



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, FEBRUARY 14, 2014**

Moore, C.J.

1130099 Ex parte Eric W. Mack. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eric W. Mack v. State of Alabama) (Etowah Circuit Court: CC-84-86.61; CC-84-87.61; Criminal Appeals : CR-12-1183).

Writ Denied. No Opinion.

1130273 Ex parte Loyd Wayne Tincher. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Loyd Wayne Tincher v. State of Alabama) (Jefferson Circuit Court: CC-11-4916; Criminal Appeals : CR-12-0605).

Writ Denied. No Opinion.

1130275 Ex parte Samdriquez Kadarius Hall. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Samdriquez Kadarius Hall, alias v. State of Alabama) (Montgomery Circuit Court: CC-10-613; Criminal Appeals : CR-12-1077).

Writ Denied. No Opinion.

1130279 Ex parte Bella Investments, Inc. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Bella Investments, Inc v. Multi Family Services, Inc.) (Jefferson Circuit Court: CV-08-3794; Civil Appeals : 2120478).

Writ Denied. No Opinion.

Stuart, J.

1121127 ALFA Mutual Insurance Company and William Koch v. Corey Culverhouse (Appeal from Geneva Circuit Court: CV-10-0052).

Affirmed.

1130274 Ex parte Antonio Jamar McNear. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Antonio Jamar McNear v. State of Alabama) (Crenshaw Circuit Court: CC-09-49; CC-09-50; CC-09-51; CC-09-52; CC-09-53; CC-09-54; Criminal Appeals : CR-12-0255).

Writ Denied. No Opinion.

1130347 Ex parte Nevis Jennings, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Nevis Jennings, Jr., alias v. State of Alabama) (Montgomery Circuit Court: CC-12-288; Criminal Appeals : CR-12-0686).

Writ Denied. No Opinion.

1130350 Ex parte Yusuf Binyamin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Yusuf Binyamin v. State of Alabama) (Calhoun Circuit Court: CC-06-1242.60; Criminal Appeals : CR-12-0420).

Writ Denied. No Opinion.

1130386 Ex parte R.W. and K.W. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: R.W. and K.W. v. J.A. and A.A.) (Cullman Probate Court: AD 2012-45; Civil Appeals : 2120632).

Writ Denied. No Opinion.

1130416 Ex parte Anthony Richard Perch. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Anthony Richard Perch v. State of Alabama) (Jefferson Circuit Court: CC-94-1050.61; Criminal Appeals : CR-12-1830).

Writ Denied. No Opinion.

Bolin, J.

1121497 Quackenbush Family Partnership, Ltd. v. Circle K Stores, Inc. (Appeal from Mobile Circuit Court: CV-12-900038).

Affirmed. No Opinion.

1130257 Ex parte Terry Lee Wynn. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Terry Lee Wynn, alias v. State of Alabama) (Lee Circuit Court: CC-11-710; Criminal Appeals : CR-12-0457).

Writ Denied. No Opinion.

1130292 Ex parte Jeffery Scott Hancock. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jeffery Scott Hancock v. State of Alabama) (Baldwin Circuit Court: CC-95-1923.61; Criminal Appeals : CR-12-1027).

Writ Denied. No Opinion.

1130320 Ex parte Carl David Plylar. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Carl David Plylar v. State of Alabama) (Walker Circuit Court: CC-08-27; Criminal Appeals : CR-12-1103).

Writ Denied. No Opinion.

1130332 Ex parte Linda S. Upton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Linda S. Upton v. William D. Upton, Jr.) (Jefferson Circuit Court: DR-10-900749; Civil Appeals : 2120487).

Writ Denied. No Opinion.

1130431 Ex parte Ryan Foster, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ryan Foster, alias v. State of Alabama) (Talladega Circuit Court: CC12-9; Criminal Appeals : CR-12-1114).

Writ Denied. No Opinion.

Parker, J.

1120854 Xanthi Grammas et al. v. C. Dowd Ritter et al. (Appeal from Jefferson Circuit Court: CV-09-901494).

Affirmed. No Opinion.

1121213 Magnolia Hospitality Group, Inc. v. Jan Nichols et al. (Appeal from Baldwin Circuit Court: CV-12-901448).

Affirmed. No Opinion.

1121367 Kenneth Cason v. Sandra Allison and Virginia Chaffin (Appeal from Cullman Probate Court: Case Number 13-0085).

Affirmed. No Opinion.

1130245 Ex parte Tramaris Deangelo Bryant, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tramaris Deangelo Bryant, alias v. State of Alabama) (Lee Circuit Court: CC-12-342; CC-12-343; Criminal Appeals : CR-12-0541).

Writ Denied. No Opinion.

1130344 Ex parte Tony Randall Woods. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tony Randall Woods, alias v. State of Alabama) (Lauderdale Circuit Court: CC-10-617; Criminal Appeals : CR-12-0017).

Writ Denied. No Opinion.

1130353 Ex parte Samuel Mills, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Samuel Mills, Jr. v. Baldwin Transfer Company, Inc., and Alabama Department of Labor) (Mobile Circuit Court: CV-11-804; Civil Appeals : 2120395).

Writ Denied. No Opinion.

1130364 Ex parte T. L. S. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: T. L. S. v. State of Alabama) (Jefferson Juvenile Court: JU-12-51748; Criminal Appeals : CR-12-0075).

Writ Denied. No Opinion.

1130384 Ex parte Nathaniel Shaw. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Nathaniel Shaw v. State of Alabama) (Montgomery Circuit Court: CC-07-1624.60; Criminal Appeals : CR-12-0674).

Writ Denied. No Opinion.

1130414 Ex parte Ex parte Gweneth D. Powers & Anthony D. Powers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Ex parte Gweneth D. Powers & Anthony D. Powers) (Colbert Circuit Court: CC-05-194; Criminal Appeals : CR-12-1805).

Writ Denied. No Opinion.

1120646 David King v. Westside Terrace, LLC et al. (Appeal from Houston Circuit Court: CV-12-900365).

Affirmed. No Opinion.

1121396 David King v. Westside Terrace, LLC et al. (Appeal from Houston Circuit Court: CV-12-900365).

Affirmed. No Opinion.

Murdock, J.

1120198 J's Ace, Inc., d/b/a Mike's Crossroads v. City of Birmingham (Appeal from Jefferson Circuit Court: CV-12-902367).

Affirmed. No Opinion.

1120600 Jackie Rothwell v. S. Dagnal Rowe (Appeal from Madison Circuit Court: CV-11-0489).

Affirmed. No Opinion.

1121340 Larry Eugene Leeth and Edna Lee Leeth v. Progressive Corporation and GEICO Indemnity Insurance (Appeal from Cullman Circuit Court: CV-12-0077).

Affirmed. No Opinion.

1121466 Ex parte A. J. P. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: A. J. P. v. State of Alabama) (Mobile Circuit Court: CC-12-1396; CC-12-1397; Criminal Appeals : CR-12-0450).

Writ Denied. No Opinion.

1121515 Ex parte George Walter Presley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. George Walter Presley) (Mobile Circuit Court: CC-90-153.61; Criminal Appeals : CR-12-1465).

Writ Denied. No Opinion.

1130088 Ex parte Richard Durr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Richard Durr v. Jackie Smith) (Dale Circuit Court: CV-11-900135; Civil Appeals : 2120742).

Writ Denied. No Opinion.

1130183 Ex parte Gary Braxton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gary Braxton v. State of Alabama) (Talladega Circuit Court: CC-12-202; Criminal Appeals : CR-12-0886).

Writ Denied. No Opinion.

1130240 Ex parte Rickey Glenn Lanford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Rickey Glenn Lanford v. State of Alabama) (Madison Circuit Court: CC-11-2333; Criminal Appeals : CR-12-0280).

Writ Denied. No Opinion.

1130242 Ex parte Andrew James Gaston. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Andrew James Gaston v. Alabama Department of Corrections) (Elmore Circuit Court: CV-13-33; Criminal Appeals : CR-12-1457).

Writ Denied. No Opinion.

1130375 Ex parte Kenneth Dwight Sylvester, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kenneth Dwight Sylvester, Jr. v. Alabama Board of Pardons and Paroles) (Montgomery Circuit Court: CV-13-385; Criminal Appeals : CR-12-1678).

Writ Denied. No Opinion.

Shaw, J.

1120651 Alice Nail v. Dr. M. Scott Touger (Appeal from Jefferson Circuit Court: CV-08-901433).

Affirmed. No Opinion.

1120799 Allen D. Jackson v. The Hertz Corporation and Jerrell W. Smith (Appeal from Jefferson Circuit Court: CV-12-901177).

Affirmed. No Opinion.

1130177 Ex parte Rodgrick Cornilius Brooks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Rodgrick Cornilius Brooks v. State of Alabama) (Montgomery Circuit Court: CC-96-1094.65; Criminal Appeals : CR-12-1216).

Writ Denied. No Opinion.

1130296 Ex parte Woodburck Noe. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Woodburck Noe v. State of Alabama) (Madison Circuit Court: CC-87-342; Criminal Appeals : CR-12-1888).

Writ Denied. No Opinion.

1130368 Ex parte Orrin Marable. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Orrin Marable v. State of Alabama) (Jefferson Circuit Court: CC-76-35832.69; Criminal Appeals : CR-12-1598).

Writ Denied. No Opinion.

Main, J.

1120613 Groton Pacific Carriers, Inc., and International Tanker Management Holding LTD. v. Carl Jackson, as personal representative of The Estate of Carl L. Williams, deceased, and as next friend of Camren Lamarcus Williams, Jayden Eugene Williams, and Cartez Labruce Williams, minors; and Edward L. Purdue. (Appeal from Mobile Circuit Court: CV-08-901674).

Reversed And Remanded.

1120789 Virginia S. Whitfield et al. v. Les Massey et al. (Appeal from Montgomery Circuit Court: CV-12-900389).

Affirmed. No Opinion.

1121454 Justin Allred et al. v. Michael F. Ford, P.C. et al. (Appeal from Colbert Circuit Court: CV-11-900055).

Affirmed. No Opinion.

1130277 Ex parte Willie James Jones. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Willie James Jones v. State of Alabama) (Talladega Circuit Court: CC-11-520.60; Criminal Appeals : CR-12-1051).

Writ Denied. No Opinion.

1130433 Ex parte Ularius Hortez Shurod Johnson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ularius Hortez Shurod Johnson v. State of Alabama) (Calhoun Circuit Court: CC09-1667; Criminal Appeals : CR-11-0976).

Writ Denied. No Opinion.

1130446 Ex parte Roy Burgess, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Roy Burgess, Jr. v. State of Alabama) (Morgan Circuit Court: CC-93-1270.60; Criminal Appeals : CR-12-0796).

Writ Denied. No Opinion.

1130456 Ex parte Bobbie Carter. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bobbie Carter v. State of Alabama) (Jefferson District Court: DC-80-3799.60; Criminal Appeals : CR-12-1656).

Writ Denied. No Opinion.

1121153 Olive Properties, Inc. and Dennis Olive v. Edwards Specialties, Inc. (Appeal from Madison Circuit Court: Cv-07-900609).

Affirmed. No Opinion.

1121157 Olive Properties, Inc. and Dennis Olive v. Edwards Specialties, Inc. (Appeal from Madison Circuit Court: CV-07-900609).

Affirmed. No Opinion.

Wise, J.

1120641 Ex parte Zeke Aull. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Reed Collar and Bonnie Collar, as parents of Gilbert Collar, a minor deceased v. University of South Alabama et al.) (Mobile Circuit Court: CV-12-902672).

Petition Granted. Writ Issued.

1120874 Hugh James Rush v. Avizent Risk and Paula Harris (Appeal from Mobile Circuit Court: CV-10-901505).

Affirmed. No Opinion.

1121237 Holly Sample v. Norton Jones et al. (Appeal from Jefferson Circuit Court: CV-09-902473).

Affirmed. No Opinion.

1130147 Ex parte Begona Mora. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Begona Mora v. Jeffrey R. Klabish) (Madison Circuit Court: DR-11-1569; Civil Appeals : 2120510).

Writ Denied. No Opinion.

1130315 Ex parte Bobby Lynn Smith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bobby Lynn Smith v. State of Alabama) (Houston Circuit Court: CC-11-1622; CC-11-1623; CC-11-1624; CC-11-1625; CC-11-1626; CC-11-1628; CC-11-1629; CC-11-1630; CC-11-1635; CC-11-1637; CC-11-1638; CC-11-1639; CC-12-1155; CC-12-1156; CC-12-1157; CC-12-1158; Criminal Appeals : CR-12-0895).

Writ Denied. No Opinion.

1130349 Ex parte David Roberts. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Roberts v. State of Alabama) (Houston Circuit Court: CC-91-348.01; Criminal Appeals : CR-12-1595).

Writ Denied. No Opinion.

1130351 Ex parte Steven Lynndale Gilliam. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Steven Lynndale Gilliam v. State of Alabama) (Jefferson Circuit Court: CC-10-1248.60; Criminal Appeals : CR-12-0469).

Writ Denied. No Opinion.

1130352 Ex parte Jermaine Snow. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jermaine Snow v. State of Alabama) (Jefferson Circuit Court: CC-98-5535.64; Criminal Appeals : CR-12-1739).

Writ Denied. No Opinion.

1130455 Ex parte Robert Gill. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Robert Gill v. State of Alabama) (Morgan Circuit Court: CC-93-430.63; Criminal Appeals : CR-12-1174).

Writ Denied. No Opinion.

1120802 Royetta Link v. Russell Lands, Inc. (Appeal from Elmore Circuit Court: Cv-12-900325).

Affirmed. No Opinion.

1121115 Tom Cooper et al. v. Russell Lands, Inc. (Appeal from Elmore Circuit Court: CV-12-900321).

Affirmed. No Opinion.

Bryan, J.

1121274 Susan Daniel, on behalf of minor child MaKayla Ann Pasquale v. Ronald A. "Chip" Herrington and Blacksher & Herrington Law Firm, PLLC (Appeal from Mobile Circuit Court: CV-13-900132).

Affirmed. No Opinion.

1121477 Ex parte Scott A. Frye. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Scott A. Frye, alias v. State of Alabama) (Enterprise Circuit Court: CC-10-132; CC-10-133; CC-10-134; CC-10-135; CC-10-136; Criminal Appeals : CR-10-1414).

Writ Denied. No Opinion.

1121536 Ex parte Alfred Shawn Johnson, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Alfred Shawn Johnson, alias v. State of Alabama) (Lauderdale Circuit Court: CC-11-540; Criminal Appeals : CR-12-1032).

Writ Denied. No Opinion.

1130307 Ex parte Dozier Cox. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dozier Cox v. State of Alabama) (Marengo Circuit Court: CC-08-02.60; Criminal Appeals : CR-11-1912).

Writ Denied. No Opinion.

1120678 Michael D. Beam v. Ellen Ann Beam Taylor et al. (Appeal from Chilton Circuit Court: CV-09-0114).

Appeal Dismissed.

1120679 Michael D. Beam v. Ellen Ann Beam Taylor et al. (Appeal from Chilton Circuit Court: CV-09-0025).

Appeal Dismissed.

ON REHEARING

1120524 Trent R. Garmon v. Alabama State Bar Association (Appeal from the Disciplinary Board of the Alabama State Bar: ASB-11-1689).

Application Overruled. No Opinion.

1120537 City of Gadsden v. Roy Harbin (Appeal from Etowah Circuit Court: CV-07-0022).

Application Overruled. No Opinion.

1120928 Dr. Winston Guthrie v. Robert Tuten (Appeal from Madison Circuit Court: CV-11-901038).

Application Overruled. No Opinion.

1110105 Deidre W. Lee and Samuel G. McKerall v. Charles Houser and Robert C. Holk (Appeal from Baldwin Circuit Court: CV-07-900627).

Application Overruled. No Opinion.

1110505 Town of Magnolia Springs and Magnolia Springs Planning Commission v. Deidre W. Lee and Samuel G. McKerall (Appeal from Baldwin Circuit Court: CV-07-900627).

Application Overruled. No Opinion.

1111134 Lake Charleston Estates, Inc. and Charles S. Givianpour v. BancorpSouth Bank, Citizens Trust Bank and Shelby Holdings, LLC (Appeal from Jefferson Circuit Court: CV-09-903637).

Application Overruled. No Opinion.