



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, NOVEMBER 12, 2010**

Lyons, J.

- 1091744 Ex parte Eric Jerome Leonard. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eric Jerome Leonard v. State of Alabama) (Russell Circuit Court: CC96-243.61; Criminal Appeals : CR-09-1014).

Writ Denied. No Opinion.

- 1091794 Ex parte Dennis Guyton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Dennis Guyton v. Scott Hunt) (Marion Circuit Court: CV-09-14; Civil Appeals : 2090063).

Writ Denied. No Opinion.

- 1100043 Ex parte A. C. Williams. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: A. C. Williams v. State of Alabama) (Montgomery Circuit Court: CC04-1723.61; Criminal Appeals : CR-09-0111).

Writ Denied. No Opinion.

- 1100075 Ex parte Kenneth Winston Dial. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kenneth Winston Dial v. State of Alabama) (Jefferson Circuit Court: CC94-107.67; Criminal Appeals : CR-09-1225).

Writ Denied. No Opinion.

- 1100089 Ex parte Mario Avila. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Mario Avila v. State of Alabama) (Baldwin Circuit Court: CC-07-977.60; Criminal Appeals : CR-09-1388).

Writ Denied. No Opinion.

Woodall, J.

- 1091011 Patrick D. Cahill v. ShipConstructor USA, Inc., and ShipConstructor Software, Inc. (Appeal from Mobile Circuit Court: CV-08-900604).

Affirmed. No Opinion.

- 1091688 Ex parte Kevin Matthew Ratliff. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kevin Matthew Ratliff v. State of Alabama) (Blount Circuit Court: CC07-484; Criminal Appeals : CR-09-0291).

Writ Denied. No Opinion.

1091787 Ex parte Bethany Pylant. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Katie Bond, a minor, by and through her guardian ad litem, and Kim Bond v. Estate of Kenneth D. Pylant II, deceased, et al.) (Lee Circuit Court: CV-09-900030; Civil Appeals : 2090406, 2090422).

Writ Denied. No Opinion.

1100025 Ex parte Shenderryl KaPrince Wilson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Shenderryl KaPrince Wilson v. Pamela Jeanett Wilson) (Jefferson Circuit Court: DR-09-933; Civil Appeals : 2090430).

Writ Denied. No Opinion.

1100039 Ex parte Barbara Ann Roberts. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Barbara Ann Roberts v. State of Alabama) (Cherokee Circuit Court: CC06-461; Criminal Appeals : CR-08-1229).

Writ Denied. No Opinion.

1100074 Ex parte Orrin Marable. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Orrin Marable v. State of Alabama) (Jefferson Circuit Court: CC76-35596.67; Criminal Appeals : CR-09-1295).

Writ Denied. No Opinion.

1100088 Ex parte Curtis Fitzpatrick. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Curtis Fitzpatrick v. State of Alabama) (Coffee Circuit Court, Enterprise Division: CC07-252.71; CC07-254.71; Criminal Appeals : CR-09-1017).

Writ Denied. No Opinion.

Stuart, J.

1091453 Ex parte State of Alabama. PETITION FOR WRIT OF MANDAMUS: CRIMINAL (In re: State of Alabama vs. Nancy Kaye Peavy) (Montgomery Circuit Court: CC09-1841; Criminal Appeals : CR-09-1270).

Petition Denied. No Opinion.

1091768 Ex parte Dewayne A. Boyd. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dewayne A. Boyd v. State of Alabama) (Jefferson Circuit Court: CC07-18.60; CC07-19.60; CC07-20.60; Criminal Appeals : CR-09-0890).

Writ Denied. No Opinion.

1091770 Ex parte Robert Burroughs. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Robert Burroughs v. Lamonica Lee et al.) (Escambia Circuit Court: CV-09-223; Civil Appeals : 2090812).

Writ Denied. No Opinion.

1100020 Ex parte Stetory Calhoun. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Stetory Calhoun v. State of Alabama) (Jefferson Circuit Court: CC-09-690; Criminal Appeals : CR-09-0787).

Writ Denied. No Opinion.

1100071 Ex parte Arthur D. Ahmed. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Arthur D. Ahmed v. State of Alabama) (Mobile Circuit Court: CC72-27455.65; CC72-27456.65; CC72-27457.65; CC72-27458.65; CC72-27462.65; Criminal Appeals : CR-09-1528).

Writ Denied. No Opinion.

1100096 Ex parte James Edward Bagley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Edward Bagley v. State of Alabama) (Calhoun Circuit Court: CC-03-815.66; Criminal Appeals : CR-09-0844).

Writ Denied. No Opinion.

Smith, J.

1091458 Albert William Randall v. James E. Smith, as personal representative of the estate of Elizabeth Berry Randall (Appeal from Baldwin Circuit Court: CV-07-915).

Affirmed. No Opinion.

1091538 Ex parte Kendrick Hamilton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kendrick Hamilton v. State of Alabama) (Mobile Circuit Court: CC05-4663.60; Criminal Appeals : CR-09-0741).

Writ Denied. No Opinion.

1091540 Ex parte Joseph Perez Hart. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joseph Perez Hart v. State of Alabama) (Houston Circuit Court: CC96-1116.60; CC97-606.60; Criminal Appeals : CR-09-0775).

Writ Denied. No Opinion.

1091757 Ex parte Henry Burkhardt. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: W.G. Yates & Sons, Inc. v. Henry Burkhardt) (Mobile Circuit Court: CV-06-2811.51; Civil Appeals : 2090407).

Writ Denied.

1100087 Ex parte Carlos McQuarley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Carlos McQuarley v. State of Alabama) (Jefferson Circuit Court: CC96-3396.63; Criminal Appeals : CR-09-1109).

Writ Denied. No Opinion.

Bolin, J.

1090971 C. Knox McLaney and McLaney & Associates, P.C. v. Copeland, Franco, Screws & Gill, P.A., and Richard Gill (Appeal from Montgomery Circuit Court: CV-09-901101).

Affirmed. No Opinion.

1091536 Ex parte Springhill Hospitals, Inc., d/b/a Springhill Memorial Hospital. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: David L. Oden, as administrator of the estate of Theresa Oden, deceased v. Springhill Hospitals, Inc., d/b/a Springhill Memorial Hospital) (Mobile Circuit Court: CV-10-900421.00).

Petition Denied. No Opinion.

1091689 Ex parte Bobby Lashley Corporation. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Bobby Lashley Corporation v. Douglas Kahl) (Limestone Circuit Court: CV-07-180; Civil Appeals : 2090012).

Writ Denied. No Opinion.

1091736 Ex parte Dakari Anmashuan Parker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dakari Anmashuan Parker v. State of Alabama) (Macon Circuit Court: CC03-7.60; Criminal Appeals : CR-09-1068).

Writ Denied. No Opinion.

1091761 Ex parte Candy Gardner. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Candy Gardner v. Dana Sterling) (Jefferson Circuit Court: CV-08-904228; Civil Appeals : 2090502).

Writ Denied. No Opinion.

1100022 Ex parte Miguel Moss. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Miguel Moss v. Alabama Department of Corrections) (Montgomery Circuit Court: CV10-238; Criminal Appeals : CR-09-1056).

Writ Denied. No Opinion.

1100061 Ex parte Beba Duong. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Beba Duong v. State of Alabama) (Limestone Circuit Court: CC-00-270.61; Criminal Appeals : CR-0-90801).

Writ Denied. No Opinion.

Parker, J.

1091132 Ex parte Arthur Steven Rich. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Arthur Steven Rich v. State of Alabama) (Cherokee Circuit Court: CC07-189.62; Criminal Appeals : CR-09-0550).

Writ Denied. No Opinion.

1091169 Ex parte William D. Gilchrist. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William D. Gilchrist v. State of Alabama) (Jefferson Circuit Court: CC08-4512; Criminal Appeals : CR-09-0230).

Writ Denied. No Opinion.

1091171 Ex parte Benjamin Larkin et al. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Benjamin Larkin and Sharon Easton v. American Western Insurance Company) (Montgomery Circuit Court: CV-06-959.80; Civil Appeals : 2080864).

Writ Denied. No Opinion.

1091177 Ex parte Clayton J. Westmoreland. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Clayton J. Westmoreland v. State of Alabama) (Winston Circuit Court: CC05-152; Criminal Appeals : CR-09-0080).

Writ Denied. No Opinion.

- 1091185 Ex parte Bruce Kendrick Walker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bruce Kendrick Walker v. State of Alabama) (Mobile Circuit Court: CC08-4401; Criminal Appeals : CR-09-0337).

Writ Denied. No Opinion.

- 1091197 Ex parte Kendra Cheatwood. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kendra Cheatwood v. State of Alabama) (Talladega Circuit Court: CC08-518; Criminal Appeals : CR-08-1691).

Writ Denied. No Opinion.

- 1091235 Ex parte Edarious Cobb. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama vs. Edarious Cobb) (Jefferson Circuit Court, Bessemer Division: CC01-679; CC01-681; Criminal Appeals : CR-09-0910).

Writ Denied. No Opinion.

- 1091322 Ex parte Edward Dwight Coleman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Edward Dwight Coleman v. State of Alabama) (Jefferson Circuit Court: CC93-3021.61; CC93-5521.61; Criminal Appeals : CR-09-0749).

Writ Denied. No Opinion.

Murdock, J.

- 1081290 Ex parte Reginald Denny Turner. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Reginald Denny Turner v. State of Alabama) (Elmore Circuit Court: CC04-404.60; Criminal Appeals : CR-06-0174).

Writ Denied. No Opinion.

- 1090065 Ex parte Neil Walker. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Neil Walker v. State of Alabama) (Houston Circuit Court: CC94-102.69; Criminal Appeals : CR-08-0527).

Writ Denied. No Opinion.

- 1090275 Ex parte John Stover. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: John Stover v. State of Alabama) (Lawrence Circuit Court: CC04-129.60; Criminal Appeals : CR-07-0679).

Writ Denied. No Opinion.

- 1090996 Ex parte Horace Dale Hogue et al. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Horace Dale Hogue et al. v. Logan's Roadhouse, Inc.) (Tuscaloosa Circuit Court: CV-07-1332; Civil Appeals : 2090035).

Writ Denied. No Opinion.

- 1091455 Ex parte Darryl Anthony Dennis. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darryl Anthony Dennis v. State of Alabama) (Mobile Circuit Court: CC95-3347.64; CC95-3348.64; Criminal Appeals : CR-09-0419).

Writ Denied. No Opinion.

1091622 Ex parte Rayburn Thomas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Rayburn Thomas v. State of Alabama) (Talladega Circuit Court: CC-05-17.60; Criminal Appeals : CR-09-0210).

Writ Denied. No Opinion.

1091713 Ex parte Charles Madison. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charles Madison v. State of Alabama) (Houston Circuit Court: CC07-428.60; Criminal Appeals : CR-09-1021).

Writ Denied. No Opinion.

Shaw, J.

1081730 Alexander Allain v. Thomas P. Ollinger (Appeal from Mobile Circuit Court: CV-08-928).

Affirmed. No Opinion.

1090330 Ex parte Emmerson Ardell Gatewood. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Emmerson Ardell Gatewood v. State of Alabama) (Lauderdale Circuit Court: CC07-122; Criminal Appeals : CR-07-1991).

Writ Denied. No Opinion.

1090401 Ex parte Jimmy Ray Torbert. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jimmy Ray Torbert v. State of Alabama) (Madison Circuit Court: CC08-876; CC08-877; CC08-878; CC08-879; Criminal Appeals : CR-08-1155).

Writ Denied. No Opinion.

1090418 Ex parte Edwards Specialties, Inc. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Jimmie Holden v. Edwards Specialties, Inc.) (Madison Circuit Court: CV-08-572; Civil Appeals : 2080947).

Writ Denied. No Opinion.

1090497 Ex parte Kortney Jovan Simon. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kortney Jovan Simon v. State of Alabama) (Jefferson Circuit Court, Bessemer Division: CC08-267; Criminal Appeals : CR-08-1299).

Writ Denied. No Opinion.

1090606 Ex parte C & D Logging. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: C & D Logging v. Willie Mobley) (Mobile Circuit Court: CV-06-1991.51; Civil Appeals : 2080659).

Writ Denied. No Opinion.

1090615 Ex parte Harry John Coughlin, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Harry John Coughlin, Jr. v. State of Alabama) (Jefferson Circuit Court: CC07-3693; Criminal Appeals : CR-08-1629).

Writ Denied. No Opinion.

1090693 Ex parte Frederick Allan Barkley. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Frederick Allan Barkley v. State of Alabama) (Baldwin Circuit Court: CC06-1791; Criminal Appeals : CR-08-1561).

Writ Denied. No Opinion.

1090710 Ex parte Sherwin Fitzgerald May. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Sherwin Fitzgerald May v. State of Alabama) (Tuscaloosa Circuit Court: CC07-2742; Criminal Appeals : CR-08-1121).

Writ Denied. No Opinion.

1090760 Ex parte Gregory Ayers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gregory Ayers v. State of Alabama) (Franklin Circuit Court: CC09-8; Criminal Appeals : CR-08-1748).

Writ Denied. No Opinion.

1090911 Ex parte Tina Taylor Adkins. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Tina Taylor Adkins v. William Keith Adkins) (Lee Circuit Court: DR-05-235.01; Civil Appeals : 2080744).

Writ Denied. No Opinion.

1091799 Ex parte J.B. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J.B. v. Alabama Department of Human Resources) (Mobile Juvenile Court: JU-05-1729.92 and JU-05-1730.92; Civil Appeals : 2090190).

Writ Denied. No Opinion.

ON REHEARING

1080403 St. Clair County Home Builders Association et al. v. City of Pell City et al. (Appeal from St. Clair Circuit Court: CV-07-140).

Application Overruled. No Opinion.

1090315 David J. Naman, as representative of the estate of Emile Naman d/b/a Naman's Department Store v. Alfa Mutual Insurance Company (Appeal from Mobile Circuit Court: CV-06-1376).

Application Overruled. No Opinion.

1090515 Ex parte Progress Rail Services Corporation. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Cassie Dawn Moles, as personal representative and administratrix of the estate of Dustin Moles, deceased v. Progress Rail Services Corporation) (Etowah Circuit Court: CV-09-90310).

Application Overruled. No Opinion.

1090670 Joyce Slaughter Scott v. A certain parcel of land located in Elmore County et al. (Appeal from Elmore Circuit Court: CV-09-93).

Application Overruled. No Opinion.