



**LIST OF DECISIONS ANNOUNCED BY  
THE SUPREME COURT OF ALABAMA  
ON THURSDAY, JUNE 30, 2011**

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**Woodall, J.**

- 1100272 Lou Ann Downey and Delbert Downey v. Travelers Property Casualty Insurance Company (Certified Question from the U.S. Dist. Ct., No. Dist. Al., Mid. Div.: CV-09-PT-2539-M)).

**QUESTION ANSWERED.**

District Judge, Robert B. Propst, (205) 731-0291  
Pet. Atty., Rose Marie Allenstein, (256) 546-6314  
Pet. Atty., Myron K. Allenstien, (256) 456-6314  
Resp. Atty., Brenen G Ely, (205) 313-1200  
Resp. Atty., Joel S. Isenberg, (205) 313-1288  
Aple. Atty., Susan Haygood McCurry, (334) 821-1755

- 1100695 Ex parte Thomasville Feed & Seed, Inc. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Roy Saulsberry and Roy Saulsberry, Jr. v. Thomasville Feed & Seed, Inc.) (Wilcox Circuit Court: CV-10-900022).

**Petition Granted. Writ Issued.**

Circuit Judge, Marvin Wayne Wiggins, (334) 624-5620  
Pet. Atty., William J. Gamble, (334) 875-7810  
Resp. Atty., Robert Henry Turner, Sr, (334) 683-4111

**Stuart, J.**

- 1091533 Charles E. Jerkins v. Lincoln Electric Company et al. (Certified Question from the : U.S. District Court for the Northern District of Ohio, Eastern Division: No. 1:04-CV-18810)).

**Question(s) Answered.**

District Judge, Kathleen M. O'Malley, (216) 357-7000  
Aplt. Atty., John W. Barrett, (662) 834-2628  
Aplt. Atty., Scott O. Nelson, (228) 762-3161  
Aplt. Atty. - Pro Hac, Christopher T. Robertson, (573) 915-6492  
Aplt. Atty. - Pro Hac, David Shelton, (662) 281-1212  
Aple. Atty., Kevin C Alexandersen, (216) 241-1608  
Aple. Atty. - Pro Hac, Kristine Baker, (501) 379-1704  
Resp. Atty., Richard R. Barrett  
Aple. Atty. - Pro Hac, Stephen J. Harburg, (202) 371-7000  
Aple. Atty., John M. Herke, (504) 830-7800  
Aple. Atty., Timothy Wade Knight, (205) 968-9900  
Aple. Atty., James M. Matherne, (504) 524-7887  
Aple. Atty. - Pro Hac, Jessica D. Miller, (202) 371-7000  
Resp. Atty. - Pro Hac, Steven W. Quattlebaum, (501) 379-1700  
Aple. Atty., David Ross, (216) 430-2166

Aple. Atty., John B. Stalzer, (216) 687-1311  
Aple. Atty. - Pro Hac, John E. Tull, (501) 379-1705  
Aple. Atty., Thomas R. Wolf, (216) 687-1311  
Aple. Atty. - Pro Hac, Geoffrey M. Wyatt, (202) 371-7000  
Amicus Aple. Atty., Matthew Clay McDonald, (251) 432-1414  
Amicus Aple. Atty., Patrick L. W. Sefton, (334) 532-3400

- 1091767 Ex parte Wakilii Brown. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Wakilii Brown v. State of Alabama) (Talladega Circuit Court: CC01-290; Criminal Appeals : CR-07-1332).

**Affirmed.**

Circuit Judge, William E. Hollingsworth, III, (256) 761-2108  
Pet. Atty. - Pro Hac, Jeffrey H. Lerner, (202) 662-6000  
Pet. Atty., Mark Smith Nelson, (256) 362-0720  
Pet. Atty., Bryan Stevenson, (334) 269-1803  
Pet. Atty., Randall S. Susskind, (334) 269-1803  
Resp. Atty. General, Luther Strange, (334) 242-7447  
Resp. Dep. Atty. General, Thomas Govan, (334) 242-7455  
Resp. Asst. Gen. Counsel, John C. Neiman, Jr, (334) 353-2187  
Resp. Atty., James Clayton Crenshaw, (334) 242-7423

- 1100640 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Timothy T. Reck v. State of Alabama) (Baldwin Circuit Court: CC-05-625; Criminal Appeals : CR-09-1411).

**Reversed And Remanded.**

Circuit Judge, J. Langford Floyd, (251) 937-0237  
Pet. Atty. General, Luther Strange, (334) 242-7447  
Pet. Asst. Atty. General, Prim Formby Escalona, (334) 353-2188  
Pet. Asst. Atty. Gen., Jean Alexandra Therkelsen, (334) 242-7300  
Resp. Atty., Leonard F. Mikul, (251) 937-0046

**Shaw, J.**

- 1100226 Ex parte Beverly Scannelly. PETITION FOR WRIT OF MANDAMUS: CIVIL AND WRIT OF PROHIBITION (In re: Beverly Scannelly v. Gary Toxey) (Jefferson Circuit Court, Bessemer Division: CV-10-546).

**Petition Denied.**

Circuit Judge, Eugene R. Verin, (205) 497-8570  
Pet. Atty., Stephen K. Pudner, (205) 250-8318  
Pet. Atty., James H White, IV, (205) 250-8369  
Resp. Atty., Jon B. Terry, (205) 425-1606

- 1100233 Richard Brandon Stacey and Brenda Nicholson Stacey v. Patsy Stacey Evans (Appeal from Conecuh Circuit Court: CV09-69).

**Affirmed. No Opinion.**

Circuit Judge, Dawn Wiggins Hare, (251) 743-3649  
Apl. Atty., Richard Davis Crozier Nix, (251) 578-1544  
Aple. Atty., Everette A Price, Jr, (251) 809-0402

## **Main, J.**

1090804 First Union National Bank of Florida v. Lee County Commission and Phillip Summers (Appeal from Lee Circuit Court: CV-09-900037).

### **Affirmed.**

Circuit Judge, Jacob A. Walker, III, (334) 749-7156  
Apl. Atty., C. Nelson Gill, (334) 834-1180  
Apl. Atty., James David Martin, (334) 834-1180  
Apl. Atty., George W Walker, III, (706) 324-0050  
Aple. Atty., Chris M. Bazzell, (334) 749-4142  
Aple. Atty., Winthrop E. Johnson, (334) 262-1850  
Aple. Atty., S. Allen Martin, Jr, (334) 749-4142  
Aple. Atty., Stanley A. Martin, (334) 749-4142  
Aple. Atty., Mahaley McInnes, (334) 262-1850

1100600 Ex parte Sarah H. Stewart, Circuit Judge, 13th Judicial Circuit. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: Ex parte Kevin Byrd (In re: State of Alabama v. Kevin Byrd)) (Mobile Circuit Court: CC-95-1001; Criminal Appeals : CR-10-0035).

### **Petition Granted. Writ Issued.**

Pet. Circuit Judge, Sarah Hicks Stewart, (251) 574-8457  
Pet. Atty. General, Luther Strange, (334) 242-7447  
Pet. Asst. District Atty., Ashley M Rich, (251) 574-8400  
Pet. Asst. District Atty., Martha Adrienne Tierney, (251) 574-3307  
Resp. Atty., Charles H. Jones, Jr, (251) 438-4445  
Amicus Pet. Asst. Atty. General, Prim Formby Escalona, (334) 353-2188  
Amicus Pet. Asst. Atty. General, Barry D. Matson, (256) 362-2036  
Amicus Pet. Asst. Atty. General, John C. Neiman, Jr, (334) 353-2187

## **PER CURIAM**

1101004 Ex parte Terri L. Blatz. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Terri L. Blatz v. Christopher F. Blatz) (Autauga Circuit Court: DR-08-240; Civil Appeals : 2091127).

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

Circuit Judge, Ben A. Fuller, (334) 361-3766  
Resp. Atty., Clifford W Cleveland, (334) 365-1500