



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, APRIL 23, 2010**

Lyons, J.

- 1090599 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Towanda Taite v. State of Alabama) (Wilcox Circuit Court: CC07-06; Criminal Appeals : CR-07-2246).

Writ Denied. No Opinion.

Circuit Judge, Jack W. Meigs, (205) 926-3120
Pet. Atty. General, Troy Robin King, (334) 242-7401
Pet. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318
Resp. Atty., Joseph L Fitzpatrick, Jr, (334) 201-6726

- 1080713 Pierre Chestang et al. v. IPSCO Steel, Inc., et al. (Appeal from Mobile Circuit Court: CV-05-2474).

Affirmed.

Circuit Judge, Robert Herschel Smith, (251) 574-8485
Apl. Atty., Joseph C. McCorquodale, III, (251) 246-9015
Aple. Atty., James E. Atchison, (251) 665-7200
Aple. Atty., Donald Guy Beebe, (251) 665-7200
Aple. Atty., Keith Blaine Franklin, (251) 665-7200

- 1080815 IPSCO Steel (Alabama), Inc. v. Pierre Chestang et al. (Appeal from Mobile Circuit Court: CV-05-2474).

Appeal Dismissed.

Circuit Judge, Robert Herschel Smith, (251) 574-8485
Apl. Atty., Donald Guy Beebe, (251) 665-7200
Aple. Atty., Joseph C. McCorquodale, III, (251) 246-9015

- 1081277 Volvo Trucks North America, Inc. v. Dolphin Line, Inc. (Appeal from Mobile Circuit Court: CV-06-1226).

Affirmed.

Circuit Judge, Michael A. Youngpeter, (251) 574-8780
Apl. Atty., James W. Lampkin, II, (251) 432-1600
Aple. Atty., William G. Chason, (251) 432-5300

- 1081713 Volvo Trucks North America, Inc. v. Dolphin Line, Inc. (Appeal from Mobile Circuit Court: CV-06-1226).

Affirmed.

Circuit Judge, Michael A. Youngpeter, (251) 574-8780
Apl. Atty., James W. Lampkin, II, (251) 432-1600
Aple. Atty., William G. Chason, (251) 432-5300

Stuart, J.

- 1081597 Ex parte LaWanda McDonald. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: LaWanda McDonald v. Lighami Development Co., LLC) (Mobile Circuit Court: CV-04-4633; Civil Appeals : 2070582).

Writ Quashed. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Pet. Atty., Larry C Moorer, (251) 432-0002
Resp. Atty., Carl Robert Gottlieb, Jr., (251) 343-7710

- 1090295 Ex parte Attorney General Troy King et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Justin Price et al. v. Attorney General Troy King et al.) (Montgomery Circuit Court: CV-09-849).

Petition Granted. Writ Issued.

Circuit Judge, Truman M. Hobbs, Jr., (334) 832-7147
Pet. Atty. General, Troy Robin King, (334) 242-7401
Pet. Asst. Atty. General, James W. Davis, (334) 353-1356
Pet. Asst. Atty. General, Corey Landon Maze, (334) 242-4891
Pet. Atty., William G. Parker, Jr., (334) 242-7997
Resp. Atty., Diandra S. Debrosse Burnley, (205) 716-3000
Resp. Atty., J. Mark Englehart, (334) 782-5258
Resp. Atty., Edgar C. Gentle, III, (205) 716-3000
Resp. Atty., K. Edward Sexton, II, (205) 716-3000

Murdock, J.

- 1070223 Ex parte James Allen Harrison, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Allen Harrison, Jr. v. State of Alabama) (Russell Circuit Court: CC98-195.60; Criminal Appeals : CR-05-2411).

Reversed And Remanded.

Circuit Judge, George R. Greene, (334) 297-4567
Pet. Atty., James Fredrick Barger, Jr, (205) 933-4006
Pet. Atty., Lisa Wright Borden, (205) 328-0480
Pet. Atty., Linda J. Peacock, (205) 328-0480
Pet. Atty., Susan S. Wagner, (205) 250-8310
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. Gen., James Clayton Crenshaw, (334) 242-7423
Resp. Asst. Atty. General, Todd E. Hughes, (334) 242-7374
Resp. Asst. Atty. General, Michael A Nunnelley, (334) 353-9242

Shaw, J.

- 1080414 Ex parte John Winston Jones, an incapacitated person. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: The matter of John Winston Jones, an incapacitated person) (Baldwin Circuit Court: CV-08-363).

Petition Denied. No Opinion.

Circuit Judge, Robert E. Wilters, (251) 580-2570
Pet. Atty., Meredith L. Turpin, (251) 621-1555
Resp. Atty., W. Donald Bolton, Jr., (251) 943-3860
Resp. Atty., Allan R. Chason, (251) 937-2191
Resp. Atty., Barry Johnson Parker, (251) 432-0028
Resp. Atty., James E. Smith, (251) 928-1355

1081124 Steven Knoedler and Katherine Knoedler v. Leslie Blinco et al (Appeal from Baldwin Circuit Court: CV-08-296).

Appeal Dismissed.

Circuit Judge, Robert Earl Wilters, (251) 580-2570
Apl. Atty., John W. Parker, (251) 621-2216
Aple. Atty., Carl Robert Gottlieb, Jr., (251) 343-7710
Aple. Atty., Carter R. Hale, (251) 433-1346
Aple. Atty., Mark A Newell, (251) 441-9955
Aple. Atty., Carroll H. Sullivan, (251) 433-1346

PER CURIAM

1070213 Owens-Illinois, Inc. v. John W. Wells (Appeal from Colbert Circuit Court: CV-06-319.80).

Affirmed.

Circuit Judge, Jacqueline M. Hatcher, (256) 386-8528
Pet. Atty., W. Michael Atchison, (205) 868-6000
Pet. Atty., Anthony C. Harlow, (205) 868-6000
Pet. Atty. - Pro Hac, J. Ford Little, (865) 215-1000
Resp. Atty., James F. Archibald
Resp. Atty., S. Allen Baker, (205) 251-8100
Resp. Atty., Cyrus C. Barger, III
Resp. Atty., Christopher Berdy, (205) .79-5.65
Resp. Atty., Brian M. Blythe, (205) 521-8000
Resp. Atty., Nathan Bosio
Resp. Atty., T. Michael Brown, (205) 521-8000
Resp. Atty., Chad Wesley Bryan, (334) 241-8000
Resp. Atty., C. Paul Cavender, (205) 251-3000
Resp. Atty., Timothy A. Clarke, (251) 432-9772
Resp. Atty., David P. Donahue
Resp. Atty., Jenelle R. Evans, (205) 226-8760
Resp. Atty., Gary N Fillingim, (251) 432-0612
Resp. Atty., Evelyn M. Fletcher, (404) 614-7548
Resp. Atty., Roger C. Foster, (205) 986-4405
Resp. Atty., Walter T. Gilmer, Jr., (251) 432-5300
Resp. Atty., Larry W Harper, (205) 980-5000
Resp. Atty., Freddie Harrington, Jr., (205) 967-9675
Resp. Atty., James A. Harris, Jr., (205) 871-5777
Resp. Atty., James A. Harris, (205) 871-5777
Resp. Atty., H Thomas Heflin, Jr, (256) 383-3661
Resp. Atty., G. Steven Henry, (205) 328-0480
Resp. Atty., James G House, III, (601) 960-3184
Resp. Atty., David Kirby Howard, (256) 718-6040
Resp. Atty., Lucy W. Jordan, (205) 968-9900
Resp. Atty., G. Patterson Keahey, Jr., (205) 871-0707
Resp. Atty., Thomas A. Kendrick, (205) 328-6643
Resp. Atty., Timothy W. Knight, (205) 980-9900
Resp. Atty., Joel M. Kuehnert, (205) 521-8000
Resp. Atty., Daphne Lancaster
Resp. Atty., Frank E. Lankford, Jr., (205) 251-1193
Resp. Atty., Jeffrey L. Mapen
Resp. Atty., De Martenson, (205) 251-1193
Resp. Atty., Edward B. McDonough, Jr., (251) 432-3296
Resp. Atty., William H. Mills, (205) 322-0457

Resp. Atty., William T. Mills, II, (205) 980-5000
Resp. Atty., Randi Mueller
Resp. Atty., Edwin Bryan Nichols, (205) 254-1184
Resp. Atty., Robert F. Northcutt, (334) 241-8000
Resp. Atty., Donald C Partridge, (601) 974-8775
Resp. Atty., Keith J. Pflaum, (205) 980-5000
Resp. Atty., William Larkin Radney, IV, (205) 581-0786
Resp. Atty., Matthew Whittle Robinett, (205) 328-6643
Resp. Atty., Christopher S. Rodgers, (205) 251-1193
Resp. Atty., William A. Scott, (205) 967-9675
Resp. Atty., Paul B. Shaw, (205) 871-9550
Resp. Atty., Kevin T. Shires, (205) 910-9228
Resp. Atty., Chadwick Shook, (601) 583-2671
Resp. Atty., Robert Henry Sprain, Jr., (205) 437-3232
Resp. Atty., Sid Trant, (205) 521-8000
Resp. Atty., Michael Anthony Vercher, (205) 250-6621
Resp. Atty., William L. Waudby, (205) 244-3894
Aple. Atty., H. Thomas Wells, Jr., (205) 254-1062
Resp. Atty., R. Patrick White, (404) 816-7791
Resp. Atty., Natasha L Wilson, (205) 581-1507
Resp. Atty., Alan Windham
Amicus Aplt. Atty., Bruce Barze, Jr., (205) 251-8100
Amicus Aplt. Atty., Christina May Bolin, (251) 432-1600
Amicus Aplt. Atty., William C. Grayson, (251) 432-1600
Amicus Aplt. Atty., Paul V. Lagarde, (251) 432-1600
Amicus Aple. Atty., David G. Wirtes, Jr, (251) 471-6191

1070214 Owens-Illinois, Inc. v. Harold Mitchell, as personal representative of the estate of Reba Mae Mitchell, deceased (Appeal from Colbert Circuit Court: CV-06-282.80).

Affirmed.

Circuit Judge, Jacqueline M. Hatcher, (256) 386-8528
Pet. Atty., W. Michael Atchison, (205) 868-6000
Pet. Atty., Anthony C. Harlow, (205) 868-6000
Pet. Atty., J. Ford Little, (865) 215-1000

1070215 Owens-Illinois, Inc. v. James Newman. (Appeal from Colbert Circuit Court: CV-06-298).

Affirmed.

Circuit Judge, Jacqueline M. Hatcher, (256) 386-8528
Pet. Atty., W. Michael Atchison, (205) 868-6000
Pet. Atty., Anthony C. Harlow, (205) 868-6000
Pet. Atty., J. Ford Little, (865) 215-1000

1070216 Owens-Illinois, Inc. v. Floyd Patterson (Appeal from Colbert Circuit Court: CV-06-299).

Affirmed.

Circuit Judge, Jacqueline M. Hatcher, (256) 386-8528
Pet. Atty., W. Michael Atchison, (205) 868-6000
Pet. Atty., Anthony C. Harlow, (205) 868-6000
Pet. Atty., J. Ford Little, (865) 215-1000

1070217 Owens-Illinois, Inc. v. Roger Hugh Young and Dinah Young Tate, as coexecutors of the estate of Pauline Young, deceased (Appeal from Colbert Circuit Court: CV-06-281).

Affirmed.

Circuit Judge, Jacqueline M. Hatcher, (256) 386-8528
Pet. Atty., W. Michael Atchison, (205) 868-6000
Pet. Atty., Anthony C. Harlow, (205) 868-6000
Pet. Atty., J. Ford Little, (865) 215-1000

1070218 Owens-Illinois, Inc. v. Rosalyn Diane Davis and Marilyn Joanne Woods, as personal representatives of the estate of Ruby Williams, deceased (Appeal from Colbert Circuit Court: CV-05-321).

Affirmed.

Circuit Judge, Jacqueline M. Hatcher, (256) 386-8528
Pet. Atty., W. Michael Atchison, (205) 868-6000
Pet. Atty., Anthony C. Harlow, (205) 868-6000
Pet. Atty., J. Ford Little, (865) 215-1000

ON REHEARING

1060637 Retha J. Brannon, as executrix of the estate of Lemuel Morrison, deceased v. BankTrust, Inc. (Appeal from Mobile Circuit Court: CV-04-1458).

Application Overruled; Opinion of July 31, 2009, Withdrawn; Opinion Substituted; Reversed And Remanded.

Circuit Judge, John Ray Lockett, (251) 574-8477
Apl. Atty., C. Nelson Gill, (334) 834-1180
Apl. Atty., Richard Gill, (334) 834-1180
Apl. Atty., George W Walker, III, (334) 834-1180
Apl. Atty., Ginger Davos Bedsole, (251) 434-6455
Apl. Atty., Wesley Pipes, (251) 432-6455
Apl. Atty., William W. Watts, III, (251) 432-7200

1061059 Banktrust, Inc. v. Retha J. Brannon, as executrix of the estate of Lemuel Morrison, deceased (Appeal from Mobile Circuit Court: CV-04-1458).

Application Overruled; Opinion of July 31, 2009, Withdrawn; Opinion Substituted; Reversed And Remanded.

Circuit Judge, John Ray Lockett, (251) 574-8477
Apl. Atty., Samuel Wesley Pipes, IV, (251) 434-6455
Apl. Atty., William W. Watts, III, (251) 432-7200
Apl. Atty., C. Nelson Gill, (334) 834-1180
Apl. Atty., George W Walker, III, (334) 834-1180