



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, FEBRUARY 26, 2010**

Cobb, C.J.

- 1080647 Albert William Randall v. James E. Smith, as personal representative of the estate of Elizabeth B. Randall (Appeal from Baldwin Circuit Court: CV-07-915).

Affirmed. No Opinion.

Circuit Judge, Robert E. Wilters, (251) 580-2570
Aplt. Atty., Michael Adrian Hart, (251) 928-8200
Aple. Atty., Peter F. Burns, (251) 432-0612
Aple. Atty., Troy T. Schwant, (251) 432-0612
Aple. Atty., Whitmer Thomas, (251) 943-9330

Lyons, J.

- 1081096 Sharon Melton v. Harbor Pointe, LLC (Appeal from Lee Circuit Court: CV-08-900126).

Affirmed.

Circuit Judge, Jacob A. Walker, III, (334) 749-7156
Aplt. Atty., Henry L. Penick, (205) 252-2538
Aple. Atty., Philip A Thompson, (334) 821-3892

- 1090466 Ex parte Annie Hill, Shirley Winfrey, and Cheryl Baswell-Guthrie. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Annie Hill, Shirley Winfrey, and Cheryl Baswell-Guthrie v. Eulene Langley, representative of the Estate of James Maddox) (Winston Circuit Court: CV-06-155; Civil Appeals : 2061188, 2070104).

Writ Denied. No Opinion.

Circuit Judge, Talmage Lee Carter, (205) 486-9522
Pet. Atty., E Britton Monroe, (205) 967-8822
Pet. Atty., Taffi S. Stewart, (205) 967-8822
Pet. Atty., Rachel E. VanNortwick, (205) 967-8822
Resp. Atty., Herbert E Browder, (205) 349-1910
Resp. Atty., Betsy Harrison, (205) 489-8118

Smith, J.

- 1080626 C & C Construction, LLC, and Charles Gary Gebhart v. James R. Marshall and Anita Marshall, individually and d/b/a Marshall Enterprises (Appeal from Geneva Circuit Court: CV-08-79).

Affirmed. No Opinion.

Circuit Judge, Kenneth W. Quattlebaum, (334) 774-3726
Apl. Atty., E Britton Monroe, (205) 967-8822
Apl. Atty., Mickey B Wright, (205) 967-8822
Aple. Atty., Charles M. Burgess, III, (334) 493-1313
Aple. Atty., Matthew B. Reeves, (256) 536-1711
Aple. Atty., Roderic G. Steakley, (256) 536-1711

- 1080902 Patsy Nicholson, as executrix of the estate of Shawn Dwayne Nicholson, deceased v. A & B Cycle, Inc. (Appeal from Mobile Circuit Court: CV-08-638).

Affirmed. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Apl. Atty. - Pro Hac, David T. Bright, (361) 887-0500
Apl. Atty., David M. Huggins, (251) 432-2855
Aple. Atty., Jeffrey L. Luther, (251) 433-8088
Aple. Atty., E. Glenn Smith, (251) 433-8088

Bolin, J.

- 1081076 Vida Newell v. Diane Sue Fuqua (Appeal from Calhoun Circuit Court: CV-06-805).

Affirmed. No Opinion.

Circuit Judge, Richard Joel Laird, Jr., (256) 231-1822
Apl. Atty., Thomas J Knight, (256) 237-9586
Aple. Atty., Edward C. Hixon, (334) 396-8882
Aple. Atty., Ellenann B. Yelverton, (334) 396-8882

- 1090248 Ex parte Anthony Brandon Leeks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Anthony Brandon Leeks v. State of Alabama) (Etowah Circuit Court: CC06-1067.60; Criminal Appeals : CR-07-1551).

Writ Denied. No Opinion.

Circuit Judge, David Alan Kimberley, (256) 549-5372
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7376

Parker, J.

- 1050839 Ex parte American Cast Iron Pipe Co. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: American Cast Iron Pipe Co. v. John Michael Bryan) (Jefferson Circuit Court: CV 03-7096; Civil Appeals : 2040465).

Writ Quashed. No Opinion.

Circuit Judge, Joseph L. Boohaker, (205) 325-5753
Pet. Atty., Joseph H. Driver, (205) 822-2006
Pet. Atty., Thomas L Oliver, II, (205) 822-2006
Resp. Atty., Stewart Gregory Springer, (205) 835-5675

1090026 Ex parte State of Alabama and Governor Bob Riley. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: E. Lamar Little and Surfside Development Corporation v. State of Alabama and Governor Bob Riley) (Baldwin Circuit Court: CV-09-900631).

Petition Granted. Writ Issued.

Circuit Judge, J. Langford Floyd, (251) 937-0237
Pet. Atty., William Adams Gunter, IV, (334) 242-3254
Resp. Atty., Daniel G. Blackburn, (251) 937-1750

Murdock, J.

1070925 Ex parte Alabama Department of Revenue. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Kimberly-Clark Corporation and Kimberly-Clark Worldwide, Inc. v. Alabama Department of Revenue) (Montgomery Circuit Court: CV-03-994 and CV-03-2157; Civil Appeals : 2061117).

Reversed And Remanded.

Circuit Judge, Johnny Hardwick, (334) 832-1380
Pet. Atty. General, Troy Robin King, (334) 242-7401
Pet. Asst. Atty. General, Mark Douglas Griffin, (334) 242-9690
Pet. Atty., Ron Bowden, (334) 242-9690
Pet. Atty., Jeffrey Earl Patterson, (334) 215-4446
Resp. Atty., Marc James Ayers, (205) 521-8598
Resp. Atty., Bruce P. Ely, (205) 521-8000
Resp. Atty., Christopher R. Grissom, (205) 521-8000
Resp. Atty., Joseph B. Mays, Jr, (205) 521-8433