



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, JUNE 25, 2010**

Cobb, C.J.

- 1090099 Ex parte Fox Brook Holdings, LLC. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Fox Brook Holdings, LLC v. Terry Kennamore) (Colbert Circuit Court: CV-06-96; Civil Appeals : 2080069).

Writ Quashed. No Opinion.

Circuit Judge, Jacqueline M. Hatcher, (256) 386-8528
Pet. Atty., D. Edgar Black, (256) 383-5707
Pet. Atty., Douglas Marcel Black, (256) 383-2435
Resp. Atty., Mitchell D. Hays, (256) 383-9444
Resp. Atty., Bethany Ellison Malone, (256) 383-9444

Lyons, J.

- 1080340 Ex parte Richard Jerome Flowers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Richard Jerome Flowers v. State of Alabama) (Montgomery Circuit Court: CC97-20.60; Criminal Appeals : CR-06-1819).

Writ Quashed. No Opinion.

Circuit Judge, Eugene W. Reese, (334) 832-1360
Pet. Atty., Jeffery C Duffey, (334) 834-4100
Resp. Atty. General, Troy Robin King, (334) 242-7401
Resp. Asst. Atty. General, Kevin Wayne Blackburn, (334) 353-8807
Amicus Pet. Atty., Kristen M. Nelson, (334) 269-1803
Amicus Pet. Atty., Bryan A. Stevenson, (334) 269-1803
Amicus Pet. Atty., Randall S. Susskind, (334) 269-1803

- 1090762 Ex parte Gilnita Jones et al. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Angela S. Levert, as personal representative of the estate of M.S., deceased v. Tyshelle Wilson et al.) (Jefferson Circuit Court: CV-08-901738).

Petition Granted as to Jones, Henderson, and Walter and Denied as to Eubanks; Writ Issued.

Circuit Judge, Tom King, Jr., (205) 325-5025
Pet. Atty., Felicia Brooks, (334) 242-9330
Pet. Atty., Sharon E. Ficquette, (334) 242-9330
Resp. Atty., George Courtney French, (205) 977-9798
Resp. Atty., James S Lloyd, (205) 967-8822
Resp. Atty., Michael D. Petway, (205) 871-7878
Resp. Atty., John Richard Wallis, (205) 967-8822

- 1090781 Ex parte Tyshelle Wilson. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: Angela S. Levert, as personal representative of the estate of M. S., deceased v. Tyshelle Wilson et al.) (Jefferson Circuit Court: CV-08-901738).

Petition Denied.

Circuit Judge, Tom King, Jr., (205) 325-5025
Pet. Atty., James S Lloyd, (205) 967-8822
Pet. Atty., John Richard Wallis, (205) 967-8822
Resp. Atty., Felicia Brooks, (334) 242-9330
Resp. Atty., George Courtney French, (205) 977-9798
Resp. Atty., Michael D. Petway, (205) 871-7878

Stuart, J.

- 1081226 Mary Nell Phillips v. James Travis Seward and Heartland Express, Inc. (Appeal from Houston Circuit Court: CV-06-699).

Reversed And Remanded.

Circuit Judge, Sidney Jackson, (334) 677-4854
Apl. Atty., Stephen Mark Andrews, (334) 792-1420
Apl. Atty., Dan Talmadge, (334) 792-1420
Aple. Atty., Edgar Elliott
Aple. Atty., Deborah Alley Smith, (205) 250-6627

- 1090754 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Nickolas L. Dean v. State of Alabama) (Madison Circuit Court: CC03-160.70; Criminal Appeals : CR-08-1082).

Reversed And Remanded.

Circuit Judge, Loyd H. Little, Jr., (256) 532-3440
Pet. Atty. General, Troy Robin King, (334) 242-7401
Pet. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328
Resp. Atty., Gabrielle Nicole Helix, (256) 489-0595

- 1091029 Ex parte Christopher Ryan Bishop, individually and by and through his mother and next friend, Tammy Black. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Christopher Ryan Bishop, individually and by and through his mother and next friend, Tammy Black v. Robert Daniel White III, and State Farm Mutual Automobile Insurance Company, Inc.) (Jefferson Circuit Court, Bessemer Division: CV-07-21; Civil Appeals : 2081194).

Writ Denied. No Opinion.

Circuit Judge, Eugene R. Verin, (205) 481-4170
Pet. Atty., Charles H. Boohaker, (205) 202-4000
Resp. Atty., Vincent J. Bodin, (205) 970-5995
Resp. Atty., Stephen Shows, (205) 879-8722

Bolin, J.

- 1081428 A.W., a minor child, by and through her next friend Kelli Hogeland, and W.B., a minor child, by and through his next friend Shara Fortenberry v. J. Walter Wood, Jr., in his capacity as executive director of the Department of Youth Services, et al. (Appeal from Montgomery Circuit Court: CV-08-900530).

Affirmed In Part; Reversed in Part; and Remanded.

1091179 Ex parte Joseph Renney. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joseph Renney v. State of Alabama) (Hale Circuit Court: CC-05-23; 05-50; Criminal Appeals : CR-08-0891).

Writ Denied. No Opinion.

Shaw, J.

1080426 E. Wayne Russell, Jr. v. State of Alabama and the City of Auburn, Alabama (Appeal from Lee Circuit Court: CV-04-200).

Reversed And Remanded.

Circuit Judge, John V. Denson, II, (334) 749-7141
Aplt. Atty., Susan G. Copeland, (334) 270-0020
Aplt. Atty., J. Doyle Fuller, (334) 270-0020
Aple. Atty., Patrick C. Davidson, (334) 501-2985
Aple. Atty., Rick A. Howard, (334) 215-8585
Aple. Atty., Monica E. Jayroe, (334) 215-8585
Aple. Atty., Jarred E. Kaplan, (334) 215-8585

PER CURIAM

1071605 Hartford Underwriters Insurance Company v. Dave Henry Reed (Appeal from Mobile Circuit Court: CV-07-900307).

Reversed And Remanded.

Circuit Judge, John Ray Lockett, (251) 574-8477
Aplt. Atty., William E. Shreve, Jr, (251) 441-8224
Aplt. Atty., Cooper C. Thurber, (251) 432-4481
Aple. Atty., Sidney W. Jackson, III, (251) 433-6699
Aple. Atty., Mathew B. Richardson, (251) 433-6699

1080241 Donna Baker et al. v. Beth Chapman et al. (Appeal from Montgomery Circuit Court: CV-08-900749).

Affirmed. No Opinion.

Circuit Judge, Tracy S. McCooey, (334) 832-1365
Aplt. Atty. - Pro Hac, Nancy G Abudu, (404) 523-2721
Aplt. Atty. - Pro Hac, Laughlin McDonald, (404) 523-2721
Aplt. Atty., Allison Eichenfeld Neal, (334) 265-2751
Aplt. Atty., Robert D Segall, (334) 834-1180
Aple. Asst. Atty. General, James W. Davis, (334) 353-1356
Aple. Asst. Atty. General, Misty Shawn Fairbanks, (334) 353-8674
Aple. Asst. Atty. Gen., Margaret L. Fleming, (334) 242-7300

ON REHEARING

1071478 James H. Henderson and Roberta Henderson v. Helen Crump Wells and Rushton, Stakely, Johnston & Garrett, P.A. (Appeal from Montgomery Circuit Court: CV-05-3291).

Application Overruled. No Opinion.

Circuit Judge, Jeff W. Kelley, (334) 347-4785
Aplt. Atty., Clarence Leslie McDorman, (205) 871-3800
Aple. Atty., Joe Espy, III, (334) 263-6621
Aple. Atty., James Flynn Mozingo, (334) 263-6621

1080607 J. Gregory Kennedy v. Boles Investment, Inc., and Ian Boles (Appeal from Baldwin Circuit Court: CV-05-788).

Application Overruled.

Circuit Judge, James Harvey Reid, Jr., (251) 937-0290
Apl. Atty., Richard Eugene Davis, (251) 621-1555
Apl. Atty., Paul Bradley Murray, (251) 621-1555
Apl. Atty., Joseph David Steadman, (251) 690-9300
Aple. Atty., Walter Cook, (251) 432-4481
Aple. Atty., Bradley Robert Sanders, Jr, (251) 432-4481
Aple. Atty., William E. Shreve, Jr, (251) 441-8224
Aple. Atty., Taylor D Wilkins, Jr, (251) 937-7024

1081351 Derrick Robertson v. Gaddy Electric and Plumbing, LLC (Appeal from Marengo Circuit Court: CV-04-32).

Application Overruled. No Opinion.

Circuit Judge, Eddie Hardaway, Jr., (205) 652-6169
Apl. Atty., Charles J. Lorant, (205) 870-3212
Aple. Atty., Windy C Bitzer, (251) 694-6263
Aple. Atty., J Mark Hart, (205) 324-4400
Aple. Atty., Jennifer Stapleton Morgan, (251) 432-5511