



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, MARCH 5, 2010**

Cobb, C.J.

- 1090376 Ex parte Joshua Noel Jones. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joshua Noel Jones v. State of Alabama) (Houston Circuit Court: CC08-337; Criminal Appeals : CR-08-0064).

Writ Denied. No opinion

Circuit Judge, Sidney Jackson, (334) 677-4854
Pet. Atty., Billy J. Sheffield, II, (334) 794-3733
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

Lyons, J.

- 1090450 Ex parte Cassandra Reiter. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Cassandra Reiter v. State of Alabama) (Franklin Circuit Court: CC-08-65; Criminal Appeals : CR-08-1173).

Writ Denied. No Opinion.

- 1090476 Ex parte Fredrick Dewayne Ivory. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Fredrick Dewayne Ivory, alias v. State of Alabama) (Tuscaloosa Circuit Court: CC06-201; Criminal Appeals : CR-08-0850).

Writ Denied. No Opinion.

Circuit Judge, William Scott Donaldson, (205) 349-3870
Pet. Atty., James E. Gentry, (205) 349-4147
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Atty., Kristi O Wilkerson, (334) 353-8563

Woodall, J.

- 1090506 Ex parte Cornelius Drisker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Cornelius Drisker, alias v. State of Alabama) (Macon Circuit Court: CC08-113; Criminal Appeals : CR-08-1241).

Writ Denied. No Opinion.

Circuit Judge, Thomas F. Young, Jr., (256) 234-7901
Pet. Atty., Jerry M. Blevins, (334) 262-7600
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

1090534 Ex parte Darius Christopher Johnson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darius Christopher Johnson, alias v. State of Alabama) (Montgomery Circuit Court: CC08-1592; Criminal Appeals : CR-08-1456).

Writ Denied. No Opinion.

Circuit Judge, Johnny Hardwick, (334) 832-1380
Pet. Atty., Michael Lee Kidd, (334) 834-5433
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

1090535 Ex parte Chauncey McLemore. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Chauncey McLemore v. State of Alabama) (Chambers Circuit Court: CC08-43; Criminal Appeals : CR-08-1446).

Writ Denied. No Opinion.

Circuit Judge, Ray Dunn Martin, (256) 825-1084
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

1090566 Ex parte Robert Melvin Dawson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Robert Melvin Dawson v. Sheila Ann Crowder) (Colbert Circuit Court: DR-86-216.03; Civil Appeals : 2080666).

Writ Denied. No Opinion.

Circuit Judge, Harold V. Hughston, Jr., (256) 386-8526
Pet. Atty., John Eric Burnum, (256) 974-7087
Resp. Atty., Thomas A Minetree, II, (256) 389-8820

1090594 Ex parte John Hamilton McLain V. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: John Hamilton McLain V v. State of Alabama) (Madison Circuit Court: CC-08-5088; 08-5089; 08-5092; 08-5093; 08-5094; 08-5095; Criminal Appeals : CR-08-0983).

Writ Denied. No Opinion.

1090621 Ex parte Richard C. Denton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Richard C. Denton v. State of Alabama) (Colbert Circuit Court: CC07-124.60; Criminal Appeals : CR-08-1618).

Writ Denied. No Opinion.

Special TC Judge, Harold V. Hughston, Jr., (256) 386-8526
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

Stuart, J.

1080041 Ex parte Emily Richey Thompson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Emily Richey Thompson v. Kristopher Eric Richey) (Marshall District Court: DR-05-200389; Civil Appeals : 2070305).

Reversed And Remanded.

Circuit Judge, Allen Tim Jolley, (256) 878-8597
Pet. Atty., Joan Marie Kettell Dean, (256) 534-4557

1081808 Pamela Hunter v. Levi Harris et al. (Appeal from Mobile Circuit Court: CV-06-1060).

Affirmed. No Opinion.

Circuit Judge, John Ray Lockett, (251) 574-8477
Apl. Atty., Andrew T Citrin, (251) 626-7766
Apl. Atty., Samuel P McClurkin, IV, (251) 626-7766
Aple. Atty., Paul Thomas Beckmann, (251) 432-5511
Aple. Atty., J. Matt Bledsoe, (334) 242-7443
Aple. Atty., Rod Cate, (251) 634-6274
Aple. Atty., Rebecca J. Luck, (334) 242-3038
Aple. Atty., Courtney W. Tarver, (334) 242-3038

1090381 Ex parte Gordon, Dana, Still, Knight & Gilmore, LLC, as successor to Gordon & Associates, LLC. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Gordon, Dana, Still, Knight & Gilmore, LLC, as successor to Gordon & Associates, LLC v. Jefferson County) (Jefferson Circuit Court: CV-07-1563; Civil Appeals : 2071028).

Writ Denied.

Circuit Judge, J. Scott Vowell, (205) 325-5200
Pet. Atty., John Gibbs Dana, (205) 874-7950
Resp. Atty., Carl Stanley Burkhalter, (205) 254-1000
Resp. Atty., Theodore Alfred Lawson, II, (205) 325-5688
Resp. Atty., Keith Maddox, (334) 242-9690
Resp. Atty., Gregg M. McCormick, (205) 254-1846
Resp. Atty., Charles S. Wagner, (205) 325-5688

1090529 Ex parte William Lloyd Lightner. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Lloyd Lightner v. State of Alabama) (Houston Circuit Court: CC07-1553; Criminal Appeals : CR-08-1471).

Writ Denied. No Opinion.

Circuit Judge, Henry D. (Butch) Binford, (334) 677-4848
Pet. Atty., Tammy Lynn Stinson, (334) 445-2761
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. Gen., Beth Slate Poe, (334) 242-7377

1090533 Ex parte Travis Pickens. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Travis Pickens v. State of Alabama) (Baldwin Circuit Court: CC07-1244; Criminal Appeals : CR-08-1172).

Writ Denied. No Opinion.

Circuit Judge, Robert E. Wilters, (251) 580-2570
Pet. Atty., Larry C Moorer, (251) 432-0002
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. Gen., Cecil Gordon Brendle, Jr, (334) 242-7357

1090559 Ex parte B. N. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: B. N. v. State of Alabama) ; Criminal Appeals : CR-08-1443).

Writ Denied. No Opinion.

1090572 Ex parte Frederick F. Wroten. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Frederick F. Wroten v. State of Alabama) (Baldwin Circuit Court: CC-04-2408; Criminal Appeals : CR-07-2105).

Writ Denied. No Opinion.

1090604 Ex parte Wills Creek Management, Inc. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Wills Creek Management, Inc. v. Charles A. McGee) (DeKalb Circuit Court: CV-08-09; Civil Appeals : 2080845).

Writ Denied. No Opinion.

Circuit Judge, Randall L. Cole, (256) 845-8540
Pet. Atty., Robert Byrant French, Jr, (256) 845-2250
Resp. Atty., Ralph K Strawn, Jr, (256) 543-9790

1090608 Ex parte Otis D. Hartley, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Otis D. Hartley, Jr. v. State of Alabama) (Blount Circuit Court: CC05-31.60; Criminal Appeals : CR-08-0482).

Writ Denied. No Opinion.

Circuit Judge, Steven David King, (205) 625-4145
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 353-0074

Smith, J.

1081262 Lee Grimes and Tammy King v. Mobile County (Appeal from Mobile Circuit Court: CV-08-1535).

Affirmed. No Opinion.

Circuit Judge, Charles A. Graddick, (251) 574-5639
Apl. Atty., John W. Parker, (251) 621-2216
Aple. Atty., C. Mark Erwin, (251) 432-8120
Aple. Atty., Brian Thomas Pugh, (251) 432-8120
Aple. Atty., Deena Renee Tyler, (251) 432-8120

1090307 Ex parte Rhonda E. Collins. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Rhonda E. Collins v. Williams-Sonoma, Inc.) (Jefferson Circuit Court: CV-07-840; Civil Appeals : 2080508).

Writ Denied. No Opinion.

Circuit Judge, Helen Shores Lee, (205) 325-5635
Pet. Atty., Chuck Hunter, (205) 324-1234
Resp. Atty., Evelyn M. Fletcher, (404) 614-7548
Resp. Atty., Kimberly D Stevens, (404) 614-7400

1090558 Ex parte Justin Riley Brown. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Justin Riley Brown v. City of Sheffield) (Colbert Circuit Court: CC08-294; Criminal Appeals : CR-08-1329).

Writ Denied. No Opinion.

Special TC Judge, Harold V. Hughston, Jr., (256) 386-8526
Pet. Atty., Basil Timothy Case, (256) 740-0488
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Atty., B. T. Gardner, Jr., (256) 381-9808

1090568 Ex parte Phillip Gay. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Phillip Gay v. Tuscaloosa County Commission, et al.) (Tuscaloosa Circuit Court: CV-08-879; Civil Appeals : 2080489).

Writ Denied. No Opinion.

Circuit Judge, Charles R. Malone, (205) 349-3870

Resp. Atty., Robert Spence, (205) 344-5000

- 1090570 Ex parte Darrell Banks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darrell Banks v. State of Alabama) (Barbour Circuit Court: CC03-139.62; CC03-141.62; Criminal Appeals : CR-08-1735).

Writ Denied. No Opinion.

Circuit Judge, L. Bernard Smithart, (334) 775-3408
Resp. Atty. General, Troy Robin King, (334) 242-7401

- 1090610 Ex parte John Frederick Burton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: John Frederick Burton v. State of Alabama) (Mobile Circuit Court: CC08-471; Criminal Appeals : CR-08-0487).

Writ Denied. No Opinion.

Circuit Judge, Roderick P. Stout, (251) 574-8482
Pet. Atty., Linda Collins Jensen, (251) 441-0081
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328

Bolin, J.

- 1081419 Lou Byram, as widow and dependent of Hugh Byram, deceased v. Honeywell International, Inc. et al. (Appeal from Jefferson Circuit Court: CV-08-690).

Affirmed. No Opinion.

Circuit Judge, Eugene R. Verin, (205) 481-4170
Apl. Atty., Martin Kassab Berks, (205) 326-1000
Apl. Atty., Cletus Ernster
Apl. Atty., Trey Taylor
Apl. Atty., Chad Wesley Bryan, (334) 241-8000
Apl. Atty., Krista Leigh DeWitt, (205) 251-1193
Apl. Atty., James G House, III, (601) 960-3184
Apl. Atty., Frank E. Lankford, Jr., (205) 251-1193
Apl. Atty., John Dickson Mayo, (205) 581-0769
Apl. Atty., Robert F. Northcutt, (334) 241-8000
Apl. Atty., William Larkin Radney, IV, (205) 581-0786

- 1090332 Ex parte Sean Alonza Bias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Sean Alonza Bias v. State of Alabama) (Jefferson Circuit Court, Bessemer Division: CC08-356; CC08-357; Criminal Appeals : CR-08-1297).

Writ Denied. No Opinion.

Circuit Judge, Douglas Mac Parsons, (205) 481-4170
Pet. Atty., Edward D. Tumlin, (205) 424-6868
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328

- 1090386 Ex parte Carlos Gomez and Daina Gomez, Intervenors. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Carlos Gomez and Daina Gomez, Intervenors v. Sara Maria Gomez Fry, Jason Donald Fry, Terry Fry, and Judy Fry) (Jefferson Circuit Court: DR-07-1682; Civil Appeals : 2080596).

Writ Denied. No Opinion.

Circuit Judge, J. Gary Pate, (205) 325-5022
Pet. Atty., Randall Wayne Nichols, (205) 838-9002

Resp. Atty., Richard V. Baker
Resp. Atty., David Dorn, (205) 877-3877
Resp. Atty., Tommy E. Tucker, (205) 425-5711

- 1090525 Ex parte Michael D. Lovejoy. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael D. Lovejoy v. State of Alabama) (Jefferson Circuit Court: CC-08-914; Criminal Appeals : CR-08-1290).

Writ Denied. No Opinion.

Parker, J.

- 1081388 Ex parte Brian Heath Harrison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Brian Heath Harrison v. State of Alabama) (Montgomery Circuit Court: CV08-793; Criminal Appeals : CR-08-0086).

Writ Denied. No Opinion.

Circuit Judge, Charles Price, (334) 832-1331
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

- 1081412 Ex parte Mary Dawn Weston. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Mary Dawn Weston v. Timothy A. Stewart) (Madison Circuit Court: CV-07-1328; Civil Appeals : 2080500).

Writ Denied. No Opinion.

Circuit Judge, Edward L. Ramsey, (205) 325-5280
Resp. Atty., Stanley Rodgers, (256) 535-1100

- 1081425 Ex parte Anthony L. Hicks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Anthony L. Hicks v. State of Alabama) (Mobile Circuit Court: CC02-2144; Criminal Appeals : CR-08-1452).

Writ Denied. No Opinion.

Circuit Judge, Roderick P. Stout, (251) 574-8482
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. District Atty., John M. Tyson, Jr., (251) 574-8400

- 1081429 Ex parte Courtney Hearn. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Courtney Hearn, alias v. State of Alabama) (Talladega Circuit Court: CC07-741; Criminal Appeals : CR-07-2069).

Writ Denied. No Opinion.

Circuit Judge, William E. Hollingsworth, III, (256) 761-2108
Pet. Atty., Scott Johnson, Jr., (334) 356-5200
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7378

- 1081454 Ex parte Anthony W. Heflin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Anthony W. Heflin v. State of Alabama ex rel. Ramona G. Olsen) (Lauderdale Circuit Court: DR-88-266.02; Civil Appeals : 2080003).

Writ Denied. No Opinion.

Circuit Judge, James Harold Sandlin, Jr., (256) 760-5825
Resp. Atty., Jennifer M. Bush, (334) 242-9330
Resp. Atty., Stacy Bryant Hooper, (256) 764-6351

1081460 Ex parte Charleston D. Thomas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charleston D. Thomas v. State of Alabama) (Jefferson Circuit Court, Bessemer Division: CC05-1292; Criminal Appeals : CR-05-1553).

Writ Denied. No Opinion.

Circuit Judge, Douglas Mac Parsons, (205) 481-4170
Pet. Atty., Erskine R. Mathis, (205) 252-1111
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7378

1081496 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Johnny R. Coach, Jr. v. State of Alabama) (Jefferson Circuit Court: CC04-3824; Criminal Appeals : CR-08-0321).

Writ Denied. No Opinion.

Circuit Judge, J. William Cole, (205) 325-5290
Pet. Atty. General, Troy Robin King, (334) 242-7401
Pet. Atty., Kristi O Wilkerson, (334) 353-8563
Resp. Atty., Richard E. Sandefer, (205) 681-6323

1081544 Ex parte Phillip Wayne Tomlin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Phillip Wayne Tomlin v. State of Alabama) (Mobile Circuit Court: CC93-1494.60; Criminal Appeals : CR-08-0493).

Writ Denied. No Opinion.

Circuit Judge, Michael Anthony Youngpeter, (251) 574-8780
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

1081563 Ex parte Luis Omar Marrero. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Luis Omar Marrero v. State of Alabama) (Tuscaloosa Circuit Court: CC05-217; Criminal Appeals : CR-07-1965).

Writ Denied. No Opinion.

Circuit Judge, John H. England, Jr., (205) 349-3870
Pet. Atty., Thomas Martele Goggans, (334) 834-2511
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328

1081586 Ex parte Latarence J. Benson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Latarence J. Benson v. State of Alabama) (Jefferson Circuit Court: CC05-1911; Criminal Appeals : CR-08-1684).

Writ Denied. No Opinion.

Circuit Judge, Laura Petro, (205) 325-5646
Resp. Atty. General, Troy Robin King, (334) 242-7401

Murdock, J.

- 1070960 Lisa Dixon, as administratrix of the estate of Maurine Humphreys, deceased v. Hot Shot Express, Inc., and John Jenkins (Appeal from Walker Circuit Court: CV-03-191).

Affirmed.

Circuit Judge, Jerry Selman, (205) 384-7237
Apl. Atty., J. Kenneth Guin, Jr, (205) 924-0061
Apl. Atty. - Pro Hac, Kenneth Shigley, (404) 253-7862
Aple. Atty., Douglas Hugh Bryant, (205) 639-5300
Aple. Atty., Keri D. Simms, (205) 639-5300

- 1080301 William Randall Owens, as personal representative of the estate of William Bryant Owens, deceased, and Debra Owens Allen, as personal representative of the estate of Bradley Trae Cobb, deceased v. Chilton County and Chilton County Commissioners (Appeal from Chilton Circuit Court: CV-07-900125).

Affirmed. No Opinion.

Circuit Judge, Sibley G. Reynolds, (205) 755-0311
Apl. Atty., Michael Anthony Vercher, (205) 250-6621
Aple. Atty., Alice H. Emfinger, (334) 387-7680
Aple. Atty., Wayne (NMN) Morse, Jr, (205) 327-8376
Aple. Atty., Charles Winston Sheehan, Jr, (334) 387-7680
Aple. Atty., Susan Jane Walker, (205) 254-3216

- 1080511 William Randall Owens, as personal representative of the estate of William Bryant Owens, deceased, and Debra Owens Allen, as personal representative of the estate of Bradley Trae Cobb, deceased v. Chilton Water Authority (Appeal from Chilton Circuit Court: CV-07-900125).

Affirmed. No Opinion.

Circuit Judge, Sibley G. Reynolds, (205) 755-0311
Apl. Atty., Michael Anthony Vercher, (205) 250-6621
Aple. Atty., Wayne (NMN) Morse, Jr, (205) 327-8376

PER CURIAM

- 1061418 Noland Health Services, Inc., and Long Term Hospital of Huntsville, LLC v. State Health Planning & Development Agency et al. (Appeal from Montgomery Circuit Court: CV-06-1343).

Affirmed In Part; Reversed In Part; Remanded.

Circuit Judge, Johnny Hardwick, (334) 832-1380
Apl. Atty., Roy J. Crawford, (205) 716-5293
Apl. Atty., Sydney Fletcher Frazier, Jr, (205) 716-5200
Aple. Atty., Dana H. Billingsley, (334) 265-1500
Aple. Atty., Alvin L. "Peck" Fox, Jr., (334) 262-2001
Aple. Atty., David M. Hunt, (205) 458-9433
Aple. Atty., G. Dennis Nabors, (334) 262-2000
Aple. Atty., Mark D. Wilkerson, (334) 265-1500

- 1061704 Ronald M. Broems and Toni M. Bennett v. A. Evans Crowe (Appeal from Mobile Circuit Court: CV-05-24.51).

Affirmed. No Opinion.

Circuit Judge, Ferrill D. McRae, (251) 574-8485
Aple. Atty., Rebecca D. Parks, (251) 715-7300

Aple. Atty., Benjamin T Rowe, (251) 415-7302

- 1071677 Carter Stockton & The Stockton Family Limited Partnership v. James G. Harrison & Stephens, Millirons, Harrison & Gammons, PC (Appeal from Madison Circuit Court: CV-05-1193).

Affirmed. No Opinion.

Circuit Judge, Harry Frank Brunner, Jr., (256) 775-4653
Apl. Atty., Clarence Leslie McDorman, (205) 871-3800
Aple. Atty., Robert C. Lockwood, (256) 533-0202
Aple. Atty., Robert Victor Wood, Jr, (256) 533-0202

- 1081627 Bill Salter Advertising, Inc. v. Phyllis Jean Pugh and John B. Pugh (Appeal from Baldwin Circuit Court: CV-06-736).

Affirmed. No Opinion.

Circuit Judge, J. Langford Floyd, (251) 937-0237
Apl. Atty., Allen Weldon Lindsay, Jr., (850) 623-3200
Apl. Atty., Heather Fisher Lindsay, (850) 623-3200
Aple. Atty., Mary E Murchison, (251) 955-1572
Aple. Atty., Chandra C. Wright, (251) 955-1572

- 1060136 Jacquelyn Rowe v. Cheryl Breland (Appeal from Mobile Circuit Court: CV-03-3766).

Affirmed. No Opinion.

Circuit Judge, Joseph S. Johnston, (251) 574-8685
Apl. Atty., Bryan Gerard Duhe, (251) 479-6500
Aple. Atty., Mark A Newell, (251) 441-9955

ON REHEARING

- 1070531 1568 Montgomery Highway, Inc. v. City of Hoover, Alabama, a municipal corporation (Appeal from Jefferson Circuit Court: CV-05-223).

Application Granted; Opinion of September 11, 2009, Withdrawn; Opinion Substituted; Affirmed.

Circuit Judge, Robert S. Vance, Jr., (205) 325-5035
Apl. Atty., Amy L. Herring, (256) 534-6565
Aple. Atty. General, Troy King, (334) 242-7300
Aple. Atty., Mark S. Boardman, (205) 678-8000
Aple. Atty., Philip F. Hutcheson, (205) 678-8000
Aple. Atty., Winfield J. Sinclair, (334) 353-9110

- 1071224 Shelvia Graves v. Brookwood Health Services, Inc., d/b/a Brookwood Medical Center (Appeal from Jefferson Circuit Court: CV-02-4480).

Application Overruled. No Opinion.

Circuit Judge, Helen Shores Lee, (205) 325-5635
Apl. Atty., James R. Moncus, III, (205) 328-5330
Apl. Atty., S. Shay Samples, (205) 328-5330
Aple. Atty., George E. Newton, II, (205) 868-6000
Aple. Atty., Sybil Vogtle Newton, (205) 868-6000
Aple. Atty., Michael K. Wright, (205) 868-6000

- 1080269 John O. Swanstrom, individually and as personal representative of the estate of John E. Swanstrom, Jr., et al. v. Teledyne Continental Motors, Inc., et al. (Appeal from Mobile Circuit Court: CV-04-730).

Application Overruled. No Opinion.

Circuit Judge, John Ray Lockett, (251) 574-8477

Aplt. Atty., Michael Leon Jackson, (205) 874-0315
Aplt. Atty. - Pro Hac, Casey F. Schaden, (303) 465-3663
Aplt. Atty. - Pro Hac, Richard F. Schaden, (303) 465-3663
Aple. Atty. - Pro Hac, Patrick E. Bradley, (609) 987-0050
Aple. Atty., William H Brooks, (205) 581-0758
Aple. Atty., Banks Sewell, III, (205) 581-0760
Aple. Atty., Lacey Daughdrill Smith, (251) 405-1300
Aple. Atty. - Pro Hac, Thomas J. Strueber, (404) 876-2700
Aple. Atty., Norman E. Waldrop, Jr, (251) 405-1300

1080728 Steven R. Sears v. Ben McCrory (Appeal from Shelby Circuit Court: CV-08-1019).

Application Overruled. No Opinion.

Circuit Judge, Robert M. Harper, (334) 749-7158
Aplt. Atty., John A. Hamilton, Jr, (205) 665-4412
Aple. Atty., Lauren G. Goodman, (205) 322-1744
Aple. Atty., James W. Porter, II, (205) 322-1744

1080818 G.UB.MK Constructors and Eric M. Leslie v. Darlene Garner, as administratrix of the estate of Wendell Garner, deceased (Appeal from Jackson Circuit Court: CV-05-34).

Application Overruled. No Opinion.

Circuit Judge, John Henninger Graham, (256) 574-9345
Aplt. Atty., Lynn Hare Phillips, (205) 322-3040
Aplt. Atty., Stephanie White Schmidt, (205) 322-3040
Aple. Atty., Brian Keith Jackson, (205) 879-5000
Aple. Atty., Robert R. Riley, Jr, (205) 879-5000