



**LIST OF DECISIONS ANNOUNCED BY  
COURT OF CIVIL APPEALS OF ALABAMA  
ON FRIDAY, SEPTEMBER 25, 2009**

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**PRESIDING JUDGE THOMPSON**

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

**Affirmed. No Opinion.**

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

2080460 Robert Wilson v. C-Sharpe Company, LLC; Dobson Sheet Metal & Roofing, Inc.; and Duro-Last, Inc. (Appeal from Baldwin Circuit Court: CV-06-900176)

**Affirmed In Part; Reversed In Part; And Remanded.**

Circuit Judge, Charles C Partin, (251) 937-0273  
Apl. Atty., Jubal Hamil, (251) 432-6020  
Aple. Atty., Tamera K. Erskine, (205) 251-5885  
Aple. Atty., William Ewald, (989) 498-2100  
Aple. Atty., Richard B. Johnson, (251) 432-4481  
Aple. Atty., A Joe Peddy, (205) 251-5885  
Aple. Atty., M. Lloyd Roebuck, (251) 479-9010  
Aple. Atty., Cooper C Thurber, (251) 432-4481

2080597 C.P. III, C. P., and C. P. v. T. P. and Z. P. (Appeal from Cullman Juvenile Court: JU-06-218.02 and JU-06-219.02)

**Affirmed. No Opinion.**

2080641 Robert O. Price III v. Philip Warner Clayton (Appeal from Barbour Circuit Court: CV-00-73)

**Affirmed. No Opinion.**

Circuit Judge, Burt Smithart, (334) 738-3286  
Aple. Atty., Timothy Allen Hughes, (205) 327-5531  
Aple. Atty., James William Woolley, (205) 453-0060

2080353 Vilma G. Romer v. John H. Romer (Appeal from Madison Circuit Court:  
DR-06-1129)  
(Consolidated with 2080498.)

**Appeal Dismissed.**

Circuit Judge, William K Bell, (256) 532-3636  
Aplt. Atty., Nancy S Gaines, (251) 965-3751  
Aple. Atty., Joan Marie Kettell Dean, (256) 534-4557

2080498 Vilma G. Romer v. John H. Romer (Appeal from Madison Circuit Court:  
DR-06-1129)  
(Consolidated with 2080353.)

**December 24, 2008, Order Reversed; January 26, 2009, Judgment Vacated;  
And Cause Remanded.**

Circuit Judge, William K Bell, (256) 532-3636  
Aplt. Atty., Nancy S Gaines, (251) 965-3751  
Aple. Atty., Joan Marie Kettell Dean, (256) 534-4557

**JUDGE PITTMAN**

2070137 William O. Catrett, Jr. v. City of Andalusia (Appeal from Covington Circuit Court:  
CV-04-141)

**Affirmed. No Opinion.**

Circuit Judge, M Ashley McKathan, (334) 428-2585  
Aplt. Atty., Abner Riley Powell, IV, (334) 222-4103  
Aple. Atty., Richard E. Crum, (334) 677-3000

2080338 The Alabama Board of Examiners in Psychology v. Leroy Richardson, Psy.D  
(Appeal from Montgomery Circuit Court: CV-08-864)

**Reversed And Remanded With Instructions.**

Circuit Judge, Tracy McCooey, (334) 832-4950  
Aplt. Atty., Matthew Y. Beam, (334) 834-9950  
Aple. Atty., Glen David King, (334) 502-0307  
Aple. Atty., Randolph P Reaves, (334) 834-5345

**JUDGE BRYAN**

2080414 Charles Don Brownlow v. Greg Mattix (Appeal from Madison Circuit Court:  
CV-06-1925)

**Affirmed. No Opinion.**

Circuit Judge, Loyd H Little, (256) 532-3440  
Aplt. Atty., j. zach higgs, Jr, (256) 533-3251  
Aple. Atty., James Allen Sydnor, Jr, (205) /25-11193

2080714 S. G. v. State Department of Human Resources (Appeal from Houston Juvenile Court: JU-07-775.02)

**Affirmed. No Opinion.**

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.)

**Affirmed. No Opinion.**

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.)

**Affirmed. No Opinion.**

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.)

**Affirmed. No Opinion.**

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.)

**Affirmed. No Opinion.**

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.)

**Affirmed. No Opinion.**

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.)

**Affirmed. No Opinion.**

## **JUDGE THOMAS**

2080439 M.B. Canton Company, Inc. and Kenneth W. Canton v. H. Scott Callahan and Jacqui C. Callahan (Appeal from Mobile Circuit Court: CV-06-2608.51)

**Affirmed. No Opinion.**

Circuit Judge, Roderick P. Stout, (251) 574-8482  
Apl. Atty., Jimmy H. Fernandez, (251) /43-30738  
Aple. Atty., Bradley E. Dean, (251) 432-7682  
Aple. Atty., Charles C Simpson, III, (251) 432-7682

2080491 Danny Lambert v. Mazer Discount Home Centers, Inc. (Appeal from Jefferson Circuit Court: CV-07-2019)

**Affirmed.**

Circuit Judge, Allwin E Horn, III, (205) 325-5365  
Aplt. Atty., Heather Leonard, (205) 978-7899  
Aple. Atty., R. Brett Adair, (205) 933-8484  
Aple. Atty., Jim Entrekin, (205) 933-8484

2080497 Christopher Myers v. Jeffery Keith Harris and Progressive Specialty Insurance Company (Appeal from Cullman Circuit Court: CV-08-900149)

**Affirmed In Part; Reversed In Part; And Remanded With Instructions.**

Circuit Judge, Don L Hardeman, (256) 739-3530  
Aplt. Atty., William Lewis Garrison, Jr, (205) 326-3336  
Aplt. Atty., Christopher B Hood, (205) 326-3336  
Aplt. Atty., patrick ray, (205) 322-4700  
Aple. Atty., Carl A. Cole, III, III, (256) 353-6761  
Aple. Atty., Darren William Kies, (205) 980-5888  
Aple. Atty., Paul A Miller, (205) 326-0000  
Aple. Atty., Cindy Self Webb, (205) 326-0000

2080507 P. D. S. v. Marshall County Department of Human Resources (Appeal from Marshall Circuit Court: CV-08-200076)

**Appeal Dismissed With Instructions.**

2080718 Ronald Sutton v. Troy King, Attorney General, et al. (Appeal from Montgomery Circuit Court: CV-08-1177)

**Affirmed.**

Circuit Judge, Charles Price, (334) 832-1331  
Aple. Atty., Troy King, (334) 242-7300

## **JUDGE MOORE**

2080293 Andrew T. Liebeknecht v. Lois E. Liebeknecht (Appeal from Henry Circuit Court: DR-07-80)

**Affirmed. No Opinion.**

Circuit Judge, Larry K Anderson, (334) 677-4858  
Aplt. Atty., Thadius William Morgan, Jr, (334) 347-8130  
Aple. Atty., Benjamin E Meredith, (334) 671-0289

2080471 Jeffery Ashley Harley v. State of Alabama (Appeal from Geneva Circuit Court: CV-08-6)

**Affirmed. No Opinion.**

Circuit Judge, Kenneth W. Quattlebaum, (334) 774-3726  
Aplt. Atty., Lee F. Knowles, (334) 684-8022  
Aple. Atty., Yvonne A.H. Saxon, (334) 242-7376  
Aple. Atty., Stephen G Smith, (334) 684-3697

## ON REHEARING

2080048 Michael Joe Green, Aletha Reynolds, and Johnny James Brown v. City of Montgomery (Appeal from Montgomery Circuit Court: CV-06-3237)

**Application For Rehearing Overruled. (With Opinion)**

Circuit Judge, Eugene W Reese, (334) 832-4950  
Aplt. Atty., Osaygefo Grubbs, (334) 834-4660  
Aple. Atty., Michael David Boyle, (334) 298-2763  
Aple. Atty., Walter R. Byars, (334) 832-8800  
Aple. Atty., Jason Cole Paulk, (334) 241-2050

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

(Consolidated with 2080067.)

**Application For Rehearing Overruled.**

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 For Rehearing Overruled.**

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