



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, MAY 15, 2009**

Woodall, J.

- 1071534 William R. Jewett v. Lester Boihem (Appeal from Baldwin Circuit Court: CV-07-900012).

Affirmed.

Circuit Judge, James Harvey Reid, Jr., (251) 937-0290
Aplt. Atty., Julian B. Brackin, Jr., (251) 943-4040
Aplt. Atty., Stephen Johnson, (251) 943-4040
Aple. Atty., Daniel G. Blackburn, (251) 937-1750
Aple. Atty., Rebecca Ann Gaines, (251) 937-1750

- 1080152 Edward Crouch v. Nick Howard (Appeal from Franklin Circuit Court: CV-08-172).

Judgment Vacated; Appeal Dismissed.

Circuit Judge, Terry Lee Dempsey, (256) 332-8893
Aplt. Atty., Jeffrey L. Bowling, (256) 332-2880
Aple. Atty., Steve Reynolds Graham, (256) 767-3050
Aple. Atty., William Dudley Motlow, Jr, (205) 980-5000

Stuart, J.

- 1071614 Robert S. Dobson III and Deborah Rhoene Dobson Riel v. Loyd Vick and Elmer Vick (Appeal from Mobile Circuit Court: CV-05-2407.51).

Reversed And Remanded.

Circuit Judge, James C. Wood, (251) 574-8475
Aplt. Atty., Stephen Erwin Clements, (251) 432-7800
Aplt. Atty., Mark E. Spear, (251) 344-8181
Aplt. Atty., Lawrence B. Voit, (251) 343-0800
Aple. Atty., Edward A. Dean, (251) 405-1300
Aple. Atty., Benjamin Young Ford, (251) 405-1300
Aple. Atty., Joseph Walton Jackson, (251) 405-1300

- 1071740 Ex parte Christopher Taft Landers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Christopher Taft Landers v. State of Alabama) (Morgan Circuit Court: CC06-699.60; Criminal Appeals : CR-07-1961).

Reversed And Remanded.

Circuit Judge, Steven Ellis Haddock, (256) 351-4750
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Atty., Kristi O Wilkerson, (334) 353-8563

Bolin, J.

- 1061472 Rosalyn Kendall v. United Services Automobile Association (Appeal from Elmore Circuit Court: CV-06-534).

Affirmed.

Circuit Judge, Sibley G. Reynolds, (205) 755-0311
Aplt. Atty., Richard Horsley, (205) 871-1310
Aplt. Atty., Lindsey Merrell O'Dell, (205) 871-1310
Aple. Atty., Evans Brittain, (334) 387-7680

- 1071144 QBE Insurance Corporation v. The Austin Company, Inc., and Mobile Press Register, Inc. (Appeal from Mobile Circuit Court: CV-06-2663).

Affirmed.

Circuit Judge, James C. Wood, (251) 574-8475
Aplt. Atty., Stewart Howard, (251) 431-9364
Aplt. Atty., Jason D Miller, (251) 431-9364
Aple. Atty., William G. Chason, (251) 432-5300
Aple. Atty., E Britton Monroe, (205) 967-8822
Aple. Atty., Thomas M. O'Hara, (251) 432-5300
Aple. Atty., Patrick Patronas, (205) 967-8822
Aple. Atty., Edward S. Sledge, III, (251) 432-5300
Aple. Atty., Mickey B Wright, (205) 967-8822

- 1080202 Evan W. Smith v. Billie C. Burkhalter et al. (Appeal from Cherokee Circuit Court: CV-08-111).

Appeal Dismissed.

Circuit Judge, William H. Rhea, III, (256) 549-5317
Aplt. Atty., Ralph K Strawn, Jr, (256) 543-9790
Aple. Atty., Jeremy Shane Givens, (256) 927-7490

- 1080331 Ex parte Jennifer Melissa Strickland. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jennifer Melissa Strickland v. State of Alabama) (Mobile Circuit Court: CC07-2135; Criminal Appeals : CR-07-0648).

Writ Denied. No Opinion.

Circuit Judge, John Ray Lockett, (251) 574-8477
Pet. Atty., Glenn L. Davidson, (251) 432-0400
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 353-0074

Murdock, J.

- 1061711 Diane Bibb v. Center for Pain of Montgomery, P.C. (Appeal from Montgomery Circuit Court: CV-06-613).

Affirmed.

Circuit Judge, Eugene W. Reese, (334) 832-1360
Aplt. Atty., Joseph Keith Rodgers, (334) 262-0508
Aple. Atty., Richard Brett Garrett, (334) 206-3100

- 1071641 Ex parte Brian Scott Culver. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Brian Scott Culver v. State of Alabama) (Jefferson Circuit Court, Bessemer Division: CC04-341; CC04-342; Criminal Appeals : CR-06-0468).

Writ Denied.

Shaw, J.

1071192 Annette Clark v. Wells Fargo Bank, N.A. (Appeal from Jefferson Circuit Court: CV-07-900227).

Reversed And Remanded.

Circuit Judge, Helen Shores Lee, (205) 325-5635
Aplt. Atty., Roderick Dale Graham, (205) 427-9494
Aple. Atty., Keith Donald Andress, (205) 250-8367
Aple. Atty., Gregory M. Deitsch, (205) 930-5225
Aple. Atty., James Elliott Walthall, (205) 250-8381
Aple. Atty., James H White, IV, (205) 250-8369

PER CURIAM

1080109 Ex parte Thomas F. Morgan and Holley S. Morgan. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: W.E. Butterworth III v. Thomas F. Morgan and Holley S. Morgan) (Baldwin Circuit Court: CV-05-799; Civil Appeals : 2070141).

Writ Denied.

Circuit Judge, J. Langford Floyd, (251) 937-0237
Pet. Atty., Jessica M. McDill, (251) 937-2191
Resp. Atty., Charles C. Simpson, III, (251) 441-9251

ON REHEARING

1071243 Ex parte William Lyle Marshall. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Lyle Marshall v. State of Alabama) (Baldwin Circuit Court: CC07-866; Criminal Appeals : CR-07-0004).

Application Overruled. No Opinion.

Circuit Judge, Charles C. Partin, (251) 937-0273
Pet. Atty., James Warren May, (251) 965-7949
Resp. Atty. General, Troy R. King, (334) 242-7300
Resp. Asst. Atty. Gen., James B. Prude, (334) 242-7300

1070522 Sheila Henderson, as personal representative of the estate of Tony R. Henderson, deceased v. MeadWestvaco Corporation and CSX Transportation, Inc. (Appeal from St. Clair Circuit Court: CV-06-122).

Application Overruled. No Opinion.

Circuit Judge, James Hill, Jr., (205) 338-3869
Aplt. Atty. - Pro Hac, John E. Guerry, III, (843) 216-9488
Aplt. Atty., Charles E. Robinson, Jr, (205) 594-5133
Aple. Atty., Martin Kassab Berks, (205) 326-1000
Aple. Atty., Renay T. Bertella, (205) 594-5133
Aple. Atty., Timothy A. Clarke, (251) 432-9772
Aple. Atty., Kevin D. Graham, (251) 432-3296
Aple. Atty., Todd Michael Higey, (205) 572-4110
Aple. Atty. - Pro Hac, Randall Jordan, (912) 638-0505
Aple. Atty., Edwin Bryan Nichols, (205) 254-1184
Aple. Atty., F. Grey Redditt, Jr, (251) 432-9772
Aple. Atty., John A. Smyth, III, (205) 254-1029
Aple. Atty., H. Thomas Wells, Jr., (205) 254-1062
Amicus Aplt. Atty., David G. Wirtes, Jr, (251) 471-6191
Amicus Aple. Atty., Bruce Barze, Jr., (205) 251-8100

Amicus Aple. Atty., Michael D. Freeman, (205) 251-8100
Amicus Aple. Atty., Crawford McGivaren, Jr, (205) 716-5200
Amicus Aple. Atty., Spencer M Taylor, (205) 226-8755