



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, APRIL 24, 2009**

Cobb, C.J.

1061046 William H. Phillips v. Lew Dickey et al. (Appeal from Mobile Circuit Court: CV-06-3119).

Dismissed.

Circuit Judge, Roderick P. Stout, (251) 574-8482
Aplt. Atty., Jason Gerth, (251) 476-3000
Aplt. Atty., E. J. Saad, (251) 476-3000
Aplt. Atty., David F. Walker, (251) 476-3000
Aple. Atty., Henry A. Callaway, III, (251) 432-5511
Aple. Atty., Rod Cate, (251) 634-6274
Aple. Atty., W. Craig Hamilton, (251) 432-5511
Aple. Atty., Edward S. Sledge, III, (251) 432-5300

1071502 Julie R. Lyons and Godfrey Lyons v. Vaughan Regional Medical Center, L.L.C. (Appeal from Dallas Circuit Court: CV-05-327).

Affirmed.

Circuit Judge, Thomas ap Roger Jones, (334) 874-2510
Aplt. Atty., Ronald R. Crook, (205) 324-8910
Aple. Atty., John D Herndon, (205) 251-1193

1080365 Ex parte Joseph B. Hooks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joseph B. Hooks v. State of Alabama) (Montgomery Circuit Court: CC85-588.60; Criminal Appeals : CR-04-2220).

Writ Denied. No Opinion.

Circuit Judge, William A. Shashy, (334) 832-1370
Pet. Atty., Laurie S. Gill, (617) 570-1000
Pet. Atty., Francis C. Lynch, Jr., (617) 570-2000
Pet. Atty., David Dawson Schoen, (334) 272-4443
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Beth Jackson Hughes, (334) 242-7392
Resp. Atty., Richard D Anderson, (334) 353-2021

Lyons, J.

1080386 Ex parte Guaranty Pest Control, Inc. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: A. Vincent Brown, Jr. v. Guaranty Pest Control, Inc.) (Jefferson Circuit Court, Bessemer Division: CV-06-535).

Motion to Strike Denied; Petition Granted In Part and Denied In Part; Writ Issued.

Circuit Judge, Dan C. King, III, (205) 481-4175

Pet. Atty., Edgar Elliott
Pet. Atty., Richard M. Thayer, (205) 795-6588
Pet. Atty., Michael Anthony Vercher, (205) 250-6621
Resp. Atty., Thomas F. Campbell, (205) 278-6650
Resp. Atty., Donald Keiron McGowin, (205) 278-6650
Resp. Atty., Jon B. Terry, (205) 425-1606

- 1080650 Ex parte Laren Edward Laakkonen. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Laren Edward Laakkonen, alias v. State of Alabama) (Madison Circuit Court: CC04-5056; Criminal Appeals : CR-06-0981).

Writ Denied.

Circuit Judge, Karen K. Hall, (256) 532-3455
Pet. Atty., E Jake Watson, (256) 536-8373
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7378

Stuart, J.

- 1071618 Ex parte Michael David Carruth. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Michael David Carruth) (Russell Circuit Court: CC-02-378.60; Criminal Appeals : CR-06-1967).

Application Overruled; Opinion of January 23, 2009, Withdrawn; Opinion Substituted; Writ Quashed.

Circuit Judge, Albert Johnson, (334) 297-1366
Pet. Atty., Alicia D'Addario, (334) 269-1803
Pet. Atty., Glenn L. Davidson, (251) 432-0400
Pet. Atty., Charlotte Morrison, (334) 269-1803
Pet. Atty., Bryan A. Stevenson, (334) 269-1803
Pet. Atty., Randall S. Susskind, (334) 269-1803
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Jasper Beroujon Roberts, Jr, (334) 353-4848

- 1080520 Ex parte Yvonne Sumerlin. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Doris Williford, as the personal representative of the estate of Austin Taylor Terry, deceased v. Susan Toole et al.) (Jefferson Circuit Court, Bessemer Division: CV-03-565).

Petition Granted. Writ Issued.

Circuit Judge, Eugene R. Verin, (205) 481-4170
Pet. Asst. Atty. General, Sharon E. Ficquette, (334) 242-9330
Pet. Atty., Felicia Brooks, (334) 242-9330
Resp. Atty., Rhonda Pitts Chambers, (205) 558-2800
Resp. Atty., William Dawson, (205) 323-6170
Resp. Atty., William A. Short, Jr., (205) 426-1463
Resp. Atty., Leah O. Taylor, (205) 558-2800
Resp. Atty., Ted Taylor, (205) 558-2800
Resp. Atty., Stephen Cochran Wallace, (205) 323-6170
Resp. Atty., J. Gusty Yearout, (205) 414-8160

- 1080594 Ex parte Mary Jo Hise. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mary Jo Hise v. Charles W. Hise) (Dallas Circuit Court: DR-01-145; Civil Appeals : 2070161).

Writ Denied. No Opinion. (Special Writing)

Circuit Judge, Marvin Wayne Wiggins, (334) 624-5620

Pet. Atty., Vallerie K. Chittom, (334) 874-1111
Pet. Atty., P. Vaughan Russell, Sr, (334) 875-7677
Resp. Atty., William T. Faile, (334) 872-0484
Resp. Atty., John W. Kelly, III, (334) 875-5770

Smith, J.

- 1070438 Ex parte Christopher McCullough. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher McCullough, alias v. State of Alabama) (Chambers Circuit Court: CC02-312; Criminal Appeals : CR-06-1311).

Reversed And Judgment Rendered.

Circuit Judge, Steven R. Perryman, (334) 756-3800
Pet. Atty., T. Robin McIntyre, (334) 745-3223
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Marcus Bass, (334) 242-7300

- 1070518 Jane Kelly and James Kelly, Jr. v. Georgia-Pacific, LLC (Appeal from Houston Circuit Court: CV-05-765).

Affirmed. No Opinion.

Circuit Judge, Jerry M. White, (334) 677-4889
Apl. Atty., David Hodge, (205) 322-8880
Apl. Atty., H. Samuel Prim, III, (334) 671-9555
Aple. Atty., Michael L. Bell, (205) 581-0700
Aple. Atty., Stanford G. Hooper, (205) 581-0700
Aple. Atty., Terrence W. McCarthy, (205) 581-0700

- 1071327 Ex parte Raymond Douglas Williams. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Raymond Douglas Williams v. State of Alabama) (Madison Circuit Court: CC06-4870; Criminal Appeals : CR-06-2041).

Writ Quashed. No Opinion.

Circuit Judge, Loyd H. Little, Jr., (256) 532-3440
Pet. Atty., Bruce A. Gardner, (256) 533-5756
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7378

- 1080299 Ex parte John A. Williams. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Teresa Desselle Thomas v. John A. Williams) (Autauga Circuit Court: CV-07-900093; Civil Appeals : 2070512).

Writ Denied. No Opinion.

Circuit Judge, Sibley G. Reynolds, (205) 755-0311
Pet. Atty., Bethany L. Bolger, (334) 206-3100
Pet. Atty., L. Peyton Chapman, III, (334) 206-3225
Pet. Atty., Thomas H. Keene, (033) 206-3100
Resp. Atty., James R. Moncus, III, (205) 328-5330

- 1080596 Ex parte Bill Flora. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Bill Flora v. Affordable Homes, LLC, et al.) (Pike Circuit Court: CV-03-229; Civil Appeals : 2070704).

Writ Denied. No Opinion.

Circuit Judge, Thomas E. Head, III, (334) 897-5525
Pet. Atty., Charles J. Kettler, Jr., (334) 335-3262
Resp. Atty., Steadman S Shealy, Jr, (334) 677-3000

1080656 Ex parte Michael Jermaine Walker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Jermaine Walker v. State of Alabama) (Houston Circuit Court: CC06-257; Criminal Appeals : CR-07-0345).

Writ Denied. No Opinion.

Circuit Judge, Charles Lawson Little, (334) 677-4889
Pet. Atty., Christmas Y. Green, (334) 872-7150
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

1080684 Ex parte Linda Lee Cochran. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Linda Lee Cochran v. Joseph P. Chapman) (Mobile Circuit Court: DR-07-500885; Civil Appeals : 2070541).

Writ Denied. No Opinion.

Circuit Judge, J. Donald Banks, (251) 574-8488
Pet. Atty., William Gregory Hughes, (251) 433-3671
Resp. Atty., Grady R. Edmondson, (251) 432-7645

Bolin, J.

1080332 Ex parte First Tennessee Bank. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: First Tennessee Bank National Association, as successor personal representative of the estate of Edith Landgrebe Russell, deceased v. Ben Russell et al.) (Tallapoosa Circuit Court: CV-07-115).

Petition Denied. No Opinion.

Circuit Judge, Thomas F. Young, Jr., (256) 234-7901
Pet. Atty., Roy J. Crawford, (205) 716-5293
Pet. Atty., C Fred Daniels, (205) 716-5232
Pet. Atty., Crawford McGivaren, Jr, (205) 716-5200
Resp. Atty., Charles McDonald Ferguson, Jr, (205) 521-8000
Resp. Atty., James W Gewin, (205) 521-8000
Resp. Atty., C. Nelson Gill, (334) 834-1180
Resp. Atty., Richard Gill, (334) 834-1180
Resp. Atty., George W Walker, III, (334) 834-1180

Shaw, J.

1071659 Riverview Regional Medical Center, Inc. v. Dorothy Lindsey (Appeal from Etowah Circuit Court: CV-06-999).

Dismissed. No Opinion.

Circuit Judge, Anthony Clark Hall, (256) 549-5370
Pet. Atty., Jack Lee Roberts, Jr, (256) 543-3664
Resp. Atty., Stephen D. Heninger, (205) 326-3336

ON REHEARING

1060204 Southland Bank and Jimmy Adkinson v. A & A Drywall Supply Company, Inc. and Chadwick E. Anderson (Appeal from Houston Circuit Court: CV-03-1082).

Application Overruled.

Circuit Judge, Charles Lawson Little, (334) 677-4889
Apl. Atty., Stephen T. Etheredge, (334) 793-3377
Apl. Atty., William P. Gray, Jr, (205) 968-0900
Apl. Atty., Douglas N. Robertson, (205) 968-0900

Resp. Atty., Rhonda Pitts Chambers, (205) 558-2800
Aple. Atty., William L. Lee, III, (334) 792-4156
Aple. Atty., William L. Lee, IV, (334) 792-4156
Aple. Atty., Leah O. Taylor, (205) 558-2800
Aple. Atty., Ted Taylor, (205) 558-2800
Amicus Aplt. Atty., H. Hampton Boles, (205) 251-8100
Amicus Aplt. Atty., Gregory C. Cook, (205) 251-8100
Amicus Aplt. Atty., Forrest S. Latta, (251) 344-5151
Amicus Aplt. Atty., John D. Pickering, (205) 251-8100
Amicus Aplt. Atty., LeRonne Riddick-Seals, (251) 345-8205
Amicus Aplt. Atty., Scott L. Rouse, (334) 353-8388
Amicus Aple. Atty., Joe C Cassady, Sr, (334) 393-0351
Amicus Aple. Atty., Leila H. Watson, (205) 328-2200
Amicus Aple. Atty., James Jerry Wood, (334) 834-3006