



**LIST OF DECISIONS ANNOUNCED BY  
THE SUPREME COURT OF ALABAMA  
ON FRIDAY, FEBRUARY 12, 2010**

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**Cobb, C.J.**

- 1090122 Ex parte Darnell F. Owens. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darnell F. Owens v. State of Alabama) (Chilton Circuit Court: CC06-174; Criminal Appeals : CR-08-0448).

**Writ Denied. No Opinion.**

Circuit Judge, John B. Bush, (334) 567-1148  
Pet. Asst. Atty. Gen., David R. Clark, (334) 361-7750  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Gen. Counsel, John J. Davis, (334) 353-9131

- 1090182 Ex parte Christopher Taft Landers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher Taft Landers v. State of Alabama) (Morgan Circuit Court: CC06-699.60; Criminal Appeals : CR-07-1961).

**Writ Denied. No Opinion.**

Circuit Judge, Steven Ellis Haddock, (256) 351-4750  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Kristi O Wilkerson, (334) 353-8563

- 1090245 Ex parte Gary Lee Mann. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gary Lee Mann v. State of Alabama) (Madison Circuit Court: CC05-1338.60; CC05-1339.60; Criminal Appeals : CR-08-1387).

**Writ denied. No opinion.**

Circuit Judge, James Peyton Smith, (256) 532-3394  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

- 1090320 Ex parte Stanley Stephens. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Stanley Stephens v. State of Alabama) (Lee Circuit Court: CC99-838.60; Criminal Appeals : CR-08-0755).

**Writ Denid No Opinion.**

Circuit Judge, Jacob A. Walker, III, (334) 749-7156  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

- 1090338 Ex parte James McConico, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: James McConico, Jr. v. David Wise and Richard Allen, Commissioner of the Alabama Department of Corrections) (St. Clair Circuit Court: CV-09-20; Civil Appeals : 2080672).

**Writ Denied No Opinion.**

Circuit Judge, James E. Hill, Jr., (205) 338-3869

Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Atty., Tori Adams, (334) 242-7395

- 1090408 Ex parte Berry Lee Ford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Berry Lee Ford v. State of Alabama) (Madison Circuit Court: CC97-83.62; Criminal Appeals : CR-08-1568).

**Writ Denied. No Opinion.**

Circuit Judge, Bruce Edward Williams, (256) 532-3754  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

**Lyons, J.**

- 1081131 Debra Weatherspoon v. Tillery Body Shop, Inc. (Appeal from Tuscaloosa Circuit Court: CV-05-444).

**Affirmed.**

Circuit Judge, John England, (205) 349-3870  
Aplt. Atty., Harry M. Renfro, Jr, (256) 650-2295  
Aple. Atty., Randal Kevin Davis, (205) 759-5771  
Aple. Atty., Thomas R. Jones, Jr, (205) 759-5771

- 1090346 Ex parte Ricky Dion Sanders. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ricky Dion Sanders v. State of Alabama) (Blount Circuit Court: CC04-43; Criminal Appeals : CR-08-0265).

**Writ Denied. No Opinion.**

Circuit Judge, Steven David King, (205) 625-4145  
Pet. Atty., Charles Jackson Perkins, (205) 328-7375  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Atty., Pamela Lynn Casey, (334) 353-3915

- 1090397 Ex parte Larry Dennis Roy. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Larry Dennis Roy v. State of Alabama) (St. Clair Circuit Court, Pell City Division: CC91-144.62; Criminal Appeals : CR-08-1257).

**Writ Denied. No Opinion.**

Circuit Judge, James E. Hill, Jr., (205) 338-3869  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Beth Slate Poe, (334) 242-7377

- 1090407 Ex parte Robert Thomas Mays. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert Thomas Mays v. State of Alabama) (Cullman Circuit Court: CC03-619.60; Criminal Appeals : CR-08-0995).

**Writ Denied. No Opinion.**

Circuit Judge, Harry Frank Brunner, Jr., (256) 775-4653  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

- 1090442 Ex parte David Lee Mayo. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Lee Mayo v. State of Alabama) (Pickens Circuit Court: CC03-71.62; Criminal Appeals : CR-08-0356).

**Writ Denied. No Opinion.**

Circuit Judge, James W. Moore, Jr., (205) 932-3169

## **Woodall, J.**

- 1071620 Ex parte Susan S. DePaola, Trustee in Bankruptcy for Clifford H. Willcutt III. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Danny Clements Builder, Inc. v. Clifford H. Willcutt III) (Montgomery Circuit Court: CV-07-709).

### **Petition Denied.**

Circuit Judge, Tracy S. McCooley, (334) 832-1365  
Pet. Atty., Scott Johnson, Jr., (334) 356-5200  
Pet. Atty., Richard A. Lawrence, (334) 263-2000  
Resp. Atty., Joseph Seawell Moore, (334) 269-3123  
Resp. Atty., John G. Smith, (334) 834-6500

- 1081401 Atheal Pierce v. American General Finance, Inc. (Appeal from Montgomery Circuit Court: CV-08-690).

### **Affirmed. No Opinion.**

Circuit Judge, Charles Price, (334) 832-1331  
Aple. Atty., Lee Hassell  
Aple. Atty., Charles N. Parnell, III, (334) 832-4200

- 1081744 Ex parte Jacqueline E. Austin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Jacqueline E. Austin v. James Maxwell Austin, Jr., and Dana Austin-LaFrance) (Elmore Circuit Court: CV-04-124; Civil Appeals : 2080177).

### **Writ Quashed. No Opinion.**

Circuit Judge, Sibley G. Reynolds, (205) 755-0311  
Pet. Atty., J. Pratt Austin-Trucks, (334) 567-4874  
Pet. Atty., Brenton K Morris, (205) 278-8000  
Resp. Atty., John E. Enslin, (334) 567-2545  
Resp. Atty., Patrick D. Pinkston, (334) 567-2545  
Resp. Atty., Jamie A. Wilson, (205) 278-8000

- 1081750 Ex parte Algero Bernard Bennett. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Algero Bernard Bennett v. State of Alabama) (Mobile Circuit Court: CC08-1634; Criminal Appeals : CR-08-0147).

### **Writ Quashed. No Opinion.**

Circuit Judge, Joseph S. Johnston, (251) 574-8685  
Pet. Atty., Glenn L. Davidson, (251) 432-0400  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, William Duncan Little, (334) 242-4162

- 1090372 Ex parte Courtney James Boyd. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Courtney James Boyd v. State of Alabama) (Montgomery Circuit Court: CC99-681.68; Criminal Appeals : CR-08-1984).

### **Writ Denied. No Opinion.**

Circuit Judge, Truman M. Hobbs, Jr., (334) 832-7147  
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1090392 Ex parte John H. Romer. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Vilma G. Romer v. John H. Romer) (Madison Circuit Court: DR-06-1129; Civil Appeals : 2080353).

**Writ Denied. No Opinion.**

Circuit Judge, William K. Bell, (256) 532-3636  
Pet. Atty., Joan Marie Kettell Dean, (256) 534-4557  
Resp. Atty., Nancy S. Gaines, (251) 965-3751

1090395 Ex parte Bryan Alexander Blount. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bryan Alexander Blount v. State of Alabama) (Houston Circuit Court: CC02-197.60; Criminal Appeals : CR-08-1590).

**Writ Denied. No Opinion.**

Circuit Judge, Larry K. Anderson, (334) 671-8761  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Jack William Willis, (334) 242-7326

1090396 Ex parte Frederick Allan Barkley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Frederick Allan Barkley v. State of Alabama) (Baldwin Circuit Court: CC06-1767; Criminal Appeals : CR-08-1469).

**Writ Denied. No Opinion.**

Circuit Judge, J. Langford Floyd, (251) 937-0237  
Resp. Atty. General, Troy Robin King, (334) 242-7401

1090413 Ex parte S. W. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: S. W. v. K. K.) (Montgomery Juvenile Court: JU-05-756 and JU-05-839; Civil Appeals : 2080273).

**Writ Denied. No Opinion.**

1090440 Ex parte Eric Lashawn Jelks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eric Lashawn Jelks v. State of Alabama) (Etowah Circuit Court: CC07-987.60; Criminal Appeals : CR-08-1725).

**Writ Denied. No Opinion.**

Circuit Judge, Anthony Clark Hall, (256) 549-5368  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7376

1090464 Ex parte Maximilian J. Grelier III. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Rebecca R. Grelier v. Maximilian J. Grelier III) (Madison Circuit Court: DR-04-956; Civil Appeals : 2060810).

**Writ Denied. No Opinion.**

Circuit Judge, William K. Bell, (256) 532-3636  
Pet. Atty., Dinah P. Rhodes, (256) 536-1676  
Resp. Atty., Nancy S. Gaines, (251) 965-3751

**Stuart, J.**

1081258 Child Day Care Association v. American States Insurance Company (Appeal from Mobile Circuit Court: CV-03-1574).

**Affirmed. No Opinion.**

Circuit Judge, Robert Herschel Smith, (251) 574-8485  
Apl. Atty., G. Reggie Copeland, Jr, (251) 433-3234  
Aple. Atty., J. Evans Bailey, (334) 206-3114  
Aple. Atty., Ronald Gregg Davenport, (334) 206-3275

1081559 Debra Parker et al. v. Jackson County (Appeal from Jackson Circuit Court: CV-07-135).

**Affirmed. No Opinion.**

Circuit Judge, Howard F. Bryan, IV, (334) 864-4328  
Apl. Atty., Robert David Lee, (256) 533-3251  
Apl. Atty., j. zach higgs, Jr, (256) 533-3251  
Aple. Atty., Winthrop E. Johnson, (334) 262-1850  
Aple. Atty., Daryl L Masters, (334) 262-1850  
Aple. Atty., John F. Porter, III, (256) 574-5156

1090274 Ex parte Janine Marie Peterson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Janine Marie Peterson v. Russell Piburn et al.) (Limestone Circuit Court: DR-03-245.01; Civil Appeals : 2070303).

**Writ Denied. No Opinion.**

Circuit Judge, James W. Woodroof, (256) 233-6410  
Pet. Atty., Dinah P. Rhodes, (256) 536-1676  
Resp. Atty., R. Eric Summerford, Sr., (256) 350-8885

1090391 Ex parte Steve Lawrence Woods. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Steve Lawrence Woods, alias v. State of Alabama) (Lauderdale Circuit Court: CC06-11; Criminal Appeals : CR-06-1150).

**Writ Denied. No Opinion.**

Circuit Judge, Michael T. Jones, (256) 760-5831  
Pet. Atty., Stephen A. Strickland, (205) 930-9800  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Michael G. Dean, (334) 353-0415

1090427 Ex parte Davian Rashaud Cooper. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Davian Rashaud Cooper v. State of Alabama) (Houston Circuit Court: CC06-1409; CC06-1410; CC06-1411; CC06-1412; Criminal Appeals : CR-07-0498).

**Writ Denied. No Opinion.**

Circuit Judge, Larry K. Anderson, (334) 671-8761  
Pet. Atty., David Kenneth Hogg, (334) 699-4625  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

1090504 Ex parte Keith Richards. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Keith Richards v. State of Alabama) (Madison Circuit Court: CC01-2277.63; Criminal Appeals : CR-08-1163).

**Writ Denied. No Opinion.**

Circuit Judge, James Peyton Smith, (256) 532-3394

Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

- 1080432 Jeremiah Williams, Geneva Geeter, and Fannie Mae Buchanan v. Jefferson County Tax Assessor and Collector (Appeal from Jefferson Circuit Court: CV-06-6960).

**Affirmed. No Opinion.**

Circuit Judge, Robert S. Vance, Jr., (205) 325-5035  
Apl. Atty., Lee Wendell Loder, (205) 326-0566  
Apl. Atty., French Andrew McMillan, (205) 325-5688  
Apl. Atty., Charles S. Wagner, (205) 325-5688

- 1080571 Jefferson County Tax Assessor v. Winewood Christian Fellowship (Appeal from Jefferson Circuit Court: CV-06-6960).

**Affirmed. No Opinion.**

Circuit Judge, Robert S. Vance, Jr., (205) 325-5035  
Apl. Atty., French Andrew McMillan, (205) 325-5688  
Apl. Atty., Charles S. Wagner, (205) 325-5688  
Apl. Atty., Roderick Dale Graham, (205) 427-9494  
Apl. Atty., Lee Wendell Loder, (205) 326-0566

**Smith, J.**

- 1081004 Holly V. Powe v. William David Fry (Appeal from Limestone Circuit Court: CV-08-216).

**Affirmed. No Opinion.**

Circuit Judge, James W. Woodroof, (256) 233-6410  
Apl. Atty., Melissa D. Endsley, (256) 464-5156  
Apl. Atty., Thomas S. McGrath, (256) 464-5156  
Apl. Atty., Kathy Davis, (205) 822-2006  
Apl. Atty., Joseph H. Driver, (205) 822-2006

- 1090046 Ex parte Frenchon Renardo Hill. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Frenchon Renardo Hill v. State of Alabama) (Tuscaloosa Circuit Court: CC97-292.60; CC97-293.60; Criminal Appeals : CR-07-2097).

**Writ Quashed. No Opinion.**

Circuit Judge, Charles R. Malone, (205) 349-3870  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Gen. Counsel, John J. Davis, (334) 353-9131

- 1090335 Ex parte Martin Tracy McBurnett. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Martin Tracy McBurnett v. State of Alabama) ; Criminal Appeals : CR-08-1149).

**Writ Denied. No Opinion.**

- 1090412 Ex parte Demonsia Lapez Ricks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Demonsia Lapez Ricks v. State of Alabama) (Montgomery Circuit Court: CC05-1123.60; Criminal Appeals : CR-08-0392).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Price, (334) 832-1331  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7376

1080528 A.D. Adams, Jr., et al. v. City of Birmingham (Appeal from Jefferson Circuit Court: CV-07-2939).

**Affirmed. No Opinion.**

Circuit Judge, Edward L. Ramsey, (205) 325-5280  
Apl. Atty., James Larry Stewart, (205) 428-3115  
Aple. Atty., John M. Edens, (205) 254-2369  
Aple. Atty., Tiffany Nichelle Johnson, (334) 727-6463  
Aple. Atty., Brandy Murphy Lee, (205) 328-9445

1080529 Larry Jackson et al. v. City of Birmingham (Appeal from Jefferson Circuit Court: CV-06-4501).

**Affirmed. No Opinion.**

Circuit Judge, Edward L. Ramsey, (205) 325-5280  
Apl. Atty., James Larry Stewart, (205) 428-3115  
Aple. Atty., John M. Edens, (205) 254-2369  
Aple. Atty., Brandy Murphy Lee, (205) 328-9445

**Bolin, J.**

1090134 Ex parte Gerald Eugene Barnes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Gerald Eugene Barnes v. Kristy Lee Barnes) (Jackson Circuit Court: DR-05-497.01; Civil Appeals : 2080311).

**Writ Denied. No Opinion.**

Circuit Judge, Jenifer C. Holt, (205) 574-9350  
Pet. Atty., Gary W Lackey, (256) 259-3929  
Resp. Atty., Sherry Weldon Dobbins, (256) 845-9985

1090147 Ex parte Corey Octavius Lewis. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Corey Octavius Lewis v. State of Alabama) (Russell Circuit Court: CC07-604.60; Criminal Appeals : CR-07-1922).

**Writ Denied. No Opinion.**

Circuit Judge, George R. Greene, (334) 297-4567  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Atty., Kristi O Wilkerson, (334) 353-8563

1090190 Ex parte James William Bailey IV. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James William Bailey IV v. State of Alabama) (Henry Circuit Court: CC05-378; Criminal Appeals : CR-08-0783).

**Writ Denied. No Opinion.**

Circuit Judge, Larry K. Anderson, (334) 671-8761  
Pet. Atty., Allen K Mitchell, (334) 671-0289  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, William Duncan Little, (334) 242-4162

1090215 Ex parte Mark Jerome Hampton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Mark Jerome Hampton v. State of Alabama) (Marshall Circuit Court: CC06-204; Criminal Appeals : CR-08-1132).

**Writ Denied. No Opinion.**

Circuit Judge, Allen Tim Jolley, (256) 878-8597  
Pet. Atty., Aaron Ryan, (256) 536-8373

Pet. Atty., E Jake Watson, (256) 536-8373  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

- 1090221 Ex parte Billy Wayne Walker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Billy Wayne Walker v. State of Alabama) (DeKalb Circuit Court: CC07-659; Criminal Appeals : CR-08-0949).

**Writ Denied. No Opinion.**

Circuit Judge, Randall L. Cole, (256) 845-8540  
Pet. Atty., Angela Cochran Morgan, (256) 845-3386  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

- 1090226 Ex parte James McConico, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James McConico, Jr. v. State of Alabama) (Jefferson Circuit Court: CC83-3284.65; Criminal Appeals : CR-08-0620).

**Writ Denied. No Opinion.**

Circuit Judge, Teresa Tanner Pulliam, (205) 325-5329  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

- 1090227 Ex parte Michael Wayne George. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Wayne George v. State of Alabama) (Jefferson Circuit Court: CC99-1122.62; Criminal Appeals : CR-08-0749).

**Writ Denied. No Opinion.**

Circuit Judge, J. William Cole, (205) 325-5290  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Atty., Kristi O Wilkerson, (334) 353-8563

- 1090233 Ex parte William Lawrence Crosby. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Lawrence Crosby v. State of Alabama) (Mobile Circuit Court: CC02-736.60; Criminal Appeals : CR-08-1441).

**Writ Denied. No Opinion.**

Circuit Judge, Charles A. Graddick, (251) 574-5639  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328

- 1090291 Ex parte Jerry Richards. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Jerry Richards v. David M. Cawley, D.D.S.) (Montgomery Circuit Court: CV-06-2280; Civil Appeals : 2080792).

**Writ Denied. No Opinion.**

Circuit Judge, Tracy S. McCooey, (334) 832-1365  
Pet. Atty., Stephen M. NeSmith, (334) 834-6990  
Resp. Atty., Bethany L. Bolger, (334) 206-3100  
Resp. Atty., Benjamin C. Wilson, (334) 206-3100

- 1090313 Ex parte Michael James Hubbard. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael James Hubbard v. State of Alabama) (Cullman Circuit Court: CC05-42.60; Criminal Appeals : CR-07-2260).

**Writ Denied. No Opinion.**

Circuit Judge, Don L. Hardeman, (256) 739-3530



Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

- 1090339 Ex parte Preston Lee Colwell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Preston Lee Colwell v. State of Alabama) (Limestone Circuit Court: CC05-68; CC05-858; CC06-866; Criminal Appeals : CR-09-0125).

**Writ Denied. No Opinion.**

Circuit Judge, James W. Woodroof, (256) 233-6410  
Resp. Atty. General, Troy Robin King, (334) 242-7401

- 1090347 Ex parte Floyd O'hara. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Floyd O'hara v. State of Alabama) (Henry Circuit Court: CC08-85; CC08-86; Criminal Appeals : CR-08-1123).

**Writ Denied. No Opinion.**

Circuit Judge, Henry Dubose Binford  
Pet. Atty., Tilden Jeffrey Haywood, (334) 793-9009  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

- 1090406 Ex parte James Edward Bagley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Edward Bagley v. State of Alabama) (Calhoun Circuit Court: CC03-815.65; Criminal Appeals : CR-08-1374).

**Writ Denied. No Opinion.**

Circuit Judge, Brian P. Howell, (256) 231-1821  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7378

## **Parker, J.**

- 1081036 Ex parte Allen Hugh Parker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Allen Hugh Parker v. State of Alabama) (Morgan Circuit Court: CC-07-608; Criminal Appeals : CR-07-2175).

**Writ Denied. No Opinion.**

- 1081039 Ex parte Henry Lee Wilson III. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Henry Lee Wilson III v. State of Alabama) (Mobile Circuit Court: CC-07-2422; Criminal Appeals : CR-08-0008).

**Writ Denied. No Opinion.**

- 1081053 Ex parte H. J. M. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: H. J. M. v. State of Alabama) (Houston Circuit Court: CC05-1684; 05-2300; Criminal Appeals : CR-07-0530).

**Writ Denied. No Opinion.**

- 1081207 Ex parte Joseph Michael Allen. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama) (Sumter Circuit Court: CC-07-9; Criminal Appeals : CR-07-1063).

**Writ Denied. No Opinion.**

1081219 Robert Turner v. J. Scott Boman (Appeal from Lamar Circuit Court: CV-08-115).

**Affirmed. No Opinion.**

Circuit Judge, James W. Moore, Jr., (205) 932-3169  
Apl. Atty., Glenn Carlyle Noe, (205) 695-7158  
Aple. Atty., Thomas Matthew Jones, (205) 752-6262  
Aple. Atty., Robert Spence, (205) 344-5000

1081299 Ex parte Kay Christian. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Kay Christian v. Talladega County Commission) (Talladega Circuit Court: CV-06-900006; Civil Appeals : 2080396).

**Writ Denied. No Opinion.**

Circuit Judge, Julian M. King, (256) 761-2106  
Pet. Atty., William P Traylor, III, (205) 414-8161  
Resp. Atty., John Gleissner, (205) 982-4620  
Resp. Atty., Paige H. Sykes, (205) 982-4634

1081315 Ex parte John D. English. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: John D. English v. State of Alabama) (Talladega Circuit Court: CC96-262.62; Criminal Appeals : CR-07-1854).

**Writ Denied. No Opinion.**

Circuit Judge, Julian M. King, (256) 761-2106  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

1081363 Ex parte Marnie Lane Redden. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Robert Jeffrey Redden v. Marnie Lane Redden) (Tallapoosa Circuit Court: DR-06-114; Civil Appeals : 2070936).

**Writ Denied. No Opinion.**

Circuit Judge, Ray Dunn Martin, (256) 825-1084  
Pet. Atty., Thomas E Jones, (334) 826-6707  
Resp. Atty., James T Sasser, (706) 653-6109

1090050 Ex parte T. F. H. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: T. F. H. v. Etowah County Department of Human Resources et al) (Etowah Juvenile Court: JU-05-411.02, 08-469.02, 05-411.02,; Civil Appeals : 2080627, 2080628, 2080629, 2080630, 2080636, 2080637).

**Writ Denied. No Opinion.**

**Murdock, J.**

1070995 Angela Jones, as personal representative of the estate of Carlos Jones v. Wal-Mart Stores, Inc., d/b/a Sam's Club, et al. (Appeal from Mobile Circuit Court: CV-07-480).

**Affirmed. No Opinion.**

Circuit Judge, Charles A. Graddick, (251) 574-5639  
Apl. Atty., Jene William Owens, Jr, (251) 431-9364  
Apl. Atty., Mark E. Spear, (251) 344-8181  
Apl. Atty., John M. Teague, (251) 344-8181  
Aple. Atty., Wilbur Pemble DeLashmet, (251) 433-1577

Aple. Atty., Jennifer A. Doughty, (251) 433-1577  
Aple. Atty., Joseph H. Driver, (205) 822-2006  
Aple. Atty., D. Gregory Dunagan, (205) 822-2006  
Aple. Atty., Chad C. Marchand, (251) 433-1577

- 1080258 Cynthia Tell, as dependent widow of Donnie Lee Zeigler, deceased v. Cowin Equipment Company, Inc. (Appeal from Elmore Circuit Court: CV-04-412.80).

**Affirmed. No Opinion.**

Circuit Judge, Sibley G. Reynolds, (205) 755-0311  
Aplt. Atty., Nicole Mapp Hardee, (205) 871-5777  
Aplt. Atty., James A. Harris, III, (205) 871-5777  
Aple. Atty., John Gleissner, (205) 982-4620

- 1090189 Ex parte Kenneth Lamar McDaniel. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kenneth Lamar McDaniel v. State of Alabama) (Houston Circuit Court: CC06-973; CC06-974; CC06-975; CC06-976; Criminal Appeals : CR-07-1737).

**Writ Denied. No Opinion.**

Circuit Judge, Sidney Jackson, (334) 677-4854  
Pet. Atty., Derek Evan Yarbrough, (334) 793-0051  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

- 1090238 Ex parte Blake Aaron Graddick. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Blake Aaron Graddick v. State of Alabama) (Madison Circuit Court: CC05-2487.60; Criminal Appeals : CR-07-0338).

**Writ Denied. No Opinion.**

Circuit Judge, Karen K. Hall, (256) 532-3455  
Pet. Atty., Peter Alpha Dumbuya, (706) 289-5082  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

- 1090297 Ex parte Carl Darrell Hutto. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Carl Darrell Hutto v. State of Alabama) (Lawrence Circuit Court: CC87-247.62; Criminal Appeals : CR-08-0853).

**Writ Denied. No Opinion.**

Circuit Judge, Mark Craig, (256) 974-2444  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., J Thomas Leverette, (334) 242-7300

- 1090322 Ex parte Eliezer Santana. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eliezer Santana v. State of Alabama) (Coffee Circuit Court, Enterprise Division: CC07-96.60; Criminal Appeals : CR-08-1042).

**Writ Denied. No Opinion.**

Circuit Judge, Jeffrey W. Kelley, (334) 347-4785  
Pet. Atty., Roianne Houlton Conner, (334) 215-1988  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

1090369 Ex parte Larry Wendell Blakey. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Larry Wendell Blakey v. Sarah Irene Blakey) (Mobile Circuit Court: DR-93-501528.03; Civil Appeals : 2070797).

**Writ Denied. No Opinion.**

Circuit Judge, J. Donald Banks, (251) 574-8488  
Pet. Atty., Lee Louis Hale, Jr., (251) 433-3671  
Pet. Atty., William Gregory Hughes, (251) 433-3671  
Resp. Atty., A. Evans Crowe, (251) 431-6000  
Resp. Atty., Michael T. Murphy, (251) 431-6000

1090402 Ex parte Timothy J. Richards. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Timothy J. Richards v. State of Alabama) (Walker Circuit Court: CC99-20.62; Criminal Appeals : CR-08-1137).

**Writ Denied. No Opinion.**

Circuit Judge, Hoyt Elliott, (205) 384-7263  
Pet. Atty., Aimee C. Smith, (334) 264-6466  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Audrey K. Jordan, (334) 353-4338

**Shaw, J.**

1080174 Thelma Parks et al. v. East Montgomery Water, Sewer, and Fire Protection Authority et al. (Appeal from Montgomery Circuit Court: CV-02-2469).

**Affirmed. No Opinion.**

Circuit Judge, William A. Shashy, (334) 832-1370  
Apl. Atty., J Knox Argo, (334) 279-0088  
Aple. Atty., Karl B. Benkwith, Jr., (334) 395-9899  
Aple. Atty., Timothy J. Gallagher, (334) 532-3400  
Aple. Atty., Robert E. Sasser, (334) 532-3400  
Aple. Atty., Patrick L. W. Sefton, (334) 532-3400

1080329 Benny Hand and Hand's Rental, Inc. v. Lyon Financial Services, Inc. (Appeal from Franklin Circuit Court: CV-07-87).

**Affirmed. No Opinion.**

Circuit Judge, Terry Lee Dempsey, (256) 332-8893  
Apl. Atty., Rodney B Slusher, (256) 764-4011  
Aple. Atty., Donald Christian, (256) 534-6553

1081126 Ex parte Antonio Bernard Gulley, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Antonio Bernard Gulley, alias v. State of Alabama) (Montgomery Circuit Court: CC08-178; Criminal Appeals : CR-08-0137).

**Writ Denied. No Opinion.**

Circuit Judge, Johnny Hardwick, (334) 832-1380  
Pet. Atty., Robert McIntyre Beno, (334) 269-9281  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Kristi O Wilkerson, (334) 353-8563

1081153 Ex parte James Estes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Estes, alias v. State of Alabama) (Chambers Circuit Court: CC-07-331; Criminal Appeals : CR-07-1534).

**Writ Denied. No Opinion.**

1081177 Ex parte James Kessler, et al. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: James Kessler, et al. v. James R. Gillis, et al.) (St. Clair Circuit Court: CV-02-76; Civil Appeals : 2080421).

**Writ Denied. No Opinion.**

Circuit Judge, Charles E. Robinson, (205) 594-2187  
Pet. Atty., Raymond Lykins, (205) 212-1000  
Pet. Atty., Keith W. Veigas, Jr, (205) 212-1000  
Resp. Atty., William E. Bright, Jr., (205) 655-9284  
Resp. Atty., Wayne (NMN) Morse, Jr, (205) 327-8376

1081194 Ex parte Joseph Wayne Madden. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joseph Wayne Madden v. State of Alabama) (Colbert Circuit Court: CC95-314.62; Criminal Appeals : CR-08-0715).

**Writ Denied. No Opinion.**

Circuit Judge, Jacqueline M. Hatcher, (256) 386-8528  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

1081221 Ex parte David A. Green. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: David A. Green v. Teresa Green) (Madison Circuit Court: DR-02-1580.03; Civil Appeals : 2070789).

**Writ Denied. No Opinion.**

Circuit Judge, Bruce Edward Williams, (256) 532-3754  
Pet. Atty., Angela Leigh Daniel, (256) 551-0500  
Pet. Atty., Joan Marie Kettell Dean, (256) 534-4557  
Resp. Atty., Norman Bradley, Jr., (256) 536-2292

1081233 Ex parte Christopher Jackson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher Jackson v. State of Alabama) (Jefferson Circuit Court: CC05-1088.60; Criminal Appeals : CR-08-0323).

**Writ Denied. No Opinion.**

Circuit Judge, Alfred Bahakel, (205) 325-5648  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1081251 Ex parte Arthur Gray. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Arthur Gray v. Alabama Department of Industrial Relations and National Security of Alabama, Inc., d/b/a Don Terry & Associates) (Montgomery Circuit Court: CV-07-849; Civil Appeals : 2080025).

**Writ Denied. No Opinion.**

Circuit Judge, Eugene W. Reese, (334) 832-1360  
Resp. General Counsel, Frank D Marsh, (334) 242-8376  
Resp. Atty., Lewis B. Hickman, Jr, (334) 264-1441

1081291 Ex parte Thomas Daniel Pickron. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Thomas Daniel Pickron v. City of Creola) (Mobile Circuit Court: CC08-37; Criminal Appeals : CR-07-1451).

**Writ Denied. No Opinion.**

Circuit Judge, Sarah Hicks Stewart, (251) 574-8457  
Pet. Atty., James M. Byrd, (251) 438-2973

Resp. Atty. General, Troy Robin King, (334) 242-7401

Resp. Atty., C. Mark Erwin, (251) 432-8120

Resp. Atty., Deena Renee Tyler, (251) 432-8120

- 1081298 Ex parte Cheryl Hickel Smith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Cheryl Hickel Smith v. Lex Burr Smith) (Tuscaloosa Circuit Court: DR-03-278.01; Civil Appeals : 2080387).

**Writ Denied. No Opinion.**

Circuit Judge, Philip N. Lisenby, (205) 349-3870

Pet. Atty., Ritchie Lee Tipton, (205) 758-4676

Resp. Atty., Thomas Willard Powe, Jr, (205) 345-5564

- 1081335 Ex parte Christopher Barbour. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher Barbour v. State of Alabama) (Madison Circuit Court: CC06-3068.60; CC06-3071.60; CC06-3074.60; CC06-3075.60; CC06-3076.60; Criminal Appeals : CR-08-0727).

**Writ Denied. No Opinion.**

Circuit Judge, Karen K. Hall, (256) 532-3455

Resp. Atty. General, Troy Robin King, (334) 242-7401

Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

- 1081374 Ex parte Willie C. Flowers and Mary J. Flowers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Willie C. Flowers and Mary J. Flowers v. Eleanor Tyler Dean) (Coffee Circuit Court: CV-05-23; Civil Appeals : 2070344).

**Writ Denied. No Opinion.**

Circuit Judge, Thomas E. Head, III, (334) 897-5525

Pet. Atty., J. E. Sawyer, Jr, (334) 347-6447

Resp. Atty., L. Merrill Shirley, (334) 897-5775

- 1081386 Ex parte Charles Eugene Black. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charles Eugene Black v. State of Alabama) (Colbert Circuit Court: CC97-212.62; Criminal Appeals : 080560).

**Writ Denied. No Opinion.**

Circuit Judge, Jacqueline M. Hatcher, (256) 386-8528

Resp. Atty. General, Troy King, (334) 242-7300

Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

- 1081487 Ex parte Dennis Lamar Debruce. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dennis Lamar Debruce v. State of Alabama) (Jefferson Circuit Court: CC92-1573; Criminal Appeals : CR-08-0800).

**Writ Denied. No Opinion.**

Circuit Judge, Laura Petro, (205) 325-5646

Resp. Atty. General, Troy Robin King, (334) 242-7401

- 1081492 Ex parte Roderick Shelton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Roderick Shelton, alias v. State of Alabama) (Jefferson Circuit Court: CC-07-2644; Criminal Appeals : CR-08-0526).

**Writ Denied. No Opinion.**

1081539 Ex parte Ira Parker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ira Parker v. State of Alabama) (Baldwin Circuit Court: CC07-1953; Criminal Appeals : CR-08-0165).

**Writ Denied. No Opinion.**

Circuit Judge, J. Langford Floyd, (251) 937-0237  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

1081566 Ex parte Stan Warren Moore. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Stan Warren Moore v. State of Alabama) (Mobile Circuit Court: CC06-1166.60; Criminal Appeals : CR-08-1198).

**Writ Denied. No Opinion.**

Circuit Judge, Michael Anthony Youngpeter, (251) 574-8780  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Cecil Gordon Brendle, Jr, (334) 242-7357

1081574 Ex parte Anthony Jones. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Anthony Jones v. State of Alabama) (Mobile Circuit Court: CC00-2500.62, CC00-2501.62, CC00-2502.62; Criminal Appeals : CR-08-1263).

**Writ Denied. No Opinion.**

Circuit Judge, James C. Wood, (251) 574-8475  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

**PER CURIAM**

1061446 Conway W. Brooks and Helen C. Brooks v. Charles F. Miller II et al. (Appeal from Jefferson Circuit Court: CV-04-6622).

**Affirmed. No Opinion.**

Circuit Judge, Caryl P. Privett, (205) 325-5388  
Apl. Atty., Daniel A. Feig, (205) 327-5550  
Apl. Atty., James F. Walsh, (205) 327-5550  
Aple. Atty., Kathy Davis, (205) 822-2006  
Aple. Atty., Joseph H. Driver, (205) 822-2006  
Aple. Atty., David Michael Fleming, (205) 251-1193  
Aple. Atty., Robert S. Lamar, Jr, (205) 326-0000  
Aple. Atty., Rick Norris, Jr, (205) 250-6618  
Aple. Atty., Adam V. Vickers, (205) 822-2006  
Aple. Atty., walter j price, III, (205) 251-1193

1061680 Richard F. Thompson v. Cevin Cormier, D.C., and Cormier Chiropractic and Physical Therapy Center (Appeal from Mobile Circuit Court: CV-04-3661).

**Affirmed. No Opinion.**

Circuit Judge, James C. Wood, (251) 574-8475  
Apl. Atty., Brigg Hails Austin, (251) 433-8088  
Apl. Atty., L. Bratton Rainey, III, (251) 433-8088  
Aple. Atty., Scott G. Brown, (251) 405-1300  
Aple. Atty., W. Boyd Reeves, (251) 405-1300

1090389 Ex parte Larry Jordan Carraway. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Larry Jordan Carraway v. State of Alabama) (Shelby Circuit Court: CC05-86; Criminal Appeals : CR-08-0110).

**Writ Denied. No Opinion.**

Circuit Judge, G. Daniel Reeves, (205) 669-8588  
Pet. Atty., Mickey L Johnson, (205) 663-7000  
Resp. Atty. General, Troy Robin King, (334) 242-7401  
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

**ON REHEARING**

1061788 Deborah Kerr et al. v. Sunrise Village Condominium Association, Inc., et al. (Appeal from Baldwin Circuit Court: CV-05-310).

**Application Overruled. No Opinion.**

Circuit Judge, Charles C. Partin, (251) 937-0273  
Aplt. Atty., Jack Whitfield Torbert, Jr, (256) 547-7551  
Aple. Atty., Scott A. Boykin, (205) 251-3000  
Aple. Atty., Russell C. Buffkin, (251) 432-5521  
Aple. Atty., Daniel H. Craven, Jr., (334) 968-8170  
Aple. Atty., Rita Dixon, (205) 251-3000  
Aple. Atty., Frank C. Galloway, III, (205) 871-2183  
Aple. Atty., James Marshall Gardner, (251) 432-9772  
Aple. Atty., Frederick G. Helmsing, Jr, (251) 431-8818  
Aple. Atty., James Lynn Perry, (251) 625-0046  
Resp. Atty., D. Andrew Stivender, (251) 432-5521

1071285 David B. Beasley et al. v. Hidden Valley, Inc., and North Alabama Bank (Appeal from Madison Circuit Court: CV-02-272).

**Application Overruled. No Opinion.**

Circuit Judge, Sherrie W. Paler, (256) 351-4700  
Aplt. Atty., Robert Carl Gammons, (256) 533-7711  
Aplt. Atty., Joshua B. White, (256) 533-7711  
Aple. Atty., Robert H. McCaleb, (256) 534-3794  
Aple. Atty., Nicole Leigh Schroer, (256) 533-0202  
Aple. Atty., Robert Victor Wood, Jr, (256) 533-0202

1080584 Ex parte Amerisure Insurance Company and Amerisure Mutual Insurance Company. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Town & Country Property, LLC and Town & Country Ford, LLC v. Jones-Williams Construction Company et al.) (Jefferson Circuit Court, Bessemer Division: CV-07-1417).

**Application Overruled. No Opinion.**

Circuit Judge, Dan C. King, III, (205) 481-4175  
Pet. Atty., William Henry McKenzie, IV  
Aplt. Atty., Kile T. Turner, (205) 328-6643  
Resp. Atty., Howard K Glick, Jr, (205) 876-1600  
Resp. Atty., Candice Joy Shockley, (205) 663-3363  
Resp. Atty., W. Scott Simpson, (205) 876-1600  
Resp. Atty., Jon B. Terry, (205) 425-1606