



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, JANUARY 14, 2011**

Cobb, C.J.

1091264 Ex parte Garrett Dotch. PETITION FOR WRIT OF CERTIORARI TO THE COURT CRIMINAL APPEALS (In re: Garrett Dotch v. State of Alabama) (Mobile Circuit Court: CC07-788; Criminal Appeals : CR-07-1913).

Writ Denied. No Opinion.

Links : [Certificate of Judgment](#)

1091386 Wesley Frye, as personal representative of the estate of Rhonda Rainey, deceased Roderick Stacy Arthur, as the father and next friend of Ryan Arthur and Roderick Alminors v. John F. Smith, Harry J. Pearce, and Michael Losh (Appeal from Calhoun Circuit Court: CV-08-900205).

Affirmed.

Links : [OPINION](#)

Lyons, J.

1091427 Darryl Clayton v. LLB Timber Company, Inc. and William George Henderson (Appeal from Montgomery Circuit Court: CV-08-1517).

Reversed And Remanded.

Links : [OPINION](#)

1091707 Jeanette C. Oliver and Geraldine C. Stephens v. Nancy E. Shealey, as personal representative of the estate of Annie Ruth Ford Wilson, deceased. (Appeal from Tallapoosa Circuit Court: CV-10-25).

Appeal Dismissed with Instructions.

Links : [OPINION](#)

1100032 Ex parte Textron, Inc. et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Alabama Boating Centers et al. v. Textron, Inc. et al) (St. Clair Circuit Court: CV-1

Petition Granted In Part and Denied In Part; Writ Issued.

Links : [OPINION](#)

1100136 Ex parte Dean Kenneth Hicks. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Virginia Gayle Marshall v. Dean Kenneth Hicks) (Houston Circuit Court: CV-04-31

Petition Granted. Writ Issued.

Links : [OPINION](#)

Woodall, J.

1090639 Alan E. Rothfeder v. Kaufman Gilpin McKenzie Thomas Weiss, P.C. (Appeal from Montgomery Circuit Court: CV-07-1394).

Reversed And Remanded.

Links : [OPINION](#)

1090671 Jo Karen Parr v. Kaufman Gilpin McKenzie Thomas Weiss, P.C. (Appeal from Montgomery Circuit Court: CV-07-1394).

Reversed And Remanded.

Links : [OPINION](#)

1090723 Kaufman Gilpin McKenzie Thomas Weiss, PC v. Jo Karen Parr (Appeal from Montgomery Circuit Court: CV-07-1394).

Reversed And Remanded.

Links : [OPINION](#)

1090724 Kaufman Gilpin McKenzie Thomas Weiss, PC v. Alan E. Rothfeder (Appeal from Montgomery Circuit Court: CV-07-1394).

Reversed And Remanded.

Links : [OPINION](#)

Stuart, J.

1091658 Ex parte International Refining and Manufacturing Company, Inc. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Zurich Insurance Company et al. v. International Refining and Manufacturing Company, Inc.) (Jefferson Circuit Court: CV-2010-900187).

Petition Granted. Writ Issued.

Links : [OPINION](#)

1100250 Ex parte Marquise Nathaniel Ford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Marquise Nathaniel Ford v. State of Alabama) (Madison Circuit Court: CC-09-3059; Criminal Appeals : CR-09-0151).

Writ Denied. No Opinion.

Links : [Certificate of Judgment](#)

1100122 Ex parte Phenix City Board of Education. PETITION FOR WRIT OF MANDAMUS: (In re: Alaysia Randolph, a minor, by and through her next friends and parents, Sai Randolph and Wanda Randolph v. Kimberly Sue Montee and the Phenix City Board of Education) (Russell Circuit Court: CV-10-206).

Petition Granted. Writ Issued.

Links : [OPINION](#)

1100124 Ex parte Phenix City Board of Education. PETITION FOR WRIT OF MANDAMUS: (In re: Kenyetta King, a minor, by and through her next friend and parent, Olitha Kin Kimberly Sue Montee and the Phenix City Board of Education) (Russell Circuit Court: CV-10-208).

Petition Granted. Writ Issued.

Links : [OPINION](#)

1100125 Ex parte Phenix City Board of Education. PETITION FOR WRIT OF MANDAMUS: (In re: Eric Robinson, a minor, by and through his next friend and parent, Jackie Wc et al. v. Kimberly Sue Montee and the Phenix City Board of Education) (Russell Circuit Court: Cv-10-204).

Petition Granted. Writ Issued.

Links : [OPINION](#)

Smith, J.

1091055 Patricia Working, Rick Erdemir, and Floyd McGinnis v. Jefferson County Election Commission (Appeal from Jefferson Circuit Court: CV-08-900316).
Reversed In Part; Appeal Dismissed In Part; and Case Remanded With Direct

Links : [OPINION](#)

1100016 Ex parte Ronald Jay McFadden. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ronald Jay McFadden v. State of Alabama) (Baldwin Circuit Court: CC-05-1848; Criminal Appeals : CR-07-1923).

Writ Denied. No Opinion.

Links : [Certificate of Judgment](#)

Bolin, J.

1090084 Health Care Authority for Baptist Health, an affiliate of UAB Health System d/b/a Baptist Medical Center East v. Kay E. Davis, as executrix of the estate of Lauree Durden E deceased (Appeal from Montgomery Circuit Court: CV-06-1475).

Judgment Vacated; Appeal Dismissed; and Case Dismissed.

Links : [OPINION](#)

1091423 Winchester, LLC v. Hanson Pipe & Precast, Inc. (Appeal from Jefferson Circuit Court: CV-08-903347).

Affirmed. No Opinion.

Links : [DECISION](#)

1091554 Ex parte John Edward Garmon. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Donnie Laney v. John Edward Garmon) (Chester Circuit Court: CV-05-96; Civil Appeals : 2090157).

Writ Quashed. No Opinion.

Links : [Certificate of Judgment](#)

Darker, J.

FARNER, J.

1090043 Ex parte James W. Bailey. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James W. Bailey v. State of Alabama) (Houston Circuit Court: CC05-1221; CC05-1223; CC05-1224; Criminal Appeals : CR-07-11)

Writ Quashed. No Opinion.

Links : [Certificate of Judgment](#)

1090110 Ex parte Green Tree Financial Corporation a/k/a Conseco Financial Corporation. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Kathy Adams v. Green Tree Financial Corporation a/k/a Conseco Financial Corporation, et al.) (Hale Circuit Court: CV-08-900031).

Petition Granted. Writ Issued.

Links : [OPINION](#)

1091532 Ex parte Joe Murphy. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Joe Murphy v. Louise Motherway) (Jefferson Circuit Court: CV-07-901293; Civil Appeals : 2090037).

Writ Denied. No Opinion.

Links : [Certificate of Judgment](#)

Murdock, J.

1091609 Ex parte Jeffery L. Miller. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Alabama State Personnel Board v. Jeffery L. Miller) (Montgomery Circuit Court: CV-06-2462; Civil Appeals : 2080895).

Writ Denied. No Opinion.

Links : [Certificate of Judgment](#)

[OPINION](#)

PER CURIAM

1091500 Helen Kathryn Wheeler et al v. Randall George et al. (Appeal from Montgomery Circuit Court: CV-04-1434).

Affirmed. No Opinion.

Links : [DECISION](#)

1080826 Terry Surlles, sheriff of St. Clair County; Richard J. Minor, district attorney of St. Clair County; and Bob Riley, Governor of the State of Alabama v. City of Ashville; American Legion, Post 170; and Shooting Star Entertainment Group, LLC (Appeal from St. Clair Circuit Court: CV-08-382).

On Rehearing Ex Mero Motu; Opinion of January 29, 2010, Withdrawn; Opinion Substituted; Appeal Dismissed.

Links : [OPINION](#)

1081015 State of Alabama v. City of Ashville; American Legion, Post 170; and Shooting Star Entertainment Group, LLC (Appeal from St. Clair Circuit Court: CV-08-382).

**On Rehearing Ex Mero Motu; Opinion of January 29, 2010, withdrawn; Opin
Substituted; Appeal Dismissed.**

Links : [OPINION](#)

1090545 The Citizenship Trust et al v. Mary Kathleen Keddie-Hill et al. (Appeal from Montg
Circuit Court: CV-09-901172).

Reversed and Remanded.

Links : [OPINION](#)

1090625 Mary Kathleen Keddie-Hill et al. v. The Citizenship Trust et al. (Appeal from Montg
Circuit Court: CV-09-901172).

Affirmed in Part; Appeal Dismissed in Part.

Links : [OPINION](#)

ON REHEARING

1090425 Ex parte Regions Financial Corporation, Morgan Asset Management, Inc., and Jam
Kelsoe. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Grantland Rice II, e
Regions Financial Corporation, Morgan Asset Management, Inc., and James C. Ke
(Jefferson Circuit Court: CV-09-900689).

Application Overruled. No Opinion.

Links : [Certificate of Judgment](#)

1090877 Ex parte Ray Keith Wood. PETITION FOR WRIT OF CERTIORARI TO THE COUR
OF CIVIL APPEALS (In re: Black Creek, Inc. v. Ray Keith Wood) (Etowah Circuit
Court: CV-00-1040.01; Civil Appeals : 2071076).

Application Overruled. No Opinion.

Links : [Certificate of Judgment](#)

1091042 Ex parte Baldwin County Planning and Zoning Commission. PETITION FOR WRIT
CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Baldwin County Planni
and Zoning Commission v. Montrose Ecor Rouge, L.L.C. and Montrose Ecor Rouge
L.L.C.) (Baldwin Circuit Court: CV-08-900122; Civil Appeals : 2080276).

Application Overruled. No Opinion.

Links : [Certificate of Judgment](#)

