



**LIST OF DECISIONS ANNOUNCED BY
COURT OF CIVIL APPEALS OF ALABAMA
ON FRIDAY, NOVEMBER 6, 2009**

PRESIDING JUDGE THOMPSON

2080605 Jerry D. Back v. Deena Back (Appeal from Mobile Circuit Court: DR-93-502047.02)

Affirmed. No Opinion.

Circuit Judge, Julian Donald Banks, (251) 574-8488
Aplt. Atty., Richard L Watters, (251) 433-3753
Aple. Atty., Thomas M Galloway, Jr, (251) 476-4493

2080640 Byron McMath v. John W. McCollum (Appeal from Walker Circuit Court: CV-03-748)

Affirmed. No Opinion.

Circuit Judge, John H Bentley, (205) 921-2200
Aplt. Atty., Ontkeno K Boman, (205) 221-2826

2080642 Raymond Nathaniel Hurley v. Frances Rose Hurley (Appeal from Cherokee Circuit Court: DR-08-126)

Affirmed. No Opinion.

Circuit Judge, J Kevin Grimes, (256) 927-0500
Aplt. Atty., Joshua B Sullivan, (256) 543-9790
Aple. Atty., Chad A. Hopper, (256) 927-5764

2080792 Jerry Richards v. David M. Cawley, D.D.S. (Appeal from Montgomery Circuit Court: CV-06-2280)

Affirmed. No Opinion.

Circuit Judge, Tracy McCooey, (334) 832-4950
Aplt. Atty., Stephen M. NeSmith, (334) 834-6990
Aple. Atty., Bethany L. Bolger, (334) 206-3100
Aple. Atty., Benjamin C. Wilson, (334) 206-3100

JUDGE PITTMAN

2070697 Joni O' Shields Sims v. Edward Lee Sims (Appeal from Morgan Circuit Court: DR-04-974.01)

Appeal Dismissed.

Circuit Judge, Glenn E Thompson, (256) 351-4785
Aplt. Atty., Joan Marie Kettell Dean, (256) 534-4557
Aplt. Atty., Tiffin M Taylor, (256) 539-3113

2080473 David Young and Debbie Young v. Kathy Ledford (Appeal from Randolph Circuit Court: CV-08-77)

Reversed And Remanded.

Circuit Judge, Steven Richard Perryman, (334) 756-3800
Aplt. Atty., Christopher D. Albert, (256) 741-9030
Aple. Atty., Spence Chadwick Lee, (256) 357-4800

2080023 Joe Fenison v. Birmingham Spring Service, Inc., et al. (Appeal from Jefferson Circuit Court: CV-04-3927)
(Consolidated with 2080036.)

Reversed And Remanded With Instructions.

Circuit Judge, Helen Shores Lee, (205) 325-5635
Aplt. Atty., Ralph Bohanan, Jr, (205) /97-72200
Aple. Atty., Amanda L Mink, (205) 870-8611
Aple. Atty., Scott M Roberts, (205) 870-8611

2080036 Birmingham Spring Service, Inc. v. Joe Fenison (Appeal from Jefferson Circuit Court: CV-04-3927)
(Consolidated with 2080023.)

Reversed And Remanded With Instructions.

Circuit Judge, Helen Shores Lee, (205) 325-5635
Pet. Atty., Kris D Burbank, (205) 870-8611
Pet. Atty., Scott M Roberts, (205) 870-8611
Resp. Atty., Ralph Bohanan, Jr, (205) /97-72200

JUDGE BRYAN

2080470 Joe Zegarelli v. Montevallo Planning and Zoning Commission (Appeal from Shelby Circuit Court: CV-07-986)

Affirmed.

Circuit Judge, Hub Harrington, (205) 669-3810
Aplt. Atty., Douglas Phillip Corretti, (205) 251-1164
Aplt. Atty., Mary D Hawkins, (205) 251-1164
Aple. Atty., Lauren G. Goodman, (205) 322-1744
Aple. Atty., James W. Porter, II, (205) 322-1744
Amicus Aple. Atty., John A. Hamilton, Jr, (205) 665-4412

JUDGE THOMAS

2080369 L. T. v. W.L. and T.L. (Appeal from Lee Juvenile Court: JU-05-36.03)

Affirmed.

2081068 Barry Jernigan v. Nellena H. Freman (Appeal from Baldwin Circuit Court: CV-05-96)

(Consolidated with 2081069.)

Affirmed. No Opinion.

Circuit Judge, J Langford Floyd, (251) 937-0235

Aplt. Atty., George R. Irvine, III, (251) 626-6696

Aple. Atty., Meredith Dawn Rucker, (251) 626-7224

2081069 Barry Jernigan v. Terry Gardner and Doris D. Gardner (Appeal from Baldwin Circuit Court: CV-05-185)

(Consolidated with 2081068.)

Affirmed. No Opinion.

Circuit Judge, J Langford Floyd, (251) 937-0235

Aplt. Atty., George R. Irvine, III, (251) 626-6696

Aple. Atty., Meredith Dawn Rucker, (251) 626-7224

JUDGE MOORE

2080459 Karen M. Taylor v. Goodyear Tire & Rubber Company, Inc. (Appeal from Morgan Circuit Court: CV-03-844)

Affirmed In Part; Reversed In Part; And Remanded.

Circuit Judge, Steven E Haddock, (256) 351-4750

Aplt. Atty., Robert David Lee, (256) 533-3251

Aplt. Atty., j. zach higgs, Jr, (256) 533-3251

Aple. Atty., Dennis Riley, (256) 534-0671

2080171 Boyd James Landry v. Angela O. Landry (Appeal from Autauga Circuit Court: DR-06-65.02)

(Consolidated with 2080372.)

Affirmed.

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

Aple. Atty., J. Robert Faulk, (334) 365-5924

2080372 Boyd James Landry v. Angela O. Landry (Appeal from Autauga Circuit Court: DR-06-65.02)

(Consolidated with 2080171.)

Appeal Dismissed.

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

Aple. Atty., J. Robert Faulk, (334) 365-5924

2080778 C. M. v. P.C. and J.C. (Appeal from Houston Juvenile Court: JU-07-97.02)
(Consolidated with 2080779.)

Affirmed. No Opinion.

2080779 C. M. v. P.C. and J.C. (Appeal from Houston Juvenile Court: JU-07-96.02)
(Consolidated with 2080778.)

Affirmed. No Opinion.

2080892 R. L. M. S. v. Etowah County Department of Human Resources (Appeal from
Etowah Juvenile Court: JU-06-73.03 and JU-07-283.03)
(Consolidated with 2080926.)

Affirmed.

2080926 J. B. C. v. Etowah County Department of Human Resources (Appeal from Etowah
Juvenile Court: JU-06-73.03 and JU-07-283.03)
(Consolidated with 2080892.)

Affirmed.

PER CURIAM

2081149 Robert L. Johnson v. State of Alabama (Appeal from Montgomery Circuit Court:
CV-08-1006)

Affirmed. No Opinion.

Circuit Judge, Truman Hobbs, Jr, (334) 832-7147
Aple. Atty., Billington M Garrett, (334) 242-7248
Aple. Atty., Troy Robin King, (334) 242-7401

ON REHEARING

2070303 Janine Marie Peterson v. Russell Piburn et al. (Appeal from Limestone Circuit
Court: DR-03-245.01)

Application For Rehearing Overruled.

Circuit Judge, James W Woodroof, Jr, (256) 233-6410
Aplt. Atty., Dinah P Rhodes, (256) 536-1676
Aple. Atty., R Eric Summerford, Sr, (256) 350-8885

2080246 Richard Bailey v. Judy T. Bailey (Appeal from Montgomery Circuit Court:
DR-02-1358.01)

Application For Rehearing Overruled.

Circuit Judge, William G. O'Rear, (334) 240-7367
Aplt. Atty., Rob E. Riddle, (334) 365-6266
Aple. G. A. L., Roianne Houlton Conner, (334) 215-1988

2080509 R.J.G. v. S.S.W. (Appeal from Baldwin Juvenile Court: JU-2008-403.01 and CS-2005-313.01)

Application Overruled; Opinion Of August 21, 2009, Withdrawn; Opinion Substituted; Appeal As To Case Number CS-2005-313.01 Dismissed; Judgment in Case Number JU-2008-403.01 Reversed And The Cause Remanded With Instructions.

2080627 S. G. v. M. M. and C. M. (Appeal from Etowah Juvenile Court: JU-08-469.02 and JU-05-411.02)

(Consolidated with 2080628, 2080629, 2080630, 2080636, 2080637.)

Application For Rehearing Overruled.

2080628 S. G. v. Etowah County Department of Human Resources (Appeal from Etowah Juvenile Court: JU-08-469.02 and JU-05-411.02)

(Consolidated with 2080627, 2080629, 2080630, 2080636, 2080637.)

Application For Rehearing Overruled.

2080629 A. G. v. Etowah County Department of Human Resources (Appeal from Etowah Juvenile Court: JU-08-469.02 and JU-05-411.02)

(Consolidated with 2080627, 2080628, 2080630, 2080636, 2080637.)

Application For Rehearing Overruled.

2080630 A. G. v. M. M. and C. M. (Appeal from Etowah Juvenile Court: JU-08-469.02 and JU-05-411.02)

(Consolidated with 2080627, 2080628, 2080629, 2080636, 2080637.)

Application For Rehearing Overruled.

2080636 T. F. H. v. Etowah County Department of Human Resources (Appeal from Etowah Juvenile Court: JU-05-411.02)

(Consolidated with 2080627, 2080628, 2080629, 2080630, 2080637.)

Application For Rehearing Overruled.

2080637 T. F. H. v. M. M. and C. M. (Appeal from Etowah Juvenile Court: JU-08-469.02)

(Consolidated with 2080627, 2080628, 2080629, 2080630, 2080636.)

Application For Rehearing Overruled.