



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, MAY 10, 2013**

Moore, C.J.

1120388 Ex parte Erskin Lamar Spearman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Erskin Lamar Spearman v. State of Alabama) (Walker Circuit Court: CC-06-228; Criminal Appeals : CR-10-1518).

Writ Denied. No Opinion.

1120520 Ex parte Randall Jones and Deborah Jones. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Randall Jones and Deborah Jones v. Lindsey Burt, et al.) (Chilton Circuit Court: CV-10-900092; Civil Appeals : 2111212).

Writ Denied. No Opinion.

1120564 Ex parte Gregory Everett. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Gregory Everett v. The City of Birmingham, Birmingham Police Department, and Jefferson County Personnel Board) (Jefferson Circuit Court: CV-12-66; Civil Appeals : 2111001).

Writ Denied. No Opinion.

1120571 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Mark Allen Reid v. State of Alabama) (Mobile Circuit Court: CC-11-1568; Criminal Appeals : CR-11-1148).

Writ Denied. No Opinion.

Stuart, J.

1120783 Ex parte David Young and Debbie Young. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: David Young and Debbie Young v. Kathy Ledford) (Randolph Circuit Court: CV-08-77.80; Civil Appeals : 2110635).

Writ Denied. No Opinion.

1120828 Ex parte Mark Jordan. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Mark Jordan v. State of Alabama) (Baldwin Circuit Court: CC-10-2013; Criminal Appeals : CR-11-1634).

Writ Denied. No Opinion.

Bolin, J.

1120092 Charles Givianpour v. Sunset Point II Building 200 Condominium Association, Inc. (Appeal from Tallapoosa Circuit Court, Dadeville Division: CV-11-0069).

Affirmed. No Opinion.

1120132 Steve Saylor and the City of Birmingham v. Leaf River Energy, LLC and American Cast Iron Pipe Company (Appeal from Jefferson Circuit Court: CV-12-0101).

Affirmed. No Opinion.

1120683 Ex parte Jeffrey T. Ervin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jeffrey T. Ervin v. State of Alabama) (Dallas Circuit Court: CC-08-44.60; CC-09-15.60; Criminal Appeals : CR-12-0693).

Writ Denied. No Opinion. (Special Writing)

1120699 Ex parte James Stranahan and Dwight Holmes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Huntsville City Board of Education v. James Stranahan and Dwight Holmes) (: FMCS No. 11-02934; Civil Appeals : 2110252).

Writ Denied. No Opinion.

1120769 Ex parte Jennifer Ann Vest (Herron). PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Jennifer Ann Vest (Herron) v. David Jeremy Vest) (Elmore Circuit Court: DR-01-492.02; Civil Appeals : 2100647).

Writ Denied. No Opinion. (Special Writing)

1120821 Ex parte David Jerome Parker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Jerome Parker v. State of Alabama) (Tuscaloosa Circuit Court: CC79-320.62; CC79-355.61 through CC79-374.61; CC79-469.61; CC79-604.62 through CC79-610.62; CC79-611.63; and CC79-612.62; Criminal Appeals : CR-11-2009).

Writ Denied. No Opinion.

Parker, J.

1111097 Martha Lollar et al. v. Quality Coal Company (Appeal from Walker Circuit Court: CV-07-900124).

Affirmed. No Opinion.

1120211 Ex parte Juan Oziel Rios. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Juan Oziel Rios v. State of Alabama) (Jefferson Circuit Court: CC-10-3244; Criminal Appeals : CR-11-0981).

Writ Denied. No Opinion.

1120231 Ex parte Taffah Lavarsea Patterson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Taffah Lavarsea Patterson v. State of Alabama) (Montgomery Circuit Court: CC-11-319; Criminal Appeals : CR-11-1120).

Writ Denied. No Opinion.

1120305 Ex parte City of Montgomery and T.D. James. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: City of Montgomery and T.D. James v. Jacquard Merritt) (Montgomery Circuit Court: CV-10-1016; Civil Appeals : 2110481).

Writ Denied. No Opinion.

1120747 Ex parte Wesley Randall Quick. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Wesley Randall Quick v. State of Alabama) (Jefferson Circuit Court: CC-96-1746.62; CC-96-3803.62; CC-96-3804.62; Criminal Appeals : CR-12-0237).

Writ Denied. No Opinion.

Murdock, J.

1101100 State of Alabama Department of Conservation & Natural Resources v. City of Birmingham, Alabama (Appeal from Jefferson Circuit Court: CV-10-903444).

Affirmed. No Opinion.

1101235 Jeffery Steele and Matilda Steele v. Federal National Mortgage Association (Appeal from Jefferson Circuit Court, Bessemer Division: CV-09-900069; Civil Appeals : 2100959).

Affirmed. No Opinion.

1120558 Ex parte Toshanna H. Fore, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Toshanna H. Fore, alias v. State of Alabama) (Escambia Circuit Court: CC-10-194; Criminal Appeals : CR-10-1744).

Writ Denied. No Opinion.

1120656 Ex parte T. O. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: T. O. v. State of Alabama) (Escambia Circuit Court: CC-08-538; Criminal Appeals : CR-10-1889).

Writ Denied. No Opinion.

1120762 Ex parte Aljay Lockett. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Aljay Lockett v. State of Alabama) (Montgomery Circuit Court: CC-82-1041.68; CC-82-1042.68; CC-82-1043.68; Criminal Appeals : CR-11-0867).

Writ Denied. No Opinion.

Shaw, J.

1110193 Annie Faye Roberts, as personal representative of the Estate of Audrey Lee Brigden v. Alcus Ray Hudson, M.D. (Appeal from Walker Circuit Court: CV-10-900041).

Affirmed. No Opinion.

1110406 David Cumlander v. Chester Andrews, d/b/a Andrews Hunting Club (Appeal from Clarke Circuit Court: CV-10-94).

Affirmed. No Opinion.

1111394 Ex parte Andrew Marquis Thomas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Andrew Marquis Thomas v. State of Alabama) (Houston Circuit Court: CC-11-929; Criminal Appeals : CR-11-0610).

Writ Denied. No Opinion.

1120015 Ex parte Lisa Antoine. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Lisa Antoine v. Oxmoor Preservation/One, LLC; the Johnson Realty Company, Inc.; and Hager Company, Inc.) (Bessemer Circuit Court: CV-09-1259; Civil Appeals : 2100839; 2110139).

Writ Denied. No Opinion.

1120053 Ex parte Sylvester Leggett. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Sylvester Leggett v. State of Alabama) (Clarke Circuit Court: CC-10-483; Criminal Appeals : CR-11-0475).

Writ Denied. No Opinion.

1120082 Ex parte William James Parks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: William James Parks v. State of Alabama) (Jefferson Circuit Court: CC-94-167; CC-94-168; CC-96-3252; CC-96-3253; CC-96-3254; CC-96-3255; CC-96-3256; and CC-98-3452; Civil Appeals : 2110824).

Writ Denied. No Opinion.

1120141 Ex parte Jonathan Michael Katan. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jonathan Michael Katan, alias v. State of Alabama) (Montgomery Circuit Court: CC-10-1691; Criminal Appeals : CR-10-1688).

Writ Denied. No Opinion.

1120147 Ex parte Charles Dean Crabtree. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charles Dean Crabtree v. State of Alabama) (Madison Circuit Court: CC-07-424.60; Criminal Appeals : CR-11-1432).

Writ Denied. No Opinion.

1120307 Ex parte James Carl Pritchard, Jr. and Gaynelle P. Willoughby. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: James Carl Pritchard, Jr. and Gaynelle P. Willoughby v. Alabama Power Company) (Tallapoosa Circuit Court: CV-08-14; Civil Appeals : 2110625).

Writ Denied. No Opinion.

1120758 Ex parte J. V. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J. V. v. Talladega County Department of Human Resources) (Talladega Juvenile Court: JU-02-100129.03; Civil Appeals : 2110058).

Writ Denied. No Opinion.

1120768 Ex parte Miranda Joyce Johnson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Miranda Joyce Johnson v. Benjamin David Logan and Alabama Power Company) (Lamar Circuit Court: CV-11-30; Civil Appeals : 2110806).

Writ Denied. No Opinion.

Main, J.

1111231 Robert Mortensen and Linda Mortensen v. Wells Fargo Bank, N.A., et al. (Appeal from Baldwin Circuit Court: CV-09-901044).

Affirmed. No Opinion.

1120752 Ex parte Donna Kirkpatrick. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Donna Kirkpatrick v. Geneva County Board of Education, et al.) (Geneva Circuit Court: CV-12-23; Civil Appeals : 2120277).

Writ Denied. No Opinion.

1120790 Ex parte Alimireo English. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Alimiro English v. State of Alabama) (Baldwin Circuit Court: CC-10-1120; CC-11-1856; Criminal Appeals : CR-11-1248).

Writ Denied. No Opinion.

1120838 Ex parte Robert James Shinn, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert James Shinn, Jr. v. State of Alabama) (Mobile Circuit Court: CC-06-553.60; Criminal Appeals : CR-11-1923).

Writ Denied. No Opinion.

1120842 Ex parte Mary Mitchell Green and Jennie Mitchell and Mitchell Heirs. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mary Mitchell Green and Jennie Mitchell v. Grady B. Goulds and Maybon Daughtrey) (Clarke Circuit Court: CV-01-182; Civil Appeals : 2120358).

Writ Denied. No Opinion.

Wise, J.

1120696 Ex parte Jeffrey Todd Ivie. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jeffrey Todd Ivie v. State of Alabama) (Enterprise Circuit Court: CC-09-437.70; CC-09-439.70; CC-09-440.70; Criminal Appeals : CR-11-1657).

Writ Denied. No Opinion.

1120728 Ex parte Alexander Towles. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Alexander Towles v. State of Alabama) (Lee Circuit Court: CC-11-385.60; Criminal Appeals : CR-12-0009).

Writ Denied. No Opinion.

1120743 Ex parte Pamela E. Gacek and Mark R. Gacek. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Pamela E. Gacek and Mark R. Gacek v. Jene W. Owens, Jr., P.C.) (Mobile Circuit Court: CV-11-902127; Civil Appeals : 2111057).

Writ Denied. No Opinion.

1120803 Ex parte Monica L. Thomas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Board of School Commissioners of Mobile County v. Monica L. Thomas) (Montgomery Circuit Court: CV-11-901011; Civil Appeals : 2110728).

Writ Denied. No Opinion.

1120812 Ex parte Eric Hodo. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Eric Hodo v. Rhonda Hodo) (Jefferson Circuit Court: DR-07-1584.04; Civil Appeals : 2110942).

Writ Denied. No Opinion.

1111421 Drummond Company, Inc. v. Earth Support Services, Inc., d/b/a Micon, Inc. (Appeal from Jefferson Circuit Court: CV-05-3799).

Affirmed. No Opinion.

1111445 Earth Support Services, Inc., d/b/a Micon, Inc. v. Drummond Company, Inc. (Appeal from Jefferson Circuit Court: CV-05-3799).

Affirmed. No Opinion.

Bryan, J.

1111416 J.M. Hill & Associates, Inc. v. AMPRO Molding, LLC (Appeal from Jefferson Circuit Court: CV-10-901939).

Affirmed. No Opinion.

1120460 Ex parte Cuba J. Goldman, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Cuba J. Goldman, Jr. v. State of Alabama) (Bessemer Circuit Court: CC-10-102; CC10-416; Criminal Appeals : CR-11-1696).

Writ Denied. No Opinion.

1120491 Ex parte Anthony Jerome Hale. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Anthony Jerome Hale v. State of Alabama) (Baldwin Circuit Court: CC-98-1169.61; Criminal Appeals : CR-11-1611).

Writ Denied. No Opinion.

1120748 Ex parte Darrick Dwayne McWilliams. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darrick Dwayne McWilliams v. State of Alabama) (Madison Circuit Court: CC-09-779.60; Criminal Appeals : CR-11-1837).

Writ Denied. No Opinion.

ON REHEARING

1110735 David Bennett and Bennett & Bennett Construction, Inc. v. Brenda Emfinger (Appeal from Bullock Circuit Court: CV-08-900050).

Application Overruled. No Opinion.