



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, JANUARY 29, 2010**

Woodall, J.

- 1081728 Ex parte J.E. Estes Wood Company, Inc. and A.A. Nettles, Sr. Properties, Ltd. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Shawnee Terminal Railroad v. J.E. Estes Wood Company, Inc., et al.) (Monroe Circuit Court: CV-09-900018).

Petition Granted. Writ Issued.

Circuit Judge, Dawn Wiggins Hare, (251) 743-3649
Pet. Atty., Kathryn W. Drey, (251) 338-2721
Pet. Atty., Christopher G. Hume, III, (251) 432-1414
Pet. Atty., Michael Anthony Shaw, (251) 447-0234
Resp. Atty., William Earl Bonner, (251) 432-5300
Resp. Atty., Brian P. McCarthy, (251) 431-8806

Stuart, J.

- 1081405 Madison County Department of Human Resources v. T.S., by her mother and next friend F.M., and F.M., individually (Appeal from Limestone Circuit Court: CV-08-292).

Remanded With Directions.

- 1081636 Ex parte Southeast Alabama Regional Healthcare Authority d/b/a Lakeview Hospital. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Shannon Ledbetter, as administratrix of the estate of Venoria Womack, deceased v. Ann M. Mottershaw, M.D., et al.) (Barbour Circuit Court: CV-09-900009).

Petition Granted. Writ Issued.

Circuit Judge, L. Bernard Smithart, (334) 775-3408
Pet. Atty., Stephen P Dees, (334) 206-3247
Pet. Atty., Fred W. Tyson, (334) 206-3225
Resp. Atty., Stanley A. Cash, (205) 251-1193
Resp. Atty., Rhonda Pitts Chambers, (205) 558-2800
Resp. Atty., Jack Buster Hinton, Jr, (334) 834-9950
Resp. Atty., L. Shane Seaborn, (334) 775-9778
Resp. Atty., Leah O. Taylor, (205) 558-2800
Resp. Atty., Ted Taylor, (205) 558-2800
Resp. Atty., Laura L. Voght, (404) 876-2700
Amicus Pet. Atty., Jackie H. Trimm, (205) 868-6000
Amicus Pet. Atty., Michael K. Wright, (205) 868-6000

1081644 Ex parte Ann M. Mottershaw, M.D. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Shannon Ledbetter, as administratrix of the estate of Venoria Womack, deceased v. Ann M. Mottershaw, M.D., et al.) (Barbour Circuit Court: CV-09-900009).

Petition Granted. Writ Issued.

Circuit Judge, L. Bernard Smithart, (334) 687-1524
Pet. Atty., Matthew R. Griffith, (334) 834-9950
Pet. Atty., Jack Buster Hinton, Jr, (334) 834-9950
Resp. Atty., Stanley A. Cash, (205) 251-1193
Resp. Atty., Rhonda Pitts Chambers, (205) 558-2800
Resp. Atty., James L. Martin, (334) 687-2766
Resp. Atty., L. Shane Seaborn, (334) 775-9778
Resp. Atty., Leah O. Taylor, (205) 558-2800
Resp. Atty., Ted Taylor, (205) 558-2800
Resp. Atty., Fred W. Tyson, (334) 206-3225
Resp. Atty., Michael K. Wright, (205) 868-6000

Smith, J.

1080884 Ex parte The Industrial Development Board of the City of Montgomery. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: George E. Russell et al v. The Industrial Development Board of the City of Montgomery; and Price McLemore et al. v. Industrial Development Board of the City of Montgomery) (Montgomery Circuit Court: CV-04-3282 and 05-1728).

Petition Granted. Writ Issued.

Circuit Judge, William A. Shashy, (334) 832-1370
Pet. Atty., Jesse P Evans, III, (205) 254-1431
Pet. Atty., Thomas T. Gallion, III, (334) 265-8573
Pet. Atty., Constance Caldwell Walker, (334) 265-8573
Resp. Atty., Frank H. Hawthorne, Jr, (334) 269-5010
Resp. Atty., Randy Myers, (334) 269-5010

Bolin, J.

1081820 Ex parte Joshua Logan Muse. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joshua Logan Muse v. State of Alabama) (Shelby Circuit Court: CC08-663; CC08-664; Criminal Appeals : CR-08-0699).

Writ Denied. No Opinion.

Circuit Judge, G. Daniel Reeves, (205) 669-8588
Pet. Atty., W. Barry Alvis, (205) 444-4773
Pet. Atty., Marcus B. Polson, (205) 252-7000
Pet. Atty., Whitney B. Polson, (205) 871-8838
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. Gen., Jack William Willis, (334) 242-7326

1090062 Ex parte Huey Lee Brannon. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Huey Lee Brannon, alias v. State of Alabama) (Tuscaloosa Circuit Court: CC-03-1564; Criminal Appeals : CR-06-1571).

Writ Denied. No Opinion. (Special Writing)

Circuit Judge, John H. England, Jr., (205) 349-3870
Pet. Atty., Jeffrey Rainer, (205) 343-1889
Resp. Atty. General, Troy Robin King, (334) 242-7401

Resp. Asst. Gen. Counsel, John J. Davis, (334) 353-9131

1090290 Ex parte R.J.G. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: R.J.G. v. S.S.W.) (Baldwin Juvenile Court: JU-2008-403.01 and CS-2005-313.01; Civil Appeals : 2080509).

Writ Denied.

Parker, J.

1051804 Thomas C. Crews v. National Boat Owners Association Marine Insurance Agency, Inc., et al. (Appeal from Montgomery Circuit Court: CV-05-2232).

Affirmed.

Circuit Judge, Johnny Hardwick, (334) 832-1380

Aplt. Atty., Richard H Gill, (334) 834-1180

Aplt. Atty., Susan Reeves, (205) 322-6631

Aple. Atty., Paul A. Clark, (334) 834-7600

Aple. Atty., G. Lane Knight, (334) 834-6500

Aple. Atty., Laura C. Nettles, (205) 967-8822

Shaw, J.

1081278 Ex parte S. A. L. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: S. A. L. v. State of Alabama) (Houston Juvenile Court: JU-06-189.02; Criminal Appeals : CR-07-2092).

Writ Quashed. No Opinion.

1080826 Terry Surles, 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).

Reversed And Remanded.

Circuit Judge, Charles E. Robinson, (205) 594-2187

Aplt. Atty. General, Troy Robin King, (334) 242-7401

Aplt. Asst. Atty. General, Corey Landon Maze, (334) 242-4891

Aplt. Asst. Atty. General, Cheairs M. Porter, (334) 353-8811

Aplt. District Atty., Richard Minor, (205) 338-9429

Aplt. Atty., Charles Keith Hamilton, (205) 879-1100

Aplt. Atty., Bruce F. Rogers, (205) 879-1100

Aplt. Atty., Billy Ray Weathington, Jr, (205) 640-2000

Aplt. Atty., Kendrick E. Webb, (334) 262-1850

Aplt. Atty., Gary L. Willford, Jr, (334) 262-1850

Aple. Atty., Phillip Matthew Abbott, (205) 338-7800

Aple. Atty., P. Thomas Dazzio, Jr, (205) 278-7000

Aple. Atty., Jeff Friedman, (205) 278-7000

Aple. Atty., Lee T Patterson, (205) 278-7000

Aple. Atty., Kenneth S. Steely, (251) 439-7535

Aple. Atty., William J. Trussell, (205) 338-7273

Amicus Aplt. Atty., Melvin David Barber, (205) 531-3375

Amicus Aplt. Atty., Benjamin D. Dupre, (334) 262-1245

Amicus Aplt. Atty., Roy S. Moore, (334) 262-1245

Amicus Aplt. Atty., Henry Theodore Reagan, II, (334) 242-7120

Amicus Aple. Atty., Kirkland E Reid, (251) 439-7513

Amicus Aple. Atty., I. Nelson Rose, (818) 788-8509

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).

Reversed And Remanded.

Circuit Judge, Charles E. Robinson, (205) 594-2187
Aplt. Asst. Atty. General, Corey Landon Maze, (334) 242-4891
Aplt. Asst. Atty. General, Cheairs M. Porter, (334) 353-8811
Aple. District Atty., Melvin David Barber, (205) 531-3375
Aple. District Atty., Richard Minor, (205) 338-9429
Aple. Atty., Phillip Matthew Abbott, (205) 338-7800
Aple. Atty., Charles Keith Hamilton, (205) 879-1100
Aple. Atty., Henry Theodore Reagan, II, (334) 242-7120
Aple. Atty., Bruce F. Rogers, (205) 879-1100
Aple. Atty., Kenneth S. Steely, (251) 439-7535
Aple. Atty., William J. Trussell, (205) 338-7273
Aple. Atty., Billy Ray Weathington, Jr, (205) 640-2000
Aple. Atty., Gary L. Willford, Jr, (334) 262-1850

ON REHEARING

1080805 David Barber, Emory Folmar, and Christopher Murphy v. Cornerstone Community Outreach, Inc., and Freedom Trail Ventures, Ltd. (Appeal from Lowndes Circuit Court: CV-09-900019).

Application Overruled. No Opinion.

Circuit Judge, Mark Kennedy, (334) 263-9899
Circuit Judge, Robert S. Vance, Jr., (205) 325-5035
Aplt. District Atty., Melvin David Barber, (205) 531-3375
Aplt. Atty., Henry Theodore Reagan, II, (334) 242-7120
Aple. Atty., Lee Hall Copeland, (334) 834-1180
Aple. Atty., Joe Espy, III, (334) 263-6621
Aple. Atty., William Martin Espy, (334) 263-6621
Aple. Atty., James David Martin, (334) 834-1180
Aple. Atty., Collins - Pettaway, Jr, (334) 875-9264
Aple. Atty., Robert D Segall, (334) 834-1180
Amicus Aple. Atty., William Glassell Somerville, (205) 328-0480
Amicus Aple. Atty., Susan S. Wagner, (205) 250-8310
Amicus Aple. Atty., Andrew P. Walsh, (205) 328-0480

1080806 Governor Bob Riley v. Cornerstone Community Outreach, Inc., and Freedom Trail Ventures, Ltd. (Appeal from Lowndes Circuit Court: CV-09-900019).

Application Overruled. No Opinion.

Circuit Judge, Mark Kennedy, (334) 263-9899
Circuit Judge, Robert S. Vance, Jr., (205) 325-5035
Aplt. Atty., Henry Theodore Reagan, II, (334) 242-7120
Aple. Atty., Lee Hall Copeland, (334) 834-1180
Aple. Atty., Joe Espy, III, (334) 263-6621
Aple. Atty., William Martin Espy, (334) 263-6621
Aple. Atty., Collins - Pettaway, Jr, (334) 875-9264
Aple. Atty., Robert D Segall, (334) 834-1180