



**LIST OF DECISIONS ANNOUNCED BY
COURT OF CIVIL APPEALS OF ALABAMA
ON FRIDAY, JUNE 19, 2009**

PRESIDING JUDGE THOMPSON

2071226 Garry Lee Parker, Jr. v. Lorie Jane Parker (Appeal from Franklin Circuit Court: DR-04-31.01)

Affirmed. No Opinion.

Circuit Judge, Terry Lee Dempsey, (256) 332-8893
Apl. Atty., Brian Paul Hamilton, (256) 332-1660
Aple. Atty., Sheila Morgan, (256) 386-7090

2080150 Juanita Williams Trimble v. William Trimble (Appeal from Chilton Circuit Court: DR-86-212.05)

Affirmed In Part; Reversed In Part; And Remanded.

Circuit Judge, Sibley G Reynolds, (205) 755-0311
Apl. Atty., Joseph W Warren, (334) 279-0088
Aple. Atty., Amy Hayes Naylor, (205) 755-8094

JUDGE PITTMAN

2080237 Daisy B. Scarbrough v. Dolgencorp, Inc. (Appeal from Mobile Circuit Court: CV-07-1108)

Affirmed. No Opinion.

Circuit Judge, Charles A Graddick
Aple. Atty., Matthew D. Miller, (601) 264-6670

JUDGE BRYAN

2071210 Mindy M. Hughes v. Jonathan T. Hughes (Appeal from Pike Circuit Court: DR-08-17)

Affirmed. No Opinion.

Circuit Judge, Jeffrey W. Kelley, (334) 347-4785
Apl. Atty., Derek Evan Yarbrough, (334) 793-0051
Aple. Atty., Thomas E Haigh, (334) 807-0030

2080386 Linda Pike v. Brenda Reed (Appeal from Madison Circuit Court: CV-06-203)

Affirmed.

Circuit Judge, Karen K. Hall, (256) 532-3455
Aplt. Atty., Patrick O. Miller, (256) 564-7317
Aple. Atty., Jay E. Emerson, Jr, (256) 533-3251
Aple. Atty., Robert David Lee, (256) 533-3251

2080396 Kay Christian v. Talladega County Commission (Appeal from Talladega Circuit Court: CV-06-900006)

Affirmed. No Opinion.

Circuit Judge, Julian M King, (256) 761-2106
Aplt. Atty., William P Traylor, III, (205) 414-8161
Aple. Atty., John D Gleissner, (205) 982-4620
Aple. Atty., Paige H. Sykes, (205) 982-4634

JUDGE THOMAS

2071135 Mary Simmons, Dytisha Goodgame, and Sheila Whetstone-Tuck v. Coosa County Board of Education and Todd Wingard, as superintendent of the Coosa County Board of Education (Appeal from Coosa Circuit Court: CV-04-69)

Affirmed.

Circuit Judge, John E Rochester, (256) 354-2242
Aplt. Atty., Winn Faulk, (334) 834-2000
Aplt. Atty., Sam H Heldman, (202) 965-8884
Aple. Atty., Donald B Sweeney, Jr, (205) 521-8275
Aple. Atty., Anne Regina Yuengert, (205) 521-8362

2071192 Doris L. Henning v. Terry L. Henning (Appeal from Mobile Circuit Court: DR-02-501699.02)

Affirmed In Part; Reversed In Part; And Remanded.

Circuit Judge, Julian Donald Banks, (251) 574-8488
Aplt. Atty., Claude David Boone, (251) 433-1806
Aple. Atty., Donald M Briskman, (251) 433-7600

2080029 Christopher S. Hatch v. NTW Incorporated d/b/a National Tire and Battery Company (Appeal from Jefferson Circuit Court: CV-06-6255)

Affirmed.

Circuit Judge, Robert S Vance, Jr, (205) 325-5035
Aplt. Atty., David Madison Tidmore, (205) 980-6065
Aple. Atty., Marion F. Walker, (205) 244-5900

JUDGE MOORE

2071158 Barbara Ann Stone v. Scott E. Stone, Jr. (Appeal from Henry Circuit Court: DR-05-37.01)

Affirmed.

Circuit Judge, Henry D Binford, (334) 677-4848
Aplt. Atty., William Terry Bullard, Sr, (334) 793-5665
Aple. Atty., Virginia Rose Lucci, (334) 834-5700

2080217 M. G. v. Etowah County Department of Human Resources (Appeal from Etowah Juvenile Court: JU-05-130.02, JU-05-131.02, JU-05-132.02, and JU-05-133.02)

Reversed And Remanded.

2080387 Cheryl Hickel Smith v. Lex Burr Smith (Appeal from Tuscaloosa Circuit Court: DR-03-278.01)

Affirmed.

Circuit Judge, Philip N Lisenby, (205) 349-3870
Aplt. Atty., Ritchie Lee Tipton, (205) 758-4676
Aple. Atty., Thomas Willard Powe, Jr, (205) 345-5564

PER CURIAM

2070979 Robert L. Fugate v. Carol A. Jacobs and Rankin Sneed as administrator ad litem of the estate of Richard P. Filz (Appeal from Madison Circuit Court: CV-06-87)

Affirmed. No Opinion.

District Judge, Karen K. Hall, (256) 532-3455
Aplt. Atty., John Allen Brinkley, (256) 533-4534
Aplt. Atty., Richard Chesnut, (256) 533-4534
Aple. Atty., William A Austill, (205) 870-3767
Aple. Atty., Mark T Davis, (205) 870-3767
Aple. Atty., Benjamin R Rice, (256) 533-5015
Aple. Atty., Joseph E.B. Stewart, (205) 870-3767

2080526 Dwight Myhand v. Troy King et al. (Appeal from Pike Circuit Court: CV-09-5)

Affirmed. No Opinion.

Circuit Judge, Jeffrey W. Kelley, (334) 347-4785
Aple. Atty., Jack W. Wallace, Jr, (334) 353-8671

ON REHEARING

2071121 J. A. D. v. Shelby County Department of Human Resources (Appeal from Shelby Juvenile Court: JU-06-599.03 and JU-06-600.03)

Application For Rehearing Overruled.

2071001 James McConico, Jr. v. Correctional Medical Services, Inc. (Appeal from Escambia Circuit Court: CV-00-443)
(Consolidated with 2080067.)

Application Overruled; Opinion of March 27, 2009, Withdrawn; Opinion Substituted; Appeal Dismissed.

Circuit Judge, Bradley E Byrne, (251) 867-0281
Aple. Atty., Philip G. Piggott, (205) 868-6086

2080067 James McConico, Jr. v. Correctional Medical Services, Inc. (Appeal from Escambia Circuit Court: CV-00-443)
(Consolidated with 2071001.)

Application Overruled; Opinion of March 27, 2009, Withdrawn; Opinion Substituted; Appeal--Affirmed; Petition For Writ of Mandamus--Denied.

Circuit Judge, Bradley E Byrne, (251) 867-0281
Aple. Atty., Philip G. Piggott, (205) 868-6086