

# LIST OF DECISIONS ANNOUNCED BY THE SUPREME COURT OF ALABAMA ON FRIDAY, FEBRUARY 11, 2011

## Cobb, C.J.

1091670 Ex parte HB&G Building Products, Inc. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Jeff White v. HB&G Building Products, Inc.) (Pike Circuit Court: CV-08-44; Civil Appeals: 2090323).

#### Writ Denied. No Opinion.

1100157 Ex parte Charles Martin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charles Martin v. State of Alabama) (Montgomery Circuit Court: CC-79-248.61; CC-79-249.61; Criminal Appeals: CR-09-0966).

### **Writ Denied. No Opinion**

1100274 Ex parte Jimmy Curtis Bundrum. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jimmy Curtis Bundrum v. State of Alabama) (Calhoun Circuit Court: CC-07-242.60; Criminal Appeals: CR-09-0407).

#### Writ Denied. No Opinion

## Woodall, J.

1091368 William Costarides v. South Alabama Trust Company, as custodian of the Elsie F. Ramsey Self-Directed IRA (Appeal from Baldwin Circuit Court: CV-08-900037).

## Affirmed. No Opinion.

1091555 Water Works Board of the Town of Bear Creek v. Town of Bear Creek (Appeal from Marion Circuit Court: CV-09-169).

#### Affirmed.

1091706 Anthony Brewer and Cassie Brewer v. GeoVera Specialty Insurance Company (Appeal from Mobile Circuit Court: CV-08-1531).

#### Affirmed. No Opinion.

1100214 Ex parte Bob King. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bob King v. State of Alabama) (Morgan Circuit Court: CC-00-1409.62; Criminal Appeals: CR-09-1409).

1100320 Ex parte D. S. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: D. S. v. State of Alabama) (Jefferson Juvenile Court: JU-10-50161; Criminal Appeals : CR-09-0848).

## Writ Denied. No Opinion.

1100353 Ex parte Phillip Gay. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Phillip Gay v. Magaria H. BoBo, et al.) (Tuscaloosa Circuit Court: CV-10-248; Civil Appeals: 2100039).

## Writ Denied. No Opinion.

1100399 Ex parte Willie Edward Tubbs. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Willie Edward Tubbs v. State of Alabama) (Jefferson Circuit Court: CC-93-4907.62; Criminal Appeals: CR-09-1725).

## Writ Denied. No Opinion.

1100442 Ex parte Michael Handsford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Handsford v. State of Alabama) (Houston Circuit Court: CC-09-1531; CC-09-1532; CC-09-1533; CC-09-1534; CC-09-1535; CC-09-1536; Criminal Appeals: CR-09-1154).

#### Writ Denied. No Opinion.

1100464 Ex parte William Griffin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Griffin v. State of Alabama) (Houston Circuit Court: CC-06-1534.60; Criminal Appeals: CR-09-1431).

#### Writ Denied. No Opinion.

1100481 Ex parte Alonzo Hurth. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Alonzo Hurth v. State of Alabama) (Jefferson Circuit Court: CC93-2651; Criminal Appeals: CR-09-1478).

#### Writ Denied. No Opinion.

1090833 Ford Motor Company v. Latoya Duckett (Appeal from Etowah Circuit Court: CV-05-1120).

#### Reversed And Remanded.

1091043 Ford Motor Company v. Latoya Duckett (Appeal from Etowah Circuit Court: CV-05-1120).

#### **Reversed And Remanded.**

## Stuart, J.

1100195 Ex parte Mark Ryder. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mark Ryder v. James F. Mabry) (Jefferson Circuit Court: CV-07-2614; Civil Appeals: 2080992).

## Writ Denied. No Opinion.

1100210 Ex parte E.D. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: E.D. v. Madison County Department of Human Resources) (Madison Juvenile Court: JU-07-548.02; Civil Appeals: 2090415).

1100364 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: State of Alabama v. Donovan Hurtt et al.) (DeKalb Circuit Court: CV-08-247; Civil Appeals: 2090946).

#### Writ Denied. No Opinion.

1100373 Ex parte Bobby Bowden Sanford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bobby Bowden Sanford v. State of Alabama) (Jefferson Circuit Court: CC-92-1740.61; Criminal Appeals: CR-09-1268).

#### Writ Denied. No Opinion.

1100413 Ex parte Sedrick Coleman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Sedrick Coleman v. State of Alabama) (Madison Circuit Court: CC-07-2492; CC-07-2493; Criminal Appeals: CR-09-1012).

#### Writ Denied. No Opinion.

1100417 Ex parte Timothy Winston. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Timothy Winston v. State of Alabama) (Calhoun Circuit Court: CC-09-453; Criminal Appeals: CR-09-1182).

## Writ Denied. No Opinion.

## Bolin, J.

1091600 Ronald D. Veteto v. Richard F. Allen et al. (Appeal from Escambia Circuit Court: CV-09-173).

#### Affirmed. No Opinion.

1100151 Ex parte Geneva Kim Hall. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Shirley Smith McAlister and William McAlister v. Geneva Kim Hall) (Autauga Circuit Court: CV-08-900048).

## Petition Denied. No Opinion.

1100212 Ex parte Vickie Diane Logan. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Richard Timothy Logan) (Dale Circuit Court: DR-07-441; Civil Appeals: 2090678).

## Writ Denied. No Opinion.

1100276 Ex parte Christopher Matthew Smith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher Matthew Smith v. State of Alabama) (Jackson Circuit Court: CC-07-71.60; CC-07-72.60; Criminal Appeals: CR-09-1462).

#### Writ Denied. No Opinion.

1100303 Ex parte C. D. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: C. D. v. Morgan County Department of Human Resources) (Morgan Juvenile Court: JU-07-536.06, JU-07-537.06, JU-07-538.05, and JU-07-539.05; Civil Appeals: 2090854).

1100365 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Hermanno M. Mizusawa v. State of Alabama) (Autauga Circuit Court: CC-05-63; Criminal Appeals: CR-08-1517).

## Writ Denied. No Opinion.

1100415 Ex parte Jack L. Martin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Jack L. Martin v. Stephanie E. Martin) (Winston Circuit Court: DR-09-25; Civil Appeals: 2081162).

## Writ Denied. No Opinion.

1100431 Ex parte James Edwards. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Edwards v. State of Alabama) (Jefferson Circuit Court: CC-91-2170; Criminal Appeals: CR-09-1711).

## Writ Denied. No Opinion.

1100457 Ex parte Kary Lyndel Chandler. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kary Lyndel Chandler v. State of Alabama) (Cleburne Circuit Court: CC-09-332; CC-09-333; Criminal Appeals: CR-09-1250).

## Writ Denied. No Opinion.

1100471 Ex parte Desmond W. Jackson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Desmond W. Jackson v. State of Alabama) (Jefferson Circuit Court: CC-07-2771.60; CC-07-2772.60; CC-07-2773.60; Criminal Appeals: CR-09-1740).

#### Writ Denied. No Opinion.

## Parker, J.

1080836 Richard Gross v. Fortis Insurance Company et al. (Appeal from Jefferson Circuit Court: CV-06-5334).

#### Affirmed. No Opinion.

1090114 James David Holmes, Wanda Sue Holmes, Sharon Holmes, and James Richard Holmes v. James Anthony Dozier (Appeal from Coffee Circuit Court: CV-08-900030).

#### Affirmed. No Opinion.

1090289 Michael E. Puckett v. City of Millbrook et al. (Appeal from Elmore Circuit Court: CV-09-201).

#### Affirmed. No Opinion.

1100377 Ex parte J.B.B. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J.B.B. v. Etowah County Department of Human Resources) (Etowah Juvenile Court: JU-07-427.02 and JU-07-428.02; Civil Appeals: 2090094; 2090108).

## Murdock, J.

1081361 Ex parte Patricia R. Nelson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Dollar General Corporation v. Patricia R. Nelson) (Escambia Circuit Court: CV-01-315; Civil Appeals: 2070889).

#### Writ Denied. No Opinion.

1090456 Mona Lee and David Lee v. Monica Ashley et al. (Appeal from Jefferson Circuit Court: CV-07-902122).

#### Affirmed. No Opinion.

1091593 Ex parte Shadescrest Health Care Center. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Shadescrest Health Care Center v. Patricia Holloway) (Walker Circuit Court: CV-03-17; Civil Appeals: 2081164).

## Writ Denied. No Opinion.

1091777 Ex parte Shelby Myers Hurd. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Shelby Myers Hurd v. State of Alabama) (Lauderdale Circuit Court: CC09-76; Criminal Appeals: CR-09-0331).

## Writ Denied. No Opinion.

1100093 Ex parte Matthew Wade Mork. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Matthew Wade Mork v. State of Alabama) (Cullman Circuit Court: CC08-384; Criminal Appeals: CR-09-1100).

## Writ Denied. No Opinion.

1100113 Ex parte Ronald Miles. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Ronald Miles v. Naomi Miles) (Crenshaw Circuit Court: DR-06-40.01; Civil Appeals : 2090491).

#### Writ Denied. No Opinion.

1100271 Ex parte Johnathon Sepp Etterer, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Johnathon Sepp Etterer, alias v. State of Alabama) (Lee Circuit Court: CC-08-282; Criminal Appeals: CR-09-0049).

#### Writ Denied. No Opinion.

## Shaw, J.

1090794 Ex parte Jeff VanDermark. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Jeff VanDermark v. Laurie Lynn VanDermark) (Randolph Circuit Court: DR-07-72; Civil Appeals: 2080696).

#### Writ Denied. No Opinion.

1090796 Ex parte Randy Vandergroen Hammonds. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Randy Vandergroen Hammonds v. State of Alabama) (Montgomery Circuit Court: CC05-489.70; Criminal Appeals: CR-09-0012).

1090860 Ex parte Brent Andre Parris. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Brent Andre Parris v. Prison Health Services, Inc., William Hobbs, and Debbie Hunt) (Limestone Circuit Court: CV-07-249; Civil Appeals: 2070831).

## Writ Denied. No Opinion.

1090991 Ex parte J.D. Trammell et al. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J.D. Trammell et al. v. Elquis Castillo) (Etowah Circuit Court: CV-06-852; Civil Appeals : 2080914).

## Writ Denied. No Opinion.

1090997 Ex parte Keith Duane Congo. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Keith Duane Congo v. State of Alabama) (Madison Circuit Court: CC-08-4204; Criminal Appeals: CR-08-1555).

## Writ Denied. No Opinion.

1100322 Ex parte J.C. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J.C. v. Etowah County Department of Human Resources) (Etowah Juvenile Court: JU-08-312.01; Civil Appeals: 2090726).

## Writ Denied. No Opinion.

1100328 Ex parte J.V. & A.M.R.T. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J.V. & A.M.R.T. v. Alabama Department of Human Resources) (Mobile Juvenile Court: JU-09-164.92; Civil Appeals: 2090749, 2090750).

#### Writ Denied. No Opinion.

## Main, J.

1100429 Ex parte Darryl D. Riggins. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Darryl D. Riggins v. Warden Tony Patterson, et al.) (Montgomery Circuit Court: CV-10-156; Civil Appeals: 2100064).

## Writ Denied. No Opinion.

## Wise, J.

1100409 Ex parte Calvin Lamar. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Calvin Lamar v. Peyton A. Langford, III) (Autauga Circuit Court: CV-08-900101; Civil Appeals: 2090191).