



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, FEBRUARY 13, 2015**

Moore, C.J.

1130496 Ex parte John Alfred Harper. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: John Alfred Harper v. State of Alabama) (Lee Circuit Court: CC-86-582; Criminal Appeals : CR-12-0510).

Reversed And Remanded With Instructions.

1140215 Ex parte David Lawrence Poole. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Lawrence Poole v. State of Alabama) (DeKalb Circuit Court: CC-89-444.66; CC-89-524.66; CC-89-525.66; CC-89-527.66; Criminal Appeals : CR-13-1208).

Writ Denied. No Opinion.

Stuart, J.

1131399 Suzanne Lovelady v. Caleb Alexander and Estate of Kathryn Ann Thompson, deceased (Appeal from Walker Circuit Court: CV-13-37).

Affirmed. No Opinion.

1140225 Ex parte Christopher Chappell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher Chappell v. State of Alabama) (Montgomery Circuit Court: CC-83-1700.60; Criminal Appeals : CR-13-0906).

Writ Denied. No Opinion.

1140237 Ex parte Elizabeth Bell, as personal representative of the estate of Maurice Bell, deceased, and William Clay Teague. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Arthur Barney v. Elizabeth Bell, as personal representative of the estate of Maurice Bell, deceased, and William Clay Teague) (Montgomery Circuit Court: CV-12-901472; Civil Appeals : 2121048).

Writ Denied. No Opinion.

1140263 Ex parte Martez D. McIntosh, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Martez D. McIntosh, alias v. State of Alabama) (Bessemer Circuit Court: CC-12-532; CC-12-533; Criminal Appeals : CR-13-0335).

Writ Denied. No Opinion.

1140299 Ex parte M.O.L. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: M.O.L. v. State of Alabama) (Walker Circuit Court: CC-12-566; Criminal Appeals : CR-13-1207).

Writ Denied. No Opinion.

1140316 Ex parte Tyrone Ledell Caine. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tyrone Ledell Caine v. State of Alabama) (Dale Circuit Court: CC-13-238; Criminal Appeals : CR-13-0390).

Writ Denied. No Opinion.

1140335 Ex parte Stuart C. Dubose. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Stuart C. Dubose v. Allison T. Dubose) (Clarke Circuit Court: DR-08-30; Civil Appeals : 2130532).

Writ Denied. No Opinion.

Bolin, J.

1130810 Ex parte Ruth Mary Higgins Baker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Ruth Mary Higgins Baker v. Estate of Ruth G. Higgins, deceased) (Chilton Circuit Court: CV-12-59; Civil Appeals : 2130240).

Reversed And Remanded With Instructions.

1140292 Ex parte William Patrick Smith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Patrick Smith v. State of Alabama) (Jefferson Circuit Court: CC-06-344; Criminal Appeals : CR-14-0101).

Writ Denied. No Opinion.

1140304 Ex parte Davon Lee Ellis. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Davon Lee Ellis v. State of Alabama) (Jefferson Circuit Court: CC-06-3694.61; Criminal Appeals : CR-13-1249).

Writ Denied. No Opinion.

1140331 Ex parte William Wade Tennant and William Blake Tennant. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: William Wade Tennant and William Blake Tennant v. Chase Home Finance, LLC) (Baldwin Circuit Court: CV-11-900569; Civil Appeals : 2130719).

Writ Denied. No Opinion.

1140387 Ex parte Bobby Lee Banks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Bobby Lee Banks) (Mobile Circuit Court: CC-05-2951; Criminal Appeals : CR-13-1940).

Writ Denied. No Opinion.

1140389 Ex parte Devin D. Olsen. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Devin D. Olsen v. State of Alabama ex rel. Angela Olsen) (Conecuh Circuit Court: DR-08-12.03; Civil Appeals : 2140128).

Writ Denied. No Opinion.

Parker, J.

1131127 The Melissa Land Taylor Management Trust et al. v. James D. Evans (Appeal from Choctaw Circuit Court: CV-13-900015).

Affirmed. No Opinion.

1131263 Ken Weaver et al. v. Randolph County Healthcare Authority et al. (Appeal from Randolph Circuit Court: CV-12-900097).

Affirmed. No Opinion.

1140321 Ex parte Brian Earl Lowry. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Brian Earl Lowry v. State of Alabama) (Colbert Circuit Court: CC-07-409.61; Criminal Appeals : CR-13-1144).

Writ Denied. No Opinion.

1140322 Ex parte Christie Nichols. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Christie Nichols v. Thomas Edgar Nichols, Jr.) (Lauderdale Circuit Court: DR-14-900013; Civil Appeals : 2130707).

Writ Denied. No Opinion.

1140342 Ex parte Zachariah Wilson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Zachariah Wilson v. State of Alabama) (Dallas Circuit Court: CC-07-310.60; Criminal Appeals : CR-12-1946).

Writ Denied. No Opinion.

1140380 Ex parte Michael Davis Williams. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Davis Williams v. State of Alabama) (Jefferson Circuit Court: CC-13-1992; Criminal Appeals : CR-13-1528).

Writ Denied. No Opinion.

Murdock, J.

1130699 SMG Holdings, LLC, and the City of Mobile v. Rebecca Weeks (Appeal from Mobile Circuit Court: CV-11-900064).

Affirmed. No Opinion.

1130830 Pleasant Properties, LLC v. Martin Glen, LLC (Appeal from Tuscaloosa Circuit Court: CV-13-900460).

Affirmed. No Opinion.

1140291 Ex parte Hershel D. Graham. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Hershel D. Graham v. State of Alabama) (Franklin Circuit Court: CC-12-84; Criminal Appeals : CR-13-0419).

Writ Denied. No Opinion.

1140298 Ex parte Rehan Hanif. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Rehan Hanif v. Alabama Department of Corrections) (Montgomery Circuit Court: CV-13-820; Criminal Appeals : CR-13-0872).

Writ Denied. No Opinion.

1140311 Ex parte Michael A. Robinson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael A. Robinson v. State of Alabama) (Barbour Circuit Court: CC11-100289.60; Criminal Appeals : CR-13-0314).

Writ Denied. No Opinion.

1140319 Ex parte B. J. Dunn, LCSW. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: B. J. Dunn, LCSW v. Blue Cross Blue Shield of Alabama) (Jefferson Circuit Court: CV-10-1879; Civil Appeals : 2130881).

Writ Denied. No Opinion.

Shaw, J.

1130360 Mark Pilkinton and Sherry Pilkinton v. BBC, Inc. and Troy Baskins (Appeal from Lauderdale Circuit Court: CV-11-0260).

Affirmed. No Opinion.

1140107 Ex parte Jay W. Isbell. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jay W. Isbell v. State of Alabama) (Shelby Circuit Court: CC-90-156.62; Criminal Appeals : CR-13-1186).

Writ Denied. No Opinion.

1140209 Ex parte Melvin Thomas and Katharina Thomas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Melvin Thomas and Katharina Thomas v. Tranzie Loveless and Laura Loveless) (Cleburne Circuit Court: CV-98-05; Civil Appeals : 2130555).

Writ Denied. No Opinion.

1140255 Ex parte James Arthur Culbreth. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. James Arthur Culbreth) (Montgomery Circuit Court: CC-99-595; CC-99-596; Criminal Appeals : CR-13-1385).

Writ Denied. No Opinion.

Main, J.

1140234 Ex parte Roger Boyington and River Bend Estates, L.L.C. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Roger Boyington and River Bend Estates, L.L.C v. Donald Bryan, doing business as R & R Electrical and Plumbing, and Andrew & Dawson) (Covington Circuit Court: CV-08-79; Civil Appeals : 2130396).

Writ Denied. No Opinion.

1140260 Ex parte R.C. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: R.C. v. A.B.) (Jefferson Circuit Court: DR-13-222; Civil Appeals : 2130957).

Writ Denied. No Opinion.

1140287 Ex parte Morris Felton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Morris Felton v. State of Alabama) (Crenshaw Circuit Court: CC-12-82; CC12-83; Criminal Appeals : CR-13-0381).

Writ Denied. No Opinion.

1140288 Ex parte Marquita Katrice Simmons, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marquita Katrice Simmons, alias. v. State of Alabama) (Montgomery Circuit Court: CC-12-1156; Criminal Appeals : CR-12-1076).

Writ Denied. No Opinion.

1140312 Ex parte David Lamar Johnson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Lamar Johnson V. State of Alabama) (Houston Circuit Court: CC-05-2236.61; Criminal Appeals : CR-13-1572).

Writ Denied. No Opinion.

1130728 Diane Batain, individually and as personal representative of the Estate of Ervin Batain, deceased v. National Security Fire & Casualty Company (Appeal from Jefferson Circuit Court, Bessemer Division: CV-12-900076).

Affirmed. No Opinion.

1130808 National Security Fire & Casualty Company v. Diane Batain, individually and as personal representative of the Estate of Ervin Batain, deceased (Appeal from Jefferson Circuit Court, Bessemer Division: CV-12-900076).

Affirmed. No Opinion.

Wise, J.

1130696 Robert J. Crowley v. Mary Alberdi et al. (Appeal from Baldwin Circuit Court: CV-12-900371).

Affirmed. No Opinion.

1131147 Stacy R. Lucy, as the personal representative of the estate of Angela Lucy, deceased v. Robert D. Lerner, M.D. and Diagnostic Physicians Group, P.C. (Appeal from Mobile Circuit Court: CV-10-900489).

Affirmed. No Opinion.

1140249 Ex parte David Lamar Johnson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. David Lamar Johnson) (Houston Circuit Court: CC-05-2236; Criminal Appeals : CR-13-1680).

Writ Denied. No Opinion.

1140280 Ex parte Mark Allen Nichols. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Mark Allen Nichols v. State of Alabama) (Marion Circuit Court: CC-07-140.60; Criminal Appeals : CR-12-1940).

Writ Denied. No Opinion.

1140281 Ex parte Steven Hill, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Steven Hill, Jr. v. State of Alabama) (Madison Circuit Court: CC-08-6671.70; CC-08-6672.70; CC-08-6673.70; CC-08-6674.70; Criminal Appeals : CR-13-1322).

Writ Denied. No Opinion.

1140282 Ex parte Roy Thomas Smith, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Roy Thomas Smith, Jr. v. State of Alabama) (Etowah Circuit Court: CC-11-455; Criminal Appeals : CR-13-1116).

Writ Denied. No Opinion.

1140362 Ex parte Edward Wilson Kytte. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Edward Wilson Kytte) (Cleburne Circuit Court: CC-06-21.60; Criminal Appeals : CR-13-1871).

Writ Denied. No Opinion.

Bryan, J.

1131459 Tequan Sabre Graham v. Alabama Department of Corrections (Appeal from Montgomery Circuit Court: CV-14-416; Criminal Appeals : CR-13-1656).

Affirmed. No Opinion.

1140032 Ex parte Marcus Kinte Malone. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marcus Kinte Malone v. State of Alabama) (Mobile Circuit Court: CC-09-2609.61; Criminal Appeals : CR-12-2120).

Writ Denied. No Opinion.

1140083 Ex parte Kenneth Paul Robertson, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Ex parte Kenneth Paul Robertson, Jr. (In re: Donna L. Robertson v. Kenneth Paul Robertson, Jr.)) (Etowah Circuit Court: DR-09-900109; Civil Appeals : 2130264).

Writ Denied.

1140114 Ex parte David Lee Andrews. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Lee Andrews v. State of Alabama) (Houston Circuit Court: CC-13-1099; Criminal Appeals : CR-13-0777).

Writ Denied. No Opinion.

1140239 Ex parte Tommie Strickland, individually and d/b/a Strickland Motors Sales, LLC. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Tommie Strickland, individually and d/b/a Strickland Motors, Inc. v. Safeway Insurance Company of Alabama, Inc.) (Mobile Circuit Court: CV-14-900562; Civil Appeals : 2130913).

Writ Denied. No Opinion.

1140333 Ex parte Dale Eugene Pfalzgraf. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dale Eugene Pfalzgraf v. State of Alabama) (Marion Circuit Court: CC-06-296.62; Criminal Appeals : CR-13-1334).

Writ Denied. No Opinion.

PER CURIAM

1130606 Turquoise Properties Gulf, Inc., et al. v. Robert Mack et al. (Appeal from Baldwin Circuit Court: CV-13-901270).

Affirmed. No Opinion.

1130668 Turquoise Properties Gulf, Inc., et al. v. Charles Steven Wood, Sr., et al. (Appeal from Baldwin Circuit Court: CV-13-901483).

Affirmed. No Opinion.

1130776 Turquoise Properties Gulf, Inc., et al v. Susan Shirock Depaola et al (Appeal from Baldwin Circuit Court: CV-14-900170).

Affirmed. No Opinion.

ON REHEARING

1130422 Darrel Nevels v. Judi Caples and Rita Powell (Appeal from Jefferson Circuit Court, Bessemer Division: CV-10-900115).

Application Overruled. No Opinion.

1130615 The H. T. Hackney Co. v. Regions Bank et al. (Appeal from Jefferson Circuit Court: CV-11-902658).

Application Overruled. No Opinion.

1130758 Sarah Grimes v. Kristen Saban (Appeal from Tuscaloosa Circuit Court: CV-12-900538).

Application Overruled. No Opinion.