



**LIST OF DECISIONS ANNOUNCED BY  
THE SUPREME COURT OF ALABAMA  
ON FRIDAY, JANUARY 7, 2011**

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**Lyons, J.**

1100208 Ex parte William Eugene Blythe. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: William Eugene Blythe v. Bennie O'Barr Blythe) (Etowah Circuit Court: DR-04-976; Civil Appeals : 2090386).

**Writ Denied. No Opinion.**

1100216 Ex parte Jackie Junior Bowers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jackie Junior Bowers v. State of Alabama) (DeKalb Circuit Court: CC-08-861; CC08-862; Criminal Appeals : CR-09-0828).

**Writ Denied. No Opinion.**

1100255 Ex parte Larry Steele. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Larry Steele v. State of Alabama) (Choctaw Circuit Court: CC-00-17.61; Criminal Appeals : CR-09-1443).

**Writ Denied. No Opinion.**

1100277 Ex parte Tony Eugene Grimes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tony Eugene Grimes v. State of Alabama) (Lee Circuit Court: CC-94-1161.66; Criminal Appeals : CR-09-1439).

**Writ Denied. No Opinion.**

1100298 Ex parte Edward Dwight Coleman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Edward Dwight Coleman v. State of Alabama) (Jefferson Circuit Court: CC-94-103.63; Criminal Appeals : CR-09-1254).

**Writ Denied. No Opinion.**

1100330 Ex parte Jonathan Warren. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jonathan Warren v. Alabama Board of Pardons and Paroles) (Montgomery Circuit Court: CV-10-378; Criminal Appeals : CR-09-1459).

**Writ Denied. No Opinion.**

## Woodall, J.

1091122 Certain Underwriters at Lloyd's, London v. Voris E. Kirkland, Connie Ruth Kirkland, Charles Edward Kirkland II, and Karen Kirkland Ochoa (Appeal from Baldwin Circuit Court: CV-08-900621).

**Affirmed In Part; Reversed In Part; and Judgment Rendered.**

1091450 Ex parte State of Alabama. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: State of Alabama v. George Martin) (Mobile Circuit Court: CC99-2696.60; Criminal Appeals : CR-09-1145).

**Petition Denied.**

1091783 Ex parte John Aldridge Limerick. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Pamela Washington and Robert Washington, Jr. v. John Aldridge Limerick et al.) (Etowah Circuit Court: CV-08-182; Civil Appeals).

**Petition Granted. Writ Issued.**

1100244 Ex parte Bonnie Fay Malone. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Bonnie Fay Malone v. Jackie Bailey Noblitt) (Madison Circuit Court: CV-08-900187; Civil Appeals : 2090362).

**Writ Denied. No Opinion.**

1100251 Ex parte Thomas W. Yelton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Thomas W. Yelton v. State of Alabama) (Butler Circuit Court: CC-71-4319.65; Criminal Appeals : CR-09-1659).

**Writ Denied. No Opinion.**

1100264 Ex parte B.J. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: B.J. v. J.J. and M.J.) (Jefferson Juvenile Court: JU-98-53680.02; Civil Appeals : 2090704).

**Writ Denied. No Opinion.**

1100275 Ex parte John Maurice Evans. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: John Maurice Evans v. State of Alabama) (Bessemer Circuit Court: CC-05-750.60; Criminal Appeals : CR-09-1338).

**Writ Denied. No Opinion.**

## Stuart, J.

1100269 Ex parte B.T. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: T.C.T.B.M. v. B.T.) (Mobile Juvenile Court: JU-09-114.91; Civil Appeals : 2090370).

**Writ Denied. No Opinion.**

1100273 Ex parte Mitchell Ray. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Mitchell Ray v. State of Alabama) (Talladega Circuit Court: CC-08-112; Criminal Appeals : CR-09-0387).

**Writ Denied. No Opinion.**

1100294 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Craig Glen McCloud, alias) (Montgomery Circuit Court: CC-09-1250; Criminal Appeals : CR-09-0995).

**Writ Denied. No Opinion.**

1100319 Ex parte Gary Thomas Singleton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gary Thomas Singleton v. State of Alabama) (Limestone Circuit Court: CC-92-25.67; Criminal Appeals : CR-09-1543).

**Writ Denied. No Opinion.**

## **Smith, J.**

1090414 Kimberly R. Kiker, administratrix of the estate of Christopher A. Kiker, deceased v. Probate Court of Mobile County (Appeal from Mobile Probate Court: No. 06-2415).

**Affirmed. No Opinion.**

1091459 Mapco Express, Inc. v. Amard Martin (Appeal from Morgan Circuit Court: CV-08-430).

**Affirmed. No Opinion.**

1100062 Ex parte Jerome Greer. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jerome Greer v. State of Alabama) (Macon Circuit Court: CC04-44.60; Criminal Appeals : CR-08-1416).

**Writ Denied. No Opinion.**

1100067 Ex parte Nakemah Ali Grover. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Nakemah Ali Grover v. State of Alabama) (Mobile Circuit Court: CC-09-3855; 09-3856; 09-3857; Criminal Appeals : CR-09-0959).

**Writ Denied. No Opinion.**

1100128 Ex parte Nedrick Boyd. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Nedrick Boyd v. State of Alabama) (Jefferson Circuit Court: CC09-3261; Criminal Appeals : CR-09-1061).

**Writ Denied. No Opinion.**

1100137 Ex parte Marvin Elliott, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marvin Elliott, Jr. v. State of Alabama) (Morgan Circuit Court: CC-07-617; CC-07-1274; Criminal Appeals : CR-09-0171).

**Writ Denied. No Opinion.**

1100180 Ex parte John Alfred Harper. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama) (Lee Circuit Court: CC-86-582.64; Criminal Appeals : CR-09-1026).

**Writ Denied. No Opinion.**

1100197 Ex parte James Earl Morris, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Earl Morris, Jr. v. State of Alabama) (Morgan Circuit Court: CC-08-134.60; Criminal Appeals : CR-09-1421).

**Writ Denied. No Opinion.**

1100222 Ex parte Matthew L. Beverly. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Estate of Philip Lanier Beverly, deceased) (Shelby Circuit Court: CV-10-391; Civil Appeals : 2091033).

**Writ Denied. No Opinion.**

1100230 Ex parte B. C. M. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: B. C. M. v. M. B. S.) (Jefferson Juvenile Court: CS-06-2290, JU-08-52394, and JU-08-52393; Civil Appeals : 2090343).

**Writ Denied. No Opinion.**

1100237 Ex parte Tony Eugene Grimes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tony Eugene Grimes v. State of Alabama) (Mobile Circuit Court: CC-87-1762.62; CC-87-1763.62; CC-87-1766.63; CC-87-1767.63; Criminal Appeals : CR-09-1267).

**Writ Denied. No Opinion.**

1100258 Ex parte Juan Romiea Caples. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Juan Romiea Caples v. State of Alabama) (Mobile Circuit Court: CC-06-294; Criminal Appeals : CR-09-0582).

**Writ Denied. No Opinion.**

1100265 Ex parte Justin Edward Weems. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Justin Edward Weems v. City of Florence) (Florence Municipal Court: TR-06-7857; Criminal Appeals : CR-08-1886).

**Writ Denied. No Opinion.**

1100288 Ex parte Marvin Ray Jude. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marvin Ray Jude v. State of Alabama) (Madison Circuit Court: CC-07-3024.60; Criminal Appeals : CR-08-1630).

**Writ Denied. No Opinion.**

1100368 Ex parte Michael J. Green. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael J. Green v. Alabama Department of Corrections) (Bibb Circuit Court: CV-10-49; Criminal Appeals : CR-10-0126).

**Writ Denied. No Opinion.**

## **Bolin, J.**

1091594 Premier Medical Development, LLC and Jesse C. Haggerty III v. Mustafain Y. Meghani (Appeal from Barbour Circuit Court: CV-09-75).

**Affirmed. No Opinion.**

1091599 Alfreda M. Swanson v. Harbin Discount Pharmacy, Inc., and Jerry G. Newman (Appeal from Jefferson Circuit Court: CV-09-901012).

**Affirmed. No Opinion.**

1100055 Ex parte State of Alabama. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: State of Alabama v. Stephanie McManus) (Montgomery Circuit Court: CC10-563; Criminal Appeals : CR-09-1745).

**Petition Denied. No Opinion.**

1100236 Ex parte Ned Levon Hughes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ned Levon Hughes v. State of Alabama) (Mobile Circuit Court: CC-80-1981.62; Criminal Appeals : CR-09-1508).

**Writ Denied. No Opinion.**

1100266 Ex parte Bobby Frank Johnson, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bobby Frank Johnson, Jr. v. State of Alabama) (Walker Circuit Court: CC05-424; Criminal Appeals : CR-09-0037).

**Writ Denied. No Opinion.**

1100280 Ex parte James E. Bagley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James E. Bagley v. State of Alabama) (Etowah Circuit Court: CV-09-324; Criminal Appeals : CR-09-1410).

**Writ Denied. No Opinion.**

1100311 Ex parte Arthur David Ahmed. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Arthur David Ahmed v. State of Alabama) (Mobile Circuit Court: CC-97-3526.64; Criminal Appeals : CR-09-1574).

**Writ Denied. No Opinion.**

1100355 Ex parte Scott Alan Anderson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Scott Alan Anderson v. Annette Lynn Anderson) (Morgan Circuit Court: DR-08-270; Civil Appeals : 2090265).

**Writ Denied. No Opinion.**

## **Parker, J.**

1091439 Ex parte Luther H.T. Grubbs, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Luther H.T. Grubbs, Jr. v. State of Alabama) (Jefferson Circuit Court: CC84-1268.62; Criminal Appeals : CR-09-0693).

**Writ Denied. No Opinion.**

1091470 Ex parte Allen Hinkle. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Allen Hinkle, alias v. State of Alabama) (Jefferson Circuit Court: CC09-873; CC09-874; Criminal Appeals : CR-08-1778).

**Writ Denied. No Opinion.**

1091485 Ex parte Charles Edward Cooley, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charles Edward Cooley, Jr. v. State of Alabama) (Mobile Circuit Court: CC08-1199; CC08-1200; Criminal Appeals : CR-08-1533).

**Writ Denied. No Opinion.**

1091574 Ex parte Buddy Lee Craft. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Buddy Lee Craft v. State of Alabama) (Jackson Circuit Court: CC-04-0755; Criminal Appeals : CR-09-0755).

**Writ Denied. No Opinion.**

1091606 Ex parte Benjamin J. Moore. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Benjamin J. Moore v. State of Alabama) (Covington Circuit Court: CC08-143.60; Criminal Appeals : CR-09-1156).

**Writ Denied. No Opinion.**

1091628 Ex parte Jessie Lee Howell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Jessie Lee Howell) (Colbert Circuit Court: CC93-215.75; Criminal Appeals : CR-09-1518).

**Writ Denied. No Opinion.**

## **Murdock, J.**

1090906 Louis Frank Hollander, Jr. v. Raymond Lee Nichols and North Alabama Bone & Joint Clinic (Appeal from Lauderdale Circuit Court: CV-03-428.80).

**Affirmed. No Opinion.**

1091665 Ex parte Maria Teresa Boucher. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Maria Teresa Boucher v. State of Alabama) (Madison Circuit Court: CC08-5497; Criminal Appeals : CR-09-0560).

**Writ Denied. No Opinion.**

1091730 Ex parte G.UB.MK. Construction Company. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: G.UB.MK. Construction Company v. Robert T. Gudger) (Jackson Circuit Court: CV-06-219; Civil Appeals : 2081144).

**Writ Denied. No Opinion.**

1100019 Ex parte Randal Gene Martin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Randal Gene Martin v. State of Alabama) (Calhoun Circuit Court: CC-08-91; Criminal Appeals : CR-09-0797).

**Writ Denied. No Opinion.**

1100082 Ex parte Fernandos Taylor. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Fernandos Taylor v. Dr. James Taylor and Dr. Michael Massey) (Montgomery Circuit Court: CV-09-1695; Civil Appeals : 2090652).

**Writ Denied. No Opinion.**

1100092 Ex parte James Dobyne. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Dobyne v. State of Alabama) (Jefferson Circuit Court: CC09-1513; Criminal Appeals : CR-09-0891).

**Writ Denied. No Opinion.**

1100110 Ex parte Darnell Jarmane Perkins. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darnell Jarmane Perkins v. State of Alabama) (Mobile Circuit Court: CC-06-866.61; CC-06-867.61; CC-06-868.61; CC-06-869.61; Criminal Appeals : CR-09-1557).

**Writ Denied. No Opinion.**

1100118 Ex parte Joey T. Howard. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joey T. Howard v. State of Alabama) (Houston Circuit Court: CC-02-609.62; Criminal Appeals : CR-09-1374).

**Writ Denied. No Opinion.**

## **Shaw, J.**

1081632 Inverness II, L.L.C. v. ATC Associates, Inc. (Appeal from Mobile Circuit Court: CV-04-2401).

**Affirmed. No Opinion.**

1090445 Ex parte Wade Tucker et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Wade Tucker et al. v. Richard Scrushy et al.) (Jefferson Circuit Court: CV-02-5212).

**Petition Granted. Writ Issued.**

## **PER CURIAM**

1100002 Ex parte Thresa Lynn Williams. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Thresa Lynn Williams v. ALFA Insurance Companies/Corporation/Agencies) (Talladega Circuit Court: CV-09-329; Civil Appeals : 2090780).

**Writ Denied. No Opinion.**

1091517 MPQ, Inc. and Marcus Quinn v. Birmingham Realty Company (Appeal from Shelby Circuit Court: CV-09-900730).

**Dismissed. No Opinion.**

1091598 Birmingham Realty Company v. MPQ, Inc. d/b/a Freedom Enterprises and Marcus Quinn (Appeal from Shelby Circuit Court: CV-09-900730).

**Dismissed. No Opinion.**

## **ON REHEARING**

1080081 Jerry M. Nelson, Jr. v. Sherman Chaplin (Appeal from Baldwin Circuit Court: CV-06-267).

**Application Overruled. No Opinion.**

1091011 Patrick D. Cahill v. ShipConstructor USA, Inc., and ShipConstructor Software, Inc. (Appeal from Mobile Circuit Court: CV-08-900604).

**Application Overruled. No Opinion.**

1091536 Ex parte Springhill Hospitals, Inc., d/b/a Springhill Memorial Hospital. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: David L. Oden, as administrator of the estate of Theresa Oden, deceased v. Springhill Hospitals, Inc., d/b/a Springhill Memorial Hospital) (Mobile Circuit Court: CV-10-900421.00).

**Application Overruled. No Opinion.**