



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, AUGUST 5, 2011**

Woodall, J.

- 1100331 Thomas Jernigan, Jr. v. Everglades Boats (Appeal from Jefferson Circuit Court: CV-09-900369).

Affirmed. No Opinion.

Circuit Judge, G. William Noble, (205) 325-5020
Apl. Atty., Andrew P. Campbell, (205) 251-5900
Apl. Atty., Sarah S. Payne
Apl. Atty., Jim H. Wilson, (205) 251-5900
Apl. Atty., Abbott Jones, (205) 795-6588
Apl. Atty., Kenneth O Simon, (205) 250-6622
Apl. Atty., Deborah Alley Smith, (205) 250-6627

- 1100627 Black Warrior Minerals, Inc. v. John Fay, Jr. (Appeal from Jefferson Circuit Court: CV-09-903497).

Reversed and Remanded with Directions.

Circuit Judge, J. Scott Vowell, (205) 325-5200
Apl. Atty., Lee R. Benton, (205) 278-8000
Apl. Atty., Brenton K Morris, (205) 278-8000
Apl. Atty., Jamie A. Wilson, (205) 278-8000
Apl. Atty., James Edward Harris, (205) 322-5800

- 1100668 Jimmy Carpenter et al. v. J. C. Duke & Associates General Contractors, a corporation, and Mobile County (Appeal from Mobile Circuit Court: CV-07-2361).

Affirmed. No Opinion.

Circuit Judge, Sarah Hicks Stewart, (251) 574-8457
Apl. Atty., John W. Parker, (251) 621-2216
Apl. Atty., Robert Jason Crane, (251) 432-5400
Apl. Atty., Joe Carl "Buzz" Jordan, (251) 432-5400
Apl. Atty., Ryan Thomas Northrup, (251) 432-0337

- 1100945 Ex parte Richard Neil Webb, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Richard Neil Webb, alias v. State of Alabama) (Jefferson Circuit Court: CC-09-4690; Criminal Appeals : CR-10-0062).

Writ Denied. No Opinion.

Circuit Judge, Teresa Tanner Pulliam, (205) 325-5329
Pet. Atty., James M Kendrick, (205) 252-3233
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

1100958 Ex parte Bowers Randall Short. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bowers Randall Short v. State of Alabama) (Covington Circuit Court: CC-10-177; CC-10-178; Criminal Appeals : CR-10-0184).

Writ Denied. No Opinion.

Circuit Judge, M. Ashley McKathan, (334) 428-2585
Pet. Asst. District Atty., Grace McLemore Jeter, (334) 222-8443
Pet. Atty., David Jerome Harrison, (334) 684-8729
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7300

1100995 Ex parte Marvin Jerome Burns. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marvin Jerome Burns v. State of Alabama) (Cherokee Circuit Court: CC-09-88; CC-09-89; CC-09-90; Criminal Appeals : CR-09-1366).

Writ Denied. No Opinion.

Circuit Judge, David Rains, (256) 927-5452
Pet. Atty., Jeremy Shane Givens, (256) 927-7490
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Laura I. Cuthbert, (334) 353-9782

1101015 Ex parte David Calhoun, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Calhoun, Jr. v. State of Alabama) (Montgomery Circuit Court: CC-89-962.62; Criminal Appeals : CR-10-0576).

Writ Denied. No Opinion.

Circuit Judge, Eugene W. Reese, (334) 832-1360
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7300

1101041 Ex parte James Alan Turner. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Alan Turner v. State of Alabama) (Jefferson Circuit Court: CC-09-4688; Criminal Appeals : CR-09-1845).

Writ Denied. No Opinion.

Circuit Judge, Laura Petro, (205) 325-5646
Pet. Atty., Donald L. Colee, Jr, (205) 592-4332
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

1101128 Ex parte Jerry Dale Bennett. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jerry Dale Bennett v. State of Alabama) (Jackson Circuit Court: CC-95-56.66; Criminal Appeals : CR-10-0498).

Writ Denied. No Opinion.

Circuit Judge, John Henninger Graham, (256) 574-9345
Pet. Atty., Ronald Smith, (256) 533-3740
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Jack William Willis, (334) 242-7300

1101159 Ex parte Perry Demon Parrish. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Perry Demon Parrish v. State of Alabama) (Covington Circuit Court: CC-08-215; Criminal Appeals : CR-09-1101).

Writ Denied. No Opinion.

Stuart, J.

1100886 Ex parte Baldwin Mutual Insurance Co, Inc. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Lucille Smith v. Baldwin Mutual Insurance Co, Inc., et al.) (Calhoun Circuit Court: CV-2007-900258).

Petition Denied. No Opinion.

Circuit Judge, Brian P. Howell, (256) 231-1821
Pet. Atty., Bradley W Cornett, (256) 546-5432
Pet. Atty., H. Edgar Howard, (256) 546-5432
Resp. Atty., William Drake Blackmon, (205) 868-6061
Resp. Atty., John P. Scott, Jr, (205) 868-6000
Resp. Atty., Charles Turner, (256) 237-9404

1100938 Ex parte Rickey Troy Bridges. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Rickey Troy Bridges v. State of Alabama) (Mobile Circuit Court: CC-88-2300; Criminal Appeals : CR-10-0401).

Writ Denied. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Pet. Atty., Joseph T. Simonetti, Jr, (205) 458-1100
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 242-7300

1100941 Ex parte Booker T. Johnson, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Booker T. Johnson, Jr. v. State of Alabama) (Mobile Circuit Court: CC-09-3279; Criminal Appeals : CR-10-0055).

Writ Denied. No Opinion.

Circuit Judge, Sarah Hicks Stewart, (251) 574-8457
Pet. Atty., Thomas Jefferson Deen, III, (251) 433-5860
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Audrey K. Jordan, (334) 353-4338

1100979 Ex parte Jeffrey Tyler Hilson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jeffrey Tyler Hilson v. State of Alabama) (Houston Circuit Court: CC06-196.70; CC06-197.70; CC06-198.70; CC06-735.70; Criminal Appeals : CR-09-1918).

Writ Denied. No Opinion.

Circuit Judge, J. Michael Conaway, (334) 677-4889
Pet. Atty., Dustin Judd Fowler, (334) 793-3377
Resp. Asst. Atty. Gen., J Thomas Leverette, (334) 242-7368

1101010 Ex parte Tyler Fuqua. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tyler Fuqua v. State of Alabama) (Morgan Circuit Court: CC-08-1190; Criminal Appeals : CR-09-1920).

Writ Denied. No Opinion.

Circuit Judge, Sherrie W. Paler, (256) 351-4700
Pet. Atty., James Timothy Kyle, (256) 353-7641
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Laura I. Cuthbert, (334) 353-9782

1101067 Ex parte Bobby Allen Gaddy. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bobby Allen Gaddy v. State of Alabama) (Calhoun Circuit Court: CC-09-1779; CC-10-1384; Criminal Appeals : CR-10-0504).

Writ Denied. No Opinion.

1101119 Ex parte Chauncey Marquette McLemore. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Chauncey Marquette McLemore v. State of Alabama) (Chambers Circuit Court: CC-08-43.60; Criminal Appeals : CR-10-0347).

Writ Denied. No Opinion.

Circuit Judge, Thomas F. Young, Jr., (256) 234-7901
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 242-7300

1101146 Ex parte William Scott Lindsay, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Scott Lindsay, Jr. v. State of Alabama) (Henry Circuit Court: CC-09-180; CC-09-182; CC-09-183; CC-09-184; CC-09-185; CC-09-186; CC-09-187; CC-09-433; CC-09-434; CC-09-435; Criminal Appeals : CR-09-0478).

Writ Denied. No Opinion.

Circuit Judge, Henry D. (Butch) Binford, (334) 677-4848
Pet. Atty., Arthur R. Medley, (334) 790-6878
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

Bolin, J.

1100416 Ron Smith v. Sailmaker's Place, LLC, et al. (Appeal from Jefferson Circuit Court: CV-09-901070).

Affirmed. No Opinion.

Circuit Judge, Edward L. Ramsey, (205) 325-5280
Apl. Atty., Charles A. Dauphin, (205) 271-1100
Aple. Atty., Carol H Stewart, (205) 458-5219

1100526 Alicia Culver and David Culver v. Charles Miller Hagler (Appeal from Jefferson Circuit Court, Bessemer Division: CV-06-1543).

Affirmed. No Opinion.

Circuit Judge, N. Daniel Rogers, Jr., (205) 325-5635
Apl. Atty., Hirlye Lutz, III, (205) 328-2200
Aple. Atty., Charles Mark Peterson, (205) 879-7243

1100606 Ex parte Thomas C. Donald. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Thomas C. Donald v. Turtle Time, Inc., et al.) (DeKalb Circuit Court: CV-08-245; Civil Appeals : 2090562).

Writ Quashed. No Opinion.

Circuit Judge, Randall L. Cole, (256) 845-8540
Resp. Atty., William Eric Colley, (256) 845-8101

1100870 Ex parte Compass Bank d/b/a BBVA Compass and Amy Hovis. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Jerome Sirote v. Compass Bank d/b/a BBVA Compass et al.) (Madison Circuit Court: CV-11-900185).

Petition Granted. Writ Issued.

Circuit Judge, James Peyton Smith, (256) 532-3394
Pet. Atty., A. Kelly Brennan Bolvig, (205) 251-8100
Pet. Atty., Adam Kent Israel, (205) 226-3495
Pet. Atty., Jason B. Tompkins, (205) 251-8100
Resp. Atty., Mitchell Howie, (256) 533-2400
Resp. Atty., S. Mitchell Howie, (256) 533-2400

1100962 Ex parte Cornelius Donnell McGaster. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Cornelius Donnell McGaster v. State of Alabama) (Baldwin Circuit Court: CC-08-15.71; Criminal Appeals : CR-10-0142).

Writ Denied. No Opinion.

Circuit Judge, Robert Earl Wilters, (251) 580-2570
Pet. Atty., Spencer E. Davis,, Jr, (251) 955-1579
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Laura I. Cuthbert, (334) 353-9782

1100965 Ex parte Edward Maurice Johnson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Edward Maurice Johnson v. State of Alabama) (Morgan Circuit Court: CC-02-160.72; Criminal Appeals : CR-09-1666).

Writ Denied. No Opinion.

Circuit Judge, Sherrie W. Paler, (256) 351-4700
Pet. Atty., Jamie Austin Johnston, (334) 263-2560
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Laura I. Cuthbert, (334) 353-9782

1101016 Ex parte Gus A. McCoverly. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gus A. McCoverly v. State of Alabama) (Baldwin Circuit Court: CC-06-514.60; Criminal Appeals : CR-08-1734).

Writ Denied. No Opinion.

Circuit Judge, Robert Earl Wilters, (251) 580-2570
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7300

1101060 Ex parte Dennis E. Wells. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dennis E. Wells v. State of Alabama) (Lamar Circuit Court: CC-08-189; Criminal Appeals : CR-09-0589).

Writ Denied. No Opinion.

Circuit Judge, James W. Moore, Jr., (205) 932-3169
Pet. Atty., Byron G. McMath, (205) 221-2826

Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, James H Rutter, III, (334) 242-7300

1101069 Ex parte C.T.T. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: C.T.T. v. D.R.) (Jefferson Circuit Court: DR-10-1410; Civil Appeals : 2100463).

Writ Denied. No Opinion.

1101113 Ex parte David Eickholt. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Eickholt v. State of Alabama) (Madison Circuit Court: CC-88-1006.61; Criminal Appeals : CR-10-0059).

Writ Denied. No Opinion.

Circuit Judge, Karen K. Hall, (256) 532-3455
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 242-7300

1101116 Ex parte Daniel Joseph Watts. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Daniel Joseph Watts v. State of Alabama) (Mobile Circuit Court: CC-10-2888; CC-10-2889; Criminal Appeals : CR-10-0359).

Writ Denied. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Pet. Atty., Glenn L. Davidson, (251) 432-0400
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Audrey K. Jordan, (334) 353-4338

1101144 Ex parte Darrell Lee Jackson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darrell Lee Jackson v. State of Alabama) (Mobile Circuit Court: CC03-3095.62; CC03-3096.62; CC03-3097.62; Criminal Appeals : CR-10-0427).

Writ Denied. No Opinion.

Circuit Judge, Roderick P. Stout, (251) 574-8482
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7300

Parker, J.

1090772 Ex parte Robert Delano Kitchen, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert Delano Kitchen, Jr. v. State of Alabama) (Jefferson Circuit Court: CC-06-1800; Criminal Appeals : CR-08-1834).

Writ Quashed. No Opinion.

1090928 Doris Dance v. St. Vincent's Hospital (Appeal from Jefferson Circuit Court: CV-07-901769).

Affirmed. No Opinion.

Circuit Judge, Edward L. Ramsey, (205) 325-5280
Apl. Atty., William Marsh Acker, III, (205) 458-1154
Aple. Atty., Sybil Vogtle Newton, (205) 868-6041
Aple. Atty., Scott M Salter, (205) 868-6000

1091502 Ex parte Herbert Fleming. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Herbert Fleming v. State of Alabama) (Talladega Circuit Court: CC06-678.60; Criminal Appeals : CR-09-0538).

Writ Denied. No Opinion.

Circuit Judge, Julian M. King, (256) 761-2106
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Michael G. Dean, (334) 353-0415

1091522 Cindy Zine Rutherford v. Alabama State Bar (Appeal from 07-2010).

Affirmed. No Opinion.

Aple. Asst. Gen. Counsel, Samuel S. Partridge, (334) 269-1515
Aple. Atty., James Anthony McLain, (334) 269-1515

1091568 Dawn Marable v. Dunstone Financial, LLC, as assignee of MBNA Bank (Appeal from Macon Circuit Court: CV-09-55).

Affirmed. No Opinion.

Circuit Judge, Thomas F. Young, Jr., (256) 234-7901
Apl. Atty., Tiffany Nichelle Johnson, (334) 727-6463
Apl. Atty., Robert Simms Thompson, (334) 727-6463
Aple. Atty., John David Collins, (205) 254-1104
Aple. Atty., Robert H. Fowlkes, (205) 254-1188

1091596 Helen Bice v. Trinity Medical Center (Appeal from Jefferson Circuit Court: CV-09-900226).

Affirmed. No Opinion.

Circuit Judge, Robert S. Vance, Jr., (205) 325-5035
Apl. Atty., Beverly Owen Barber, (205) 338-0729
Aple. Atty., Martha Leach Thompson, (205) 251-1193

1091684 Jefferson County Mayors Association v. Lorren O. Oliver (Appeal from Jefferson Circuit Court: CV-10-1322).

Affirmed. No Opinion.

Circuit Judge, Joseph L. Boohaker, (205) 325-5753
Apl. Atty., Stephen N. Fitts, III, (205) 324-4400
Apl. Atty., John Kenneth Thompson, (205) 324-4400
Aple. Atty., David R. Boyd, (334) 269-3132
Aple. Atty., Aaron L. Dettling, (205) 226-8723
Aple. Atty., Ed R. Haden, (205) 226-8795

1091697 Ex parte Eric Conrad Davidson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eric Conrad Davidson v. State of Alabama) (Jefferson Circuit Court: CC98-4102.60; Criminal Appeals : CR-09-0916).

Writ Denied. No Opinion.

Circuit Judge, Alfred Bahakel, (205) 325-5648
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7300

1100111 Ex parte Michael Andrew Loper. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Andrew Loper v. State of Alabama) (Mobile Circuit Court: CC-09-4228; CC-09-4229, CC09-4230, CC-09-4231; Criminal Appeals : CR-09-0779).

Writ Denied. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Pet. Atty., William Gregory Hughes, (251) 433-3671
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 242-7300

1100219 Paradise Land Enterprises, LLC v. Sompramco CV8 LLC., et al. (Appeal from Mobile Circuit Court: CV-09-902295; Civil Appeals : 2100092).

Affirmed. No Opinion.

Circuit Judge, Michael A. Youngpeter, (251) 574-8780
Apl. Atty., Steven Terry, (251) 432-4800
Aple. Atty., Charles Arthur Baer
Aple. Atty., Patrick O. Gray, (205) 750-8111
Aple. Atty., William Alexander Gray, Jr, (251) 343-0800

1100412 Ex parte George Coskun Esensoi. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: George Coskun Esensoi v. State of Alabama) (Cullman Circuit Court: CC-95-220.62; Criminal Appeals : CR-09-1739).

Writ Denied. No Opinion.

Circuit Judge, Don L. Hardeman, (256) 739-3530
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7300

1100433 Ex parte Dostne Tanner. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dostne Tanner v. State of Alabama) (Talladega Circuit Court: CC-09-491; Criminal Appeals : CR-09-0515).

Writ Denied. No Opinion.

Circuit Judge, William E. Hollingsworth, III, (256) 761-2108
Pet. Atty., Jonathan L Adams, (256) 362-5179
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1100527 Ex parte Terrence Beemon. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Terrence Beemon, alias v. State of Alabama) (Montgomery Circuit Court: CC-08-1478; Criminal Appeals : CR-08-1889).

Writ Denied. No Opinion.

Circuit Judge, Charles Price, (334) 832-5331
Pet. Atty., Susan Graham James, (334) 269-3330
Resp. Asst. Atty. Gen., James B. Prude, (334) 242-7375

1100576 Ex parte Fidel Martinez. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Fidel Martinez v. State of Alabama) (Dale Circuit Court: CC-02-392.60; Criminal Appeals : CR-06-0020).

Writ Denied. No Opinion.

Circuit Judge, Philip B. McLauchlin, Jr., (334) 774-8011
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1100723 Ex parte Clarence Faye Elmore. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Clarence F. Elmore v. State of Alabama) (Geneva Circuit Court: CC-09-44; CC-09-45; Criminal Appeals : CR-09-1415).

Writ Denied. No Opinion.

Circuit Judge, Philip B. McLauchlin, Jr., (334) 774-8011
Pet. Atty., Nicole B. Dyess, (334) 684-6406
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1100861 Ex parte R. J. K. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: R. J. K. v. State of Alabama) (Tuscaloosa Circuit Court: CC-07-1742; Criminal Appeals : CR-09-0457).

Writ Denied. No Opinion.

1100943 Ex parte N. B. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: N. B. v. State of Alabama) (Mobile Circuit Court: CC-09-3756; Criminal Appeals : CR-10-0221).

Writ Denied. No Opinion.

1100952 Ex parte Leslie Evans. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Leslie Evans v. State of Alabama) (Escambia Circuit Court: CC-78-50.61; Criminal Appeals : CR-09-1952).

Writ Denied. No Opinion.

Circuit Judge, Bradley E. Byrne, (251) 867-0281
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Atty., Beth Slate Poe, (334) 242-7300

1100977 Ex parte Andre Lyneal Wallace. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Andre Lyneal Wallace v. State of Alabama) (Jefferson Circuit Court: CC98-1556.60; CC98-1557.60; CC98-1562.60; Criminal Appeals : CR-10-0237).

Writ Denied. No Opinion.

Circuit Judge, Laura Petro, (205) 325-5646
Aple. Asst. Atty. General, Laura I. Cuthbert, (334) 353-9782

1101000 Ex parte Marvin Dallas Lynch. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marvin Dallas Lynch v. State of Alabama) (Chambers Circuit Court: CC-08-349.60; Criminal Appeals : CR-10-0077).

Writ Denied. No Opinion.

Circuit Judge, Thomas F. Young, Jr., (256) 234-7901
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Kristi O Wilkerson, (334) 353-8563

1101059 Ex parte Tony Mark McCartha. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tony Mark McCartha v. State of Alabama) (Russell Circuit Court: CC-04-142.61; CC-04-143.61; Criminal Appeals : CR-09-0461).

Writ Denied. No Opinion.

1101117 Ex parte Bruce Level Johnson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bruce Level Johnson v. State of Alabama) (Baldwin Circuit Court: CC-06-1495.60; Criminal Appeals : CR-09-0758).

Writ Denied. No Opinion.

Circuit Judge, James Harvey Reid, Jr., (251) 937-0290
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7300

1101131 Ex parte Diane Vaughn. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Diane Vaughn v. City of Mobile) (Mobile Circuit Court: CV-04-4692; Civil Appeals : 2090731).

Writ Denied. No Opinion.

Circuit Judge, John Ray Lockett, (251) 574-8477
Pet. Atty., Phillip M. Leslie, (251) 432-7214
Resp. Atty., Vaughan Drinkard, Jr, (251) 665-7200
Resp. Atty., Carter Roberts Hale, (251) 433-1346
Resp. Atty., Michael M. Linder, Jr, (251) 665-7200
Resp. Atty., Edward P. Rowan, (251) 433-3131
Resp. Atty., Carroll Hart Sullivan, (251) 433-1346
Resp. Atty., Richard Harrell Taylor, (251) 433-3131

Murdock, J.

1091187 Ex parte Billy Gene Doss. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Billy Gene Doss v. State of Alabama) (Montgomery Circuit Court: CC-07-554.60; Criminal Appeals : CR-09-0487).

Writ Denied. No Opinion.

1100046 Ex parte Jenkins Brick Company. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Roger Carreker and Linda Carreker v. Arriscraft International et al.) (St. Clair Circuit Court, Pell City Division: CV-08-256).

Petition Denied. No Opinion.

Circuit Judge, James Hill
Pet. Atty., Jack Criswell, (205) 745-4488
Pet. Atty., Alan Thomas Hargrove, Jr, (334) 206-3294
Resp. Atty., Robert E. Cooper, (205) 795-6588
Resp. Atty., Timothy Lee Dillard, (205) 251-2823
Resp. Atty., Hugh E. Holladay, (205) 884-1116
Resp. Atty., William R Pringle, (205) 795-6588

1100390 Howard Ross v. Wachovia Bank, NA as Custodian for Plymouth Park Tax Services, LLC (Appeal from Madison Circuit Court: CV-09-900561; Civil Appeals : 2100058).

Affirmed. No Opinion.

Circuit Judge, Karen K. Hall, (256) 532-3455
Apl. Atty., Patrick A. Jones, (256) 533-2827
Aple. Atty., William S. Hereford, (205) 251-3000
Aple. Atty., Julie W. Pittman, (205) 251-3000

1100546 Henry Byrd v. Alabama Department of Corrections (Appeal from Montgomery Circuit Court: CV10-1027; Criminal Appeals : CR-10-0461).

Affirmed. No Opinion.

Circuit Judge, Johnny Hardwick, (334) 832-1380
Aple. Atty., Bart Gregory Harmon, (334) 353-3881
Aple. Atty., Anne Adams Hill, (334) 353-3877
Aple. Atty., John C. Neiman, Jr, (334) 353-2187
Aple. Atty., Luther Strange, (334) 242-7447

1100611 Ex parte Greg Colbert and Beth Colbert. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Greg Colbert and Beth Colbert v. First National Bank of Atmore d/b/a First National Bank and Trust) (Escambia Circuit Court: CV-07-900020; Civil Appeals : 2090842).

Writ Denied. No Opinion.

Circuit Judge, Bradley E. Byrne, (251) 867-0281
Pet. Atty., Patrick James Ballard, (205) 321-9600
Resp. Atty., Jeffrey Lynn Luther, (251) 433-8088
Resp. Atty., Daniel Trice Stabler, (251) 433-8088

1100634 Ex parte James Willis Bonds. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Willis Bonds v. State of Alabama) (Houston Circuit Court: CC-00-1289.60; Criminal Appeals : CR-09-1756).

Writ Denied. No Opinion.

Circuit Judge, J. Kevin Moulton, (334) 791-8107
Pet. Atty., David Kenneth Hogg, (334) 699-4625
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Jack William Willis, (334) 242-7300

1100740 Ex parte Allison Sharette Britt. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Allison Sharette Britt v. State of Alabama) (Houston Circuit Court: CC-09-583; Criminal Appeals : CR-09-1632).

Writ Denied. No Opinion.

Circuit Judge, J. Kevin Moulton, (334) 791-8107
Pet. Atty., David Kenneth Hogg, (334) 699-4625
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., James B. Prude, (334) 242-7375

Shaw, J.

1091272 Ex parte Charlie Vance Dowling. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charlie Vance Dowling v. State of Alabama) (Geneva Circuit Court: CC08-239; Criminal Appeals : CR-09-0445).

Writ Denied. No Opinion.

Circuit Judge, Kenneth Wesley Quattlebaum, (334) 774-3726
Pet. Atty., William J. Paul, (334) 684-2636
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

1091370 Ex parte Bobby E. Cruce. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Sullivan & Wills Real Estate, L. L. C. v. Bobby E. Cruce) (Montgomery Circuit Court: CV-09-49; Civil Appeals : 2090112).

Writ Denied. No Opinion.

Circuit Judge, Eugene W. Reese, (334) 832-1360
Pet. Atty., Jackson Brett Harrison, (334) 819-8920
Resp. Atty., J Knox Argo, (334) 279-0088
Resp. Atty., Nicholas Cole Hughes, (334) 279-0088

1091404 Ex parte Nicolas Bryant. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Nicolas Bryant, alias v. State of Alabama) (Jefferson Circuit Court: CC08-3785; CC08-3786; Criminal Appeals : CR-08-1879

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Writ Denied. No Opinion.

Circuit Judge, Gloria Bahakel, (205) 325-5323
Pet. Atty., Donald L. Colee, Jr, (205) 592-4332
Pet. Atty., Lewis Fred Pickard, (205) 939-4171
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

1091418 Ex parte Michael D'Angelo Thompson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael D'Angelo Thompson v. State of Alabama) (Houston Circuit Court: CC09-701; Criminal Appeals : CR-09-0403).

Writ Denied. No Opinion.

Circuit Judge, Brad Mendheim, (334) 677-4881
Pet. Atty., Derek Evan Yarbrough, (334) 793-0051
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

1091488 Ex parte Dale Eugene Pfalzgraf. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dale Eugene Pfalzgraf v. State of Alabama) (Marion Circuit Court: CC06-296.60; Criminal Appeals : CR-09-0435).

Writ Denied. No Opinion.

Circuit Judge, T. Lee Carter, (205) 489-2400
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7300

1091510 Ex parte Gerard David McCree, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gerard David McCree, Jr. v. State of Alabama) (Montgomery Circuit Court: CC02-235.61; Criminal Appeals : CR-09-1392).

Writ Denied. No Opinion.

Circuit Judge, Tracy S. McCooey, (334) 832-1365
Resp. Atty. General, Luther Strange, (334) 242-7447

1091551 Ex parte Victor Rochelle Reed. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Victor Rochelle Reed v. State of Alabama) (Mobile Circuit Court: CC09-1055; CC09-1056; Criminal Appeals : CR-09-0581).

Writ Denied. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Pet. Atty., Glenn L. Davidson, (251) 432-0400
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 242-7300

1091575 Ex parte Stacey Kwaimaine Grays. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Stacey Kwaimaine Grays v. State of Alabama) (Madison Circuit Court: CC-08-161; Criminal Appeals : CR-09-0512).

Writ Denied. No Opinion.

Circuit Judge, James Peyton Smith, (256) 532-3394
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7300

1100048 Ex parte Derrick Phillip Ervin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Derrick Phillip Ervin v. State of Alabama) (Jefferson Circuit Court: CC06-974; CC06-975; Criminal Appeals : CR-0-70125).

Writ Denied. No Opinion.

Circuit Judge, Alfred Bahakel, (205) 325-5648
Pet. Atty., Richard Martin Adams, (205) 244-1920
Pet. Atty., James Woodfin Parkman, III, (205) 244-1920
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Gen. Counsel, John J. Davis, (334) 242-7300

1100091 Ex parte Robert Terry Mauldin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert Terry Mauldin v. State of Alabama) (Mobile Circuit Court: CC-09-2205; Criminal Appeals : CR-09-1464).

Writ Denied. No Opinion.

1100256 Ex parte Samuel Earl Ivory. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Samuel Earl Ivory v. State of Alabama) (Tuscaloosa Circuit Court: CC-95-73.66; CC-95-117.66; CC-95-118.66; Criminal Appeals : CR-09-1767).

Writ Denied. No Opinion.

Circuit Judge, Charles R. Malone, (205) 349-3870
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7300

1100316 Ex parte Richard Steven Gamble. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Richard Steven Gamble v. Patricia O. Gamble) (Colbert Circuit Court: DR-02-255.01; Civil Appeals : 2090426).

Writ Denied. No Opinion.

Circuit Judge, Leslie Gainer Johnson, (256) 766-3131
Pet. Atty., Rodney B Slusher, (256) 764-4011
Resp. Atty., H Thomas Heflin, Jr, (256) 383-3661

1100380 Ex parte Corey Tolbert. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Corey Tolbert v. State of Alabama) (Bessemer Circuit Court: CC-04-135.61; Criminal Appeals : CR-09-1701).

Writ Denied. No Opinion.

Circuit Judge, Teresa Petelos, (205) 481-4181
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 242-7300

1100427 Ex parte Lonnie Mac Galbreath. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Lonnie Mac Galbreath v. State of Alabama) (Marion Circuit Court: CC-04-69; Criminal Appeals : CR-09-1275).

Writ Denied. No Opinion.

Circuit Judge, John Hodges Bentley, (205) 921-2200
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

1100470 Ex parte Joel Gilliland. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joel Gilliland v. State of Alabama) (Chilton Circuit Court: CC-08-362; Criminal Appeals : CR-09-1231).

Writ Denied. No Opinion.

1100483 Ex parte Freddie Walker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Freddie Walker v. State of Alabama) (Houston Circuit Court: CC-02-347.64; CC-02-348.64; CC-02-349.64; Criminal Appeals : CR-09-1723).

Writ Denied. No Opinion.

Circuit Judge, Henry D. (Butch) Binford, (334) 677-4848
Resp. Asst. Gen. Counsel, John J. Davis, (334) 242-7300

1100513 Ex parte Eli Crawford IV. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eli Crawford IV v. State of Alabama) (Jefferson Circuit Court: CC-00-5425.62; CC-00-5426.62; CC-00-5427.62; CC-00-5428.62; Criminal Appeals : CR-09-1609).

Writ Denied. No Opinion.

Circuit Judge, J. William Cole, (205) 325-5290
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7300

1100595 Ming Wei Liu v. Malcolm Portera, in his official capacity as chancellor of the Board of Trustees of the University of Alabama (Appeal from Montgomery Circuit Court: CV-10-901301).

Affirmed. No Opinion.

Circuit Judge, Eugene W. Reese, (334) 832-1360
Apl. Atty., Steven Anthony Higgins, (334) 215-8585
Aple. Atty., Lisa Huggins, (205) 975-4881

1100632 Ex parte Jermaine A. Pritchett. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jermaine A. Pritchett v. State of Alabama) (Choctaw Circuit Court: CC-05-52.61; Criminal Appeals : CR-09-1673).

Writ Denied. No Opinion.

Circuit Judge, Don P. Scurlock, III, (251) 847-2304
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Gen. Counsel, John J. Davis, (334) 242-7300

1100639 Ex parte Maurice McCarty. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Maurice McCarty v. State of Alabama) (Jefferson Circuit Court: CC-08-178; Criminal Appeals : CR-09-1941).

Writ Denied. No Opinion.

Circuit Judge, Teresa Tanner Pulliam, (205) 325-5329
Pet. Atty., Mari Morrison, (205) 982-8515
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

1100690 Ex parte Eric Tyler Sledge. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eric Tyler Sledge v. State of Alabama) (Morgan Circuit Court: CC-99-643.61; Criminal Appeals : CR-09-1523).

Writ Denied. No Opinion.

1100700 Ex parte Joe Daniel Holt, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joe Daniel Holt, Jr. v. State of Alabama) (Limestone Circuit Court: CC-06-325.61; Criminal Appeals : CR-09-1915).

Writ Denied. No Opinion.

Circuit Judge, Robert M. Baker, (256) 233-8083
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Beth Slate Poe, (334) 242-7300

1100748 Ex parte George Braxton Green. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: George Braxton Green v. State of Alabama) (Mobile Circuit Court: CC-01-730.63; Criminal Appeals : CR-10-0271).

Writ Denied. No Opinion.

1100806 Ex parte Ronald Andre Goodson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ronald Andre Goodson v. State of Alabama) (Houston Circuit Court: CC-05-1549.60; Criminal Appeals : CR-07-2235).

Writ Denied. No Opinion.

Circuit Judge, J. Michael Conaway, (334) 677-4889
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Cecil Gordon Brendle, Jr, (334) 242-7357

1100843 Ex parte Cynthia McClendon. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Cynthia McClendon v. State of Alabama) (Dale Circuit Court: CC-08-418; Criminal Appeals : CR-09-1907).

Writ Denied. No Opinion.

Circuit Judge, Philip B. McLauchlin, Jr., (334) 774-8011
Pet. Atty., David Jerome Harrison, (334) 684-8729
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300

1100879 Ex parte Carl Devon Martin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Carl Devon Martin, alias v. State of Alabama) (Lee Circuit Court: CC-10-247; Criminal Appeals : CR-09-1925).

Writ Denied. No Opinion.

Circuit Judge, Jacob A. Walker, III, (334) 749-7156
Pet. Atty., William W. Whatley, Jr, (334) 272-0709
Resp. Asst. Atty. General, Michael G. Dean, (334) 353-0415

1100933 Ex parte Virgil James Vinson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Virgil James Vinson v. State of Alabama) (Lauderdale Circuit Court: CC-06-575.61; Criminal Appeals : CR-09-1903).

Writ Denied. No Opinion.

Circuit Judge, Michael T. Jones, (256) 760-5831
Pet. Atty., Alan R. Elledge, (256) 757-4007
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7300

1100960 Ex parte Vonterry Montrell Conner. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Vonterry Montrell Conner v. State of Alabama) (Mobile Circuit Court: CC-10-351; Criminal Appeals : CR-10-0198).

Writ Denied. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Pet. Atty., Anthony Joseph Altadonna, (251) 433-4004
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Jack William Willis, (334) 242-7300

1101007 Ex parte Danny Ray Gilbert. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Danny Ray Gilbert v. State of Alabama) (Madison Circuit Court: CC-09-3512.70; Criminal Appeals : CR-10-0351).

Writ Denied. No Opinion.

Circuit Judge, Dennis E. O'Dell, (256) 532-3432
Pet. Atty., John Garland Butler, Jr, (256) 534-1321
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1101042 Ex parte Harry Lamont McCall. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Harry Lamont McCall v. State of Alabama) (Lowndes Circuit Court: CC-10-45; Criminal Appeals : CR-10-0247).

Writ Denied. No Opinion.

Circuit Judge, Terri B. Lovell
Pet. Atty., Jason B. Dial, (334) 260-5135
Resp. Atty. General, Luther Strange, (334) 242-7447

1101107 Ex parte J.C. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J.C. v. State Department of Human Resources) (Dallas Juvenile Court: JU-06-122.02; Civil Appeals : 2100137).

Writ Denied. No Opinion.

1101143 Ex parte Reginald Owens. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Reginald Owens v. State of Alabama) (Jefferson Circuit Court: CC-02-3714.61; Criminal Appeals : CR-10-0159).

Writ Denied. No Opinion.

Circuit Judge, J. William Cole, (205) 325-5290
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-4262

Main, J.

1100042 Judy Carroll v. Freda Jones, as personal representative of the estate of Virdie Ann Kramer, deceased (Appeal from Lauderdale Circuit Court: CV-10-79).

Affirmed. No Opinion.

Circuit Judge, Michael T. Jones, (256) 760-5831
Aplt. Atty., Annary Aytch Cheatham, (256) 851-1433
Aple. Atty., Lindsey Mussleman Davis, (256) 766-0503

1100114 Kathy Amos v. Estate of Gary J. Bone, deceased (Appeal from Etowah Circuit Court: CV-10-15).

Affirmed. No Opinion.

Circuit Judge, Anthony Clark Hall, (256) 549-5368
Circuit Judge, William B. Ogletree
Aplt. Atty., Myron K. Allenstein, (256) 546-6314
Aplt. Atty., Rose Marie Allenstein, (256) 546-6314
Aple. Atty., Dani Victor Bone, (256) 547-1005
Aple. Atty., Mari Morrison, (205) 982-8515

1100908 Ex parte Rayford L. Calvert. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Rayford L. Calvert v. Doug Calvert and Tammy Calvert) (Cullman Circuit Court: CV-08-245; Civil Appeals : 2100258).

Writ Denied. No Opinion.

Circuit Judge, Don L. Hardeman, (256) 739-3530
Pet. Atty., P. Michael Cole, (256) 232-2010
Pet. Atty., Thomas Mark Maclin, (256) 232-2010
Resp. Atty., Timothy P Culpepper, (256) 737-0740
Resp. Atty., Perry D. Knight, (256) 734-4090

1100935 Ex parte Charles Wilson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Imerys USA v. Charles Wilson) (Talladega Circuit Court: CV-09-900037; Civil Appeals : 2100174).

Writ Denied. No Opinion.

Circuit Judge, Julian M. King, (256) 761-2106
Pet. Atty., John Dodson, (205) 879-8722
Pet. Atty., Michael Gregory, (205) 879-8722
Pet. Atty., Erik Stephen Heninger, (205) 326-3336
Pet. Atty., Bernard Nomberg, (205) 930-6900
Pet. Atty., David P. Nomberg, (205) 930-6900

Resp. Atty., Brent A Tyra, (205) 663-6929
Amicus Pet. Atty., James A. Abernathy, II., (205) 349-2000
Amicus Pet. Atty., Patrick James Ballard, (205) 321-9600

- 1101030 Ex parte Chassity Grech Ebbole. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Chassity Grech Ebbole v. Richard E. Shields) (Mobile Circuit Court: CV-09-001982; Civil Appeals : 2100335).

Writ Denied. No Opinion.

Circuit Judge, Robert Herschel Smith, (251) 251-8485
Pet. Atty., Stephen K. Orso, (251) 478-6084
Resp. Atty., Joseph E. Stott, (205) 967-9675

- 1101076 Ex parte Kenneth E. Gilliland. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Kenneth E. Gilliland v. Carol Wilbanks, personally, and as executrix of the Estate of Eloise P. Gilliland) (Jefferson Circuit Court: CV-10-903032; Civil Appeals : 2100423).

Writ Denied. No Opinion.

Circuit Judge, G. William Noble, (205) 325-5020
Pet. Atty., Harold Thomas Ackerman, (205) 856-0852
Pet. Atty., Jerry Neil Quick, (205) 681-9831
Resp. Atty., Tanya K. Shunnara, (205) 930-5323
Resp. Atty., Peter Mckeever Wright, (205) 930-5304

- 1101092 Ex parte Sean F. Hudson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Sean F. Hudson v. City of Birmingham) (Jefferson Circuit Court: CV-10-1279; Civil Appeals : 2091117).

Writ Denied. No Opinion.

Circuit Judge, Thomas King, Jr., (205) 325-5025
Circuit Judge, Helen Shores Lee, (205) 325-5635
Circuit Judge, G. William Noble, (205) 325-5020
Pet. Atty., John P. Graves, (205) 588-0979
Pet. Atty., LaVette Lyas, (205) 279-3462
Pet. Atty., Scott Thomas Morro, (205) 631-6301
Resp. Atty., Jacinda Denise Anderson, (205) 254-2369

- 1101118 Ex parte Earnest Lee Walker, Sr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Earnest Lee Walker, Sr. v. John Tyson, Jr.) (Mobile Circuit Court: CV-10-1200; Civil Appeals : 2100381).

Writ Denied. No Opinion.

Circuit Judge, John Ray Lockett, (251) 574-8477
Resp. Asst. Atty. General, Todd E. Hughes, (334) 242-7374

- 1091700 Matador Holdings, Inc. d/b/a Davis-Dyar Supply Company v. HoPo Realty Investments, LLC (Appeal from Lee Circuit Court: CV-09-900166).

Affirmed.

Circuit Judge, John V. Denson, II, (334) 749-7141
Apl. Atty., Elizabeth McAdory Borg, (334) 502-4529
Aple. Atty., Russell C. Balch, (334) 887-0884

1091790 HoPo Realty Investments, LLC v. Matador Holdings, Inc. d/b/a Davis-Dyar Supply Company (Appeal from Lee Circuit Court: CV-09-900166).

Reversed And Remanded With Directions.

Circuit Judge, John V. Denson, II, (334) 749-7141
Apl. Atty., Russell C. Balch, (334) 887-0884
Aple. Atty., Elizabeth McAdory Borg, (334) 502-4529

Wise, J.

1100185 Porter Capital Corporation v. International Equipment Distributors, Inc. (Appeal from Baldwin Circuit Court: CV-10-901007).

Affirmed. No Opinion.

Circuit Judge, Charles C. Partin, (251) 937-0273
Apl. Atty., Gilbert Fontenot, (251) 432-2629
Aple. Atty., C. Britton Bonner, (251) 433-3234
Aple. Atty., Nicholas F. Morisani, (251) 433-3234

1100362 Ex parte Mayer Electric Supply Company, Inc. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Buco Building Constructors, Inc., and St. Paul Fire and Marine Insurance Company v. Mayer Electric Supply Company, Inc.) (Bessemer Circuit Court: CV-04-1092 and CV-06-1179; Civil Appeals : 2090573).

Writ Denied. No Opinion.

Pet. Atty., Robert Ryan Daugherty, (205) 930-5390
Pet. Atty., Gregory M. Deitsch, (205) 930-5225
Pet. Atty., Kaye Kamman Houser, (205) 930-5105
Resp. Atty., Kori L. Clement, (205) 322-3040
Resp. Atty., Stephanie White Schmidt, (205) 322-3040

1100550 Ex parte Aubrey Dean Williams. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Aubrey Dean Williams v. Susan Kaye Williams) (Etowah Circuit Court: DR-08-67; Civil Appeals : 2090629).

Writ Denied. No Opinion.

Circuit Judge, Anthony Clark Hall, (256) 549-5370
Pet. Atty., Jack Whitfield Torbert, Jr, (256) 547-7551
Resp. Atty., Thomas Alexander King, (256) 547-1117

1100564 Ex parte Rimkus Consulting Group, Inc., et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Saint Joseph Baptist Church v. American States Insurance Company et al.) (Mobile Circuit Court: CV-10-900297).

Petition Denied. No Opinion.

Circuit Judge, Michael A. Youngpeter, (251) 574-8780
Pet. Atty., Philip H. Partridge, (251) 338-0566
Pet. Atty., Bryan D. Smith, (251) 338-0566
Resp. Atty., Matthew Andrews, (251) 660-0888
Resp. Atty., James E. Atchison, (251) 660-0888
Resp. Atty., Richard Brett Garrett, (334) 206-3138
Aple. Atty., Robert Austin Huffaker, Jr, (334) 206-3126
Resp. Atty., Elias John Saad, (251) 660-0888

1100716 Ex parte James Clayton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: James Clayton v. Camden Clayton) (Etowah Circuit Court: CV-09-534; Civil Appeals : 2091045).

Writ Denied. No Opinion.

Circuit Judge, William Allen Millican, (256) 549-5364
Pet. Atty., James Eric Brisendine, (256) 845-5932
Pet. Atty., Elbert Allen Dodd, Jr, (256) 845-5932
Resp. Atty., F. Michael Haney, (256) 546-1656

1100877 Ex parte Rita Powell and Judi Caples. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Darrel Nevels v. John Caples, Judi Caples, and Rita Powell) (Jefferson Circuit Court, Bessemer Division: CV-10-900115).

Petition Denied. No Opinion.

Circuit Judge, Eugene R. Verin, (205) 497-8570
Pet. Atty., Dan J. Willingham, (256) 734-2023
Resp. Atty., Lee Wendell Loder, (205) 326-0566

1100931 Ex parte Carlos Campbell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Carlos Campbell v. Shelby Concrete, Inc.) (Mobile Circuit Court: CV-07-901585; Civil Appeals : 2091055).

Writ Denied. No Opinion.

Circuit Judge, Joseph Johnston, (251) 574-8685
Pet. Atty., Dan Talmadge, (334) 792-1420
Resp. Atty., Joseph H. Driver, (205) 822-2006
Resp. Atty., Tara Waller Lockett, (251) 626-9340
Resp. Atty., William D. Montgomery, Jr, (251) 338-2721

1100939 Ex parte Everest National & Everest Reinsurance Holding Group. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Everest National & Everest Reinsurance Holding Group v. H. C. Blake Co. Inc. et al.) (Madison Circuit Court: CV-08-659; Civil Appeals : 2091074).

Writ Denied. No Opinion.

Circuit Judge, Bruce Edward Williams, (256) 532-3754
Pet. Atty., Michael I Fish, (205) 332-3430
Resp. Atty., William L Middleton, (256) 353-6761
Resp. Atty., James A. Rives, (334) 387-7680

1100942 Ex parte Patricia A. Weed. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Patricia A. Weed v. Cooper & Company, Inc., d/b/a Prudential Cooper & Company, Inc.) (Mobile Circuit Court: CV-08-900241; Civil Appeals : 2091091).

Writ Denied. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Pet. Atty., Desmond V Tobias, (251) 432-5001
Resp. Atty., William H Philpot, Jr, (251) 433-6900
Amicus Resp. Atty., Kathryn W. Drey, (251) 338-2721
Amicus Resp. Atty., E. Hamilton Wilson, (334) 387-7680

1100996 Ex parte Patrick Edward Variali. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Patrick Edward Variali v. Carol Suzanne Variali) (Baldwin Circuit Court: DR-07-900338; Civil Appeals : 2090660).

Writ Denied. No Opinion.

Circuit Judge, Michelle M Thomason, (251) 972-8573
Pet. Atty., David A Simon, (251) 937-2411
Resp. Atty., Stephen P. Johnson, (251) 943-4040

1101008 Ex parte Earnest Lee Walker, Sr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Earnest Lee Walker, Sr. v. Troy King et al.) (Montgomery Circuit Court: CV-10-1198; Civil Appeals : 2100380).

Writ Denied. No Opinion.

Circuit Judge, Truman M. Hobbs, Jr., (334) 832-7147
Resp. Atty., Clifford W Cleveland, (334) 365-1500

1101023 Ex parte Raymond G. Floyes and Myrtle Floyes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Raymond G. Floyes and Myrtle Floyes v. Board of Water and Sewer Commissioners of the City of Mobile et al.) (Mobile Circuit Court: CV-07-2584; Civil Appeals : 2100223).

Writ Denied. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Pet. Atty., Richard L. Watters, (251) 433-3753
Resp. Atty., K. Paul Carbo, Jr, (251) 665-7200
Resp. Atty., Brian P. McCarthy, (251) 431-8806

1101043 Ex parte George Wilson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: George Wilson v. Selma Water Works and Sewer Board) (Dallas Circuit Court: CV-09-163; Civil Appeals : 2100129).

Writ Denied. No Opinion.

Circuit Judge, Marvin Wayne Wiggins, (334) 624-5620
Resp. Atty., Collins - Pettaway, Jr, (334) 875-9264

1101175 Ex parte Terry Bland. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Terry Bland v. State of Alabama) (Montgomery Circuit Court: CC-91-140.91; Criminal Appeals : CR-10-0608).

Writ Denied. No Opinion.

Circuit Judge, William A. Shashy, (334) 832-1370
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

ON REHEARING

1100452 Cortland Robertson v. Cheaha Regional Mental Health/Mental Retardation Board, Inc. (Appeal from Talladega Circuit Court: CV-06-205).

Application Overruled. No Opinion.

Circuit Judge, William E. Hollingsworth, III, (256) 761-2108
Apl. Atty., Joseph Todd Miner, (205) 250-8460
Apl. Atty., William R. Myers, (205) 581-8023
Aple. Atty., William A Scott, Jr, (205) 968-3156
Aple. Atty., M Jansen Voss, (205) 967-9675

1100631 Ex parte Springhill Hospitals, Inc., d/b/a/ Springhill Memorial Hospital. PETITION FOR WRIT OF MANDAMUS:CIVIL (In re: David L. Oden, as Administrator of the Estate of Theresa Oden, deceased v. Springhill Hospitals, Inc., d/b/a/ Springhill Memorial Hospital et al.) (Mobile Circuit Court: CV-10-900421).

Application Overruled. No Opinion.

Circuit Judge, Roderick P. Stout, (251) 574-8482
Pet. Atty., Winston Grow, (251) 338-0566
Pet. Atty., Philip H. Partridge, (251) 338-0566
Resp. Atty., Joseph M. Brown, Jr., (251) 471-6191
Resp. Atty., George M. Dent, III, (251) 471-6191
Resp. Atty., J. Brian Duncan, (251) 471-6191
Resp. Atty., David G. Wirtes, Jr, (251) 471-6191
Amicus Pet. Atty., R. Alan Alexander, (251) 432-5521
Amicus Pet. Atty., Mary Margaret Bailey, (251) 431-6020
Amicus Pet. Atty., Gregg Brantley Everett, (334) 272-8781
Amicus Pet. Atty., D. Andrew Stivender, (251) 432-5521
Amicus Pet. Atty., Aloysius Edwin Stuardi, III, (251) 432-5521
Amicus Pet. Atty., Sharon Donaldson Stuart, (205) 795-6588
Amicus Pet. Atty., Jean Walker Tucker, (251) 460-6294
Amicus Pet. Atty., Kelley McLeod Tynes, (205) 868-6000

1100822 Monica Ware v. Deutsche Bank National Trust Company, as Trustee for HSI Asset Securitization Corporation 2006-OPT2 Mortgage Pass-Through Certificates, Series 2006-OPT2. (Appeal from Jefferson Circuit Court: CV-08-2841; Civil Appeals : 2090883).

Application Overruled. No Opinion.

Circuit Judge, Helen Shores Lee, (205) 325-5635
Apl. Atty., Rhonda Steadman Hood, (205) 323-4123
Apl. Atty., Kenneth James Lay, (205) 601-0764
Aple. Atty., Robert Ryan Daugherty, (205) 930-5390
Aple. Atty., Gregory M. Deitsch, (205) 930-5225

1060495 Alabama Insurance Guaranty Association v. Association of General Contractors Self-Insurer's Fund (Appeal from Montgomery Circuit Court: CV-05-450).

Application Overruled. No Opinion.

Circuit Judge, Johnny Hardwick, (334) 832-1380
Apl. Atty., Howard K Glick, Jr, (205) 876-1600
Aple. Atty., Susan G. Copeland, (334) 270-0020
Aple. Atty., J. Doyle Fuller, (334) 270-0020

1091666 EB Investments, L.L.C. v. Pavilion Development, L.L.C., et al. (Appeal from Madison Circuit Court: CV-97-563.80).

On Rehearing Ex Mero Motu: Opinion of June 17, 2011 Withdrawn; Opinion Substituted; Appeal Dismissed.

Circuit Judge, Anthony Clark Hall, (256) 549-5370
Apl. Atty., Elizabeth Teresa Cvetetic, (256) 532-0979
Aple. Atty., Joseph Douglas Aiello, (256) 536-0588
Aple. Atty., Morris J. Brooks, (256) 539-6000
Aple. Atty., Page Gamble, (205) 795-2078
Aple. Atty., Robert Carl Gammons, (256) 533-7711
Aple. Atty., Travis S. Jackson, (256) 536-1711
Aple. Atty., David E. McGehee, (256) 427-5026

Aple. Atty., E. Ray McKee, Jr., (256) 551-0300
Aple. Atty., Harvey B. Morris, (256) 536-0588
Aple. Atty., H. Carey Walker, III, (256) 536-0507
Aple. Atty., Tyler Williams, (256) 539-6000

1091667 Pavilion Development, L.L.C. v. JBJ Partnership et al. (Appeal from Madison Circuit Court: CV-97-563.80).

On Rehearing Ex Mero Motu: Opinion of June 17, 2011 Withdrawn; Opinion Substituted; Appeal Dismissed.

Circuit Judge, Anthony Clark Hall, (256) 549-5370
Apl. Atty., H. Carey Walker, III, (256) 536-0507
Aple. Atty., Joseph Douglas Aiello, (256) 536-0588
Aple. Atty., Morris J. Brooks, (256) 539-6000
Aple. Atty., Elizabeth Teresa Cvetetic, (256) 532-0979
Aple. Atty., Page Gamble, (205) 795-2078
Aple. Atty., Robert Carl Gammons, (256) 533-7711
Aple. Atty., Travis S. Jackson, (256) 536-1711
Aple. Atty., David E. McGehee, (256) 427-5026
Aple. Atty., Harvey B. Morris, (256) 536-0588
Aple. Atty., Laurie Boston Sharp, (205) 995-9537
Aple. Atty., Tyler Williams, (256) 539-6000