



**LIST OF DECISIONS ANNOUNCED BY  
COURT OF CIVIL APPEALS OF ALABAMA  
ON FRIDAY, MAY 8, 2009**

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**PRESIDING JUDGE THOMPSON**

2070602 Chivers Richard Woodruff, Jr. v. Julia Mariani Woodruff (Appeal from Jefferson Circuit Court: DR-04-1352.01)

**Appeal -- Reversed And Remanded.  
Cross-Appeal -- Affirmed.**

Circuit Judge, J Gary Pate, (205) 325-5022  
Aplt. Atty., Stephen R. Arnold, (205) 323-1888  
Aple. Atty., Sara J Senesac, (205) 592-0780

2071054 John K. Spendley v. Shelley Spendley (Appeal from Madison Circuit Court: DR-95-1507.05 and DR-95-1507.06)

**Affirmed. No Opinion.**

Circuit Judge, Bruce E Williams, (256) 532-3754  
Aplt. Atty., Joan Marie Kettell Dean, (256) 534-4557  
Aple. Atty., Dinah P Rhodes, (256) 536-1676

2071186 Wal-Mart Stores, Inc. v. Marilyn Orr (Appeal from Marshall Circuit Court: CV-06-200133)

**Reversed And Remanded.**

Circuit Judge, Allen Tim Jolley, (256) 571-7776  
Aplt. Atty., Joseph H. Driver, (205) 822-2006  
Aple. Atty., Donald R Rhea, (256) 547-6801

2080070 Laura Murchison v. Hilton Hotels Corporation (Appeal from Morgan Circuit Court: CV-07-201)

**Affirmed. No Opinion.**

Circuit Judge, Sherrie W Palar, (256) 351-4751  
Aplt. Atty., J Victor Price, (334) 283-3388  
Aple. Atty., A Joe Peddy, (205) 251-5885  
Aple. Atty., Amy A Weems, (205) 251-5885

## JUDGE PITTMAN

2070592 Rhea Leigh Ballard Brinkley v. Jesse T. Brinkley (Appeal from Marion Circuit Court: DR-07-151)

**Affirmed. No Opinion.**

District Judge, James C Cashion, (205) 921-3181  
Aplt. Atty., Lisa M. Ivey, (205) 384-1411  
Aple. Atty., Jerry F Guyton, (205) 921-7878

## JUDGE BRYAN

2080209 L. C. v. Jefferson County Department of Human Resources (Appeal from Jefferson Juvenile Court: JU-05-52084.01 and JU-05-52085.01)

**Affirmed. No Opinion.**

2080243 D. P. v. Madison County Department of Human Resources (Appeal from Madison Juvenile Court: JU-07-1646.02 and JU-07-1647.02)

**Reversed.**

## JUDGE THOMAS

2071188 Johnnie Marie McGugin v. Larry Edwin McGugin (Appeal from Baldwin Circuit Court: DR-04-13.01)

**Appeal Dismissed.**

Circuit Judge, Carmen Elena Bosch, (251) 937-0235  
Aplt. Atty., Floyd C Enfinger, Jr, (251) 928-0344  
Aple. Atty., Vincent A Bellucci, (251) 937-8830

## JUDGE MOORE

2071228 Dwight Gregory d/b/a Top Flight Construction a/k/a TFC v. Diane Harding (Appeal from Coffee Circuit Court: CV-06-110)

**Affirmed. No Opinion.**

Circuit Judge, Robert W Barr, (334) 566-1307  
Aplt. Atty., Griffin M. Shirley, (334) 897-5775  
Aple. Atty., William J. Moore, (334) 308-2020

2080054 Henry Dan Walding v. Emma Carol Walding (Appeal from Henry Circuit Court: DR-04-62.01)

**Affirmed In Part; Reversed In Part; And Remanded With Instructions.**

Circuit Judge, Larry K Anderson, (334) 677-4858  
Aplt. Atty., Thomas K Brantley, Jr., (334) 793-9009  
Aple. Atty., Joel M Nomberg, (334) 793-6493

2080147 John S. Capone, Jr. v. Beverly A. Capone (Appeal from Calhoun Circuit Court: DR-05-62.04)

**Reversed And Remanded With Instructions.**

Circuit Judge, Mannon G. Bankson, Jr.  
Aplt. Atty., Sara C. Semmes, (256) 236-7354  
Aple. Atty., Bruce Neal Adams, (256) 237-3339

2080176 Carrie Dodd Hamer v. Jeremy Duane Hamer (Appeal from Jefferson Circuit Court: DR-03-1658.01)

**Affirmed. No Opinion.**

Circuit Judge, Suzanne S Childers, (205) 324-1038  
Aplt. Atty., Sahid Phillip Bahakel, (205) 987-8787  
Aplt. Atty., Donna J Beaulieu, (205) 733-0038  
Aple. Atty., R Leland Lesley, (205) 870-1986

**PER CURIAM**

2071110 Ex parte Sunbelt Transport, Inc., and Patriot Transportation Holding, Inc. PETITION FOR WRIT OF MANDAMUS (In re: Randall Paul v. Sunbelt Transport, Inc., and Patriot Transportation Holding, Inc.) (Mobile Circuit Court: CV-07-901468)

**Petition Granted; Writ Issued.**

Circuit Judge, Charles A Graddick  
Pet. Atty., Tara Waller Lockett, (251) 626-9340  
Resp. Atty., Max Cassady, (251) 578-5252

**ON REHEARING**

2070393 Liberty Mutual Insurance Company v. Greenway Enterprises, Inc. (Appeal from Madison Circuit Court: CV-06-39)

**Application For Rehearing Overruled.**

Circuit Judge, James P Smith, (256) 532-3394  
Aplt. Atty., Chris Steve Christ, (205) 252-2222  
Aplt. Atty., David Elliott Hodges, (205) 328-0401  
Aple. Atty., Palmer A Hoovestal, (406) 457-0970  
Aple. Atty., E Jake Watson, (256) 536-8373

2070679 Steven Michael Deberry v. Teresa Deberry (Appeal from St. Clair Circuit Court: DR-06-229)

**Application For Rehearing Overruled.**

Circuit Judge, James E Hill, Jr., (205) 338-3869  
Aplt. Atty., Horace V. O'Neal, Jr, (205) 879-0000  
Aple. Atty., Alexander M. Smith, (205) 625-5505

2070690 Stephens Davis Taylor v. Louisa Dodson Taylor (Appeal from Madison Circuit Court: DR-07-846)

**Application For Rehearing Overruled.**

Circuit Judge, William K Bell, (256) 532-3636  
Aplt. Atty., Joan Marie Kettell Dean, (256) 534-4557  
Aple. Atty., Amy S Creech, (256) 536-1676  
Aple. Atty., Dinah P Rhodes, (256) 536-1676

2070795 R. R. v. Page B. Walley, Commissioner of Alabama Department of Human Resources, et al. (Appeal from Montgomery Circuit Court: CV-07-1656)

**Application For Rehearing Overruled.**

2070976 Glenn I. Taylor v. Frances J. Taylor (Appeal from Blount Circuit Court: DR-07-246)

**Application For Rehearing Overruled.**

Circuit Judge, Steven King, (205) 625-4145  
Aple. Atty., Scott L. McPherson, (205) 625-6650

2080087 Bard Porter v. Anette Porter (Appeal from Jefferson Circuit Court: DR-03-2773.01)

**Application For Rehearing Overruled.**

Circuit Judge, Suzanne S Childers, (205) 324-1038  
Aplt. Atty., Richard E. Sandefer, (205) 681-6323  
Aple. Atty., Hugh C Henderson, (205) 979-3624

2080129 T. W. v. P. W. and A. W. (Appeal from Talladega Juvenile Court: JU-06-100141.04)

**Application For Rehearing Overruled.**