



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, SEPTEMBER 10, 2010**

Cobb, C.J.

1090748 Antoinette Murrell v. Alabama General Insurance Agency, Inc. and Boris M. Cummings (Appeal from Jefferson Circuit Court: CV-08-2292).

Affirmed. No Opinion.

1091243 Ex parte L. S. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: L. S. v. T. W. (In the matter of A. W.)) (Perry Circuit Court: CV-04-5.02; Civil Appeals : 2090302).

Writ Denied. No Opinion.

1091259 Ex parte R.B.S. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: R.B.S. v. K.M.S.) (Baldwin Circuit Court: DR-02-60; Civil Appeals : 2090027).

Writ Denied. No Opinion.

1091338 Ex parte Jose Luis Avalos. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jose Luis Avalos v. State of Alabama) (Jefferson Circuit Court: CC07-2687.60; Criminal Appeals : CR-08-1955).

Writ Denied. No Opinion.

Lyons, J.

1090257 Tamara Westrick, as mother and next friend of Ben Westrick, a minor v. Alfa Mutual Insurance Company (Appeal from Coffee Circuit Court: CV-08-97).

Affirmed. No Opinion.

1090358 Illinois National Insurance Company et al. v. University of South Alabama d/b/a University of South Alabama Medical Center Hospital (Appeal from Mobile Circuit Court: CV-08-901794).

Affirmed. No Opinion.

1090537 Ex parte Michael Jerome Thomas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Jerome Thomas v. State of Alabama) (Jefferson Circuit Court: CC95-324.61; Criminal Appeals : CR-08-1876).

Writ Quashed. No Opinion.

1090631 Ex parte Nancy Lillian Worley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Nancy Lillian Worley) (Montgomery Circuit Court: CC07-475; Criminal Appeals : CR-06-1879).

Reversed And Remanded With Instructions.

1091417 Ex parte Derrill Lee Nelson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Derrill Lee Nelson v. State of Alabama) (Madison Circuit Court: CC05-2456.63; Criminal Appeals : CR-09-0821).

Writ Denied. No Opinion.

1091437 Ex parte Nathan Lee Shultz. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Nathan Lee Shultz v. Candice Shultz Ledford) (Etowah Circuit Court: DR-06-64.01; Civil Appeals : 2090205).

Writ Denied. No Opinion.

1091443 Ex parte Darryl Weldon White. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama) (Montgomery Circuit Court: CC07-473.60; Criminal Appeals : CR-09-0359).

Writ Denied. No Opinion.

1091477 Ex parte Bobby Cook. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bobby Cook v. State of Alabama) (Mobile Circuit Court: CC-07-4530; Criminal Appeals : CR-08-0841).

Writ Denied. No Opinion.

1091486 Ex parte Kenneth Edward Smith, Sr. and Susan A. Smith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Kenneth Edward Smith, Sr. and Susan A. Smith v. Dallas County, Dallas County Commission, et al.) (Dallas Circuit Court: CV-07-25; Civil Appeals : 2090414).

Writ Denied. No Opinion.

1091487 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: CC93-1009.62; Criminal Appeals : CR-09-0738).

Writ Denied. No Opinion.

1091501 Ex parte Gregory L. Hunter. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gregory L. Hunter v. Alabama Board of Pardons & Paroles) (Montgomery Circuit Court: CV09-1872; Criminal Appeals : CR-09-0852).

Writ Denied. No Opinion.

1091539 Ex parte Jamaal Cornelius King. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jamaal Cornelius King v. State of Alabama) (Jefferson Circuit Court: CC07-266.60; Criminal Appeals : CR-09-0785).

Writ Denied. No Opinion.

1091585 Ex parte Helen McKnight, as conservator of the estates of William Walker Way and Alexander Spiller Way and as executor of the estate of Linda McKnight. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Helen McKnight, as conservator of the estates of William Walker Way and Alexander Spiller Way and as executor of the estate of Linda McKnight v. Jack Way et al.) (Pickens Circuit Court: CV-07-34; Civil Appeals : 2090508).

Writ Denied. No Opinion.

1090683 J. Gordan Gaines, Inc., and Kevin O'Halloran, as trustee for bankruptcy estate of J. Gordan Gaines, Inc. v. ITAC Solutions, LLC (Appeal from Jefferson Circuit Court: CV-08-2467).

Affirmed. No Opinion.

1090706 ITAC Solutions, LLC v. J. Gordan Gaines, Inc. and Kevin O'Halloran, as plan trustee for the bankruptcy estate (Appeal from Jefferson Circuit Court: CV-08-2467).

Dismissed As Moot.

Woodall, J.

1090315 David J. Naman, as representative of the estate of Emile Naman d/b/a Naman's Department Store v. Alfa Mutual Insurance Company (Appeal from Mobile Circuit Court: CV-06-1376).

Affirmed. No Opinion.

1090689 Christopher Scott Miller and Castle Consultants, LLC v. Daniel Bailey, James Paxton, and Kenneth Todd, III (Appeal from Houston Circuit Court: CV-08-505).

Affirmed. No Opinion.

1091444 Ex parte Bernard Jemison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bernard Jemison v. Alabama Department of Corrections) (Montgomery Circuit Court: CV09-419; Criminal Appeals : CR-09-0808).

Writ Denied. No Opinion.

1091445 Ex parte Bernard Jemison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bernard Jemison v. Alabama Department of Corrections) (Montgomery Circuit Court: CV09-1413; Criminal Appeals : CR-09-0811).

Writ Denied. No Opinion.

1091446 Ex parte Bernard Jemison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bernard Jemison v. Alabama Department of Corrections) (Montgomery Circuit Court: CV09-1752; Criminal Appeals : CR-09-0813).

Writ Denied. No Opinion.

1091447 Ex parte Bernard Jemison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bernard Jemison v. Alabama Department of Corrections) (Montgomery Circuit Court: CV09-1785; Criminal Appeals : CR-09-0815).

Writ Denied. No Opinion.

1091465 Ex parte Bernard Jemison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bernard Jemison v. Alabama Department of Corrections) (Montgomery Circuit Court: CV09-340; Criminal Appeals : CR-09-0806).

Writ Denied. No Opinion.

1091468 Ex parte Bernard Jemison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bernard Jemison v. Alabama Department of Corrections) (Montgomery Circuit Court: CV09-1791; Criminal Appeals : CR-09-0935).

Writ Denied. No Opinion.

1091469 Ex parte Bernard Jemison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bernard Jemison v. Alabama Department of Corrections) (Montgomery Circuit Court: CV09-1790; Criminal Appeals : CR-09-0947).

Writ Denied. No Opinion.

1091482 Ex parte Beverly A. Capone. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: John S. Capone, Jr. v. Beverly A. Capone) (Calhoun Circuit Court: DR-05-62.81; Civil Appeals : 2090258).

Writ Denied. No Opinion.

1091572 Ex parte T.Y. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: T.Y. v. Alabama Department of Human Resources) (Mobile Juvenile Court: JU-06-2199.92; Civil Appeals : 2090140).

Writ Denied. No Opinion.

1091584 Ex parte Joel Lynn Summers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Joel Lynn Summers v. Cayce Lane Summers) (Lauderdale Circuit Court: DR-07-576.01; Civil Appeals : 2080457).

Writ Denied. No Opinion.

Stuart, J.

1090578 Michael C. Jones, as personal representative of the estate of Robert M. Jones, Sr., deceased v. Margery Fallen, as personal representative of the estate of Robert M. Jones, Jr., deceased (Appeal from Chilton Circuit Court: CV-09-46).

Affirmed. No Opinion.

1090623 Linda Driver v. Edna Faye Davenport, individually and as personal representative of the estate of Robert Davenport, deceased (Appeal from Cullman Circuit Court: CV-08-900135).

Affirmed. No Opinion.

1091112 Renwick Jones v. Alabama State University et al. (Appeal from Montgomery Circuit Court: CV-09-9014).

Affirmed. No Opinion.

1091438 Ex parte Dante Antonio Reaves. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dante Antonio Reaves v. State of Alabama) (Houston Circuit Court: CC08-470.60; Criminal Appeals : CR-09-0683).

Writ Denied. No Opinion.

1091464 Ex parte David Matthew Thomas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Matthew Thomas v. State of Alabama) (Jefferson Circuit Court, Bessemer Division: CC09-1954.60; Criminal Appeals : CR-09-0706).

Writ Denied. No Opinion.

1091483 Ex parte Johnathan Ray Revells. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Johnathan Ray Revells v. State of Alabama) (Lee Circuit Court: CC04-980.60; Criminal Appeals : CR-08-1848).

Writ Denied. No Opinion.

1091484 Ex parte J. W. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J. W. v. T. D. and B. D.) (Houston Juvenile Court: JU-08-683.02; Civil Appeals : 2090042).

Writ Denied. No Opinion.

1091498 Ex parte Antonio Nichols. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama) (Jefferson Circuit Court: CC06-2560.60; CC06-2561.60; CC06-2562.60; CC06-2563.60; Criminal Appeals : CR-08-1820).

Writ Denied. No Opinion.

1091535 Ex parte Jackie Lynn Morrow. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jackie Lynn Morrow v. State of Alabama) (Marshall Circuit Court, Guntersville Division: CC00-159.60; Criminal Appeals : CR-08-0277).

Writ Denied. No Opinion.

1091542 Ex parte Luther Gene Moorehouse. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Carol J. Tucker and Donald L. Tucker v. Luther Gene Moorehouse) (St. Clair Circuit Court: CV-07-44; Civil Appeals : 2081032).

Writ Denied. No Opinion.

Smith, J.

1080772 Gussie Dean Sellers and Earline Odom v. First National Bank of Atmore et al. (Appeal from Escambia Circuit Court: CV-06-166).

Affirmed. No Opinion.

1090087 Forestry 21, LLC v. Woodsman, Inc.; Woodsman Holdings, Inc.; and Woodsman, LLC (Appeal from Chambers Circuit Court: CV-09-127).

Affirmed. No Opinion.

1090285 Guntersville Boat Mart, Inc. v. Ellen Smith (Appeal from Marshall Circuit Court: CV-06-54).

Affirmed. No Opinion.

1090457 Nue Cheer Franklin v. Robert Les Pittman (Appeal from Montgomery Circuit Court: CV-09-119).

Affirmed. No Opinion.

1090515 Ex parte Progress Rail Services Corporation. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Cassie Dawn Moles, as personal representative and administratrix of the estate of Dustin Moles, deceased v. Progress Rail Services Corporation) (Etowah Circuit Court: CV-09-90310).

Petition Denied. No Opinion.

1091362 Ex parte Donald Smelley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Donald Smelley, alias v. State of Alabama) (Talladega Circuit Court: CC08-373; Criminal Appeals : CR-081743).

Writ Denied. No Opinion.

1091409 Ex parte Matthew J. Leske. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Matthew J. Leske v. State of Alabama) (Geneva Circuit Court: CC08-56; Criminal Appeals : CR-09-0040).

Writ Denied. No Opinion.

1091451 Ex parte C.M.W. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: C.M.W. v. M.H.) (Talladega Juvenile Court: JU-08-100114.01 and JU-08-100115.01; Civil Appeals : 2081165).

Writ Denied. No Opinion.

1091463 Ex parte Reginald A. Benion. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Reginald A. Benion v. Alabama Board of Pardons and Parole) (Montgomery Circuit Court: CV09-1753; Criminal Appeals : CR-09-0695).

Writ Denied. No Opinion.

1091471 Ex parte Robert R. Bowers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Robert R. Bowers v. Brian Keith Bell, as personal representative of the estate of Keith Bell, deceased) (Etowah Circuit Court: CV-08-31; Civil Appeals : 2080942).

Writ Denied. No Opinion.

1091481 Ex parte Oscar Levell McMillian. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Oscar Levell McMillian v. State of Alabama) (Mobile Circuit Court: CC08-2909; Criminal Appeals : CR-08-1418).

Writ Denied. No Opinion.

Bolin, J.

1090086 Galaxy Cable, Inc., d/b/a Galaxy Cablevision v. Pamela Davis, as next friend of Benjamin Drake Davis, a minor (Appeal from Walker Circuit Court: CV-07-14).

Affirmed In Part; Reversed In Part; Remanded.

1090931 Coastal Construction, L.L.C. v. Thomas Dickinson et al. (Appeal from Baldwin Circuit Court: CV-08-901401).

Affirmed. No Opinion.

1091440 Ex parte Shaeffer Coleman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Shaeffer Coleman v. State of Alabama) (Calhoun Circuit Court: CC98-665.63; CC98-666.63; Criminal Appeals : CR-09-0789).

Writ Denied. No Opinion.

1091454 Ex parte Kenneth Smith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Kenneth Smith V. Michael W. Davidson) (Madison Circuit Court: CV-07-944; Civil Appeals : 2081188).

Writ Denied. No Opinion.

1091457 Ex parte Johnny Newman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Johnny Newman v. State of Alabama) (Houston Circuit Court: CC91-550.63; Criminal Appeals : CR-09-0777).

Writ Denied. No Opinion.

1091479 Ex parte Stanley Richardson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Stanley Richardson v. State of Alabama) (Jefferson Circuit Court: CC08-2459; CC08-2460; Criminal Appeals : CR-09-0212).

Writ Denied. No Opinion.

1091493 Ex parte Kaleem Ariff Tariq-Madyun. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kaleem Ariff Tariq-Madyun v. State of Alabama) (Morgan Circuit Court: CC06-794; Criminal Appeals : CR-08-1176).

Writ Denied. No Opinion.

1091503 Ex parte Ernest Lee Walker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ernest Lee Walker v. State of Alabama) (Mobile Circuit Court: CC06-2129.60; Criminal Appeals : CR-09-1316).

Writ Denied. No Opinion.

Parker, J.

1090288 Ex parte Richard Bailey. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Richard Bailey v. Judy T. Bailey) (Montgomery Circuit Court: DR-02-1358.01; Civil Appeals : 2080246).

Writ Denied. No Opinion.

1090370 Ex parte James Maurice Broadhead. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Maurice Broadhead v. State of Alabama) (Mobile Circuit Court: CC-07-4655; 07-4656; Criminal Appeals : CR-08-0148).

Writ Denied. No Opinion.

1090380 Ex parte Bennie Ray Borden. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bennie Ray Borden v. State of Alabama) (Walker Circuit Court: CC05-361; Criminal Appeals : CR-08-0438).

Writ Denied. No Opinion.

1090405 Ex parte Norman C. Gangl. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Norman C. Gangl v. State of Alabama) (St. Clair Circuit Court, Pell City Division: CC95-100.60; Criminal Appeals : CR-08-0225).

Writ Denied. No Opinion.

1090423 Ex parte Cecil R. Blocker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Cecil R. Blocker v. Howard Ross; West Wind Condominium Association, Inc.; and Patrick A. Jones) (Madison Circuit Court: CV-05-1689; Civil Appeals : 2080575).

Writ Denied. No Opinion.

1090520 Ex parte Nathan Williams. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Nathan Williams v. State of Alabama) (Houston Circuit Court: CC04-564.61; CC04-565.61; Criminal Appeals : CR-08-1699).

Writ Denied. No Opinion.

1090536 Ex parte Leon McCall. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Leon McCall v. State of Alabama) (Monroe Circuit Court: CC02-112.62; Criminal Appeals : CR-08-1787).

Writ Denied. No Opinion.

1090571 Ex parte Naserie Saccar Jackson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Naserie Saccar Jackson v. State of Alabama) (Mobile Circuit Court: CC06-1328.60; CC06-1330.60; Criminal Appeals : CR-08-1261).

Writ Denied. No Opinion.

1090603 Ex parte Frederick Lewis Howard. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Frederick Lewis Howard, alias v. State of Alabama) (Jefferson Circuit Court: CC06-1567; CC06-1568; Criminal Appeals : CR-07-1243).

Writ Denied. No Opinion.

1090627 Ex parte Ricky McGhee. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: G. A. West & Company v. Ricky McGhee) (Escambia Circuit Court: CV-05-170; Civil Appeals : 2070961).

Writ Denied. No Opinion.

Murdock, J.

1071560 Acceptance Loan Company, LLC, and First United Security Bank v. Malcomb Graves Automotive, Inc. (Appeal from Shelby Circuit Court: CV-07-900411).

Affirmed. No Opinion.

1081558 Kelly Klein v. Jefferson County Board of Education et al. (Appeal from Jefferson Circuit Court: CV-08-903168).

Affirmed. No Opinion.

1090008 Ex parte DeShazo Crane Company, LLC. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: DeShazo Crane Company, LLC v. James L. Harris) (Chilton Circuit Court: CV-05-338; Civil Appeals : 2070838).

Writ Denied. No Opinion.

1090280 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. D. A. D. O.) (Jefferson Juvenile Court: JU-08-53203; Criminal Appeals : CR-08-0429).

Writ Quashed. No Opinion.

1090379 Ex parte Vanessa Gill. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Vanessa Gill v. State of Alabama) (Dallas Circuit Court: CC06-336; Criminal Appeals : CR-08-0512).

Writ Denied. No Opinion.

1090678 Ex parte Carl Thrasher. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Carl Thrasher v. Gary G. Pirtle and Sheila S. Pirtle) (Morgan Circuit Court: CV-05-569; Civil Appeals : 2071159).

Writ Denied. No Opinion.

1090935 Ex parte Camellia B. Barnes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Camellia B. Barnes v. IMS Management, LLC, agent for Metropolitan Gardens Developers, LLP) (Jefferson Circuit Court: CV-09-1665; Civil Appeals : 2090156).

Writ Denied. No Opinion.

1091030 Ex parte B & H Contracting, Inc. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: B & H Contracting, Inc. v. Alabama Precast & Pipe Supply, LLC.) (Lee Circuit Court: CV-07-203; Civil Appeals : 2071240).

Writ Denied. No Opinion.

1091158 Ex parte Johnny Ray Welch. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Johnny Ray Welch v. State of Alabama) (Houston Circuit Court: CC-08-1694; Criminal Appeals : CR-09-0138).

Writ Denied. No Opinion.

1091219 Ex parte Joseph Brian Fleming. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Joseph Brian Fleming v. Angela B. Fleming) (Escambia Circuit Court: DR-08-27; Civil Appeals : 2080961).

Writ Denied. No Opinion.

1091323 Ex parte Mattie H. Steen. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mattie H. Steen v. Walmart Stores, Inc.) (Montgomery Circuit Court: CV-08-387; Civil Appeals : 2090379).

Writ Denied. No Opinion.

1091354 Ex parte C.E. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: T.C. v. C.E.) (Baldwin Juvenile Court: JU-06-448 and JU-06-449; Civil Appeals : 2090433).

Writ Denied. No Opinion.

1091380 Ex parte Samuel Holt. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Samuel Holt v. State of Alabama) (Morgan Circuit Court: CC06-312.60; Criminal Appeals : CR-08-1316).

Writ Denied. No Opinion.

1091397 Ex parte Dale William Gilley, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dale William Gilley, Jr. v. State of Alabama) (Cullman Circuit Court: CC95-10.67; Criminal Appeals : CR-09-0911).

Writ Denied. No Opinion.

1091426 Ex parte Darrow Bernard Payne. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darrow Bernard Payne v. State of Alabama) (Blount Circuit Court: CC96-61.61; Criminal Appeals : CR-09-0834).

Writ Denied. No Opinion.

Shaw, J.

1081216 Jason C. Odom et al. v. Randall Woodrow (Appeal from Calhoun Circuit Court: CV-09-900128).

Affirmed. No Opinion.

1090143 Ex parte Edgar Martinez. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Edgar Martinez v. State of Alabama) (Jefferson Circuit Court: CC06-4760; CC06-4761; CC06-4762; CC06-5026; Criminal Appeals : CR-07-1721).

Writ Denied. No Opinion.

1090183 Ex parte Gary Edwin Crowe. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Gary Edwin Crowe v. Shelby Collins Crowe) (Etowah Circuit Court: DR-03-1131.01; Civil Appeals : 2080556).

Writ Denied. No Opinion.

1090243 Ex parte Ronald Curry. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ronald Curry v. State of Alabama) (Mobile Circuit Court: CC92-3695.61; Criminal Appeals : CR-08-0659).

Writ Denied. No Opinion.

1090250 Ex parte Donald Raymond Scott. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Donald Raymond Scott v. State of Alabama) (Chilton Circuit Court: CC06-366; Criminal Appeals : CR-08-0702).

Writ Denied. No Opinion.

1090382 Ex parte Kimberlee D. Hogan. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Kimberlee D. Hogan v. Rankin Sneed, administrator ad litem for Horace Joe Bullion, deceased) (Madison Circuit Court: CV-05-2281; Civil Appeals : 2080948).

Writ Denied. No Opinion.

1090636 Michael D. Blalock and Jarrod D. Nichols v. Bill Newton, Director of Finance, and Michael G. Hudson, Comptroller for the State of Alabama (Appeal from Montgomery Circuit Court: CV-09-900999).

Affirmed. No Opinion.

1090782 Ex parte Jerry Matthews. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Jerry Matthews) (Calhoun Circuit Court: CC82-805; CC82-806; Criminal Appeals : CR-09-0518).

Writ Denied. No Opinion.

1090816 Rapper Tracy Allen v. Robert Barnes, M.D. (Appeal from Escambia Circuit Court: CV-09-67).

Affirmed. No Opinion.

1091319 Ex parte Jimmy Lee Webb. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jimmy Lee Webb v. State of Alabama) (St. Clair Circuit Court, Ashville Division: CC97-76.62; Criminal Appeals : CR-09-0660).

Writ Denied. No Opinion.

PER CURIAM

1080403 St. Clair County Home Builders Association et al. v. City of Pell City et al. (Appeal from St. Clair Circuit Court: CV-07-140).

Affirmed.

1080598 Jerrica G. Humphries v. Estate of Alta B. Humphries et al. (Appeal from Walker Circuit Court: CV-01-981).

Affirmed. No Opinion.

1090524 Ex parte Jerry James. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Jerry James v. City of Russellville) (Franklin Circuit Court: CV-07-900042; Civil Appeals : 2080881).

Writ Denied. No Opinion.

1090717 Ex parte Edward J. Clayton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Edward J. Clayton v. State of Alabama) (Jefferson Circuit Court: CC02-2700.60; Criminal Appeals : CR-09-0154).

Writ Denied. No Opinion.

1090728 Ex parte Alvin Hunter, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Alvin Hunter, Jr. v. State of Alabama) (Montgomery Circuit Court: CC95-1491.70; CC00-533.70; Criminal Appeals : CR-08-1887).

Writ Denied. No Opinion.

1090740 Ex parte Alonzo Houston. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Alonzo Houston v. State of Alabama) (Jefferson Circuit Court: CC-09-2062.60; Civil Appeals : 2081170).

Writ Denied. No Opinion.

1090742 Ex parte Cherneka Nervette McClendon. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Cherneka Nervette McClendon v. State of Alabama) (Madison Circuit Court: CC04-3327; Criminal Appeals : CR-08-0834).

Writ Denied. No Opinion.

1090803 Ex parte Deborah Ann Ford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Deborah Ann Ford v. State of Alabama) (Madison Circuit Court: CC04-3326; Criminal Appeals : CR-08-0833).

Writ Denied. No Opinion.

1090858 Ex parte Kenneth S. Traywick. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kenneth S. Traywick v. State of Alabama) (Autauga Circuit Court: CC-08-39; Criminal Appeals : CR-08-1855).

Writ Denied. No Opinion.

1090959 Ex parte Jerry Allen Joines. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jerry Allen Joines v. State of Alabama) (Limestone Circuit Court: CC07-680; Criminal Appeals : CR-08-1222).

Writ Denied. No Opinion.

ON REHEARING

1071605 Hartford Underwriters Insurance Company v. Dave Henry Reed (Appeal from Mobile Circuit Court: CV-07-900307).

Application Overruled. No Opinion.

1081096 Sharon Melton v. Harbor Pointe, LLC (Appeal from Lee Circuit Court: CV-08-900126).

Application Overruled. No Opinion.

1090282 Alabama Future Farmers of America Foundation v. AIG Financial Advisors, Inc., et al. (Appeal from Talladega Circuit Court: CV-09-900146).

Application Overruled. No Opinion.

1080300 Intergraph Corporation et al. v. Bentley Systems Incorporated and Bentley Systems Europe B.V. (Appeal from Madison Circuit Court: CV-02-2850.80).

**Applications Overruled; Opinion Modified [by substitution of pages 29-40, 43, 47, 49-50, and 68 to add footnote 8 and renumber remaining footnotes].
No Opinion.**

1080405 Bentley Systems Incorporated and Bentley Systems Europe B.V. v. Intergraph Corporation et al. (Appeal from Madison Circuit Court: CV-02-2850.80).

**Applications Overruled; Opinion Modified [by substitution of pages 29-40, 43, 47, 49-50, and 68 to add footnote 8 and renumber remaining footnotes].
No Opinion.**