



**LIST OF DECISIONS ANNOUNCED BY
COURT OF CIVIL APPEALS OF ALABAMA
ON FRIDAY, AUGUST 28, 2009**

PRESIDING JUDGE THOMPSON

2080177 Jacqueline E. Austin v. James Maxwell Austin, Jr., and Dana Austin-LaFrance
(Appeal from Elmore Circuit Court: CV-04-124)

Affirmed. No Opinion.

Circuit Judge, Sibley G Reynolds, (205) 755-0311
Aplt. Atty., Lee R. Benton, (205) 278-8000
Aplt. Atty., Brenton K Morris, (205) 278-8000
Aple. Atty., John E Enslen, (334) 567-2545
Aple. Atty., Patrick D. Pinkston, (334) 567-2545

2080240 Bridget T. Hartley v. Curtis C. Hartley (Appeal from Autauga Circuit Court:
DR-01-15.02)

Reversed And Remanded.

Circuit Judge, Ben A Fuller, (334) 361-3766
Aplt. Atty., Karen Jackson, (334) 491-1102
Aple. Atty., Andrew W. Tampling, Jr, (334) 365-4546

2080364 Franklin Littlejohn v. Birmingham Water Works and Sewer Board (Appeal from
Jefferson Circuit Court: CV-07-3743)

Affirmed. No Opinion.

Circuit Judge, Robert S Vance, Jr, (205) 325-5035
Aplt. Atty., William Cone Owen, Jr, (205) 324-8910
Aple. Atty., Kenneth Mark Parnell, (205) 327-8307
Aple. Atty., Mary H. Thompson, (205) 327-8320

JUDGE PITTMAN

2080148 D. L. Jones v. Estate of Brownie Ruth Jones (Appeal from Tuscaloosa Circuit
Court: CV-06-629)

Affirmed. No Opinion.

Circuit Judge, Michael Bradley Almond, (205) 469-6352
Aplt. Atty., David M Andres, (205) 345-3551
Aple. Atty., Joel F Dorroh, (205) 345-2800
Aple. Atty., Sanford Earl Gunter, (205) 345-1400
Aple. Atty., David Hughes, (205) 344-6690
Aple. Atty., Suzanne Hughes Mills, (205) 345-2800

2080188 Larry Birdwell et al. v. Patrick Sartain et al. (Appeal from Lauderdale Circuit Court: CV-07-461)

Affirmed. No Opinion.

Circuit Judge, Ned Michael Suttle, (256) 760-5820
Aplt. Atty., Rodney B Slusher, (256) 764-4011
Aple. Atty., John E Higginbotham, (256) 766-0284

JUDGE THOMAS

2071201 Fort James Holding Company, Inc., d/b/a Georgia Pacific v. Cheryl D. Morgan (Appeal from Choctaw Circuit Court: CV-04-71)

Reversed And Remanded With Instructions.

Circuit Judge, James T. Baxter, (251) 847-2304
Aplt. Atty., William Eugene Pipkin, Jr, (251) 431-9006
Aple. Atty., John Robert Potter, (205) 879-9661

2071204 Sherri McSwain v. Southeast Alabama Medical Center (Appeal from Houston Circuit Court: CV-04-159)

Affirmed. No Opinion.

Circuit Judge, Lawson Little, (334) 677-4889
Aplt. Atty., John E Byrd, Jr., (334) 794-0759
Aple. Atty., William L Lee, IV, (334) 792-4156
Aple. Atty., William W Nichols, (334) 792-4156

2080201 Joseph Grace v. Standard Furniture Manufacturing Company, Inc. (Appeal from Baldwin Circuit Court: CV-06-07)

Reversed And Remanded With Instructions.

Circuit Judge, J Langford Floyd, (251) 937-0235
Aplt. Atty., Charles R Godwin, (251) 368-1417
Aplt. Atty., Gordon Godwin, B., (251) 368-1417
Aplt. Atty., Timothy J. Godwin, (251) 368-1417
Aple. Atty., Anthony M. Hoffman, (251) 694-1700
Aple. Atty., Jennifer S. Holifield, (251) 694-1700
Aple. Atty., Robert G Jackson, Jr, (251) 694-1700

2080212 Tiffany Nicole Wood v. Johnny L. Wood (Appeal from Chambers Circuit Court: DR-00-169.01)

Reversed And Remanded.

Circuit Judge, Thomas F. Young, Jr., (256) 234-7901
Aplt. Atty., Margaret Young Brown, (334) 821-6944
Aple. Atty., Roland Lewis Sledge, (334) 768-4026

2080362 Kelvin Billups v. Alabama State University (Appeal from Montgomery Circuit Court: CV-08-386)

Affirmed. No Opinion.

Circuit Judge, Truman Hobbs, Jr, (334) 832-7147
Aplt. Atty., Fred F Bell, (334) 265-8176
Aple. Atty., Carter H Dukes, (205) 251-2300
Aple. Atty., Kimberly W Geisler, (205) 251-2300
Aple. Atty., Joshua S. Thompson, (205) 244-2506

2080394 Cynthia J. Corwin (Martin) v. Rocky V. Corwin (Appeal from Montgomery Circuit Court: DR-89-556.02)

Reversed And Remanded With Instructions.

Circuit Judge, Patricia D. Warner, (334) 832-4950
Aple. Atty., Paul R. Cooper, (334) .26-2.4887

2080540 M. S. v. Alabama Department of Human Resources (Appeal from Madison Juvenile Court: JU-08-1546.02)

Affirmed.

JUDGE MOORE

2080130 Diane E. Johnson v. Jodi Halagan, as personal representative of the estate of Clarence L. Johnson, deceased (Appeal from Barbour Circuit Court: DR-05-35)

Appeal Dismissed.

Circuit Judge, Burt Smithart, (334) 687-1524
Aplt. Atty., J. E. Sawyer, Jr, (334) 347-6447
Aple. Atty., Thomas F. Kelly, Jr, (334) 775-8009

PER CURIAM

2080423 Parkshill Full Gospel Church et al. v. Alamerica Bank (Appeal from Bessemer Circuit Court: CV-07-288)

Affirmed. No Opinion.

Circuit Judge, Eugene R Verin, (205) 481-4198
Aplt. Atty., James W Cameron, (205) 824-0202
Aplt. Atty., Chriss H Doss, (205) 978-9992
Aple. Atty., Thomas J Skinner, IV, (205) 802-2545

ON REHEARING

2071163 K. W. N. v. S. A. M. (Appeal from Cullman Juvenile Court: CS-07-138)

Application For Rehearing Overruled.

2080115 Alfred Brooks v. James Allen and Greyhound Lines, Inc. (Appeal from Montgomery Circuit Court: CV-06-1611)

Application For Rehearing Overruled.

Circuit Judge, Truman Hobbs, Jr, (334) 832-7147
Aple. Atty., Robert Coleman Black, Jr, (334) 834-7600
Aple. Atty., Royal C Dumas, (334) 834-7600
Aple. Atty., William Michael Hill, Jr., (334) 834-7600

2070910 Yolanda Ewert v. Sandra F. Banks and Estate of Clyde Fleming (Appeal from Lamar Circuit Court: CV-07-42)
(Consolidated with 2070911, 2070912.)

Application For Rehearing Overruled.

Circuit Judge, James W Moore, Jr, (205) 932-3169
Aplt. Atty., Timothy Ray Wadsworth, (205) 698-9118
Aple. Atty., John Allen Bivens, (205) 759-5401
Aple. Atty., Jonathan A Brown, (205) 695-7158
Aple. Atty., Glenn Carlyle Noe, (205) 695-7158
Aple. Atty., James Brent Thompson, (205) 921-9146

2070911 Yolanda Ewert v. Pine Oaks Land & Timber Co., LLC (Appeal from Lamar Circuit Court: CV-06-44)
(Consolidated with 2070910, 2070912.)

Application For Rehearing Overruled.

Circuit Judge, James W Moore, Jr, (205) 932-3169
Aplt. Atty., Timothy Ray Wadsworth, (205) 698-9118
Aple. Atty., John Allen Bivens, (205) 759-5401
Aple. Atty., Jonathan A Brown, (205) 695-7158
Aple. Atty., Glenn Carlyle Noe, (205) 695-7158
Aple. Atty., James Brent Thompson, (205) 921-9146

2070912 Sandra Fleming Banks v. Pine Oaks Land & Timber Co., LLC et al. (Appeal from Lamar Circuit Court: CV-06-44)
(Consolidated with 2070910, 2070911.)

Application For Rehearing Overruled.

Circuit Judge, James W Moore, Jr, (205) 932-3169
Aplt. Atty., John Allen Bivens, (205) 759-5401
Aplt. Atty., Timothy Ray Wadsworth, (205) 698-9118
Aple. Atty., Jonathan A Brown, (205) 695-7158
Aple. Atty., Glenn Carlyle Noe, (205) 695-7158
Aple. Atty., James Brent Thompson, (205) 921-9146