



**LIST OF DECISIONS ANNOUNCED BY  
COURT OF CIVIL APPEALS OF ALABAMA  
ON FRIDAY, JANUARY 9, 2015**

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**PRESIDING JUDGE THOMPSON**

2130560 Saleta Gay McDaniel v. Steven Ray McDaniel (Appeal from Cherokee Circuit Court: DR-13-900031)

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

2130776 Double B Country Store, LLC v. Alabama Department of Transportation (Appeal from Montgomery Circuit Court: CV-13-901219)

**Affirmed.**

2130915 A.A. v. Jefferson County Department of Human Resources (Appeal from Jefferson Juvenile Court: JU-09-92563.02)

**Affirmed. No Opinion.**

2130931 Joshua Caspari v. State of Alabama (Appeal from Elmore Circuit Court: CV-14-900142)

**Reversed And Remanded.**

2130960 Wayne Miller et al. v. Baldwin County Planning and Zoning Commission (Appeal from Baldwin Circuit Court: CV-14-900770)

**Affirmed. No Opinion.**

2140023 Ex parte John Ausmus. PETITION FOR WRIT OF MANDAMUS (In re: John Ausmus v. Rachael Ann Ausmus Fitzgerald) (Madison Circuit Court: DR-12-1070 and DR-12-1070.01)

**Petition Granted; Writ Issued.**

2130830 K.E. v. D.K.A. (Appeal from Houston Juvenile Court: JU-13-600.01)  
(Consolidated with 2130831.)

**Affirmed. No Opinion.**

2130831 K.E. v. D.K.A. (Appeal from Houston Juvenile Court: JU-13-601.01)  
(Consolidated with 2130830.)

**Affirmed. No Opinion.**

## JUDGE PITTMAN

2130280 M.B. v. Talladega County Department of Human Resources (Appeal from Talladega Juvenile Court: JU-11-100053.05 and JU-11-100055.05)

**Affirmed. No Opinion.**

2130500 Martha Middlebrooks Hartin v. Caleb Allen Hartin (Appeal from Montgomery Circuit Court: DR-12-402)

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

2130614 Roger D. Sherrill v. Selina Kaye Sherrill (Appeal from Limestone Circuit Court: DR-09-532.01)

**Affirmed. No Opinion.**

2130621 Belinda Butler Reed v. Jimmy Clay Reed (Appeal from Colbert Circuit Court: DR-09-475)

**Affirmed. No Opinion.**

2130551 Fulghum Fibres, Inc., and Alphonso Gross v. C. Dwayne Stokes and Frisco Forest Products, LLC (Appeal from Monroe Circuit Court: CV-11-900001)  
(Consolidated with 2130552.)

**Appeals Dismissed.**

2130552 Frisco Forest Products, LLC v. C. Dwayne Stokes (Appeal from Monroe Circuit Court: CV-11-900001)  
(Consolidated with 2130551.)

**Appeal Dismissed.**

## JUDGE THOMAS

2130932 Gloria G. Hood, Shirley E. Boyd, and S&G Properties, LLC v. Alabama Real Estate Commission (Appeal from Jefferson Circuit Court: CV-13-402)

**Affirmed. No Opinion.**

2131051 Karen H. Jackson v. Wyatt Sasser, individually, and d/b/a Wyatt Sasser Construction (Appeal from Covington Circuit Court: CV-12-900139)

**Affirmed. No Opinion.**

## JUDGE MOORE

2130725 Monica Shavon Hall v. Bryan Latrell Hall (Appeal from Montgomery Circuit Court: DR-10-900003.01)

**Affirmed. No Opinion.**

2130733 Margaret Pritchett v. Cathy Hanners and Kimberly Baker (Appeal from Baldwin Circuit Court: CV-13-900966)

**Affirmed. No Opinion.**

2130853 A.M.B. v. P.D.P. and G.W. (Appeal from Madison Juvenile Court: JU-07-1686.03)

**Affirmed. No Opinion.**

2130877 Shameem Abdullah and Sultan Abdullah v. Fogelman Management Group, LLC, as agent for Ridge Crossings Apartments (Appeal from Bessemer Circuit Court: CV-12-266)

**Affirmed. No Opinion.**

2130912 Joseph Edward McCarron III v. Jerry Ann McCarron (Appeal from Baldwin Circuit Court: DR-12-900900.01)

**Reversed And Remanded With Instructions.**

## **JUDGE DONALDSON**

2130093 Elizabeth Bonner v. Michael James Bonner (Appeal from Madison Circuit Court: DR-12-900139)

**Affirmed.**

2130337 Clayton Krouse v. Amanda Green Youngblood (Appeal from Dale Circuit Court: DR-11-154)

**Reversed And Remanded With Instructions.**

2130395 Deborah Coker v. Cathy Jenkins (Appeal from Baldwin Circuit Court: CV-09-900102)

**Appeal -- Affirmed. No Opinion. Cross-Appeal -- Affirmed. No Opinion.**

2130601 Brian Stidham v. Midland Funding, LLC (Appeal from Jefferson Circuit Court: CV-13-1)

**Affirmed. No Opinion.**

2130720 Amy Rogers v. Asset Acceptance, Inc. (Appeal from Chilton Circuit Court: CV-12-900190)

**Affirmed. No Opinion.**

2130774 Jimmy Prestwood and Tammy Prestwood v. Discover Bank (Appeal from Calhoun Circuit Court: CV-08-584)

**Affirmed. No Opinion.**

2130810 C.J. v. Colbert County Department of Human Resources (Appeal from Colbert Juvenile Court: JU-12-90.02)

**Affirmed. No Opinion.**

## **PER CURIAM**

2130757 C.H. v. Franklin County Department of Human Resources (Appeal from Franklin Juvenile Court: JU-12-50.02)  
(Consolidated with 2130758.)

**Reversed.**

2130758 R.H. v. Franklin County Department of Human Resources (Appeal from Franklin Juvenile Court: JU-12-50.02)  
(Consolidated with 2130757.)

**Reversed.**

2131026 Marshall County Department of Human Resources v. M.B. et al. (Appeal from Marshall Juvenile Court: JU-10-300090.02, JU-10-300091.02, JU-10-300093.02, and JU-12-754.02)  
(Consolidated with 2140165.)

**Reversed And Remanded With Instructions.**

2140165 Ex parte Marshall County Department of Human Resources. PETITION FOR WRIT OF MANDAMUS (In re: L.B., a minor child, et al.) (Marshall Juvenile Court: JU-10-300090.03, JU-10-300091.03, JU-10-300093.03, and JU-12-754.03)

(Consolidated with 2131026.)

**Petition Granted; Writ Issued.**

## **ON REHEARING**

2130390 Limestone County Department of Human Resources v. Deborah Long, as guardian ad litem for D.R., a minor child (Appeal from Limestone Juvenile Court: JU-09-160.02)

**Application For Rehearing Overruled.**

2130405 P&N Kissimmee I, LLC, and Kent Lee Holloway v. Regions Bank (Appeal from Jefferson Circuit Court: CV-13-902464)

**Application For Rehearing Overruled.**

2130429 Paul Brand v. Michelin North America d/b/a B.F. Goodrich Tire Company (Appeal from Tuscaloosa Circuit Court: CV-12-900732)

**Application For Rehearing Overruled.**

2130451 Tommy Smith v. Bank of America, NA et al. (Appeal from Talladega Circuit Court: CV-13-85)

**Application For Rehearing Overruled.**

2130615 Denise M. Williams v. John R. Williams (Appeal from Elmore Circuit Court: DR-13-900304)

**Application For Rehearing Overruled.**

2130704 Winfred M. July v. Mobile Area Water and Sewer System (Appeal from Mobile Circuit Court: CV-13-148)

**Application For Rehearing Overruled.**

2130825 JBJ Construction, LLC, and James N. Carroll v. Tucker Utilities, Inc. and SMW Engineering Group, Inc., formerly The Sommerville Group, Inc. (Appeal from Tuscaloosa Circuit Court: CV-09-900222)

**Application For Rehearing Overruled.**