



**LIST OF DECISIONS ANNOUNCED BY  
THE SUPREME COURT OF ALABAMA  
ON FRIDAY, SEPTEMBER 11, 2009**

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**Lyons, J.**

- 1081373 Ex parte John A. King, D. O., a/k/a Christopher W. Martin, D.O. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: John A. King, D.O., a/k/a Christopher W. Martin, D. O. v. Medical Licensure Commission of Alabama) (Montgomery Circuit Court: 08-001; Civil Appeals : 2080044).

**Writ Denied. No Opinion.**

Pet. Atty., Richard E. Crum, (334) 677-3000  
Resp. Atty., Wayne Paulk Turner, (334) 420-6560

- 1081407 Ex parte Jackie Ray Brown. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jackie Ray Brown v.State of Alabama) (Etowah Circuit Court: CC00-604.62; Criminal Appeals : 072089).

**Writ Denied. No Opinion.**

Circuit Judge, William H. Rhea, III, (256) 549-5317  
Resp. Atty. General, Troy King, (334) 242-7300  
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

- 1081415 Ex parte Bernard Harris. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bernard Harris v. State of Alabama) (Mobile Circuit Court: CC84-3586.62; Criminal Appeals : CR-07-2197).

**Writ Denied. No Opinion.**

Circuit Judge, Roderick P. Stout, (251) 574-8482  
Resp. Atty. General, Troy King, (334) 242-7300  
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

- 1081463 Ex parte Ashley Marcella Darby. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ashley Marcella Darby v. State of Alabama) (Houston Circuit Court: CC08-276.70; Criminal Appeals : CR-08-0200).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Lawson Little, (334) 677-4889  
Circuit Judge, Charles Lawson Little, (334) 677-4889  
Pet. Atty., Shannon A. Rash, (334) 699-6831  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

- 1081486 Ex parte Ideal Rhodes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ideal Rhodes v. State of Alabama) (Houston Circuit Court: CC04-750.70; Criminal Appeals : CR-07-1314).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Lawson Little, (334) 677-4889

Pet. Atty., Archie B. Creech, (205) 612-5788  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Gen. Counsel, John J. Davis, (334) 353-9131

- 1081500 Ex parte Malcolm Wilcox. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Malcolm Wilcox v. Joy Wilcox) (Hale Circuit Court: DR-04-50; Civil Appeals : 2070767).

**Writ Denied. No Opinion.**

Circuit Judge, Thomas ap Roger Jones, (334) 874-2510  
Pet. Atty., Mitchell Howie, (256) 533-2400  
Resp. Atty., Alexander F Braswell, (334) 289-0556  
Resp. Atty., William H. Webster, (334) 264-9472

- 1081521 Ex parte Moneek Marcell Ackles. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Moneek Marcell Ackles v. State of Alabama) (Talladega Circuit Court: CC94-261.62; Criminal Appeals : CR-08-0743).

**Writ Denied. No Opinion.**

Circuit Judge, William E. Hollingsworth, III, (256) 761-2108  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 353-0074

- 1081536 Ex parte Willverto Lemerro Foster. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Willverto Lemerro Foster v. State of Alabama) (Madison Circuit Court: CC08-1473; Criminal Appeals : CR-08-0697).

**Writ Denied. No Opinion.**

Circuit Judge, Loyd H. Little, Jr., (256) 532-3440  
Pet. Atty., James C. Alison, (256) 539-3646  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Beth Slate Poe, (334) 242-7377

- 1081538 Ex parte Robert Earl Woods. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert Earl Woods v. State of Alabama) (Mobile Circuit Court: CC77-1457.63; CC77-1458.63; CC77-1500.62; Criminal Appeals : CR-08-1136).

**Writ Denied. No Opinion.**

Circuit Judge, Robert Herschel Smith, (251) 574-8485  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

- 1081589 Ex parte Spencer Hatcher. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Spencer Hatcher v. State of Alabama) (Jefferson Circuit Court: CC89-953.21; Criminal Appeals : CR-08-0854).

**Writ Denied. No Opinion.**

Circuit Judge, J. William Cole, (205) 325-5290  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Gen. Counsel, John J. Davis, (334) 353-9131

**Woodall, J.**

- 1080847 Jefferson County Board of Health v. Birmingham Hide & Tallow Company, Inc. (Appeal from Jefferson Circuit Court, Bessemer Division: CV-07-172).

**Reversed And Remanded.**

Circuit Judge, Eugene R. Verin, (205) 481-4170  
Aplt. Atty., James E. Ferguson, (205) 328-4100  
Aplt. Atty., David S. Maxey, (205) 328-4100  
Aplt. Atty., Wade C. Merritt, (205) 328-4100  
Aple. Atty., Charles Moses, III, (205) 967-0901  
Aple. Atty., James S Ward, (205) 871-5404

- 1080912 Ex parte Allen Forrest Porter, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Allen Forrest Porter, Jr., alias v. State of Alabama) (Jefferson Circuit Court: CC06-1649; Criminal Appeals : CR-07-0471).

**Writ Quashed. No Opinion.**

Circuit Judge, Alfred Bahakel, (205) 325-5648  
Pet. Atty., Mari Morrison, (205) 982-8515  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7376

- 1081371 Ex parte Christina Meyers, individually and as representative of the Plaintiffs' class. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Christina Meyers, individually and as representative of the Plaintiffs' class v. Tim Russell, acting commissioner, Alabama Department of Revenue; Kay Ivey, treasurer for the State of Alabama; and Jefferson County Board of Equalization) (Jefferson Circuit Court: CV-08-133; Civil Appeals : 2070765).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Price, (334) 832-1331  
Pet. Atty., William J Baxley, (205) 271-1100  
Pet. Atty., S. Joshua Briskman, (205) 271-1100  
Pet. Atty., Joel Evan Dillard, (205) 271-1100  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Atty., Keith Maddox, (334) 242-9690  
Resp. Atty., Lionel Charles Williams, (334) 242-9690

- 1081403 Ex parte Gregory Johnson, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gregory Johnson, Jr. v. State of Alabama) (Jefferson Circuit Court: CC07-2506; Criminal Appeals : 080324).

**Writ Denied. No Opinion.**

Circuit Judge, Virginia A. Vinson, (205) 214-8683  
Pet. Atty., Edward D. Tumlin, (205) 424-6868  
Resp. Atty. General, Troy King, (334) 242-7300  
Resp. Asst. Atty. General, William Duncan Little, (334) 242-4162

- 1081406 Ex parte Dylan Cordell Pride. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dylan Cordell Pride v. State of Alabama) (Madison Circuit Court: CC02-1433.60; Criminal Appeals : 080950).

**Writ Denied. No Opinion.**

Circuit Judge, Laura W. Hamilton, (256) 532-3631

Resp. Atty. General, Troy King, (334) 242-7300  
Resp. Asst. Atty. Gen., Jack William Willis, (334) 242-7326

- 1081445 Ex parte Robert Fitzgerald Rodgers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert Fitzgerald Rodgers v. State of Alabama) (Dale Circuit Court: CC97-279.62; Criminal Appeals : CR-08-0523).

**Writ Denied. No Opinion.**

Circuit Judge, Philip B. McLauchlin, Jr., (334) 774-8011  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

- 1081481 Ex parte Jeffery Allen Sinyard. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jeffery Allen Sinyard, alias v. State of Alabama) (Lauderdale Circuit Court: CC07-724; Criminal Appeals : CR-07-1254).

**Writ Denied. No Opinion.**

Circuit Judge, Michael T. Jones, (256) 760-5831  
Pet. Atty., Lindsey Mussleman Davis, (256) 766-0503  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

- 1081484 Ex parte Ray Ruth. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Willie Jones v. Ray Ruth) (Montgomery Circuit Court: CV-08-900754; Civil Appeals : 2080249).

**Writ Denied. No Opinion.**

Circuit Judge, Tracy S. McCooey, (334) 832-1365  
Pet. Atty., William A Austill, (205) 870-3767  
Resp. Atty., Thomas E. James, (205) 324-4008

- 1081489 Ex parte Michael Charles Gray, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Charles Gray, Jr. v. State of Alabama) (Montgomery Circuit Court: CC06-1394.60; Criminal Appeals : CR-08-0899).

**Writ Denied. No Opinion.**

Circuit Judge, Truman M. Hobbs, Jr., (334) 832-7147  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

- 1081490 Ex parte Henry E. Reimer, Sr., et al. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: George G. Spottswood and Amy H. Spottswood v. Henry E. Reimer, Sr., et al.) (Baldwin Circuit Court: CV-05-710; Civil Appeals : 2071180).

**Writ Denied. No Opinion.**

Circuit Judge, James Harvey Reid, Jr., (251) 937-0290  
Pet. Atty., Allan R. Chason, (251) 937-2191  
Pet. Atty., William Adams Gunter, IV, (334) 242-3254  
Resp. Atty., Daniel G. Blackburn, (251) 937-1750  
Resp. Atty., Rebecca Ann Gaines, (251) 937-1750  
Resp. Atty., William Alexander Gray, Jr, (251) 343-0800

1081603 Ex parte Dave Thomas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama vs. Dave Thomas) (Randolph Circuit Court: CC81-75; Criminal Appeals : CR-08-1414).

**Writ Denied. No Opinion.**

Circuit Judge, Steven R. Perryman, (334) 756-3800  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. District Atty., E. Paul Jones, (334) 864-4316

**Stuart, J.**

1080551 Game Systems, Inc. v. Seven Sky, Inc.; Richard Graham; and Cliff Carlisle (Appeal from Jefferson Circuit Court: CV-05-2383).

**Affirmed. No Opinion.**

Circuit Judge, Joseph L. Boohaker, (205) 325-5753  
Aplt. Atty., Carrie Joanne Dunn, (205) 967-8822  
Aplt. Atty., William Hill Sewell, (205) 967-8822  
Aple. Atty., Donald E. Blankenship, (205) 328-0996

1081370 Ex parte Ralph Eustace and Martha Haislip. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Ralph Eustace and Martha Haislip v. Sandra Browning, as personal representative of the estate of Eula Cleo Eustace Styles, deceased) (Madison Circuit Court: CV-05-2164; Civil Appeals : 2071234).

**Writ Denied. No Opinion.**

Circuit Judge, Karen K. Hall, (256) 532-3455  
Pet. Atty., Gary W Lackey, (256) 259-3929  
Resp. Atty., John F. Porter, III, (256) 574-5156

1081398 Ex parte Darnell Jarmane Perkins. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darnell Jarmane Perkins v. State of Alabama) (Mobile Circuit Court: CC06-866.60; CC06-867.60; CC06-868.60; CC06-869.60; Criminal Appeals : 071633).

**Writ Denied. No Opinion.**

Circuit Judge, John Ray Lockett, (251) 574-8477  
Resp. Atty. General, Troy King, (334) 242-7300  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

1081399 Ex parte Vick Anthony George. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Vick Anthony George v. State of Alabama) (Houston Circuit Court: CC95-1347.69; CC95-1348.69; Criminal Appeals : 072124).

**Writ Denied. No Opinion.**

Circuit Judge, Lawson Little, (334) 677-4889  
Resp. Atty. General, Troy King, (334) 242-7300  
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 353-0074

1081455 Ex parte David Allen Coker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Allen Coker v. State of Alabama) ; Criminal Appeals : CR-07-2001).

**Writ Denied. No Opinion.**

1081477 Ex parte Sylvester Vaughn, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Sylvester Vaughn, alias v. State of Alabama) (Montgomery Circuit Court: CC06-1534; Criminal Appeals : CR-07-2303).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Price, (334) 832-1331  
Pet. Atty., Raymond E. Johnson, (334) 265-8731  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

1081479 Ex parte Marvin Turner, et al. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Marvin Turner, et al. v. Rufus Lee, MD, et al.) (Henry Circuit Court: CV-03-103; Civil Appeals : 2080187).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Lawson Little, (334) 677-4889  
Pet. Atty., Spencer Wayne Danzey, (334) 585-2246  
Pet. Atty., Tilden Jeffrey Haywood, (334) 793-9009  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Atty., William L. Lee, III, (334) 792-4156  
Resp. Atty., William W Nichols, (334) 792-4156

1081480 Ex parte Gregory D. Walker, Jr., alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gregory D. Walker, Jr., alias v. State of Alabama) (Montgomery Circuit Court: CC08-364; Criminal Appeals : CR-08-0159).

**Writ Denied. No Opinion.**

Circuit Judge, Truman M. Hobbs, Jr., (334) 832-7147  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, William Duncan Little, (334) 242-4162

1081519 Ex parte Marshall Van Reed. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marshall Van Reed v. State of Alabama) (Montgomery Circuit Court: CC93-1035.66; CC93-1036.65; CC93-1037.66; Criminal Appeals : CR-07-2252).

**Writ Denied. No Opinion.**

Circuit Judge, Tracy S. McCooley, (334) 832-1365  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1081555 Ex parte Nathaniel Kimmerlin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Nathaniel Kimmerlin v. State of Alabama ex rel Larry Jarrell, assistant district attorney) (Coffee Circuit Court: CV-08-900048 and CV-08-900049; Civil Appeals : 2080193).

**Writ Denied. No Opinion.**

Circuit Judge, Jeffrey W. Kelley, (334) 347-4785  
Pet. Atty., David Jerome Harrison, (334) 684-8729  
Resp. Asst. District Atty., Larry Jarrell

1081564 Ex parte Russell Lawrence Ford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Russell Lawrence Ford v. State of Alabama) (Calhoun Circuit Court: CC87-865.60; Criminal Appeals : CR-08-0708).

**Writ Denied. No Opinion.**

1081587 Ex parte Billy Charles Brinson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Billy Charles Brinson v. State of Alabama) (Montgomery Circuit Court: CC93-1009.61; Criminal Appeals : C5-08-0824).

**Writ Denied. No Opinion.**

Circuit Judge, Truman M. Hobbs, Jr., (334) 832-7147  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

**Smith, J.**

1070765 Wolf Bay Partners, L.L.C., Robert S. Yarbrough and George Copelan v. Dragonfly Ventures, L.L.C. (Appeal from Covington Circuit Court: CV-07-900023).

**Affirmed. No Opinion.**

Circuit Judge, Charles A. Short, (334) 428-2580  
Apl. Atty., Julian B. Brackin, Jr., (251) 943-4040  
Apl. Atty., Julian Byron Brackin, III, (251) 943-4040  
Aple. Atty., Eaton G. Barnard, (251) 478-6899

1071223 Teresa Percy and Dwight Percy v. RealtySouth, Inc., et al. (Appeal from Jefferson Circuit Court: CV-05-2762).

**Affirmed. No Opinion.**

Circuit Judge, Allwin E. Horn, III, (205) 325-5365  
Apl. Atty., William H Morrow, (205) 581-0779  
Apl. Atty., Jere F White, Jr, (205) 581-0718  
Aple. Atty., Stephen N. Fitts, III, (205) 324-4400  
Aple. Atty., William Lewis Garrison, Jr, (205) 326-3336  
Aple. Atty., Brian Douglas Hancock, (205) 326-3336  
Aple. Atty., Andrew J. Sinor, Jr, (205) 324-4400

1081330 Ex parte K. W. N. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: K. W. N. v. H. G. T.) (Cullman Juvenile Court: CS-00-56.01, CS-00-56.02, and CS-00-56.03; Civil Appeals : 2071162).

**Writ Denied. No Opinion.**

Pet. Atty., Daniel L Forman, (256) 353-9486  
Resp. Atty., Laura Gibson Chain, (205) 323-1888

1081364 Ex parte DeWayne Woods. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: DeWayne Woods v. Federated Mutual Insurance Co., et al) (Dallas Circuit Court: CV-07-181; CV-07-132; Civil Appeals : 2070867, 2070872).

**Writ Denied. No Opinion.**

Circuit Judge, Jack W. Meigs, (205) 926-3120  
Pet. Atty., Robert D. Bryant, (334) 683-4111  
Resp. Atty., Walter L. Blocker, III, (205) 879-9595  
Resp. Atty., Jay S. Tuley, (334) 215-8585

1081396 Ex parte Bobby Dale McKinstry. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bobby Dale McKinstry v. State of Alabama) (Tuscaloosa Circuit Court: CC83-104.61; CC83-105.61; Criminal Appeals : 080989).

**Writ Denied. No Opinion.**

Circuit Judge, Brad Almond, (205) 249-3870

Resp. Atty. General, Troy King, (334) 242-7300  
Resp. Atty., Kristi O Wilkerson, (334) 353-8563

- 1081397 Ex parte Eric Sharpton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eric Sharpton v. State of Alabama) (Madison Circuit Court: CC03-2401.60; Criminal Appeals : 080305).

**Writ Denied. No Opinion.**

Circuit Judge, Laura W. Hamilton, (256) 532-3631  
Resp. Atty. General, Troy King, (334) 242-7300  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

- 1081431 Ex parte Shana R. Cromwell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Shana R. Cromwell) (Autauga Circuit Court: CC07-303; Criminal Appeals : CR-07-1211).

**Writ Denied. No Opinion.**

Circuit Judge, Ben A. Fuller, (334) 361-3766  
Pet. Atty., Jerry M. Blevins, (334) 262-7600  
Pet. Atty., Richard K Keith, (334) 264-6776  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

- 1081459 Ex parte Bobby Cook. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama vs. Bobby Cook) (Mobile Circuit Court: CC-07-4530; Criminal Appeals : CR-08-1277).

**Writ Denied. No Opinion.**

- 1081476 Ex parte A. L. P. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: A. L. P. v. State of Alabama) (Montgomery Circuit Court: CC-08-761; Criminal Appeals : CR-08-0123).

**Writ Denied. No Opinion.**

- 1081513 Ex parte James Earl Morris, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Earl Morris, Jr. v. State of Alabama) (Morgan Circuit Court: CC08-134; Criminal Appeals : CR-08-0596).

**Writ Denied. No Opinion.**

Circuit Judge, Sherrie W. Paler, (256) 351-4700  
Pet. Atty., Charles Raymond Waits, III, (256) 301-5454  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Kristi O Wilkerson, (334) 353-8563

- 1081552 Ex parte Paul A. Banfi II. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Paul A. Banfi II v. Tonya Banfi) (Mobile Circuit Court: DR-06-502422; Civil Appeals : 2070519).

**Writ Denied. No Opinion.**

Circuit Judge, J. Donald Banks, (251) 574-8488  
Pet. Atty., Stephen M. Tunstall, (251) 432-2221

- 1081562 Ex parte Reginald Moore. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Reginald Moore v. Alabama Department of Corrections) (Escambia Circuit Court: CV09-36; Criminal Appeals : CR-08-1394).

**Writ Denied. No Opinion.**

Circuit Judge, Bradley E. Byrne, (251) 867-0281



Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Gen. Counsel, Albert S. Butler, (334) 353-4859

- 1081583 Ex parte Monte Alan Prince. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Monte Alan Prince v. State of Alabama) (Lauderdale Circuit Court: CC06-320.60; Criminal Appeals : CR-08-0434).

**Writ Denied. No Opinion.**

Circuit Judge, Michael T. Jones, (256) 760-5831  
Pet. Atty., Basil Timothy Case, (256) 740-0488  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

- 1080140 James E. Godwin, Jr. v. Alabama Farmers Cooperative, Inc. (Appeal from Escambia Circuit Court: CV-07-180).

**Affirmed. No Opinion.**

Circuit Judge, Bradley E. Byrne, (251) 867-0281  
Aplt. Atty., J. Milton Coxwell, Jr., (251) 575-2146  
Aple. Atty., Michael Dewitt Godwin, (251) 867-7724  
Aple. Atty., D. Mitchell Henry, (334) 264-9472  
Aple. Atty., Marcus Allen Huff, (256) 533-0202  
Aple. Atty., Thomas Mark Maclin, (256) 232-2010  
Aple. Atty., S. Dagnal Rowe, (256) 533-0202  
Aple. Atty., Jeffrey Todd Stearns, (251) 867-7724  
Aple. Atty., William H. Webster, (334) 264-9472

- 1080198 Alabama Farmers Cooperative v. United Bank and Helena Chemical Company (Appeal from Escambia Circuit Court: CV-07-180).

**Dismissed. No Opinion.**

Circuit Judge, Bradley E. Byrne, (251) 867-0281  
Aplt. Atty., Marcus Allen Huff, (256) 533-0202  
Aplt. Atty., Thomas Mark Maclin, (256) 232-2010  
Aplt. Atty., S. Dagnal Rowe, (256) 533-0202  
Aple. Atty., Michael Dewitt Godwin, (251) 867-7724  
Aple. Atty., D. Mitchell Henry, (334) 264-9472  
Aple. Atty., Jeffrey Todd Stearns, (251) 867-7724  
Aple. Atty., William H. Webster, (334) 264-9472

**Bolin, J.**

- 1070531 1568 Montgomery Highway, Inc. v. City of Hoover, Alabama, a municipal corporation (Appeal from Jefferson Circuit Court: CV-05-223).

**Affirmed.**

Circuit Judge, Robert S. Vance, Jr., (205) 325-5035  
Aplt. Atty., Amy L. Herring, (256) 534-6565  
Aple. Atty. General, Troy King, (334) 242-7300  
Aple. Atty., Mark S. Boardman, (205) 678-8000  
Aple. Atty., Philip F. Hutcheson, (205) 678-8000  
Aple. Atty., Winfield J. Sinclair, (334) 353-9110

- 1071547 Ex parte Victor Deng, DM Technology & Energy, Inc., and Bartco Lighting, Inc. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Clarence "Buddy" W. Scroggins and Complete Lighting Source, Inc. v. Victor Deng, DM Technology & Energy, Inc., and Bartco Lighting, Inc.) (Jefferson Circuit Court, Bessemer Division: CV-07-563).

**Petition Denied. No Opinion.**

Circuit Judge, Eugene R. Verin, (205) 481-4170  
Pet. Atty., Jon B. Terry, (205) 425-1606  
Resp. Atty., J. Gusty Yearout, (205) 414-8160  
Resp. Atty., Jason Lamar Yearout, (205) 414-8160

- 1080742 Ex parte Phillip Limbaugh Lackey. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Phillip Limbaugh Lackey v. Lisa Faye Lackey) (Jefferson Circuit Court: DR-06-2690; Civil Appeals : 2070603).

**Writ Denied. No Opinion.**

District Judge, Suzanne S. Childers, (205) 324-1038  
Pet. Atty., Oscar Price, (205) 250-6675  
Pet. Atty., Maxwell H Pulliam, ., (205) 795-6588  
Pet. Atty., Stephen W. Shaw, (205) 322-0457  
Resp. Atty., Ernest F. Bates, (205) 874-8680  
Resp. Atty., Judith S Crittenden, (205) 874-8680

- 1080881 Ex parte John Roland Buckner. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: John Roland Buckner, alias v. State of Alabama) (Lee Circuit Court: CC-07-290; Criminal Appeals : CR-07-0727).

**Writ Denied. No Opinion.**

- 1080977 Ex parte Tamara Campbell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tamara Campbell v. State of Alabama) (Jefferson Circuit Court: CC06-3987; CC06-3988; CC06-3989; Criminal Appeals : CR-06-2008).

**Writ Denied. No Opinion.**

Circuit Judge, Teresa Tanner Pulliam, (205) 325-5329  
Pet. Atty., Tyrone None Townsend, (205) 252-3999  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

- 1080995 Ex parte Taurus Lamont Bell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Taurus Lamont Bell, alias v. State of Alabama) (Jefferson Circuit Court: CC06-668; Criminal Appeals : CR-06-2136).

**Writ Denied. No Opinion.**

Circuit Judge, Virginia A. Vinson, (205) 214-8683  
Pet. Atty., Edward D. Tumlin, (205) 424-6868  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., J Thomas Leverette, (334) 242-7300

- 1081062 Ex parte Belfondia Pou. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Belfondia Pou v. Maudelle Pou) (Montgomery Circuit Court: DR-05-1121; Civil Appeals : 2080561).

**Writ Denied. No Opinion.**

Circuit Judge, John L. Capell, III, (334) 832-4950  
Pet. Atty., Joseph Charles Guillot, (334) 262-1911  
Resp. Atty., Roianne Houlton Conner, (334) 215-1988

- 1081069 Ex parte Andy Claude Graham. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Andy Claude Graham v. State of Alabama) (Houston Circuit Court: CC04-1070.70; CC04-1072.70; Criminal Appeals : CR-08-0202).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Lawson Little, (334) 677-4889  
Pet. Atty., Shannon A. Rash, (334) 699-6831  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

- 1081073 Ex parte Arterrick Jermell Lucas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Arterrick Jermell Lucas v. State of Alabama) (Jefferson Circuit Court: CC-07-4256; Criminal Appeals : CR-08-0166).

**Writ Denied. No Opinion.**

Circuit Judge, Teresa Tanner Pulliam, (205) 325-5329  
Pet. Atty., Eric Lance Guster, (205) 328-7910  
Pet. Atty., Charles Amos Thompson, (205) 967-0855  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

- 1081158 Ex parte Bering Dyke Burrell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bering Dyke Burrell v. State of Alabama) (Tuscaloosa Circuit Court: CC04-1930.60; Criminal Appeals : CR-07-2186).

**Writ Denied. No Opinion.**

Circuit Judge, John H. England, Jr., (205) 349-3870  
Resp. Atty. General, Troy R. King, (334) 242-7300

- 1081168 Ex parte Christopher Scott Busby. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher Scott Busby v. State of Alabama) (Mobile Circuit Court: CC03-4479.60; CC04-307.60; CC04-309.60; Criminal Appeals : CR-06-0823).

**Writ Denied. No Opinion.**

Circuit Judge, James C. Wood, (251) 574-8475  
Pet. Atty., Jennifer Paige Clark, (251) 432-7977  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

- 1081217 Ex parte Roderick Dewayne Stinson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Roderick Dewayne Stinson v. State of Alabama) (Mobile Circuit Court: CC-07-3800; Criminal Appeals : CR-07-2243).

**Writ Denied. No Opinion.**

**Parker, J.**

- 1061816 Ex parte A. Z. Howell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: A. Z. Howell v. Dunbarton Corporation) (Houston Circuit Court: CV-05-371; Civil Appeals : 2060424).

**Writ Quashed. No Opinion.**

Circuit Judge, S. Edward Jackson, (334) 677-4854  
Pet. Atty., Gary C. Sherrer, (334) 678-0100  
Pet. Atty., D. Lewis Terry, Jr., (334) 678-0100  
Resp. Atty., Steadman S Shealy, Jr, (334) 677-3000

- 1080276 Ex parte Britton Neil Tanner. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Britton Neil Tanner v. State of Alabama) (Tuscaloosa Circuit Court: CC03-105; Criminal Appeals : CR-07-1385).

**Writ Denied. No Opinion.**

Circuit Judge, Charles R. Malone, (205) 349-3870  
Pet. Atty., Gary L. Blume, (205) 556-6712  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

- 1080330 Ex parte Marion Turner, Sr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marion Turner, Sr. v. State of Alabama) (Washington Circuit Court: CC-06-157; Criminal Appeals : CR-07-0760).

**Writ Denied. No Opinion.**

- 1080359 Ex parte Donesky Antonio Brown, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Donesky Antonio Brown, alias v. State of Alabama) (Mobile Circuit Court: CC06-1955; CC06-1956; Criminal Appeals : CR-07-0764).

**Writ Denied. No Opinion.**

Circuit Judge, John Ray Lockett, (251) 574-8477  
Pet. Atty., Arthur P. Clarke, (251) 432-4391  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, William Duncan Little, (334) 242-4162

- 1080373 Ex parte Mark E. Smith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mark E. Smith v. Lorren O. Oliver, Director of Personnel Board of Jefferson County) (Jefferson Circuit Court: CV-07-2343; Civil Appeals : 2070706).

**Writ Denied. No Opinion.**

Circuit Judge, Edward L. Ramsey, (205) 325-5280  
Pet. Atty., Samuel Wiggins, III, (205) 252-3999  
Resp. Atty., Leslie A. Coyne, (205) 251-8100  
Resp. Atty., Aaron L. Dettling, (205) 226-8723  
Resp. Atty., Laura C. Nettles, (205) 967-8822

- 1080479 Ex parte Abiel Benisrael. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Abiel Benisrael v. State of Alabama) (Elmore Circuit Court: CC07-285; Criminal Appeals : CR-07-1169).

**Writ Denied. No Opinion. Tutorial Recommended.**

Circuit Judge, Sibley G. Reynolds, (205) 755-0311  
Pet. Atty., Kimberly Paige Kervin, (344) 358-0085  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

- 1080486 Ex parte Darrell L. Granville. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darrell L. Granville v. State of Alabama) (Jefferson Circuit Court: CC91-2172.67; Criminal Appeals : CR-07-2184).

**Writ Denied. No Opinion.**

Circuit Judge, J. William Cole, (205) 325-5290  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Jack William Willis, (334) 242-7326

- 1080538 Ex parte Willie Hester III. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Willie Hester III v. State of Alabama) (Lee Circuit Court: CC03-1155.61; Criminal Appeals : CR-07-1194).

**Writ Denied. No Opinion.**

Circuit Judge, John V. Denson, II, (334) 749-7141  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

- 1080540 Ex parte Robert Leslie Manning. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert Leslie Manning v. State of Alabama) (Mobile Circuit Court: CC91-2061; CC91-2062; Criminal Appeals : CR-07-1040).

**Writ Denied. No Opinion.**

Circuit Judge, Charles A. Graddick, (251) 574-5639  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

- 1080664 Ex parte Henry Neal Ferguson III. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Henry Neal Ferguson III v. State of Alabama) (Talladega Circuit Court: CC94-461.62; CC94-462.62; Criminal Appeals : CR-06-2185).

**Writ Denied. No Opinion.**

Circuit Judge, William E. Hollingsworth, III, (256) 761-2108  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Cecil Gordon Brendle, Jr, (334) 242-7357

- 1080687 Ex parte Melvin Joseph Stallworth. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Melvin Joseph Stallworth v. State of Alabama) (Jefferson Circuit Court, Bessemer Division: CC93-1238; Criminal Appeals : CR-08-0065).

**Writ Denied. No Opinion.**

Circuit Judge, Teresa Petelos, (205) 481-4181  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

- 1080833 Ex parte Rudolph Benefield. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Rudolph Benefield v. State of Alabama) (Jefferson Circuit Court: CC88-1903; Criminal Appeals : CR-07-1494).

**Writ Denied. No Opinion.**

Circuit Judge, Gloria Bahakel, (205) 325-5323  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Atty., Beth Slate Poe, (334) 242-7300

**Murdock, J.**

- 1070462 Cary Edwin Wynn and Tammy Hunt Wynn v. General Electric Company and Siemens Energy & Automation, Inc. (Appeal from Lauderdale Circuit Court: CV-06-202).

**Affirmed. No Opinion.**

Circuit Judge, Ned Michael Suttle, (256) 760-5820  
Apl. Atty., Frank B. Potts, (256) 764-7142  
Aple. Atty., James B Carlson, (205) 250-6651  
Aple. Atty., C Meade Hartfield, (205) 581-0700  
Aple. Atty., Lee M. Hollis, (205) 581-0700  
Aple. Atty., Paul Zimmerman, (205) 795-6588

1080652 Ex parte J. G., by and through her guardian ad litem, T. B. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: T. B. v. T. H. and S. H.) (Lee Juvenile Court: JU-07-420.01; Civil Appeals : 2071009).

**Writ Denied. No Opinion.**

Pet. Atty., Melissa S. Gowan, (334) 826-0944  
Resp. Asst. Atty. Gen., David R. Clark, (334) 361-7750  
Resp. Atty., Beverlye Nixon Brady, (334) 821-1894

1080980 Ex parte C. R. F., Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: C. R. F., Jr. v. State of Alabama) (Lauderdale Circuit Court: CC07-637; Criminal Appeals : CR-07-1135).

**Writ Denied. No Opinion.**

1081000 Ex parte T. W. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: T. W. v. P. W. and A. W.) (Talladega Juvenile Court: JU-06-100141.04; Civil Appeals : 2080129).

**Writ Denied. No Opinion.**

1081119 Ex parte Ronald Lenard Kelley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ronald Lenard Kelley v. State of Alabama) (Mobile Circuit Court: CC07-4731; Criminal Appeals : CR-07-1413).

**Writ Denied. No Opinion.**

Circuit Judge, James C. Wood, (251) 574-8475  
Pet. Atty., Barry Johnson Parker, (251) 929-0068  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

1081178 Ex parte Jeffry Earl Boles. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jeffry Earl Boles v. State of Alabama) (Bibb Circuit Court: CC04-50.70; Criminal Appeals : CR-08-0083).

**Writ Denied. No Opinion.**

Circuit Judge, Thomas ap Roger Jones, (334) 874-2510  
Pet. Atty., Richard M Kemmer, Jr, (205) 926-5304  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Gen. Counsel, John J. Davis, (334) 353-9131

1081179 Ex parte J. M. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J. M. v. State Department of Human Resources) (DeKalb Juvenile Court: CV-08-14, JU-06-119; Civil Appeals : 2070543).

**Writ Denied. No Opinion.**

Circuit Judge, Randall L. Cole, (256) 845-8540  
District Judge, Steven L. Whitmire, II, (256) 845-8574  
Pet. Atty., Dara LaMunyon, (256) 844-4999  
Resp. Atty., Tommy Allen French, (256) 845-2250  
Resp. Atty., Elizabeth Hendrix, (334) 242-9330

1081304 Ex parte Christopher Lemone White. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher Lemone White, alias v. State of Alabama) (Jefferson Circuit Court: CC05-3117; CC05-3118; Criminal Appeals : CR-07-1667).

**Writ Denied. No Opinion.**

Circuit Judge, Alfred Bahakel, (205) 325-5648  
Pet. Atty., Susan Graham James, (334) 269-3330

Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

- 1081331 Ex parte Haywood Earl McIntyre. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Haywood Earl McIntyre v. State of Alabama) (Houston Circuit Court: CC08-184; Criminal Appeals : CR-08-0590).

**Writ Denied. No Opinion.**

Circuit Judge, S. Edward Jackson, (334) 677-4854  
Pet. Atty., Tilden Jeffrey Haywood, (334) 793-9009  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., J Thomas Leverette, (334) 242-7300

**Shaw, J.**

- 1070415 Eufaula Hospital Corporation et al. v. Arleana Lawrence and Lisa Nichols, on behalf of themselves and all others similarly situated (Appeal from Barbour Circuit Court: CV-04-160).

**Order Vacated and Case Remanded.**

Circuit Judge, L. Bernard Smithart, (334) 775-3408  
Apl. Atty., Jimmy Calton, (334) 687-3563  
Apl. Atty., Jeffrey Grantham, (205) 254-1035  
Apl. Atty., Edward Morris Holt, (205) 254-1102  
Aple. Atty., Joseph H. "Jay" Aughtman, (334) 269-2343  
Aple. Atty., Brian M Clark, (205) 314-0500

- 1071394 Jesse Whisenant et al. v. Nina M. King and Daniel B. King (Appeal from St. Clair Circuit Court: CV-06-219).

**Affirmed. No Opinion.**

Circuit Judge, Charles E. Robinson, (205) 594-2187  
Apl. Atty., Charles Cleveland, (205) 322-1811  
Aple. Atty., Stewart W. McCloud, (205) 251-1193  
Aple. Atty., James Ronald Shaw, (205) 251-1193

- 1071481 Martin H. Turk v. Peter D. Waite (Appeal from Jefferson Circuit Court: CV-06-6621).

**Affirmed. No Opinion.**

Circuit Judge, Caryl P. Privett, (205) 325-5388  
Apl. Atty., Carolyn Lam, (205) 324-0223  
Apl. Atty., John D Saxon, (205) 324-0223  
Aple. Atty., Lisa Huggins, (205) 975-4881

- 1080668 Ex parte Rheem Manufacturing Company. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Rheem Manufacturing Company v Alabama Department of Revenue) (Montgomery Circuit Court: CV-06-1838; Civil Appeals : 2070792).

**Writ Denied. No Opinion.**

Circuit Judge, Truman M. Hobbs, Jr., (334) 832-7147  
Pet. Atty., Roy J. Crawford, (205) 716-5293  
Pet. Atty., Brian G. Wilson, (205) 716-5273  
Resp. Atty., Sabrina Comer, (334) 262-3300  
Resp. Atty., Susan Kennedy, (334) 262-3300  
Resp. Atty., Pamela B. Slate, (334) 262-3300

1080717 Ex parte Derrick Woody. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Derrick Woody, alias v. State of Alabama) (Chambers Circuit Court: CC-07-132; Criminal Appeals : CR-07-0426).

**Writ Denied. No Opinion.**

1080756 Ex parte Annis Parrott. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Annis Parrott, alias v. State of Alabama) (Macon Circuit Court: CC03-87; Criminal Appeals : CR-06-1756).

**Writ Denied. No Opinion.**

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. Gen., J Thomas Leverette, (334) 242-7300

1080778 Ex parte Richard Anthony Martin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Richard Anthony Martin v. State of Alabama) (Cullman Circuit Court: CC05-393; Criminal Appeals : CR-06-1695).

**Writ Denied. No Opinion.**

Circuit Judge, Harry Frank Brunner, Jr., (256) 775-4653  
Pet. Atty., Ben E. Bruner, (334) 323-4462  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

1080799 Ex parte Mark Anthony Chandler. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Mark Anthony Chandler v. State of Alabama) (Madison Circuit Court: CC92-2244.69; Criminal Appeals : CR-07-1092).

**Writ Denied. No Opinion.**

Circuit Judge, Laura W. Hamilton, (256) 532-3631  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., J Thomas Leverette, (334) 242-7300

1080839 Ex parte Rodney Deyampuse Averhart. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Rodney Deyampuse Averhart v. State of Alabama) (Jefferson Circuit Court: CC91-1698; Criminal Appeals : CR-07-1672).

**Writ Denied. No Opinion.**

Circuit Judge, J. William Cole, (205) 325-5290  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Atty., Beth Slate Poe, (334) 242-7300

1081343 Ex parte Lorenza Bedgood. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Lorenza Bedgood v. Ecelia McConico and David Bedgood) (Butler Circuit Court: CV-01-75; Civil Appeals : 2080060).

**Writ Denied. No Opinion.**

Circuit Judge, H. Edward McFerrin, (334) 382-3621  
Resp. Atty., N.J. Cervera, (334) 566-0116  
Resp. Atty., Ruth Pawlik, (334) 566-0116  
Resp. Atty., Jason Terry Simmons, (334) 383-0009  
Resp. Atty., J. McGowin Williamson, (334) 382-2635



## PER CURIAM

- 1061354 Nakecia Bonner and Bobbie Bonner, Jr., as mother and father of Bobbie Bonner, III, deceased v. Mallard Creek Homeowners Association, Inc. (Appeal from Tuscaloosa Circuit Court: CV-05-1589).

**Affirmed. No Opinion.**

Circuit Judge, Thomas S. Wilson, (205) 349-3870  
Apl. Atty., Silas G. Cross, Jr., (205) 391-9932  
Apl. Atty., Justin Lee Smith, (205) 391-9932  
Apl. Atty., R. Matthew Elliott, (205) 349-1383  
Apl. Atty., Wilbor J. Hust, Jr., (205) 349-1383

- 1061402 Junior Ray Terry v. Tabatha Leigh Cohen and the Etowah County Commission (Appeal from Etowah Circuit Court: CV-06-491).

**Affirmed. No Opinion.**

Circuit Judge, William H. Rhea, III, (256) 549-5317  
Apl. Atty., Jack Whitfield Torbert, Jr, (256) 547-7551  
Apl. Atty., David C. Livingston, (256) 546-9300  
Apl. Atty., James E. Turnbach, (256) 543-3664

- 1061445 Ex parte Tonya Blackstock. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mark Davis v. Tonya Blackstock) (Lauderdale Circuit Court: DR-06-86.01; Civil Appeals : 2060017).

**Reversed And Remanded.**

Circuit Judge, Ned Michael Suttle, (256) 760-5820  
Pet. Atty., Melinda A. Morgan Austin, (256) 766-0503  
Pet. Atty., Lindsey Mussleman Davis, (256) 766-0503  
Resp. Atty., Heath F. Trousdale, (256) 767-1058

- 1080115 Ex parte State Farm Mutual Automobile Insurance Company and Mike Rives. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Alexis Jenkins v. State Farm Mutual Automobile Insurance Company and Mike Rives) (Montgomery Circuit Court: CV-07-1494; Civil Appeals : 2070428).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Price, (334) 832-1331  
Pet. Atty., Micheal S. Jackson, (334) 834-5311  
Resp. Atty., Rodney Newman Caffey, (334) 220-4310  
Resp. Atty., Raymond J. Hawthorne, (334) 264-5500

## ON REHEARING

- 1050965 American Home Assurance Company, as subrogee for Thomas J. Wetherell v. Renea R. Gaylor, as personal representative of the estate of Charles Horton Hillman, deceased (Appeal from Mobile Circuit Court: CV-02-2206).

**Application Overruled. No Opinion.**

Circuit Judge, Ferrill D. McRae, (251) 574-8485  
Apl. Atty., Richard L. Watters, (251) 433-3753  
Apl. Atty., Mark J. Everest, (251) 476-4493