: Affirmed	TRAP 11	Dismissed: Application of GGNSC Springfield, LLC d/b/a Golden Living Center- Springfield, et al dismissed as improvidently granted; Order filed 4-14-15 (See Attached Order)
STATE OF TENNESSEE v. TRAVIS MEADOWS M2013-01646-SC-R11-CD	Putnam County Circuit Court David A. Patterson 100402	Page, Roger A.: Dismissed	TRAP 11	Denied: Application of Travis Meadows Order filed 4-13-15
WILLIAM CARTER KING v. STATE OF TENNESSEE M2014-00512-SC-R11-PC	Fentress County Criminal Court E. Shayne Sexton 121	Montgomery Jr., Robert H.: Affirmed	TRAP 11	Denied: Application of William Carter King

TAMIR CLARK v. STATE OF TENNESSEE
M2014-00618-SC-R11-PC

Rutherford County Circuit Court
David M. Bragg
F70407

Wedemeyer, Robert W.: Affirmed

TRAP 11

Denied: Application
of Tamir Clark

Order filed 4-13-15

ANTONIO D. ALEXANDER v. STATE OF TENNESSEE
M2014-01022-SC-R11-PC

Rutherford County Circuit Court
Mitchell Keith Siskin
70558

Easter, Timothy L.: Affirmed

TRAP 11

Denied: Application
of Antonio D.
Alexander

Order filed 4-13-15

Knoxville

JEFFERY YATES v. STATE OF TENNESSEE AND
SHARON C. TAYLOR, WARDEN
E2014-00163-SC-R11-HC

Johnson County Circuit Court
Robert E. Cupp
CC13CV133

Williams, John Everett: Affirmed

TRAP 11

Denied: Application
of Jeffery Yates;
Motion for leave to
file an amended
Rule 11 application
denied

Order filed 4-13-15

STATE OF TENNESSEE v. COTY SHANE SMITH E2014-00490-SC-R11-CD	Monroe County Criminal Court Amy F. Reedy 12136	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of Coty Shane Smith Order filed 4-13-15
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Jackson

STATE OF TENNESSEE V. TRUMAINE WINTERS W2007-00529-SC-R11-CD	Shelby County Criminal Court James M. Lammey 0404042	Hayes, David G.: Affirmed in Part, Reversed in Part	TRAP 11	Denied: Application of Trumaine Winters Order filed 4-13-15
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TELLY S. JOHNSON v. STATE OF TENNESSEE W2012-00955-SC-R11-PC	Shelby County Criminal Court Carolyn W. Blackett 0609031	Woodall, Thomas T.: Affirmed	TRAP 11	Denied: Application of Telly Savalas Johnson, Opinion of Court of Criminal Appeals designated "Not For Citation" accordance with Supreme Court Rule 4(E), Order filed 4-14-15
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STATE OF TENNESSEE V. BRANDON JONES W2013-00333-SC-R11-CD	Madison County Circuit Court Donald H. Allen 1234	Williams, John Everett: Affirmed	TRAP 11	Denied: Application of Brandon Jones Order filed 4-13-15
STATE OF TENNESSEE v. JOHN BRENT W2013-01252-SC-R11-CD	Shelby County Criminal Court Paula L. Skahan 1104915	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of John Brent Order filed 4-13-15
CHARLOTTE J. CARTWRIGHT ET AL. v. DMC- MEMPHIS INC. D/B/A DELTA MEDICAL CENTER ET AL. W2013-01614-SC-R11-CV	Shelby County Circuit Court John R. McCarroll, Jr. CT00090712	Goldin, Arnold B.: Reversed	TRAP 11	Denied: App. of DMC-Memphis, Inc. d/b/a Delta Med. Ctr; Bernadette Leach; Evelyn V. Cummings; Debra P. Malina; Eye Sp. Gp, PLLC; Andrew M. Krauss; Nadeem Vaidya; & Salwa Moustafa; Order filed 4-14-15

STATE OF TENNESSEE v. DEVAUGHN EDWARDS W2013-02009-SC-R11-CD	Shelby County Criminal Court J. Robert Carter, Jr. 1205320	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Devaughn Edwards Order filed 4-13-15
JOHN BRUNNER v. STATE OF TENNESSEE W2013-02120-SC-R11-PC	Shelby County Criminal Court Glenn Ivy Wright 0702047	Holloway Jr., Robert L.: Affirmed	TRAP 11	Denied: Application of John Brunner Order filed 4-13-15
STATE OF TENNESSEE v. DESMOND O'BRIAN ANDERSON and CAMILLIA HARRISON W2013-02162-SC-R11-CD	Madison County Circuit Court Donald H. Allen 1384	Wedemeyer, Robert W.: Affirmed	TRAP 11	Denied: Application of Camillia Harrison Order filed 4-14-15
RICKY FRITH v. STATE OF TENNESSEE W2013-02435-SC-R11-PC	Shelby County Criminal Court Chris Craft 0806733	Holloway Jr., Robert L.: Affirmed	TRAP 11	Denied: Application of Ricky Frith Order filed 4-13-15

IN RE CONSERVATORSHIP OF MICHAEL S. STARNES W2013-02614-SC-R11-CV	Shelby County Probate Court Kathleen N. Gomes D14915	Armstrong, Kenny W.: Vacated	TRAP 11	Denied: Application of Michael S. Starnes Order filed 4-13-15
STATE OF TENNESSEE v. JOE TRAVIS NORTHERN JR. W2013-02757-SC-R11-CD	Madison County Circuit Court Roy B. Morgan, Jr. 13405	Glenn, Alan E.: Affirmed	TRAP 11	Denied: Application of Joe Travis Northern, Jr. Order filed 4-13-15
STATE OF TENNESSEE v. WAYNE SELLERS W2013-02771-SC-R11-CD	Shelby County Criminal Court J. Robert Carter, Jr. 1300442	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of Wayne Sellers Order filed 4-14-15
STATE OF TENNESSEE v. ANTONIO GALE W2013-02772-SC-R11-CD	Shelby County Criminal Court Chris Craft 1202355	Easter, Timothy L.: Affirmed	TRAP 11	Denied: Application of Antonio Gale Order filed 4-13-15

SEAN WILLIAM LEE v. STATE OF TENNESSEE
W2014-00335-SC-R11-ECN

Shelby County Criminal Court
Chris Craft
I0400029

Glenn, Alan E.: Affirmed

TRAP 11

Denied: Application
of Sean William Lee
Order filed 4-14-15

IN THE SUPREME COURT OF TENNESSEE
AT KNOXVILLE

JERRY ROMMELL GRAY v. STATE OF TENNESSEE

**Criminal Court for Knox County
No. 102275**

No. E2014-00849-SC-R11-PC

ORDER

Upon consideration of the application for permission to appeal of Jerry Rommell Gray and the record before us, the application is granted and remanded to the Court of Criminal Appeals. Because Mr. Gray's petition for post-conviction relief was filed "within one (1) year of the date of the final action of the highest state appellate court to which an appeal is taken," Tenn. Code Ann. § 40-30-102(a), his petition was timely; therefore, the Court of Criminal Appeals should have reviewed Mr. Gray's appeal on the merits. Accordingly, it is ordered that on remand the Court of Criminal Appeals should consider whether the post-conviction court should have allowed Mr. Gray to file a new motion for a new trial when it granted him a delayed appeal.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

RASHE MOORE v. STATE OF TENNESSEE

Criminal Court for Shelby County
No. 0006306, 0006313, 0006315, 0006314, 0006316, 0006317

No. W2013-00674-SC-R11-PC

ORDER

Upon consideration of the applications for permission to appeal of Rashe Moore and the State of Tennessee and the record before us, the applications are granted.

For purposes 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), the State of Tennessee is deemed to be the appellant. Rashe Moore is deemed to be the appellee. Mr. Moore, however, may file a reply brief pursuant to Tenn. R. App. P. 27(c) (permitting an appellee who is seeking relief from the judgment to file a brief in reply to the response of the appellant to the issues presented by appellee's request for relief).

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
February 5, 2015 Session

**JAMES H. WILKINS ET AL. v. GGNSC SPRINGFIELD, LLC, DBA
GOLDENLIVING CENTER–SPRINGFIELD ET AL.**

**Appeal by Permission from the Court of Appeals, Middle Section
Circuit Court for Robertson County
No. 74CC1-2012-CV-446 Ross H. Hicks, Judge**

No. M2013-01536-SC-R11-CV

ORDER

After carefully considering the record, supplemental briefs, applicable authority, and oral arguments, the application for permission to appeal is dismissed as improvidently granted. Additionally, in the exercise of our supervisory authority, we hereby designate the decision of the Court of Appeals, James H. Wilkins et al. v. GGNSC Springfield, LLC dba Golden Living Center–Springfield et al., No. M2013-01536-COA-R3-CV, 2014 WL 819460(Tenn. Ct. App. Feb. 27, 2014), as “Not for Citation” because we do not endorse the rationale expressed in the decisions of the courts below.

This matter is remanded to the trial court for further proceedings. Costs of this appeal are taxed to the appellants, for which execution may issue if necessary. It is so ORDERED.

PER CURIAM