



**LIST OF DECISIONS ANNOUNCED BY  
THE SUPREME COURT OF ALABAMA  
ON FRIDAY, AUGUST 19, 2011**

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**Murdock, J.**

- 1091191 Ex parte Kohlberg Kravis Roberts & Company, L.P., et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: 27001 Partnership et al. v. Kohlberg Kravis Roberts & Company, L.P., et al.) (Jefferson Circuit Court: CV-99-4487).

**Petition Denied.**

Circuit Judge, Joseph L. Boohaker, (205) 325-5753  
Pet. Atty. - Pro Hac, Paul C. Curnin, (212) 455-2000  
Pet. Atty., Jay M. Ezelle, (205) 868-6000  
Pet. Atty., Michael A. Florie, (205) 868-6000  
Pet. Atty. - Pro Hac, Bryce L. Friedman  
Pet. Atty. - Pro Hac, James G. Gamble, (212) 455-2000  
Pet. Atty. - Pro Hac, George S. Wang, (212) 455-2000  
Resp. Atty. - Pro Hac, Leo R. Beus, (480) 429-3000  
Resp. Atty., T. Louis Coppedge, (205) 254-1094  
Resp. Atty., James Timothy Francis, (205) 251-0252  
Resp. Atty., Mac M. Moorner, (205) 581-0700  
Resp. Atty., James L. North, (205) 251-0252  
Resp. Atty. - Pro Hac, Quinton F. Seamons, (480) 429-3000  
Resp. Atty. - Pro Hac, Scot C. Stirling, (480) 429-3000

- 1091206 Ex parte Ronald G. Bruno. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: 27001 Partnership et al. v. Kohlberg Kravis Roberts & Company, L.P., et al.) (Jefferson Circuit Court: CV-99-4487).

**Petition Denied.**

Circuit Judge, Joseph L. Boohaker, (205) 325-5753  
Pet. Atty., Tenley Elizabeth Garvich, (205) 581-0787  
Pet. Atty., James W Gibson, (205) 949-6388  
Pet. Atty., James F. Hughey, III, (205) 581-0700  
Pet. Atty., Mac M. Moorner, (205) 581-0700  
Resp. Atty., Leo R. Beus, (480) 429-3000  
Resp. Atty., Bruce Birenboim  
Resp. Atty., T. Louis Coppedge, (205) 254-1094  
Resp. Atty. - Pro Hac, Paul C. Curnin, (212) 455-2000  
Resp. Atty., Jay M. Ezelle, (205) 868-6000  
Resp. Atty., Michael A. Florie, (205) 868-6000  
Resp. Atty., James Timothy Francis, (205) 251-0252  
Resp. Atty. - Pro Hac, Bryce L. Friedman  
Resp. Atty. - Pro Hac, James G. Gamble, (212) 455-2000  
Resp. Atty., James L. North, (205) 251-0252  
Resp. Atty., Stephen A. Rowe, (205) 250-5000

Resp. Atty. - Pro Hac, Quinton F. Seamons, (480) 429-3000  
Resp. Atty., Scot C. Stirling, (480) 429-3000  
Resp. Atty. - Pro Hac, George S. Wang, (212) 455-2000

## **Shaw, J.**

- 1081250 Ex parte Roderick Byrd. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Roderick Byrd v. State of Alabama) (Jefferson Circuit Court: CC06-2222; Criminal Appeals : CR-07-0113).

**Writ Denied. No Opinion.**

Circuit Judge, J. William Cole, (205) 325-5290  
Pet. Atty., Glennon F Threatt, (205) 581-5322  
Resp. Atty. General, Luther Strange, (334) 242-7447  
Resp. Dep. Atty. General, Thomas Govan, (334) 242-7455  
Resp. Atty., Tina Coker Hammonds, (334) 353-7355

- 1090213 Ex parte Craig Newton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Craig Newton, alias v. State of Alabama) (Macon Circuit Court: CC01-49; Criminal Appeals : CR-05-1517).

**Writ Denied. No Opinion.**

Circuit Judge, Thomas F. Young, Jr., (256) 234-7901  
Pet. Atty., Thomas Martele Goggans, (334) 834-2511  
Pet. Atty., Andrew Skier, (334) 263-4105  
Resp. Atty. General, Luther Strange, (334) 242-7447  
Resp. Asst. Atty. General, Michael A Nunnelley, (334) 353-1779  
Resp. Asst. Atty. General, Peter J Smyczek, (334) 353-9218  
Resp. Atty., Richard D Anderson, (334) 353-2021

## **Main, J.**

- 1091421 Ex parte Alabama Power Company. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Capitol Container, Inc. v. Alabama Power Company) (Montgomery Circuit Court: CV-2010-900022).

**Petition Granted. Writ Issued.**

Circuit Judge, Charles Price, (334) 832-5331  
Pet. Atty., James A. Byram, Jr, (334) 269-3159  
Pet. Atty., Scott B. Grover, (205) 251-8100  
Pet. Atty., Ed R. Haden, (205) 226-8795  
Pet. Atty., Robin G. Laurie, (334) 834-6500  
Resp. Atty., Kenneth J. Mendelsohn, (334) 213-2323

- 1091632 Ex parte B.V. and D.V. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: B.V. and D.V. v. Wanda Davidson, Karen Marks, and Clay Brannon) (Montgomery Circuit Court: CV-08-900454; Civil Appeals : 2081125).

**Writ Quashed. No Opinion. (Special Writing)**

- 1100479 Ex parte Jerry Elliott. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Ex parte International Paper Company, Inc. (In re: Jerry Elliott v. International Paper Company, Inc., et al.)) (Conecuh Circuit Court: CV-09-900053; Civil Appeals : 2090352).

**Petition Granted. Writ Issued.**

Circuit Judge, Dawn Wiggins Hare, (251) 743-3649  
Pet. Atty., Max Cassady, (251) 928-9558  
Resp. Civil Appeals Clerk, John H. Wilkerson, Jr., (334) 242-4093

Resp. Atty., Joseph H. Driver, (205) 822-2006  
Resp. Atty., Patrick L Hays, Jr, (334) 371-4297  
Resp. Atty., Sam M Ingram, (334) 213-5600  
Resp. Atty., Tara Waller Lockett, (251) 626-9340

1100497 Ex parte Jerry Elliott. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Ex parte Chapman Forest Products, Inc. (In re: Jerry Elliott v. International Paper Company, Inc., et al.)) (Conecuh Circuit Court: CV-09-900053; Civil Appeals : 2090368).

**Petition Granted. Writ Issued.**

Circuit Judge, Dawn Wiggins Hare, (251) 743-3649  
Pet. Atty., Max Cassady, (251) 928-9558  
Resp. Civil Appeals Clerk, John H. Wilkerson, Jr., (334) 242-4093  
Resp. Atty., Joseph H. Driver, (205) 822-2006  
Resp. Atty., Patrick L Hays, Jr, (334) 371-4297  
Resp. Atty., Sam M Ingram, (334) 213-5600  
Resp. Atty., Tara Waller Lockett, (251) 626-9340

**PER CURIAM**

1100791 Ex parte Ted Ciano's Used Car Center. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Alton Kayle King v. Ford Motor Company et al.) (Escambia Circuit Court: CV-10-900160).

**Petition Denied. No Opinion.**

Circuit Judge, Bert Wayne Rice, (251) 867-0253  
Pet. Atty., John Martin Galese, (205) 870-0663  
Pet. Atty., Cassandra J Harris, (205) 870-0663  
Resp. Atty., Edward G. Bowron, (251) 344-5151  
Resp. Atty., John P. Browning, (251) 344-5151  
Resp. Atty., Hope T Cannon, (205) 521-8722  
Resp. Atty., Summer A. Davis  
Resp. Atty., Martin G. Deptula  
Resp. Atty., Nicholas G. Gonzalez  
Resp. Atty., Joseph D. Lane, (334) 793-1555  
Resp. Atty., Kenneth M. Perry, (205) 521-8312  
Resp. Atty. - Pro Hac, Deborah M. Schmitt, (727) 252-5252  
Resp. Atty., Gregory L. Schuck, (205) 297-8833  
Resp. Atty. - Pro Hac, Hugh N. Smith  
Resp. Atty., Donald Alan Thomas, (205) 251-1193  
Resp. Atty., H. William Wasden, (251) 345-8230

**ON REHEARING**

1080960 Ex parte Patsy Patton d/b/a Korner Store. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Lana T. Brown v. Patsy Patton d/b/a Korner Store) (Bibb Circuit Court: CV-06-152; Civil Appeals : 2070810).

**Application Overruled. No Opinion.**

Circuit Judge, Jack W. Meigs, (205) 926-3120  
Pet. Atty., Joseph H. Driver, (205) 822-2006  
Resp. Atty., Stan Brobston, (205) 425-4361

1091045 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Thomas Robert Lane v. State of Alabama) (Mobile Circuit Court: CC05-1499; Criminal Appeals : CR-05-1443).

**Application for Rehearing Granted; Opinion of May 27, 2011, Withdrawn; Writ Quashed. No Opinion. (Special Writing)**

Circuit Judge, Joseph Johnston, (251) 574-8685  
Pet. Atty. General, Luther Strange, (334) 242-7447  
Pet. Asst. Atty. General, Kevin Wayne Blackburn, (334) 353-8807  
Resp. Atty., Glenn L. Davidson, (251) 432-0400  
Resp. Atty., Charlotte Morrison, (334) 269-1803  
Resp. Atty., Randall S. Susskind, (334) 269-1803

1091673 Willard E. Ryals v. The Lathan Company, Inc. (Appeal from Mobile Circuit Court: CV-04-2868).

**Application Overruled. No Opinion.**

Circuit Judge, John Ray Lockett, (251) 574-8477  
Apl. Atty., Lloyd E. Taylor, (251) 947-3331  
Aple. Atty., Brian Thomas Pugh, (251) 654-2640