



Tennessee Supreme Court
DISCRETIONARY APPEALS
Grants & Denials List
February 12, 2018 - February 16, 2018

GRANTS

Style/Appeal Number	County/Trial Judge/ Trial Court No.	Intermediate Court	Supreme Court Action
<u>Nashville</u>			
FRANKLIN-MURRAY DEVELOPMENT COMPANY, L. P. v. SHUMACKER THOMPSON, PC, ET AL. M2015-01968-SC-R11-CV	Williamson County Circuit Court Michael Binkley 95790	Dinkins, Richard H.: Affirm	Denied: Application of Franklin- Murray Development Company, L. P., Opinion of COA designated "Not For Citation" accordance with Supreme Court Rule 4(E) Order filed 2-14-18 (See Attached Order)
PATRICK R. MILLER v. VANDERBILT UNIVERSITY M2015-02223-SC-R11-CV	Davidson County Circuit Court Thomas W. Brothers 11C3836	McBrayer, W. Neal: Affirm Dinkins, Richard H.: Concur in Part/Dissent in Part	Denied: Application of Patrick R. Miller, Opinion of the COA designated "Not For Citation" accordance with Supreme Court Rule 4(E)(1) Order filed 2-14-18 (See Attached Order)

STATE OF TENNESSEE v. BILLY JOE NELSON M2016-00010-SC-R11-CD	Coffee County Circuit Court Paul G. Summers 40156	Holloway Jr., Robert L.: Affirm	Denied: Application of Billy Joe Nelson Order filed 2-14-18
STATE OF TENNESSEE v. D'MARIS LAQUANN FULLER M2016-00412-SC-R11-CD	Davidson County Criminal Court Cheryl A. Blackburn 2013-D-3322	Ogle, Norma McGee: Affirm	Denied: Application of D'Maris LaQuann Fuller Order filed 2-14-18
VOYA RETIREMENT INSURANCE AND ANNUITY COMPANY v. MARY BETH JOHNSON, ET AL. M2016-00435-SC-R11-CV	Davidson County Chancery Court Ellen H. Lyle 151297III	McBrayer, W. Neal: Reverse in Part	Denied: Application of Estate of Stephen Vincent Leary Order filed 2-14 -18
STATE OF TENNESSEE v. MICHAEL DONALD SPRAY M2016-00879-SC-R11-CD	Bedford County Circuit Court Forest A. Durard, Jr. 17746	Glenn, Alan E.: Affirm	Denied: Application of Michael Donald Spray, Opinion of the CCA designated "Not For Citation accordance with Supreme Court Rule 4(E) Order filed 2-14-18(See Attached Order)

STATE OF TENNESSEE v. JOSHUA ICEMAN M2016-00975-SC-R11-CD	White County Criminal Court David A. Patterson CR5205	Thomas Jr., D. Kelly: Affirm	Denied: Application of Joshua Iceman Order filed 2-14-18
KEVIN J. MAMON v. GEICO INDEMNITY INSURANCE COMPANY, ET AL. M2016-01145-SC-R11-CV	Davidson County Circuit Court Hamilton V. Gayden, Jr. 12C4564	Clement Jr., Frank G.: Affirm	Denied: Application of Kevin J. Mamon Order filed 2-15-18
STATE OF TENNESSEE v. CHRISTOPHER TERRELL SHIPP M2016-01397-SC-R11-CD	Davidson County Criminal Court Seth W. Norman 2013-C-2700	Williams, John Everett: Affirm	Denied: Application of Christopher Terrell Shipp Order filed 2-14-18
OUTLOUD! INC. v. DIALYSIS CLINIC, INC., ET AL. M2016-01528-SC-R11-CV	Davidson County Circuit Court Joseph P. Binkley, Jr. 16C930	Armstrong, Kenny W.: Affirm	Denied: Application of Outloud! Inc. Order filed 2-14-18
STATE OF TENNESSEE v. ROBERT J. BYNUM M2016-01580-SC-R11-CD	Franklin County Circuit Court J. Curtis Smith 2014-CR-126	Witt Jr., James Curwood: Affirm	Denied: Application of Robert J. Bynum Order filed 2-14-18

FREDRICK SLEDGE v. TENNESSEE
DEPARTMENT OF CORRECTION, ET AL.
M2016-01664-SC-R11-CV

Davidson County Chancery Court
Ellen H. Lyle
14-1041-III

Armstrong, Kenny W.: Affirm

Denied: Application of Fredrick
Sledge

Order filed 2-15-18

STATE OF TENNESSEE v. JONATHAN DAVID
PATTERSON
M2016-01716-SC-R11-CD

Putnam County Criminal Court
David A. Patterson
15-CR-672, 15-CR-730, 15-CR-
731, 15-CR-821

Easter, Timothy L.: Reverse
Witt Jr., James Curwood: Concur

Granted: Application of Jonathan
David Patterson

Order filed 2-14-18 (See Attached
Order)

JIMMY NEWELL v. RICHARD MONTGOMERY, ET
AL.
M2016-01787-SC-R11-CV

Davidson County Chancery Court
Ellen H. Lyle
15-334-III

McClarty, John W.: Affirm

Denied: Application of Jimmy
Joseph Newell

Order filed 2-15-18

BRADLEY JETMORE, ET AL. v. METROPOLITAN
GOVERNMENT OF NASHVILLE & DAVIDSON
COUNTY, TENNESSEE
M2016-01792-SC-R11-CV

Davidson County Chancery Court
Robert E. Lee Davies
16-418-IV

Bennett, Andy D.: Affirm

Denied: Application of
Metropolitan Gov. of Nashville &
Davidson Co. TN Opinion of COA
designated "Not For Citation"
accordance with Supreme Court
Rule 4(E)

Order filed 2-15-18(See Attached
Order)

SHAYLA LEANNE GUY BRANTLEY v. CORDARY
QUINCY VERNARD BRANTLEY
M2016-01999-SC-R11-CV

Sumner County Chancery Court
Louis W. Oliver
2015-DM-325

Clement Jr., Frank G.: Vacate

Denied: Application of Shayla
Leanne Guy Brantley

Order filed 2-15-18

BILLY JOE GREENWOOD v. TENNESSEE BOARD
OF PAROLE
M2016-02059-SC-R11-CV

Davidson County Chancery Court
Ellen H. Lyle
15-1497-III

Frierson II, Thomas R.: Affirm

Denied: Application of Billy Joe
Greenwood

Order filed 2-14-18

STATE OF TENNESSEE v. CHARLOTTE LYNN
FRAZIER AND ANDREA PARKS
M2016-02134-SC-R11-CD

Dickson County Circuit Court
Robert E. Burch
22CC-2016-CR-59I3

Williams, John Everett: Affirm

Granted: Application of State of
Tennessee

Order filed 2-14-18 (See Attached
Order)

STATE OF TENNESSEE v. LAMANTEZ DESHA
ROBINSON
M2016-02335-SC-R11-CD

Davidson County Criminal Court
J. Randall Wyatt, Jr.
2014-B-1383

Holloway Jr., Robert L.: Affirm

Denied: Application of Lamantez
Desha Robinson

Order filed 2-14-18

<p>IN RE ESTATE OF VERONICA STEWART M2016-02355-SC-R11-CV</p>	<p>Warren County Chancery Court Larry B. Stanley, Jr. 3159P</p>	<p>Clement Jr., Frank G.: Reverse</p>	<p>Denied: Application of Derwood Stewart Order filed 2-14-18</p>
<p>GREGORY LAMAR MATHIS v. STATE OF TENNESSEE M2016-02516-SC-R11-PC</p>	<p>Davidson County Criminal Court Steve R. Dozier 2009-B-1806</p>	<p>Montgomery Jr., Robert H.: Affirm</p>	<p>Denied: Application of Gregory Lamar Mathis Order filed 2-14-18</p>
<p>STATE OF TENNESSEE v. BENNIE EDWARD JACKSON, JR., AKA BENNY E. JACKSON, JR. M2016-02575-SC-R11-CD</p>	<p>Davidson County Criminal Court Cheryl A. Blackburn 2015-A-252</p>	<p>Wedemeyer, Robert W.: Affirm</p>	<p>Denied: Application of Bennie Edward Jackson, Jr. Order filed 2-14-18</p>
<p>MARDOCHE OLIVIER v. CITY OF CLARKSVILLE, ET AL. M2017-00054-SC-R11-CV</p>	<p>Montgomery County Circuit Court Ross H. Hicks 63CC1-2016-CV-2035</p>	<p>McClarty, John W.: Affirm</p>	<p>Denied: Application of Mardoche Olivier Order filed 2-14-18</p>
<p>JOSHUA MATTHEW CLINE v. STATE OF TENNESSEE M2017-00168-SC-R11-PC</p>	<p>Montgomery County Circuit Court William R. Goodman, III 41300063</p>	<p>Easter, Timothy L.: Affirm</p>	<p>Denied: Application of Joshua Matthew Cline Order filed 2-14-18</p>

STATE OF TENNESSEE v. BRIAN ROBERT
LAWSON
M2017-00238-SC-R11-CD

Davidson County Criminal Court
Amanda Jane McClendon
2016-A-59

Montgomery Jr., Robert H.: Reverse

Denied: Application of Brian
Robert Lawson

Order filed 2-14-18

BRIAN CHRISTOPHER DUNN v. STATE OF
TENNESSEE
M2017-00271-SC-R11-PC

Williamson County Circuit Court
James G. Martin, III
CR-119258

Wedemeyer, Robert W.: Affirm

Denied: Application of Brian
Christopher Dunn

Order filed 2-14-18

STATE OF TENNESSEE v. BUFORD CORNELL
WILLIAMS
M2017-00507-SC-R11-CD

Davidson County Criminal Court
Monte Watkins
2014-C-2231

Easter, Timothy L.: Affirm

Denied: Application of Buford
Cornell Williams

Order filed 2-14-18

JASON LEE HOLLEY v. STATE OF TENNESSEE
M2017-00510-SC-R11-PC

Davidson County Criminal Court
Cheryl A. Blackburn
2014-A-378

Easter, Timothy L.: Affirm

Denied: Application of Jason Lee
Holley

Order filed 2-14-18

EDWARD RONNY ARNOLD v. BOB OGLESBY, ET AL. M2017-00808-SC-R11-CV	Davidson County Circuit Court Thomas W. Brothers 17C133	Bennett, Andy D.: Reverse	Denied: Application of Edward Ronny Arnold Order filed 2-14-18
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HENRY THOMAS JOHNSON v. STATE OF TENNESSEE M2017-01829-SC-R11-CD	Montgomery County Circuit Court Jill Bartee Ayers 40700905	Easter, Timothy L., Holloway Jr., Robert L., Per Curiam, Wedemeyer, Robert W.: Case Dispositional Decision	Denied: Application of Henry Thomas Johnson Order filed 2-14-18
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JACQUELYN R. KALISTER v. RAM AIRCRAFT, LP M2017-02204-SC-R11-CV	Davidson County Circuit Court Amanda Jane McClendon 16C1726	Per Curiam: Case Dispositional Decision	Denied: Application of Ram Aircraft, LP Order filed 2-14-18
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Knoxville

STATE OF TENNESSEE v. DANNY BRANAM E2014-01345-SC-R11-CD	Knox County Criminal Court Mary B. Leibowitz 96976	Wedemeyer, Robert W.: Affirm	Denied: Application of Danny Branam Order filed 2-14-18
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STATE OF TENNESSEE v. KAYLON SEBRON BAILEY E2015-01127-SC-R11-CD	Hamilton County Criminal Court Rebecca J. Stern 284116	McMullen, Camille R.: Affirm	Denied: Application of Kaylon Sebron Bailey Order filed 2-14 -18
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BRITTANY NICOLE VANDYKE v. BROOKE
ELLIOTT FOULK, M.D. ET AL.
E2016-00584-SC-R11-CV

Washington County Circuit Court
Jean A. Stanley
30591

McClarty, John W.: Affirm

Denied: Application of Brooke
Elliott Foulk, Howard Ernest,
Medical Education Assistance
Corporation d/b/a ETSU
Physicians & Associates, and
Mountain States Alliance

Order filed 2-14-18

STATE OF TENNESSEE v. KENNETH DARRIN
FISHER
E2016-01333-SC-R11-CD

Anderson County Circuit Court
Donald Ray Elledge
B1C00719

Montgomery Jr., Robert H.: Affirm

Denied: Application of Kenneth
Darrin Fisher

Order filed 2-14 -18

OLIVER WOOD ET AL. v. JEFFERSON COUNTY
ECONOMIC DEVELOPMENT OVERSIGHT
COMMITTEE, INC., ET AL.
E2016-01452-SC-R11-CV

Jefferson County Chancery Court
Don R. Ash
13-CV-212

Susano Jr., Charles D.: Reverse

Denied: Application of Jefferson
County Economic Development
Oversight Committee, Inc.

Order filed 2-14-18

COMMERCIAL BANK & TRUST COMPANY ET
AL. v. CHILDREN'S ANESTHESIOLOGISTS, P.C.,
ET AL.
E2016-01747-SC-R11-CV

Knox County Circuit Court
Deborah C. Stevens
3-740-14

Swiney, D. Michael: Affirm

Denied: Application of
Commercial Bank & Trust
Company, Omer Mjekiqi,
Gabriela Mjekiqi, and Volunteer
State Health Plan, Inc.

Order filed 2-14-18

IN RE THE ESTATE OF JIMMY L SMITH
E2016-02254-SC-R11-CV

Monroe County General Sessions Court
Dwaine Thomas
2014-149

McClarty, John W.: Affirm

Denied: Application of Debbie Burns
Opinion of COA designated "Not For Citation" accordance with Supreme Court Rule 4(E)(1)

Order filed 2-14-18 (See Attached Order)

STATE OF TENNESSEE v. STEVEN DARE
STEELMAN, JR.
E2017-00016-SC-R11-CD

Knox County Criminal Court
Steven Wayne Sword
105752

Montgomery Jr., Robert H.: Affirm in Part

Denied: Application of Steven Dare Steelman, Jr.

Order filed 2-14-18

RAYMOND HUNTER, JR. v. CITY OF
CHATTANOOGA BEER BOARD
E2017-00017-SC-R11-CV

Hamilton County Chancery Court
Pamela A Fleenor
13-0709

McClarty, John W.: Affirm

Denied: Application of Raymond Hunter, Jr.

Order filed 2-14-18

STATE OF TENNESSEE v. THOMAS PAUL ODUM E2017-00062-SC-R11-CD	McMinn County Criminal Court Andrew M. Freiberg 14-313	Easter, Timothy L.: Affirm	Denied: Application of Thomas Paul Odum Order filed 2-15-18
ANA TANIA GOMEZ ET AL. v. SABLE-IMAGINATION ON SAND ET AL. E2017-00107-SC-R11-CV	Sevier County Chancery Court Telford E. Forgety, Jr. 14-11-381	Gibson, Brandon O.: Dismiss	Denied: Application of Ana Tania Gomez, and Joaquin Gomez Order filed 2-15-18
STATE OF TENNESSEE v. MARSHALL SHAWN NELSON E2017-00338-SC-R11-CD	Knox County Criminal Court G. Scott Green 109036	Wedemeyer, Robert W.: Affirm	Denied: Application of Marshall Shawn Nelson Order filed 2-14-18
THE COAL CREEK COMPANY v. ANDERSON COUNTY, TENNESSEE, ET AL. E2017-00661-SC-R11-CV	Knox County Chancery Court John F. Weaver 190298-1	Swiney, D. Michael: Affirm	Denied: Application of Coal Creek Company Order filed 2-15-18
WILLIAM H WYTTEBACH v. KNOX COUNTY, TENNESSEE E2017-00863-SC-R11-CV	Knox County Circuit Court Kristi M. Davis 1-50-17	Per Curiam: Case Dispositional Decision	Denied: Application of William H. Wyttenbach Order filed 2-14-18

STATE OF TENNESSEE v. TOMMY LEE HOUSER,
JR.
E2017-00987-SC-R11-CD

Knox County Criminal Court
Steven Wayne Sword
105733

Wedemeyer, Robert W.: Affirm

Denied: Application of Tommy
Lee Houser, Jr.

Order filed 2-14-18

Jackson

STATE OF TENNESSEE v. MARCUS WILLIAMS
W2015-01918-SC-R11-CD

Shelby County Criminal Court
W. Mark Ward
14-01733

Witt Jr., James Curwood: Affirm

Denied: Application of Marcus
Williams

Order filed 2-15-18

IN RE ESTATE OF MARJORIE ROSS POTTER
W2016-01809-SC-R11-CV

Shelby County Probate Court
Karen D. Webster
D-5249

Dinkins, Richard H.: Affirm

Denied: Application of Steven
Ross Potter

Order filed 2-15-18

RAYMOND CASS BALLARD v. GERTRUDE
CAYABAS
W2016-01913-SC-R11-CV

Dyer County Chancery Court
Tony Childress
10-CV-195

Gibson, Brandon O.: Affirm

Denied: Application of Raymond
Cass Ballard

Order filed 2-15-18

JALEEL JOVAN STOVALL v. STATE OF TENNESSEE W2016-01981-SC-R11-PC	Hardeman County Circuit Court J. Weber McCraw 2011-CR-101	Holloway Jr., Robert L.: Affirm	Dismissed: Application of Jaleel Jovan Stovall Order filed 2-15-18
MARQUIZE BERRY v. STATE OF TENNESSEE W2016-02344-SC-R11-PC	Shelby County Criminal Court J. Robert Carter, Jr. 13-00626	Dyer, J. Ross: Affirm	Denied: Application of Marquize Berry Order filed 2-15-18
RANDY A. RICE v. STATE OF TENNESSEE W2016-02592-SC-R11-PC	Madison County Circuit Court Kyle Atkins C-12-43	Easter, Timothy L.: Affirm	Denied: Application of Randy Antonio Rice Order filed 2-15-18
STATE OF TENNESSEE v. CARLOS MORRIS W2017-00129-SC-R11-CD	Madison County Circuit Court Donald H. Allen 06-335	Wedemeyer, Robert W.: Affirm	Denied: Application of Carlos Morris Order filed 2-15-18
DEMARCUS JONES v. STATE OF TENNESSEE W2017-00303-SC-R11-PC	Shelby County Criminal Court J. Robert Carter, Jr. 14-02151	Montgomery Jr., Robert H.: Affirm	Denied: Application of Demarcus Jones Order filed 2-15-18

CHARLES GADLEN v. STATE OF TENNESSEE
W2017-00717-SC-R11-PC

Carroll County Circuit Court
Donald E. Parish
05CR16

Per Curiam: Case Dispositional
Decision

Denied: Application of Charles
Gadlen, Jr.

Order filed 2-15-18

DEANGELO JACKSON v. STATE OF TENNESSEE
W2017-01811-SC-R11-PC

Shelby County Criminal Court
James M. Lammey
13-01259

Per Curiam: Case Dispositional
Decision

Denied: Application of Deangelo
Jackson

Order filed 2-15-18

STATE OF TENNESSEE v. TONDREON M.
BOWLES
W2017-02090-SC-R10-CD

Shelby County Criminal Court
Chris Craft
14-06100, 15-01457

Per Curiam: Case Dispositional
Decision

Denied: Application of Tondreon
M. Bowles

Order filed 2-15-18

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED
02/14/2018
Clerk of the
Appellate Courts

**FRANKLIN-MURRAY DEVELOPMENT COMPANY, L. P. v.
SHUMACKER THOMPSON, PC ET AL.**

**Circuit Court for Williamson County
No. 95790**

No. M2015-01968-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Franklin-Murray Development Company, L. P. and the record before us, the application is denied.

The opinion of the Court of Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4, § E.

PER CURIAM

JEFFREY S. BIVINS, C.J., and CORNELIA A. CLARK, J., not participating.

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

02/14/2018

Clerk of the
Appellate Courts

**STATE OF TENNESSEE v. CHARLOTTE LYNN FRAZIER AND
ANDREA PARKS**

**Circuit Court for Dickson County
No. 22CC-2016-CR-5913**

M2016-02134-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.

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

FILED

02/14/2018

Clerk of the
Appellate Courts

IN RE THE ESTATE OF JIMMY L. SMITH

**General Sessions Court for Monroe County
No. 2014-149**

E2016-02254-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Debbie Burns and the record before us, the application is denied.

The opinion of the Court of Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4(E)(1).

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

02/15/2018

Clerk of the
Appellate Courts

**BRADLEY JETMORE, ET AL. v. METROPOLITAN GOVERNMENT OF
NASHVILLE & DAVIDSON COUNTY, TENNESSEE**

**Chancery Court for Davidson County
No. 16-418-IV**

No. M2016-01792-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Metropolitan Government of Nashville & Davidson County, Tennessee, and the record before us, the application is denied.

The opinion of the Court of Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4, § E. The designation “Not For Citation” does not affect the injunction as modified by the Court of Appeals.

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

02/14/2018

Clerk of the
Appellate Courts

PATRICK R. MILLER v. VANDERBILT UNIVERSITY

**Circuit Court for Davidson County
No. 11C3836**

M2015-02223-SC-R11-CV

ORDER

Upon consideration of the application for permission to appeal of Patrick R. Miller and the record before us, the application is denied.

The opinion of the Court of Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4(E)(1).

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

FILED

02/14/2018

Clerk of the
Appellate Courts

STATE OF TENNESSEE v. JONATHAN DAVID PATTERSON

Criminal Court for Putnam County
Nos. 2015-CR-730, 2015-CR-731, 2015-CR-672, 2015-CR-821

No. M2016-01716-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Jonathan David Patterson and the record before us, the application is granted. Further, the Motion to Amend, Consider, and Incorporate Authority filed by Mr. Patterson is also 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

FILED
02/14/2018
Clerk of the
Appellate Courts

STATE OF TENNESSEE v. MICHAEL DONALD SPRAY

**Circuit Court for Bedford County
No. 17746**

No. M2016-00879-SC-R11-CD

ORDER

Upon consideration of the application for permission to appeal of Michael Donald Spray and the record before us, the application is denied.

The opinion of the Court of Criminal Appeals is designated “Not For Citation” in accordance with Supreme Court Rule 4, § E.

PER CURIAM