



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

Cobb, C.J.

- 1080585 Board of Water and Sewer Commissioners of the City of Saraland and Turnerville Water and Fire Protection District v. Kushla Water District (Appeal from Mobile Circuit Court: CV-07-1423.51).

Affirmed. No Opinion.

Circuit Judge, James C. Wood, (251) 574-8475
Aplt. Atty., James E. Atchison, (251) 665-7200
Aplt. Atty., Vaughan Drinkard, Jr, (251) 665-7200
Aplt. Atty., Timothy M. Grogan, (251) 432-0647
Aplt. Atty., Michael M. Linder, Jr, (251) 665-7200
Aple. Atty., Thomas Marlowe Galloway, Jr., Jr., (251) 476-4493

- 1081302 Grady Douglas Benson v. The Alabama State Bar (Appeal from ASB-08-175(A)).

Dismissed. No Opinion.

Aplt. Atty., Grady Douglas Benson, (256) 259-1443
Aple. Atty., Jeremy McIntire, (334) 269-1515

- 1081700 Ex parte Levester Brinnon, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Levester Brinnon, Jr. v. State of Alabama) (Mobile Circuit Court: CC08-1337; Criminal Appeals : CR-07-2185).

Writ Denied. No Opinion.

Circuit Judge, Michael A. Youngpeter, (251) 574-8780
Pet. Atty., Linda Collins Jensen, (251) 441-0081
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

- 1081780 Ex parte Daniel Paul Moore II. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Daniel Paul Moore II v. State of Alabama) (Houston Circuit Court: CC07-61; CC07-325; Criminal Appeals : CR-08-0204).

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, Ferris Stephens, (334) 242-7300

1090125 Ex parte Carlos Jack Subel. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Carlos Jack Subel v. State of Alabama) (Baldwin Circuit Court: CC87-576; CC87-578; Criminal Appeals : CR-07-1807).

Writ Denied. No Opinion.

Circuit Judge, James Harvey Reid, Jr., (251) 937-0290
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

Lyons, J.

1081209 Defco, Inc. v. Axion, Inc. (Appeal from Madison Circuit Court: CV-06-606).

Affirmed. No Opinion.

Circuit Judge, Loyd H. Little, Jr., (256) 532-3440
Apl. Atty., Kevin Denver Teague, (256) 351-1265
Aple. Atty., Marcus Allen Huff, (256) 533-0202
Aple. Atty., Richard J. R. Raleigh, Jr., (256) 533-0202
Aple. Atty., S. Dagnal Rowe, (256) 533-0202

1081526 Ex parte Truman McCollum, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Truman McCollum, Jr. v. State of Alabama) (Walker Circuit Court: CC05-146; Criminal Appeals : CR-07-1664).

Writ Denied. No Opinion.

District Judge, Jim Wells, (205) 384-7260
Pet. Atty., Thomas Lavon Carmichael, (205) 302-0099
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 353-0074

1090126 Ex parte Thomas Burns. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Thomas Burns v. State of Alabama) (Mobile Circuit Court: CC02-1522.62; Criminal Appeals : CR-08-1293).

Writ Denied. No Opinion.

Circuit Judge, Robert Herschel Smith, (251) 574-8485
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Gen. Counsel, John J. Davis, (334) 353-9131

1090137 Ex parte Rena Dorsey Stinson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Rena Dorsey Stinson v. State of Alabama) (Montgomery Circuit Court: CC04-1694.60; Criminal Appeals : CR-07-1464).

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, Audrey K. Jordan, (334) 353-4338

1090178 Ex parte Stringfellow Memorial Hospital. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Deborah Ford v. Stringfellow Memorial Hospital, Willie Stokes, M.D., and Millennium Health Clinic, P.C.) (Calhoun Circuit Court: CV-07-900010; Civil Appeals : 2080567).

Writ Denied. No Opinion.

Circuit Judge, Richard Joel Laird, Jr., (256) 231-1822
Pet. Atty., Chris L. Albright, (205) 870-5565

Pet. Atty., E. Martin Bloom, (205) 870-5565
Pet. Atty., Howard B. Warren, (256) 543-3664
Resp. Atty., Christopher Richard Garner, (256) 547-5466

- 1090181 Ex parte Frank Mitchell Prince. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Frank Mitchell Prince v. State of Alabama) (Marshall Circuit Court: CC93-170.62; Criminal Appeals : CR-08-1218).

Writ Denied. No Opinion.

Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

- 1090203 Ex parte Willie Stokes, M.D., and Millennium Health Clinic, P.C. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Deborah Ford v. Stringfellow Memorial Hospital, Willie Stokes, M.D., and Millennium Health Clinic, P.C.) (Calhoun Circuit Court: CV-07-900010; Civil Appeals : 2080567).

Writ Denied. No Opinion.

Circuit Judge, Richard Joel Laird, Jr., (256) 231-1822
Pet. Atty., Chris L. Albright, (205) 870-5565
Pet. Atty., E. Martin Bloom, (205) 870-5565
Resp. Atty., Christopher Richard Garner, (256) 547-5466
Resp. Atty., Howard B. Warren, (256) 543-3664

- 1090207 Ex parte Bradley Elliott Looney. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bradley Elliott Looney v. Alabama Department of Corrections) (Bibb Circuit Court: CV09-18; Criminal Appeals : CR-08-1242).

Writ Denied. No Opinion.

Circuit Judge, Marvin Wayne Wiggins, (334) 624-5620
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Kathryn D Anderson, (334) 353-3890

- 1090235 Ex parte Cedrick Leonard Crawford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Cedrick Leonard Crawford, alias v. State of Alabama) (Lee Circuit Court: CC07-769; Criminal Appeals : CR-08-0076).

Writ Denied. No Opinion.

Circuit Judge, John V. Denson, II, (334) 749-7141
Pet. Atty., Jonathan K. Corley, (334) 745-7766
Pet. Atty., W. David Dawson, (334) 745-7766
Pet. Atty., Davis B. Whittelsey, (334) 745-7766
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Michael G. Dean, (334) 353-0415

- 1090241 Ex parte Jeffery Michael Hall. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jeffery Michael Hall v. State of Alabama) (Russell Circuit Court: CC-07-336; Criminal Appeals : CR-07-1452).

Writ Denied. No Opinion.

- 1090242 Ex parte Ronnie Odell Parker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ronnie Odell Parker v. State of Alabama) (Clarke Circuit Court: CC76-4881.60; Criminal Appeals : CR-08-0626).

Writ Denied. No Opinion.

Circuit Judge, Don P. Scurlock, III, (205) 459-3828
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

- 1090244 Ex parte Demarco Dewayne Freeman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Demarco Dewayne Freeman v. State of Alabama) (Jefferson Circuit Court: CC97-3617.60; Criminal Appeals : CR-08-0520).

Writ Denied. No Opinion.

Circuit Judge, Teresa Tanner Pulliam, (205) 325-5329
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328

Woodall, J.

- 1081104 Ray Keller v. National Collegiate Athletic Association (Appeal from Jackson Circuit Court: CV-04-28).

Affirmed. No Opinion.

Circuit Judge, John Henninger Graham, (256) 574-9345
Apl. Atty., E Kirk Wood, (205) 612-0243
Apl. Atty., Robert Don Word, III, (256) 259-9606
Aple. Atty., Allen Dodd
Aple. Atty., Robert H. Rutherford, (205) 458-5286

- 1081520 Ex parte Willie Walker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Willie Walker v. State of Alabama) (Tuscaloosa Circuit Court: CC05-610; Criminal Appeals : CR-07-1993).

Writ Quashed. No Opinion.

Circuit Judge, William Scott Donaldson, (205) 349-3870
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

- 1090117 Ex parte Rory Scales. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Rory Scales v. State of Alabama) (Talladega Circuit Court: CC07-704; Criminal Appeals : CR-07-1422).

Writ Denied. No Opinion.

Circuit Judge, Julian M. King, (256) 761-2106
Pet. Atty., Tiara S. Young, (205) 252-2538
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Beth Slate Poe, (334) 242-7377

- 1090124 Ex parte John D. West. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: John D. West v. UOP, LLC) (Mobile Circuit Court: CV-07-524.51; Civil Appeals : 2080186).

Writ Denied. No Opinion.

Circuit Judge, Roderick P. Stout, (251) 574-8482
Pet. Atty., Michael A. Wing, (251) 433-7468
Resp. Atty., Christopher W. Deering, (205) 328-1900
Resp. Atty., Sandra B Reiss, (205) 328-1900

- 1090136 Ex parte Ervin Harris. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ervin Harris v. Alabama Department of Corrections) (Elmore Circuit Court: CV08-366; Criminal Appeals : CR-08-1166).

Writ Denied. No Opinion.

Circuit Judge, Sibley G. Reynolds, (205) 755-0311

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

- 1090180 Ex parte Walter Stewart McLin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Walter Stewart McLin v. State of Alabama) (Madison Circuit Court: CC07-7036.70; CC07-7037.70; Criminal Appeals : CR-08-0712).

Writ Denied. No Opinion.

Circuit Judge, Laura W. Hamilton, (256) 532-3631
Pet. Atty., Brian David Clark, (256) 705-0200
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

- 1090206 Ex parte Hashim Sayid Muhammad. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Hashim Sayid Muhammad v. State of Alabama) (Mobile Circuit Court: CC03-4501.60; Criminal Appeals : CR-06-0604).

Writ Denied. No Opinion.

Circuit Judge, Joseph S. Johnston, (251) 574-8685
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Jack William Willis, (334) 242-7326

- 1090223 Ex parte Timothy Ray Ballard. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Timothy Ray Ballard v. State of Alabama) (Shelby Circuit Court: CC-05-570; 05-571; 05-572; 05-573; 05-574; 05-575; 05-576; Criminal Appeals : CR-08-0252).

Writ Denied. No Opinion.

- 1090229 Ex parte Marvin Lavell Bush. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marvin Lavell Bush v. State of Alabama) (Houston Circuit Court: CC06-886.70; Criminal Appeals : CR-08-0917).

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, Jean-Paul Michael Chappell, (334) 242-7328

- 1090232 Ex parte William D. Duckworth. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William D. Duckworth v. State of Alabama) (Russell Circuit Court: CC05-360.60; CC05-361.60; Criminal Appeals : CR-08-0496).

Writ Denied. No Opinion.

Circuit Judge, George R. Greene, (334) 297-4567
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Atty., Kristi O Wilkerson, (334) 353-8563

- 1090240 Ex parte Michael Durand Busby. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Durand Busby v. State of Alabama) (Montgomery Circuit Court: CC05-651.60; Criminal Appeals : CR-08-0128).

Writ Denied. No Opinion.

Circuit Judge, Tracy S. McCooley, (334) 832-1365
Pet. Atty., Susan Graham James, (334) 269-3330
Resp. Atty. General, Troy R. King, (334) 242-7300

Stuart, J.

- 1090116 Ex parte Bruce Alan McDade. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bruce Alan McDade v. State of Alabama) (Chilton Circuit Court: CC07-104; Criminal Appeals : CR-07-2232).

Writ Denied. No Opinion.

Circuit Judge, Ben A. Fuller, (334) 361-3766
Pet. Atty., Mark Anthony Dutton, (256) 974-0054
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328

- 1090130 Ex parte Jody Edwin Griffith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jody Edwin Griffith v. State of Alabama) (Etowah Circuit Court: CC05-218.60; Criminal Appeals : CR-08-1160).

Writ Denied. No Opinion.

Circuit Judge, David Alan Kimberley, (256) 549-5372
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7376

- 1090157 Ex parte Charles Graham. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Charles Graham v. Kimberly Griffen Kervin) (Elmore Circuit Court: CV-08-216; Civil Appeals : 2080698).

Writ Denied. No Opinion.

Circuit Judge, Sibley G. Reynolds, (205) 755-0311
Resp. Atty., Terinna S. Moon, (334) 361-3340

- 1090173 Ex parte Margarito Gonzales. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Margarito Gonzales v. State of Alabama) (Tuscaloosa Circuit Court: CC03-491.60; Criminal Appeals : CR-07-1310).

Writ Denied. No Opinion.

Circuit Judge, William Scott Donaldson, (205) 349-3870
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

- 1090186 Ex parte Burnice Taft Dreding, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Burnice Taft Dreding, Jr. v. State of Alabama) (Mobile Circuit Court: CC08-3139; CC08-3140; Criminal Appeals : CR-08-1337).

Writ Denied. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Pet. Atty., Arthur J Madden, III, (251) 432-0380
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

- 1090193 Ex parte James Gordon Taylor. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Gordon Taylor v. State of Alabama) (Blount Circuit Court: CC02-151.60; Criminal Appeals : CR-07-2122).

Writ Denied. No Opinion.

Circuit Judge, Steven David King, (205) 625-4145

Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328

- 1090218 Ex parte Jeffery D. Roberts. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jeffery D. Roberts v. State of Alabama) (Russell Circuit Court: CC08-419; CC08-420; Criminal Appeals : CR-08-0363).

Writ Denied. No Opinion.

Circuit Judge, George R. Greene, (334) 297-4567
Pet. Atty., Nancy M. Kirby, (334) 365-2782
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 353-0074

- 1090228 Ex parte James Calvin Frazier. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Calvin Frazier v. State of Alabama) (Chilton Circuit Court: CC05-410.60; Criminal Appeals : CR-07-0428).

Writ Denied. No Opinion.

Circuit Judge, Sibley G. Reynolds, (205) 755-0311
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 353-0074

- 1090236 Ex parte Ahmed Hossin Abdeldayem. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ahmed Hossin Abdeldayem v. State of Alabama) (Madison Circuit Court: CC02-1573.60; Criminal Appeals : CR-07-0490).

Writ Denied. No Opinion.

Circuit Judge, Laura W. Hamilton, (256) 532-3631
Pet. Atty., David Gespass, (205) 323-5966
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7376

- 1090237 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Aldridge Wyatt Dunsieith, alias and Cynthia Brown Dunsieith, alias) (Tallapoosa Circuit Court, Alexander City Division: CC09-76; CC09-77; Criminal Appeals : CR-08-1110).

Writ Denied. No Opinion.

Circuit Judge, Steven R. Perryman, (334) 756-3800
Pet. Atty. General, Troy R. King, (334) 242-7300
Pet. Asst. Atty. General, Michael G. Dean, (334) 353-0415
Resp. Atty., Thomas A. Radney, (256) 234-2547

Smith, J.

- 1090109 Ex parte Richard David Kinder. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Richard David Kinder v. State of Alabama) (Jefferson Circuit Court: CC83-3916.62; Criminal Appeals : CR-08-1249).

Writ Denied. No Opinion.

Circuit Judge, Teresa Tanner Pulliam, (205) 325-5329
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1090128 Ex parte Billy G. Phillips, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Billy G. Phillips, Jr. v. State of Alabama) (Russell Circuit Court: CC08-466; Criminal Appeals : CR-08-0278).

Writ Denied. No Opinion.

Circuit Judge, Albert Johnson, (334) 297-1366
Resp. Atty. General, Troy R. King, (334) 242-7300

1090142 Ex parte Mary Bradshaw Darnall III et al. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mary Bradshaw Darnall III et al. v. James Hughes Jr., et al.) (Lauderdale : CV 06-402.80; Civil Appeals : 2080919).

Writ Denied. No Opinion.

Circuit Judge, Michael T. Jones, (256) 760-5831
Pet. Atty., Lindsey Mussleman Davis, (256) 766-0503
Resp. Atty., Debra H Coble, (256) 764-7142
Resp. Atty., Charles W. Cochran, III, (256) 764-2151
Resp. Atty., Frank B. Potts, (256) 764-7142

1090148 Ex parte Larry Roger Shepard. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Larry Roger Shepard v. State of Alabama) (Mobile Circuit Court: CC87-165.61; Criminal Appeals : CR-08-1343).

Writ Denied. No Opinion.

Circuit Judge, Michael A. Youngpeter, (251) 574-8780
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

1090192 Ex parte Charles Croyle. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charles Croyle v. State of Alabama) (Etowah Circuit Court: CC02-1069.60; Criminal Appeals : CR-06-1950).

Writ Denied. No Opinion.

Circuit Judge, Anthony Clark Hall, (256) 549-5368
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., J Thomas Leverette, (334) 242-7300

1090216 Ex parte Dorne Dewaine Wheeler. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dorne Dewaine Wheeler v. State of Alabama) (Mobile Circuit Court: CC08-2664; Criminal Appeals : CR-08-0331).

Writ Denied. No Opinion.

Circuit Judge, Michael A. Youngpeter, (251) 574-8780
Pet. Atty., Linda Collins Jensen, (251) 441-0081
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Cecil Gordon Brendle, Jr, (334) 242-7357

Bolin, J.

1081667 Ex parte Isaac Ray Bankhead. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Isaac Ray Bankhead v. State of Alabama) (Jefferson Circuit Court: CC07-4717; Criminal Appeals : CR-08-0320).

Writ Denied. No Opinion.

Circuit Judge, Laura Petro, (205) 325-5646
Pet. Atty., Archie B. Creech, (205) 612-5788
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

1081670 Ex parte Sherrod Dixon. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Sherrod Dixon v. State of Alabama) (Clarke Circuit Court: CC05-396; CC05-397; CC06-108; Criminal Appeals : CR-08-0554).

Writ Denied. No Opinion.

Circuit Judge, J. Thomas Baxter, Jr., (251) 847-2304
Pet. Atty., James M. Byrd, (251) 438-2973
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Cecil Gordon Brendle, Jr, (334) 242-7357

1081716 Ex parte Lonnie Paul Pounders. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Lonnie Paul Pounders v. State of Alabama) (Franklin Circuit Court: CC06-370; Criminal Appeals : CR-08-0326).

Writ Denied. No Opinion.

Circuit Judge, Terry Lee Dempsey, (256) 332-8893
Pet. Atty., John A. McReynolds, IV, (256) 332-2880
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., James B. Prude, (334) 242-7300

1081725 Ex parte Brandon Deon Mitchell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Brandon Deon Mitchell v. State of Alabama) (Jefferson Circuit Court: CC06-1060; Criminal Appeals : CR-08-0807).

Writ Denied. No Opinion.

Circuit Judge, J. William Cole, (205) 325-5290
Pet. Atty., Donald L. Colee, Jr., (205) 592-4332
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1081760 Ex parte Wayne W. Davison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Wayne W. Davison v. State of Alabama) (Baldwin Circuit Court: CC07-1329; Criminal Appeals : CR-08-0504).

Writ Denied. No Opinion.

District Judge, Jody W. Bishop, (334) 580-1647
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., J Thomas Leverette, (334) 242-7300

1081789 Ex parte Reginald Howard. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Reginald Howard v. State of Alabama) (Macon Circuit Court: CC06-110; Criminal Appeals : CR-08-0461).

Writ Denied. No Opinion.

Circuit Judge, Steven R. Perryman, (334) 756-3800
Pet. Atty., T. Robin McIntyre, (256) 825-0123
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

Parker, J.

1080256 Ex parte Malcom R. Nelson. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Malcolm R. Nelson v. Robert H. Lokey, Jr., M.D. et al.) (Baldwin Circuit Court: CV-06-269).

Petition Denied. No Opinion.

Circuit Judge, Robert E. Wilters, (251) 580-2570
Pet. Atty., Joseph D. Lane, (334) 793-1555
Resp. Atty., Bayless E. Biles, (251) 937-7024
Resp. Atty., Tamela E. Esham, (251) 405-1300
Resp. Atty., Thomas H. Keene, (033) 206-3100
Resp. Atty., Robert P. MacKenzie, III, (205) 868-6000
Resp. Atty., John Peter Crook McCall, (251) 433-6049
Resp. Atty., Sybil Vogtle Newton, (205) 868-6000
Resp. Atty., David A. Strassburg, (251) 431-6020
Resp. Atty., Michael E Upchurch, (251) 431-6020

1080744 Ex parte Robert Gill. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert Gill v. State of Alabama) (Morgan Circuit Court: CC93-430.62; Criminal Appeals : CR-07-2265).

Writ Denied. No Opinion.

Circuit Judge, Steven Ellis Haddock, (256) 351-4750
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., J Thomas Leverette, (334) 242-7300

1080768 Ex parte Fred Jennings. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Fred Jennings v. State of Alabama) (Jefferson Circuit Court, Bessemer Division: CC86-1092; Criminal Appeals : CR-08-0077).

Writ Denied. No Opinion.

Circuit Judge, Douglas Mac Parsons, (205) 481-4170
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Atty., Beth Slate Poe, (334) 242-7300

1080793 Ex parte James McConico III. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James McConico III v. State of Alabama) (Jefferson Circuit Court: CC97-4323.69; Criminal Appeals : CR-08-0524).

Writ Denied. No Opinion.

Circuit Judge, Tommy Nail, (205) 327-8205
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

1080849 Ex parte Lakeith Deshane Williams. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Lakeith Deshane Williams v. State of Alabama) (Etowah Circuit Court: CC00-584.61; Criminal Appeals : CR-07-2165).

Writ Denied. No Opinion.

Circuit Judge, William H. Rhea, III, (256) 549-5317
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

1080887 Ex parte Curtis Lee Henderson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Curtis Lee Henderson v. State of Alabama) (Talladega Circuit Court: CC85-190.62; Criminal Appeals : CR-07-2056).

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., Andy Scott Poole, (334) 242-7300

1080957 Ex parte Robert Stanley Garner, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert Stanley Garner, Jr. v. State of Alabama) (Franklin Circuit Court: CC07-20; Criminal Appeals : CR-07-1680).

Writ Denied. No Opinion.

District Judge, Paula Bohannon McDowell, (256) 332-8886
Pet. Atty., Rebecca Green Thomason, (256) 331-0800
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

1081020 Ex parte Tracy Allen Wood. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tracy Allen Wood v. State of Alabama) (Lauderdale Circuit Court: CC89-9.61; Criminal Appeals : CR-08-0976).

Writ Denied. No Opinion.

Circuit Judge, James Harold Sandlin, Jr., (256) 760-5825
Resp. Atty. General, Troy R. King, (334) 242-7300

1090191 Ex parte Edward Dwight Coleman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Edward Dwight Coleman v. State of Alabama) (Jefferson Circuit Court: CC94-103; Criminal Appeals : CR-08-1563).

Writ Denied. No Opinion.

Circuit Judge, Alfred Bahakel, (205) 325-5648
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7378

1090247 Ex parte Courtney Laverle Robinson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Courtney Laverle Robinson v. State of Alabama) (Madison Circuit Court: CC06-3350.61; CC06-3351.61; Criminal Appeals : CR-08-0328).

Writ Denied. No Opinion.

Circuit Judge, Charles Lawson Little, (334) 677-4889
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., Beth Slate Poe, (334) 242-7377

Shaw, J.

- 1071321 Ex parte North Montgomery Materials, LLC. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Reuben D. Hall et al. v. North Montgomery Materials, LLC, and Andrea Wood Katsarsky) (Elmore Circuit Court: CV-03-253; Civil Appeals : 2060946).

Writ Quashed. No Opinion.

Pet. Atty., Dennis R Bailey, (334) 206-3100
Pet. Atty., Bethany L. Bolger, (334) 206-3100
Resp. Atty., J. Robert Faulk, (334) 365-5924
Resp. Atty., Randall V. Houston, (334) 567-2237
Amicus Pet. Atty., Marc James Ayers, (205) 521-8598
Amicus Pet. Atty., Matthew Howard Lembke, (205) 521-8560
Amicus Pet. Atty., Brian M. Vines, (205) 521-8401
Amicus Resp. , Charles Barrett Mask, (334) 328-9231

- 1080144 Ex parte Denise B. McDowell. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Johnny D. Roulaine v. Denise B. McDowell, State Farm Mutual Automobile Insurance Company and Auto Owners Insurance Company) (Bibb Circuit Court: CV-06-227).

Petition Denied. No Opinion.

Circuit Judge, Jack W. Meigs, (205) 926-3120
Pet. Atty., Vincent Bodin, (205) 970-5995
Resp. Atty., Anthony Boggs Johnson, (205) 926-4674

- 1080949 Rashean Kimbrough v. Cynthia Dillard, executive director, Alabama Board of Pardons and Paroles, and the Alabama Board of Pardons and Paroles (Appeal from Montgomery Circuit Court: CV-08-773).

Affirmed. No Opinion.

Circuit Judge, William A. Shashy, (334) 832-1370
Aple. Asst. Gen. Counsel, Steven Mallette Sirmon, (334) 242-8714

PER CURIAM

- 1071078 Banyan Corporation v. W. Bruce Leithead III (Appeal from Shelby Circuit Court: CV-04-924).

Dismissed.

Circuit Judge, Hub Harrington, (205) 669-3810
Apl. Atty., George M. Vaughn, (205) 980-6065
Aple. Atty., K. W. Michael Chambers, (251) 415-7300
Aple. Atty., Michael Elliott Turner, (205) 716-5207
Aple. Atty., Anthony Lee Watkins, Jr, (205) 527-4080

- 1071285 David B. Beasley et al. v. Hidden Valley, Inc., and North Alabama Bank (Appeal from Madison Circuit Court: CV-02-272).

Affirmed. No Opinion.

Circuit Judge, Sherrie W. Paler, (256) 351-4700
Apl. Atty., Robert C. Gammons, (256) 533-7711
Apl. Atty., Joshua B. White, (256) 533-7711
Aple. Atty., Robert H. McCaleb, (256) 534-3794
Aple. Atty., Nicole Leigh Schroer, (256) 533-0202
Aple. Atty., Robert Victor Wood, Jr, (256) 533-0202

ON REHEARING

1070443 Homer Osborne Johnson and Schurlock Holland v. Cheryl Neal and Corburt Chisley (Appeal from Macon Circuit Court: CV-06-48).

Application Overruled. No Opinion.

Circuit Judge, Ray Dunn Martin, (256) 825-1084
Apl. Atty., William M. Russell, Jr., (334) 727-6250
Aple. Atty., Deborah Queen Harding, (334) 356-6070