



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, SEPTEMBER 13, 2013**

Moore, C.J.

1120911 Ex parte Michael B. Wilson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Michael B. Wilson v. John Cain and Kim Cain) (Baldwin Circuit Court: CV-11-900487; Civil Appeals : 2110760).

Writ Denied. No Opinion.

1121129 Ex parte Bryan Patrick Gist. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Bryan Patrick Gist) (Lauderdale Circuit Court: CC-10-740; Criminal Appeals : CR-12-0930).

Writ Denied. No Opinion.

Stuart, J.

1120630 The Water Works & Sewer Board of the City of Prichard v. The Board of Water & Sewer Commissioners of the city of Mobile d/b/a Mobile Area Water & Sewer Service System (Appeal from Mobile Circuit Court: CV-12-902639).

Reversed And Remanded.

1121260 Ex parte Aaron's Sales & Lease Ownership, Inc., et al. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Aaron's Sales & Lease Ownership, Inc., et al. v. Jimmy Wayne Crosson and Jane Crosson) (Marshall Circuit Court: CV-10-900379; Civil Appeals : 2111196).

Writ Denied. No Opinion.

1121267 Ex parte William Herbert Villar. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Herbert Villar v. State of Alabama) (Mobile Circuit Court: CC-05-1443.62; Criminal Appeals : CR-12-0962).

Writ Denied. No Opinion.

1121289 Ex parte David Worth Wiltshire. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Worth Wiltshire v. State of Alabama) (Covington Circuit Court: CC-07-419; Criminal Appeals : CR-11-0931).

Writ Denied. No Opinion.

1121370 Ex parte William David Abbott. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William David Abbott v. State of Alabama) (Houston Circuit Court: CC-11-1519; CC-11-1520; CC-11-1521; Criminal Appeals : CR-11-1886).

Writ Denied. No Opinion.

1111469 Waterstone Lake Martin, LLC, et al. v. BankTrust (Appeal from Montgomery Circuit Court: CV-10-900614).

Affirmed. No Opinion.

1120121 ETC-Watkins Development LLC and E. Thornton Chambers v. BankTrust (Appeal from Montgomery Circuit Court: CV-10-900614).

Affirmed. No Opinion.

Bolin, J.

1120223 Frank Chappell III v. Pineco, L.L.C., et al. (Appeal from Calhoun Circuit Court: CV-09-900342).

Affirmed. No Opinion.

1120647 George E. Jones v. City of Montgomery (Appeal from Montgomery Circuit Court: CV-11-901449).

Affirmed. No Opinion.

1120815 Craig C. Nelson and Quaionline C. Nelson v. Ella Mae Nelson (Appeal from Etowah Circuit Court: CV-12-0016).

Affirmed. No Opinion.

1120847 Ruth K. Bullington, by and through her next friend, Curtis Bullington v. Cogburn Health and Rehabilitation West, Inc., et al. (Appeal from Mobile Circuit Court: CV-12-902002).

Affirmed. No Opinion.

1121241 Ex parte Richard Bailey. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Richard Bailey v. Walter Thomas et al.) (Montgomery Circuit Court: DR-02-1358.05; Civil Appeals : 2120056).

Writ Denied. No Opinion.

1121261 Ex parte Corey Henderson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Corey Henderson v. State of Alabama) (Mobile Circuit Court: CC-11-4228; CC-11-4229; CC-11-4230; Criminal Appeals : CR-12-0167).

Writ Denied. No Opinion.

1121263 Ex parte James Alter Bigham. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Alter Bigham v. State of Alabama) (Houston Circuit Court: CC-10-77; Criminal Appeals : CR-11-0782).

Writ Denied. No Opinion.

1121308 Ex parte Mary John Garrett Byrd. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mary John Garrett Byrd v. Kitty Garrett Dawson) (Montgomery Circuit Court: CV-10-901630; Civil Appeals : 2111237).

Writ Denied. No Opinion.

1121329 Ex parte Michael Chapman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Chapman v. State of Alabama) (Bessemer Circuit Court: CC-08-1066; CC-08-1067; CC-08-1068; Criminal Appeals : CR-09-0869).

Writ Denied. No Opinion.

1120140 Ex parte Larry Henderson. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: State of Alabama vs. Larry Henderson) (Jefferson Circuit Court: CC-10-2902; Criminal Appeals : CR-11-1661).

Petition Denied.

1120202 Ex parte Rashad Stoves. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: State of Alabama vs. Rashad Stoves) (Jefferson Circuit Court: CC-12-2410; CC-12-2411; CC-12-2412; CC-12-2413; CC-12-2414; CC-12-2415; Criminal Appeals : CR-11-2004).

Petition Denied.

Parker, J.

1120907 Ex parte Shannon Cahill. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Antoinette Cahill Smith v. Shannon Cahill) (Marshall Circuit Court: DR-05-161.01; Civil Appeals : 2110666).

Writ Denied. No Opinion.

1120961 Willie Rabb v. Thomas Albritton (Appeal from Escambia Circuit Court: CV-12-0079).

Affirmed. No Opinion.

1121076 Ex parte Jerome Adams, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jerome Adams, Jr. v. State of Alabama) (Montgomery Circuit Court: CC-10-1219.60; Criminal Appeals : CR-11-1984).

Writ Denied. No Opinion.

1121189 Ex parte Yahudah Israel. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Yahudah Israel v. State of Alabama) (Marengo Circuit Court: CC-10-212; Criminal Appeals : CR-11-1281).

Writ Denied. No Opinion.

1121203 Ex parte Janos Farkas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Janos Farkas v. Federal National Mortgage Association, SunTrust Mortgage, Inc., Guiles O'Hear, LLC, and Michael O'Hear) (Baldwin Circuit Court: CV-12-901017; Civil Appeals : 2120240).

Writ Denied. No Opinion.

1121258 Ex parte Christopher Lee. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher Lee v. State of Alabama) (Tuscaloosa Circuit Court: CC-96-237.60; CC-96-833.60; Criminal Appeals : CR-12-0712).

Writ Denied. No Opinion.

1121280 Ex parte Tequan S. Graham. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Tequan S. Graham) (Houston Circuit Court: CC-11-74; Criminal Appeals : CR-12-1172).

Writ Denied. No Opinion.

1121305 Ex parte Stanley Russell Steinke. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Stanley Russell Steinke v. State of Alabama) (Madison Circuit Court: CC-10-6062; Criminal Appeals : CR-11-1036).

Writ Denied. No Opinion.

1121332 Ex parte Nawal Eddine. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Nawal Eddine v. Winn-Dixie Montgomery, LLC) (Shelby Circuit Court: CV-11-11; Civil Appeals : 2120381).

Writ Denied. No Opinion.

1121357 Ex parte Richard Clark. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Richard Clark v. State of Alabama) (Jefferson Circuit Court: CC-11-1733; Criminal Appeals : CR-12-0527).

Writ Denied. No Opinion.

1111350 Laura Franklin v. Miguel Gutierrez (Appeal from Montgomery Circuit Court: CV-10-900732).

Affirmed. No Opinion.

1111399 Miguel Gutierrez v. Laura Franklin (Appeal from Montgomery Circuit Court: CV-10-900732).

Affirmed. No Opinion.

Murdock, J.

1110054 David T. Harris and Stacy L. Harris v. Deutsche Bank National Trust Company, as Trustee under the Pooling and Servicing Agreement dated November 1, 2005, GSAMP Trust 2005-HE5 (Appeal from Shelby Circuit Court: CV-09-900132).

Judgment Vacated in Part; Affirmed in Part; and Remanded with Instructions.

1110373 Ex parte BAC Home Loans Servicing, LP. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Bessie T. Sturdivant v. BAC Home Loans Servicing, LP) (Jefferson Circuit Court: CV-09-904181; Civil Appeals : 2100245).

Reversed And Remanded.

1110458 Ronald C. Robinson v. Steven J. Cox and Robin K. Cox and Bayview Loan Servicing, LLC (Appeal from Mobile Circuit Court: CV-11-455).

Affirmed.

1110547 Ex parte GMAC Mortgage, LLC. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Reginald A. Patterson and Diana V. Patterson v. GMAC Mortgage, LLC) (Bessemer Circuit Court: CV-07-1138; Civil Appeals : 2100490).

Reversed And Remanded.

1111284 Ex parte Brenda F. Campbell and C.W. Campbell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Brenda F. Campbell and C.W. Campbell v. Bank of America, N.A.) (Jefferson Circuit Court: CV-08-903079; Civil Appeals : 2100246).

Writ Denied. No Opinion.

1121187 Ex parte Daniel C. Miller. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Daniel C. Miller v. State of Alabama) (Talladega Circuit Court: CC-05-204.60; Criminal Appeals : CR-12-0082).

Writ Denied. No Opinion.

1121278 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: CC-98-665.64; CC-98-666.64; Criminal Appeals : CR-11-1759).

Writ Denied. No Opinion.

1121318 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-04-135.62; Criminal Appeals : CR-12-0723).

Writ Denied. No Opinion.

Shaw, J.

1120098 Lake Sue Ann Group, LLC. v. Properties, Inc. and Hanging Rock Properties, LLC. (Appeal from Jefferson Circuit Court: CV-11-900446).

Affirmed. No Opinion.

1120629 Ex parte General Motors of Canada Limited. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Gerardo Poole v. General Motors Corporation et al.) (Choctaw Circuit Court: CV-09-900019).

Petition Granted. Writ Issued.

1120635 Loyce Richardson v. Sylvia Hands (Appeal from Monroe Circuit Court: CV-12-0031).

Affirmed. No Opinion.

1121243 Ex parte Candace K. Putnam. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Candace K. Putnam v. Larry Wade Gooch) (Lauderdale Circuit Court: DR-95-393.04; Civil Appeals : 2120083).

Writ Denied. No Opinion.

Main, J.

1120128 Ramona M. Hastings and Carl W. Hastings v. Great American Insurance Company (Appeal from Shelby Circuit Court: CV-10-901188).

Affirmed. No Opinion.

1120942 IberiaBank v. Fleming G. Brooks (Appeal from Shelby Circuit Court: CV-12-900117).

Affirmed. No Opinion.

1121275 Ex parte Mark D. Davis. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mark D. Davis v. Tonya D. Blackstock) (Lauderdale Circuit Court: DR-06-86.01; Civil Appeals : 2111244).

Writ Denied. No Opinion.

1121372 Ex parte Brandon Johnson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Brandon Johnson v. Gary Hetzel et al.) (Montgomery Circuit Court: CV-11-615; Civil Appeals : 2120337).

Writ Denied. No Opinion.

Wise, J.

1120773 Ex parte Sarah L. Brewer, as Executrix of the Estate of Alexander L. Brewer, deceased, and Sarah L. Brewer, individually. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Sarah L. Brewer, as Executrix of the Estate of Alexander L. Brewer, deceased, and Sarah L. Brewer, individually v. Gennie Mae F. Ellis, et al.) (Pike Probate Court: PC-2012-103.0; Civil Appeals : 2120536).

Petition Denied. No Opinion.

1121117 Ex parte 13 Associates, LLC. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: 13 Associates, LLC v. Preferred Health Services, Inc., d/b/a Mimi's Pizzeria) (Cherokee Circuit Court: CV-10-900034; Civil Appeals : 2111231).

Writ Denied. No Opinion.

1121137 Ex parte Tobias Anjuan Payne. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Tobias Anjuan Payne v. City of Decatur) (Morgan Circuit Court: CV-11-900423; Civil Appeals : 2110919).

Writ Denied. No Opinion.

1121228 Ex parte Eddie Amos. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Eddie Amos v. Big Lots Stores, Inc.) (Montgomery Circuit Court: CV-11-901489; Civil Appeals : 2111072).

Writ Denied. No Opinion.

1121316 Ex parte Benjamin Mosley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Benjamin Mosley v. State of Alabama) (Baldwin Circuit Court: CC-97-781; Criminal Appeals : CR-12-1517).

Writ Denied. No Opinion.

1121345 Ex parte James Robinson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Robinson v. State of Alabama) (Houston Circuit Court: CV-12-195; Criminal Appeals : CR-11-1839).

Writ Denied. No Opinion.

1121361 Ex parte Julie P. Magee, in her official capacity as Commissioner of the Alabama Department of Revenue, and Alabama Department of Revenue. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Julie P. Magee, in her official capacity as Commissioner of the Alabama Department of Revenue, and Alabama Department of Revenue v. University of Alabama in Huntsville Foundation) (Madison Circuit Court: CV-11-901574; Civil Appeals : 2120238).

Writ Denied. No Opinion.

Bryan, J.

1111507 Frank A. Moultrie v. Charles O. Wall II and Autauga Automotive, LLC (Appeal from Autauga Circuit Court: CV-11-900263).

Appeal Dismissed In Part; Judgment of June 21, 2012, Affirmed.

1120104 Brandi B. Frederick v. SAI Irondale Imports, LLC, d/b/a Tom Williams BMW et al. (Appeal from Jefferson Circuit Court: CV-11-903754).

Affirmed. No Opinion.

1120593 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: G. M. v. State of Alabama) (Jefferson Juvenile Court: JU-10-53387; Criminal Appeals : CR-10-1083).

Affirmed.

1121009 Ex parte Maurice King. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Maurice King v. State of Alabama) (Madison Circuit Court: CC-12-2165; Criminal Appeals : CR-11-1990).

Writ Denied. No Opinion.

1121043 Ex parte Andre Lamon Ellis. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Andre Lamon Ellis v. State of Alabama) (Pike Circuit Court: CC-11-291; Criminal Appeals : CR-12-0204).

Writ Denied. No Opinion.

1121124 Ex parte Anthony Jerell McClain. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Anthony Jerell McClain v. State of Alabama) (Montgomery Circuit Court: CC-10-709.60; Criminal Appeals : CR-12-0351).

Writ Denied. No Opinion.

1121154 Ex parte Bryan Patrick Gist. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama vs. Bryan Patrick Gist) (Lauderdale Circuit Court: CC-10-740; Criminal Appeals : CR-12-0850).

Writ Denied. No Opinion.

1121167 Ex parte Melvin R. Bush. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Melvin R. Bush v. Alabama Department of Corrections) (Montgomery Circuit Court: CV-12-332; Criminal Appeals : CR-12-0168).

Writ Denied. No Opinion.

1121168 Ex parte Morgan Jerome Burton, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Morgan Jerome Burton, Jr., alias v. State of Alabama) (Lee Circuit Court: CC-11-404; Criminal Appeals : CR-12-0539).

Writ Denied. No Opinion.

ON REHEARING

1110762 Richard Miller and Starr Miller v. East Alabama Properties, LLC and Mary Ann Stiles (Appeal from Lee Circuit Court: CV-08-533).

Application Overruled. No Opinion.

1110831 East Alabama Properties, LLC and Mary Ann Stiles v. Richard Miller and Starr Miller (Appeal from Lee Circuit Court: CV-08-533).

Application Overruled. No Opinion.