



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, MAY 21, 2010**

Cobb, C.J.

- 1081083 Ex parte Gregory S. Bentley et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Intergraph Corporation and Cobalt BSI Holding, L.L.C. v. Gregory S. Bentley et al.) (Madison Circuit Court: CV-08-1729).

Petition Denied.

Circuit Judge, James Peyton Smith, (256) 532-3394
Pet. Atty., William H Brooks, (205) 581-0758
Pet. Atty., James F. Hughey, III, (205) 581-0700
Pet. Atty., Mark Christian King, (205) 581-0700
Resp. Atty., Walter A. Dodgen, Jr., (256) 551-0171
Resp. Atty., Douglas B. Hargett, (256) 381-7750
Resp. Atty., G. Bartley Loftin, III, (256) 551-0171
Resp. Atty., David Vance Lucas, (256) 730-2032
Resp. Atty., Drayton Nabers, Jr, (205) 254-1118
Resp. Atty., Anthony P. Zana, (256) 730-3262

Lyons, J.

- 1081365 Ex parte Karen Tade Miller. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Frederick Brent Miller v. Karen Tade Miller) (Montgomery Circuit Court: DR-99-1050.01; Civil Appeals : 2071149).

Writ Quashed. No Opinion.

Circuit Judge, Patricia D. Warner, (334) 244-7007
Pet. Atty., J Floyd Minor, (334) 265-6200
Pet. Atty., John Lawrence Olszewski, (334) 265-6200
Resp. Atty., Roianne Houlton Conner, (334) 215-1988

Bolin, J.

- 1090118 Ernest Thurman, as personal representative of the estate of Gladys Inez Thurman v. Long-Lewis, Inc., et al. (Appeal from Jefferson Circuit Court: CV-08-901335).

Affirmed. No Opinion.

Circuit Judge, Caryl P. Privett, (205) 325-5388
Apl. Atty., Shayana Boyd Davis, (205) 458-9400
Apl. Atty., G. Patterson Keahey, Jr., (205) 871-0707
Aple. Atty., Robert R BAugh, (205) 930-5100
Aple. Atty., Holly H Bazemore, (205) 980-5000
Aple. Atty., Angela C Cameron, (205) 458-9400
Aple. Atty., C. Paul Cavender, (205) 251-3000

Aple. Atty., Timothy A. Clarke, (251) 432-9772
Aple. Atty., Stephen Christopher Collier, (404) 614-7479
Aple. Atty., Helen K. Downs, (205) 458-9400
Aple. Atty., Jenelle R. Evans, (205) 226-8760
Aple. Atty., William Mellor Bains Fleming, III, (205) 328-6643
Aple. Atty., Evelyn Fletcher, (404) 614-7400
Aple. Atty., Roger C. Foster, (205) 986-4405
Aple. Atty., Jeff Friedman, (205) 278-7000
Aple. Atty., Anthony C. Harlow, (205) 868-6000
Aple. Atty., Roy Wallace Harrell, III, (251) 432-9772
Aple. Atty., William D. Jones, III, (205) 458-9400
Aple. Atty., Frank E. Lankford, Jr., (205) 251-1193
Aple. Atty., Brooke G. Malcom, (205) 581-0700
Aple. Atty., John Dickson Mayo, (205) 581-0769
Aple. Atty., Stewart W McCloud, (205) 251-1193
Aple. Atty., William T. Mills, II, (205) 980-5000
Aple. Atty., Robert F. Northcutt, (334) 241-8000
Aple. Atty., Elizabeth Branch Padgett, (404) 614-7400
Aple. Atty., Lee T Patterson, (205) 278-7000
Aple. Atty., William Larkin Radney, IV, (205) 581-0786
Aple. Atty., F. Grey Redditt, Jr, (251) 432-9772
Aple. Atty., Matthew Whittle Robinett, (205) 328-6643
Aple. Atty., Michael Anthony Vercher, (205) 250-6621
Aple. Atty., Michael Anthony Vercher, (205) 250-6621
Aple. Atty., James Northcutt Walter, Jr, (334) 241-8066
Aple. Atty., William L. Waudby, (205) 244-3894
Aple. Atty., Allan R. Wheeler, (205) 458-5235
Aple. Atty., William C. Wood, Jr., (205) 328-6643

1090644 Ex parte Donald McInish. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: KGS Steel, Inc. v. Donald McInish) (Jefferson Circuit Court, Bessemer Division: CV-99-392; Civil Appeals : 2040526).

Writ Denied. No Opinion. (Special Writing)

Circuit Judge, Dan C. King, III, (205) 481-4175
Pet. Atty., Stan Brobston, (205) 425-4361
Resp. Atty., Joseph H. Driver, (205) 822-2006
Resp. Atty., Bennett L. Pugh, (205) 822-2006

1090773 Ex parte Raymond Paul Owens. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Raymond Paul Owens v. State of Alabama) (Walker Circuit Court: CC96-472.61; Criminal Appeals : CR-08-1963).

Writ Denied. No Opinion.

Circuit Judge, Jerry Selman, (205) 384-7237
Pet. Atty., Susan Graham James, (334) 269-3330
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

1090873 Ex parte Richard Norris. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Richard Norris v. State of Alabama) (Talladega Circuit Court: CC01-244.61; Criminal Appeals : CR-08-1632).

Writ Denied. No Opinion.

Circuit Judge, William E. Hollingsworth, III, (256) 761-2108
Resp. Atty. General, Troy Robin King, (334) 242-7401

Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1081633 J L Loper Construction Company, Inc., et al. v. Findout Partnership, LLP (Appeal from Baldwin Circuit Court: CV-08-901123).

Affirmed.

Circuit Judge, J. Langford Floyd, (251) 937-0237
Aplt. Atty., R. Will Holmes, (334) 303-3871
Aplt. Atty., Abner Riley Powell, IV, (334) 222-4103
Aple. Atty., David Perry Shepherd, (251) 928-4400

1081692 Findout Partnership, LLP v. J L Loper Construction Company, Inc., et al. (Appeal from Baldwin Circuit Court: CV-08-901123).

Reversed.

Circuit Judge, J. Langford Floyd, (251) 937-0237
Aplt. Atty., David Perry Shepherd, (251) 928-4400
Aple. Atty., Abner Riley Powell, IV, (334) 222-4103

Murdock, J.

1090808 Ex parte State of Alabama et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Governor Bob Riley et al. v. Cornerstone Community Outreach, Inc., et al.; State of Alabama v. Chad Dickie et al.) (Lowndes Circuit Court: CV-09-900019; CV-09-900027).

Motion to Dismiss Denied; Petition Granted; Writ Issued with Instructions.

Circuit Judge, Robert S. Vance, Jr., (205) 325-5035
Pet. Atty. General, Troy Robin King, (334) 242-7401
Pet. Asst. Atty. General, Cheairs M. Porter, (334) 353-8811
Pet. District Atty., John Malcolm Tyson, Jr, (251) .57-4.66
Unknown Atty., Wesley B. Gilchrist, (205) 581-0735
Pet. Atty., J Douglas McElvy, (334) 293-0567
Pet. Atty., Tim Morgan, (256) 532-3460
Pet. Atty., H. E. Nix, Jr., (334) 279-7770
Unknown Atty., Harlan I Prater, IV, (205) 581-0720
Pet. Atty., Henry Theodore Reagan, II, (334) 242-7120
Unknown Atty., Stephen J. Rowe, (205) 581-0700
Pet. Atty., Martha Adrienne Tierney, (251) 574-3307
Pet. Atty., Elizabeth Camilla Wible, (334) 834-6238
Resp. Atty., Lee Hall Copeland, (334) 834-1180
Resp. Atty., Joe Espy, III, (334) 263-6621
Resp. Atty., William Martin Espy, (334) 263-6621
Resp. Atty., Shannon L. Holliday, (334) 834-1180
Resp. Atty., James David Martin, (334) 834-1180
Resp. Atty., Collins - Pettaway, Jr, (334) 875-9264
Resp. Atty., Robert D Segall, (334) 834-1180

Shaw, J.

1071453 Jerry Wayne Suttles and City of Homewood v. Eldetraud "Trudy" Roy (Appeal from Jefferson Circuit Court: CV-07-900894).

Affirmed In Part; Reversed In Part; Remanded.

Circuit Judge, Helen Shores Lee, (205) 325-5635
Pet. Atty., Timothy P. Donahue, (205) 871-8858
Pet. Atty., Thomas S. Hale, (205) 453-9800

Pet. Atty., A Donald Scott, Jr., (205) 871-8858
Pet. Atty., Terry A. Sides, (205) 453-9800
Resp. Atty., Rip Andrews, (205) 879-1981
Resp. Atty., Alan Lasseter, (205) 879-1981
Resp. Atty., David H. Marsh, (205) 879-1981
Amicus Apl. Atty., Art Elsner
Amicus Apl. Atty., Scott W. Faulkner, (256) 535-1100
Amicus Apl. Atty., Alex Lafayette Holtsford, Jr, (334) 215-8585
Amicus Apl. Atty., Rick A. Howard, (334) 215-8585
Amicus Apl. Atty., Jeffrey Todd Kelly, (256) 535-1100
Amicus Apl. Atty., Lorelei Agar Lein, (334) 262-2566
Amicus Apl. Atty., Rocco J. Leo, (205) 879-0000
Amicus Apl. Atty., Richard S. Manley, (334) 289-1384
Amicus Apl. Atty., David A. McDowell, (334) 365-5924
Amicus Apl. Atty., April Willis McKay, (334) 215-8585
Amicus Apl. Atty., Jimmy Lee Nunn, (334) 874-2407
Amicus Apl. Atty., Horace V. O'Neal, Jr, (205) 879-0000
Amicus Apl. Atty., George W. Royer, Jr, (256) 535-1100
Amicus Apl. Atty., Dan Warnes, (256) 582-6914

PER CURIAM

1090880 Ex parte Judge A. Barber Sherling. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Judge A. Barber Sherling v. State of Alabama) (Mobile Circuit Court: CC09-3695; Criminal Appeals : CR-09-0082).

Writ Denied. No Opinion.

Circuit Judge, James C. Wood, (251) 574-8475
Pet. Atty., Darryl Blackmon, (251) 432-6985
Pet. Atty., Kenneth A. Nixon, (251) 415-3370
Pet. Atty., Brian R. Overstreet, (251) 415-3370
Pet. Atty., Scott Sawyer
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. District Atty., Ella Byrd, (251) 574-8400
Resp. Asst. District Atty., Matt Seymore
Resp. Atty., Kristi O Wilkerson, (334) 353-8563

ON REHEARING

1080902 Patsy Nicholson, as executrix of the estate of Shawn Dwayne Nicholson, deceased v. A & B Cycle, Inc. (Appeal from Mobile Circuit Court: CV-08-638).

Application Overruled. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Apl. Atty. - Pro Hac, David T. Bright, (361) 887-0500
Apl. Atty., David Michael Huggins, (251) 432-2855
Apl. Atty., Jeffrey L. Luther, (251) 433-8088
Apl. Atty., E. Glenn Smith, (251) 433-8088