



**LIST OF DECISIONS ANNOUNCED BY
COURT OF CIVIL APPEALS OF ALABAMA
ON FRIDAY, JUNE 18, 2010**

PRESIDING JUDGE THOMPSON

2090272 D.E.C.C. v. K.N.R. (Appeal from Walker Juvenile Court: JU-03-540.03 and JU-08-475.01)

Appeal Dismissed.

2090379 Mattie H. Steen v. Walmart Stores, Inc. (Appeal from Montgomery Circuit Court: CV-08-387)

Affirmed. No Opinion.

Circuit Judge, William A Shashy, (334) 832-4950
Aple. Atty., Thomas Stuart Creel, (205) 822-2006
Aple. Atty., Joseph H. Driver, (205) 822-2006
Aple. Atty., Stephen Lee Scott, (205) 871-5858

JUDGE PITTMAN

2090433 Ex parte T.C. PETITION FOR WRIT OF MANDAMUS (In re: T.C. v. C.E.)
(Baldwin Juvenile Court: JU-06-448 and JU-06-449)

Petition Granted; Writ Issued.

2090016 Ex parte Siemag, Inc. PETITION FOR WRIT OF MANDAMUS (In re: Prince U. Hagler, Jr., et al. v. Jim Walter Resources, Inc., et al.) (Walker Circuit Court: CV-07-196)
(Consolidated with 2090134.)

Petition Denied.

Circuit Judge, Jerry Selman, (205) 384-7237
Pet. Atty., Christopher Berdy, (205) 79-5.6588
Pet. Atty., James B Carlson, (205) 250-6651
Resp. Atty., Philip R. Collins, (205) 251-1193
Resp. Atty., John Dodson, (205) 879-8722
Resp. Atty., William J. Donald, III, (205) 758-2585
Resp. Atty., Justin Lee Jones, (205) 221-3500
Resp. Atty., Jasper P Juliano, (205) 326-6600
Resp. Atty., James C King, (205) 221-3500
Resp. Atty., William A. Mudd, (205) 639-5300
Resp. Atty., A. Joe Peddy, (205) 251-5885
Resp. Atty., Wayne Randall, (205) 758-2585
Resp. Atty., Jinny M Ray, (205) 879-8722

Resp. Atty., Robert B Stewart, (205) 251-5885
Resp. Atty., Henry C. Wiley, Jr, (205) 221-3500

- 2090134 Ex parte Sandvik Mining and Construction USA, LLC. PETITION FOR WRIT OF MANDAMUS (In re: Prince U. Hagler, Jr., et al. v. Jim Walter Resources, Inc., et al.) (Walker Circuit Court: CV-07-196)
(Consolidated with 2090016.)

Petition Denied.

Circuit Judge, Jerry Selman, (205) 384-7237
Pet. Atty., James B. Newman, (251) 432-5521
Pet. Atty., D. Andrew Stivender, (251) 432-5521
Resp. Atty., Christopher Berdy, (205) 79-5.6588
Resp. Atty., John M. Bergquist, (205) 326-6600
Resp. Atty., Gray M. Borden, (205) 581-1529
Resp. Atty., James B Carlson, (205) 250-6651
Resp. Atty., Philip R. Collins, (205) 251-1193
Resp. Atty., John Dodson, (205) 879-8722
Resp. Atty., William J. Donald, III, (205) 758-2585
Resp. Atty., Tanya Dugas, E., (205) 271-6971
Resp. Atty., Joseph R. Duncan, Jr, (205) 251-1193
Resp. Atty., Lee M Hollis, (205) 581-0700
Resp. Atty., Jasper P Juliano, (205) 326-6600
Resp. Atty., James C King, (205) 221-3500
Resp. Atty., William A. Mudd, (205) 639-5300
Resp. Atty., A. Joe Peddy, (205) 251-5885
Resp. Atty., Barry Wayne Randall, (205) 758-2585
Resp. Atty., Jinny M Ray, (205) 879-8722
Resp. Atty., Henry C. Wiley, Jr, (205) 221-3500
Resp. Atty., Sara L Williams, (205) 639-5300
Resp. , Stewart Andrew Kelly, (205) 581-0700

JUDGE BRYAN

- 2081180 John Wheeler, Jr. v. James Bice (Appeal from Mobile Circuit Court: CV-08-900076)

Appeal Dismissed.

Circuit Judge, Joseph S Johnston, (251) 574-8685
Aplt. Atty., Bryan Gerard Duhe, (251) 479-6500
Aple. Atty., Stewart L Howard, (251) 431-9364
Aple. Atty., Jason D Miller, (251) 431-9364

- 2090233 L.M.W. v. Etowah County Department of Human Resources (Appeal from Etowah Juvenile Court: JU-06-79.04)

Affirmed.

JUDGE THOMAS

2081136 Stephen L. Williams and Michelle W. Williams v. Leann Hutchenson Williams West and Stephen Todd Williams (Appeal from Washington Circuit Court: DR-04-9.01)

Affirmed. No Opinion.

Circuit Judge, D. P. Scurlock, III, (205) 459-3828
Aplt. Atty., C Robert Montgomery, (251) 847-3541
Aple. Atty., V. Wylynn Phillippi, (251) 275-3115
Aple. Atty., Edward P Turner, Jr, (251) 847-2237

2090121 Elizabeth S. Smitherman v. Christopher R. Smitherman (Appeal from Shelby Circuit Court: DR-08-900413)

Affirmed. No Opinion.

Circuit Judge, Robert M Harper
Aplt. Atty., Foster D. Key, (205) 987-2211
Aple. Atty., Jim Pino, (205) 663-1581

2090228 Ervin Jones and James Jones v. Nathaniel Jones, et al. (Appeal from Clay Circuit Court: CV-08-22)

Affirmed. No Opinion.

Circuit Judge, John E Rochester, (256) 354-2242
Aplt. Atty., John Stewart Baker, IV, (205) 949-5840
Aple. Atty., James Edward Malone, (256) 396-2182
Aple. Atty., Megan Eva Miller, (256) 396-2182

2090240 Orvid Dwight Jones and William D. Jones v. Daryl R. Sherrell (Appeal from Blount Circuit Court: CV-07-12)

Affirmed.

Circuit Judge, Steven King, (205) 625-4145
Aplt. Atty., Alexander M. Smith, (205) 625-5505
Aple. Atty., Maxwell H Pulliam, (205) 795-6588
Aple. Atty., Richard M. Thayer, (205) 795-6588

2090312 Doris B. Kelly v. Ella Jean Thomas (Appeal from Marengo Circuit Court: CV-06-86 and CV-08-3)

Affirmed. No Opinion.

Circuit Judge, Eddie Hardaway, Jr, (205) 652-6169
Aplt. Atty., Jeffrey E. Rowell, (205) 979-9070
Aple. Atty., William S Poole, Jr., (334) 289-2006

2090395 Jack L. Martin v. State of Alabama ex rel. Elizabeth A. Martin Wood (Appeal from Walker District Court: DR-00-154.03)

Affirmed. No Opinion.

District Judge, Henry Allred, (205) 384-7260
Aple. Atty., Jennifer M. Bush, (334) 242-9330
Aple. Atty., Paul Mark Heffler, (205) 384-0444

2090451 Garry Lynn Stephens v. James G. Harris (Appeal from Baldwin Circuit Court: CV-08-901299)

Reversed And Remanded.

Circuit Judge, J Langford Floyd, (251) 937-0235
Aplt. Atty., William R. Lancaster, (251) 432-1600
Aplt. Atty., Latisha Denise Rhodes, (251) 415-9213
Aple. Atty., Julian Byron Brackin, III, (251) 943-4040

JUDGE MOORE

2090018 M.F. v. Russell County Department of Human Resources (Appeal from Russell Juvenile Court: JU-00-441.07 and JU-00-442.11)

Affirmed. No Opinion.

2090093 D.C. v. Russell County Department of Human Resources (Appeal from Russell Juvenile Court: JU-00-441.07 and JU 00-442.11)

Affirmed. No Opinion.

2090123 A.L. v. K.C.T. (Appeal from Autauga Juvenile Court: JU-09-57.01)

Affirmed. No Opinion.

2090137 R.G. and S.G. v. B.J.C., Jr. (Appeal from Lee Juvenile Court: JU-09-283.01)

Appeal Dismissed.

2090149 L.B. v. R.L.B. (Appeal from Montgomery Juvenile Court: JU-07-27.03)

Appeal Dismissed With Instructions To The Juvenile Court.

PER CURIAM

2081084 Alabama Department of Corrections et al. v. Jerry Mack Merritt et al. (Appeal from Montgomery Circuit Court: CV-07-143, CV-07-1194, CV-08-1640, and CV-08-416)

Appeal -- Affirmed In Part; Reversed In Part; Appeal Dismissed In Part; And Remanded. Cross-Appeal -- Affirmed In Part; Appeal Dismissed In Part; And Remanded.

Circuit Judge, Truman Hobbs, Jr, (334) 832-7147
Aplt. Atty., Albert S. Butler, (334) 353-4859
Aplt. Atty., James W. Davis, (334) 353-1356
Aple. Atty., Henry L. Penick, (205) 252-2538
Aple. Atty., Tiara Shay Young, (205) 252-2538

ON REHEARING

2080308 Randi Gail Rench v. Robert Forest Rench (Appeal from Coffee Circuit Court: DR-08-16)

Application For Rehearing Overruled.

Circuit Judge, Jeffrey W. Kelley, (334) 347-4785
Aplt. Atty., J. E. Sawyer, Jr, (334) 347-6447
Aple. Atty., Charles Neville Reese, (334) 598-6321

2080838 Rose M. Williams v. Walter Mortgage Company (Appeal from Jefferson Circuit Court: CV-07-902949)

Application For Rehearing Overruled.

Circuit Judge, Allwin E Horn, III, (205) 325-5365
Aplt. Atty., Kenneth James Lay, (205) 397-6540
Aple. Atty., Paul Kenneth Lavelle, (205) 298-1800

2090022 Henry Dan Walding v. Emma Carol Walding (Appeal from Henry Circuit Court: DR-04-62.01)

Application For Rehearing Overruled.

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

2090038 Ex parte Arlington Properties, Inc. PETITION FOR WRIT OF MANDAMUS (In re: Arlington Properties, Inc. v. Cantrell Brown, Etowah County Circuit Court) (Etowah Circuit Court: CV-09-458)

Application For Rehearing Overruled.

Circuit Judge, David A. Kimberley, (256) 439-6011
Pet. Atty., Joseph M. Willoughby, (256) 543-1660
Resp. Atty., Kenneth James Lay, (205) 397-6540
Resp. Atty., Misty Ledbetter, (256) 237-3615

2090112 Sullivan & Wills Real Estate, L. L. C. v. Bobby E. Cruce (Appeal from Montgomery Circuit Court: CV-09-49)

Application For Rehearing Overruled.

Circuit Judge, Eugene W Reese, (334) 832-4950
Aplt. Atty., J Knox Argo, (334) 279-0088
Aplt. Atty., Nicholas Cole Hughes, (334) 279-0088
Aple. Atty., Jackson Brett Harrison, (334) 819-8920

2090189 State of Alabama ex rel. W.M.E. v. G.C. (Appeal from Montgomery Circuit Court: CS-90-476.04)

Application For Rehearing Overruled.