



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, AUGUST 13, 2010**

Cobb, C.J.

1090953 Shelley Simons Ernstberger Lauterbach v. Gordan, Dana, Still, Knight & Gilmore, LLC (Appeal from Jefferson Circuit Court: CV-09-900281).

Dismissed.

Circuit Judge, Joseph L. Boohaker, (205) 325-5753
Aplt. Atty., Steven Eversole, (120) 598-1245
Aple. Atty., John Gibbs Dana, (205) 874-7950
Aple. Atty., Bruce L. Gordon, (205) 874-7950

Woodall, J.

1081792 Richard Glynn Poff, Jr. v. Alabama State Bar (Appeal from No. 07-09(A)).

Affirmed. No Opinion.

Aplt. Atty., Richard G. Poff, Jr., (205) 322-7050
Aple. Atty., Robert E. Lusk, Jr, (334) 269-1515
Aple. Atty., J. Anthony McLain, (334) 269-1515

1090695 Ex parte Brent Cody Brown. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Brent Cody Brown v. State of Alabama) (Cullman Circuit Court: CC05-400; Criminal Appeals : CR-07-1958).

Writ Quashed. No Opinion.

Circuit Judge, Don L. Hardeman, (256) 739-3530
Pet. Atty., Kathryn Annette King, (256) 734-0400
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7376

Stuart, J.

1081711 Adam Glenn Terry v. Emily Brackin (Appeal from Lawrence Circuit Court: CV-09-6).

Affirmed. No Opinion.

Probate Judge, Richard I. Proctor, (256) 974-2439
Aplt. Atty., Chris Malcom, (256) 974-4262
Aple. Atty., Roderick M. Alexander, (256) 974-0862

1090952 Ex parte John V. Denson II, Circuit Judge. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: State of Alabama vs. Mary Maxine Neel) (Lee Circuit Court: CC-06-319; Criminal Appeals : CR-08-1048).

Petition Granted. Writ Issued.

Pet. Circuit Judge, John V. Denson, II, (334) 749-7141
Pet. Atty., C. C. Bo Torbert, (334) 201-6437
Pet. Atty., Philip O. Tyler, (334) 821-3892
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, William Duncan Little, (334) 242-4162
Resp. District Atty., Nick Abbett, (334) 749-7148
Resp. Asst. District Atty., Robert T. Treese, III, (334) 737-3446

1090961 Ex parte Mary Maxine Neel. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: State of Alabama vs. Mary Maxine Neel) (Lee Circuit Court: CC06-319; Criminal Appeals : CR-08-1048).

Petition Dismissed.

Circuit Judge, John V. Denson, II, (334) 749-7141
Pet. Atty., Philip O. Tyler, (334) 821-3892
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, William Duncan Little, (334) 242-4162
Resp. District Atty., Nick Abbett, (334) 749-7148
Resp. Asst. District Atty., Robert T. Treese, III, (334) 737-3446

Bolin, J.

1090035 Ex parte George Martin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. George Martin) (Mobile Circuit Court: CC99-2696.60; Criminal Appeals : CR-07-2011).

Affirmed.

Circuit Judge, Robert Herschel Smith, (251) 574-8485
Pet. Atty., Rory M. Hernandez, (213) 229-7000
Pet. Atty., John H. Sharer, (213) 229-7476
Pet. Atty., Bryan A. Stevenson, (334) 269-1803
Pet. Atty., Aaryn M. Urell, (334) 269-1803
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Jon Brennan Hayden, (334) 353-3123

1090908 Ex parte John Henry Benson. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Champalle T. Jordan v. John Henry Benson) (Jefferson Circuit Court, Bessemer Division: CV-08-1282).

Petition Denied. No Opinion.

Circuit Judge, Eugene R. Verin, (205) 481-4170
Pet. Atty., George Matthew Keenan, (205) 868-6081
Pet. Atty., J. Bentley Owens, III, (205) 868-6000
Pet. Atty., Philip G. Piggott, (205) 868-6086
Resp. Atty., Edmond DeWayne Earle, (205) 252-9203
Resp. Atty., Thomas E. Thrash, (205) 424-1818

1091131 Ex parte Bishop State Community College. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS OR IN THE ALTERNATIVE WRIT OF MANDAMUS (In re: Bishop State Community College v. Marlene A. French) (: FMCS No. 07-0151; Civil Appeals : 2090669).

Writ Denied. No opinion.

Pet. Atty., Jeffrey Garrett Miller, (251) 432-1671
Pet. Atty., David M. O'Brien, (251) 432-1671
Resp. Atty., Henry Harris Caddell, (251) 478-8880

Murdock, J.

1081268 Ex parte Michelin North America, Inc. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Shane Seaborn, administrator of the estate of Gustavo Perez Lopez, deceased v. Michelin North America, Inc. and Michelin Americas Research & Development Corporation) (Barbour Circuit Court: CV-07-900020).

Petition Granted. Writ Issued.

Circuit Judge, L. Bernard Smithart, (334) 775-3408
Pet. Atty. - Pro Hac, Bonnie Lassiter, (404) 607-0100
Pet. Atty. - Pro Hac, Robert P. Monyak, (404) 607-0100
Pet. Atty., John William Rea, (205) 521-8491
Pet. Atty., Scott Burnett Smith, (256) 517-5198
Pet. Atty., Charles A. Stewart, III, (205) 521-8000
Resp. Atty., Benjamin E. Baker, Jr, (334) 269-2343

Shaw, J.

1071515 Green Tree-AL LLC v. Lisa K. White (Appeal from Barbour Circuit Court: CV-07-900031).

Reversed And Remanded.

Circuit Judge, Bernard Smithart, (334) 738-3286
Apl. Atty., Robert Austin Huffaker, Jr, (334) 206-3126
Aple. Atty., Rhonda Pitts Chambers, (205) 558-2800
Aple. Atty., Leah Oldacre Taylor, (205) 558-2800

1081024 Linda R. Stevens v. Estate of William G. Stevens et al. (Appeal from Madison Circuit Court: CV-07-900448).

Affirmed. No Opinion.

Circuit Judge, Karen K. Hall, (256) 532-3455
Apl. Atty., Barry A. Brock, (205) 251-9600
Aple. Atty., P. Scott Arnston, (256) 535-1100
Aple. Atty., Jeffrey Todd Kelly, (256) 535-1100

1081025 Linda R. Stevens v. Estate of William G. Stevens et al. (Appeal from Madison Circuit Court: CV-07-001197).

Affirmed. No Opinion.

Circuit Judge, Karen K. Hall, (256) 532-3455
Apl. Atty., Barry A. Brock, (205) 251-9600
Aple. Atty., P. Scott Arnston, (256) 535-1100
Aple. Atty., Jeffrey Todd Kelly, (256) 535-1100

PER CURIAM

- 1070535 Ex parte Eugene Milton Clemons II. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eugene Milton Clemons II v. State of Alabama) (Shelby Circuit Court: CC93-313.60; Criminal Appeals : CR-01-1355).

Writ Denied. No Opinion.

Circuit Judge, Daniel A. Crowson, Jr, (205) 669-2820
Pet. Atty. - Pro Hac, Eric W. Bloom, (202) 282-5743
Pet. Atty., James Sturgeon Christie, Jr, (205) 521-8000
Pet. Atty. - Pro Hac, Daniel G. Grove, (859) 288-2817
Pet. Atty. - Pro Hac, Ryan S. Spiegel, (202) 282-5739
Pet. Atty. - Pro Hac, Anne W. Stukes, (202) 282-5000
Pet. Atty., Anne Regina Yuengert, (205) 521-8362
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Anne C. Adams, (334) 242-7300
Resp. Asst. Atty. Gen., James Clayton Crenshaw, (334) 242-7423
Resp. Asst. Atty. General, Henry Mitchell Johnson, (334) 353-9095

- 1080396 SSC Selma Operating Company, LLC, d/b/a Warren Manor Health & Rehabilitation Center; Bernard Turk; and Sava Senior Care Administrative Services, LLC v. Ethel Gordon, administratrix of the estate of Jimmy Lee Gordon (Appeal from Dallas Circuit Court: CV-08-900087).

Reversed And Remanded.

Circuit Judge, Thomas ap Roger Jones, (334) 874-2510
Apl. Atty., J. Michael Coleman, (615) 661-7820
Apl. Atty., William J. Gamble, (334) 875-7810
Apl. Atty., Jon Paul Sawyer, (334) 269-2343

- 1080823 Lindsey Osborn Beasley, individually and as trustee of the Joseph Waintraub Management Trust; Kourtney Osborn Naish; and Susan W. Stocks v. Alan M. Wells (Appeal from Jefferson Probate Court: No. 195185).

Reversed And Remanded.

Probate Judge, Alan L. King, (205) 325-5420
Apl. Atty., Melanie Merkle Atha, (205) 716-5200
Apl. Atty., C Fred Daniels, (205) 716-5232
Apl. Atty., Greg W Foster, (205) 324-3600
Apl. Atty., Josh J. Wright, (205) 324-3600

ON REHEARING

- 1081688 Raymond James Financial Services, Inc. and Bernard Michaud v. Kathryn L. Honea (Appeal from Jefferson Circuit Court: CV-06-1896).

Application Overruled. No Opinion.

Circuit Judge, Houston Brown, (205) 325-5367
Apl. Atty., Prim Formby, (205) 254-1000
Apl. Atty., Andrea Greene, (205) 254-1000
Apl. Atty., Armistead I Selden, III, (205) 254-1056
Apl. Atty., James Timothy Francis, (205) 251-0252
Apl. Atty., James L. North, (205) 251-0252

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

Application Overruled. No Opinion.

Circuit Judge, J. Langford Floyd, (251) 937-0237
Apl. Atty., R. Will Holmes, (334) 303-3871
Apl. Atty., Abner Riley Powell, IV, (334) 222-4103
Apl. Atty., James Northcutt Walter, Jr, (334) 241-8066
Apl. Atty., Christopher W. Weller, (334) 241-8000
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).

Application Overruled. No Opinion.

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