



**LIST OF DECISIONS ANNOUNCED BY  
THE SUPREME COURT OF ALABAMA  
ON FRIDAY, OCTOBER 9, 2009**

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**Cobb, C.J.**

- 1081284 Ex parte David Lashon Douglas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Lashon Douglas v. State of Alabama) (Madison Circuit Court: CC04-3707.60; CC04-3708.60; Criminal Appeals : CR-08-0617).

**Writ Denied. No Opinion.**

Circuit Judge, Loyd H. Little, Jr., (256) 532-3440  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Cecil Gordon Brendle, Jr., (334) 242-7357

- 1081292 Ex parte Todd Anthony Brayman. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Todd Anthony Brayman v. State of Alabama) (St. Clair Circuit Court, Pell City Division: CC05-239.60; Criminal Appeals : CR-07-2132).

**Writ Denied. No Opinion.**

Circuit Judge, James E. Hill, Jr., (205) 338-3869  
Pet. Atty., William Howard Rohr, (205) 381-0229  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Gen. Counsel, John J. Davis, (334) 353-9131

- 1081337 Ex parte MaxiStorage, Inc., Dewey Brazelton, and Brazelton Properties, Inc. v. J. L. Butler, Sr., and J. L. Butler, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: MaxiStorage, Inc., Dewey Brazelton, and Brazelton Properties, Inc.) (Madison Circuit Court: CV-04-1492; Civil Appeals : 2071154).

**Writ Denied. No Opinion.**

Circuit Judge, Ned Michael Suttle, (256) 760-5820  
Pet. Atty., Angela S. Ary, (256) 535-0817  
Pet. Atty., Kevin D. Heard, (256) 535-0817  
Resp. Atty., Robert C. Gish, Jr, (256) 536-3636

- 1081426 Ex parte Jorge Zendejas. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jorge Zendejas v. State of Alabama) (Houston Circuit Court: CC06-1048.70; Criminal Appeals : CR-08-0208).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Lawson Little, (334) 677-4889  
Pet. Atty., Shannon A. Rash, (334) 699-6831  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Michael G. Dean, (334) 353-0415

1081430 Ex parte Al Joseph Felder, Sr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Al Joseph Felder, Sr. v. City of Montgomery, et al.) (Montgomery Circuit Court: CV-08-781.80; Civil Appeals : 2080757).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Price, (334) 832-1331  
Resp. Atty., Jason Cole Paulk, (334) 241-2050

**Lyons, J.**

1081584 Ex parte Antonio James Rogers. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Antonio James Rogers v. State of Alabama) (Montgomery Circuit Court: CC04-427; Criminal Appeals : CR-04-0593).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Price, (334) 832-1331  
Pet. Atty., Raymond E. Johnson, (334) 265-8731  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7378

1081594 Ex parte Larry Gray d/b/a Gray Farms. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Larry Gray d/b/a Gray Farms v. Barbara Goodwin, as Executrix of the Estate of Helen Frazer, Deceased, et al.) (DeKalb Circuit Court: CV-06-82; Civil Appeals : 2070297).

**Writ Denied. No Opinion.**

Circuit Judge, Randall L. Cole, (256) 845-8540  
Pet. Atty., Robert V. Rodgers, (256) 533-0202  
Pet. Atty., Nikki Parrish Scott, (256) 845-7000  
Resp. Atty., Bradley W. Cornett, (256) 546-5432  
Resp. Atty., E. Allen Dodd, Jr., (256) 845-5932  
Resp. Atty., Clarence Leslie McDorman, (205) 871-3800  
Resp. Atty., Benjamin R. Rice, (256) 533-5015  
Resp. Atty., Patrick Haralson Tate, (256) 845-1047

1081596 Ex parte Gary Gray and Patsy Gray, individually and d/b/a Gray Farms and P.J.'s Poultry Playhouse. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Gary Gray and Patsy Gray, individually and d/b/a Gray Farms and P.J.'s Poultry Playhouse v. Barbara Goodwin, as Executrix of the Estate of Helen Frazer, Deceased, et al.) (DeKalb Circuit Court: CV-06-82; Civil Appeals : 2070502).

**Writ Denied. No Opinion.**

Circuit Judge, Randall L. Cole, (256) 845-8540  
Pet. Atty., Robert V. Rodgers, (256) 533-0202  
Pet. Atty., Nikki Parrish Scott, (256) 845-7000  
Resp. Atty., Bradley W. Cornett, (256) 546-5432  
Resp. Atty., E. Allen Dodd, Jr., (256) 845-5932  
Resp. Atty., Clarence Leslie McDorman, (205) 871-3800  
Resp. Atty., Jared E. Mitchem, (256) 845-5932  
Resp. Atty., Benjamin R. Rice, (256) 533-5015  
Resp. Atty., Patrick Haralson Tate, (256) 845-1047

1081607 Ex parte James Curtis Martin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James Curtis Martin v. State of Alabama) (Chambers Circuit Court: CC83-112; Criminal Appeals : CR-08-1021).

**Writ Denied. No Opinion.**

Circuit Judge, Ray Dunn Martin, (256) 825-1084  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

1081648 Ex parte Karen McPherson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Karen McPherson v. Alabama Board of Pardons & Paroles) (Montgomery Circuit Court: CV08-947; Criminal Appeals : CR-08-0654).

**Writ Denied. No Opinion.**

Circuit Judge, Truman M. Hobbs, Jr., (334) 832-7147  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Dana Lea Pittman, (334) 353-4495

1081684 Ex parte Andrew Cornelius Jones, alias. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Andrew Cornelius Jones, alias v. State of Alabama) (Lee Circuit Court: CC08-508; Criminal Appeals : CR-08-0721).

**Writ Denied. No Opinion.**

Circuit Judge, John V. Denson, II, (334) 749-7141  
Pet. Atty., Margaret Young Brown, (334) 821-6944  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

1081690 Ex parte Yusuf Binyamin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Yusuf Binyamin v. State of Alabama) (Calhoun Circuit Court: CC06-1242; Criminal Appeals : CR-08-0309).

**Writ Denied. No Opinion.**

Circuit Judge, Malcolm B. Street, Jr., (256) 231-1820  
Pet. Atty., David Lee Johnston, Jr., (256) 235-1995  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

**Woodall, J.**

1081604 Ex parte William A. Yearout et al. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Saiia Construction, LLC, and APAC Southeast, Inc.) (Jefferson Circuit Court: CV-06-719; Civil Appeals : 2080424).

**Writ Denied. No Opinion.**

Circuit Judge, Allwin E. Horn, III, (205) 325-5365  
Pet. Atty., Jason Lamar Yearout, (205) 414-8160  
Resp. Atty., Stephen N. Fitts, III, (205) 324-4400  
Resp. Atty., Michael W Ray, (205) 326-4166  
Resp. Atty., James S. Witcher, III, (205) 502-0113

1081638 Ex parte Terry Bland. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Terry Bland v. State of Alabama) (Montgomery Circuit Court: CC91-140.90; Criminal Appeals : CR-08-1306).

**Writ Denied. No Opinion.**

Circuit Judge, William A. Shashy, (334) 832-1370  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, P. David Bjurberg, (334) 242-7365

1081654 Ex parte Jerome Foster. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jerome Foster v. State of Alabama) (Tuscaloosa Circuit Court: CC04-1719.70; Criminal Appeals : CR-08-0171).

**Writ Denied. No Opinion.**

Circuit Judge, Michael Bradley Almond, (205) 469-6352  
Pet. Atty., Gary L. Blume, (205) 556-6712  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7376

1081675 Ex parte Douglas Watts. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Douglas Watts v. State of Alabama) (Baldwin Circuit Court: CC07-1593; Criminal Appeals : CR-08-0382).

**Writ Denied. No Opinion.**

Circuit Judge, Charles C. Partin, (251) 937-0273  
Pet. Atty., Rusty Pigott, (251) 979-7899  
Resp. Asst. Gen. Counsel, John J. Davis, (334) 353-9131  
Resp. Atty., Larry C Moorner, (251) 432-0002

1081676 Ex parte Lanita Crooks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Lanita Crooks v. State of Alabama) (Baldwin Circuit Court: CC07-2371; Criminal Appeals : CR-08-0648).

**Writ Denied. No Opinion.**

Circuit Judge, James Harvey Reid, Jr., (251) 937-0290  
Pet. Atty., Larry C Moorner, (251) 432-0002  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

1081679 Ex parte Harold Wayne Bailey. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Harold Wayne Bailey v. State of Alabama) (Lawrence Circuit Court: CC05-179; Criminal Appeals : CR-08-0183).

**Writ Denied. No Opinion.**

Circuit Judge, Tommy Nail, (205) 327-8205  
Pet. Atty., Mari Morrison, (205) 982-8515  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

1081701 Ex parte Frederick Bernard Owens. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Frederick Bernard Owens v. State of Alabama) (Henry Circuit Court: CC04-119; Criminal Appeals : CR-08-1005).

**Writ Denied. No Opinion.**

Circuit Judge, Henry Dubose Binford  
Pet. Atty., Phyllis J Logsdon, (334) 793-7771  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

1081745 Ex parte Joseph Wayne Madden. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Joseph Wayne Madden v. State of Alabama) (Marion Circuit Court: CC82-31.62; CC82-34.62; CC82-37.62; Criminal Appeals : CR-08-0255).

**Writ Denied. No Opinion.**

Circuit Judge, John Hodges Bentley, (205) 921-2200  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7420

1081771 Ex parte Reginald Parrish. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Reginald Parrish v. State of Alabama) (Talladega Circuit Court: CC02-158.60; Criminal Appeals : CR-07-2217).

**Writ Denied. No Opinion.**

Circuit Judge, William E. Hollingsworth, III, (256) 761-2108  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7378

**Stuart, J.**

1080774 Tamela Marcus Patrick and Kylee Patrick v. Gregory Marcus (Appeal from Chilton Probate Court: No. 2004-127).

**Affirmed. No Opinion.**

Probate Judge, Robert M. Martin, (205) 755-1555  
Aplt. Atty., Robert Ryan Daugherty, (205) 930-5390  
Aplt. Atty., Charles R. Driggars, (205) 930-5100  
Aplt. Atty., Joseph A. Fawal  
Aple. Atty., Juan Carlos Moreno, (205) 795-6588  
Aple. Atty., Deborah Alley Smith, (205) 250-6627  
Aple. Atty., Ahrian Davis Tyler, (205) 795-6588

1081567 Ex parte William Griffin. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Griffin v. State of Alabama) (Houston Circuit Court: CC06-1534; Criminal Appeals : CR-08-0103).

**Writ Denied. No Opinion.**

Circuit Judge, Henry Dubose Binford  
Pet. Atty., Tilden Jeffrey Haywood, (334) 793-9009  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

1081637 Ex parte Ned Levon Hughes. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ned Levon Hughes v. State of Alabama) (Mobile Circuit Court: CC97-856.61; Criminal Appeals : CR-08-0117).

**Writ Denied. No Opinion.**

Circuit Judge, Sarah Hicks Stewart, (251) 574-8457  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Beth Slate Poe, (334) 242-7377

1081651 Ex parte Gregory James Eddins. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gregory James Eddins v. State of Alabama) (Madison Circuit Court: CC04-997.60; Criminal Appeals : CR-08-1028).

**Writ Denied. No Opinion.**

Circuit Judge, James Peyton Smith, (256) 532-3394

Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

- 1081671 Ex parte Sherrie Reid Phillips. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Sherrie Reid Phillips v. State of Alabama) (Covington Circuit Court: CC08-197; Criminal Appeals : CR-08-0247).

**Writ Denied. No Opinion.**

Circuit Judge, Charles Price, (334) 832-1331  
Pet. Atty., David Jerome Harrison, (334) 684-8729  
Pet. Atty., Abner Powell, III, (334) 222-4103  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Andy Scott Poole, (334) 242-7300

- 1081674 Ex parte Thomas James Lee. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Thomas James Lee v. State of Alabama) (Houston Circuit Court: CC07-1359; Criminal Appeals : CR-08-0101).

**Writ Denied. No Opinion.**

Circuit Judge, Larry K. Anderson, (334) 671-8761  
Pet. Atty., Benjamin J. Freeman, (334) 671-9555  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, William Duncan Little, (334) 242-4162

- 1081733 Ex parte M. S. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: M. S. v. Alabama Department of Human Resources) (Madison Juvenile Court: JU-08-1546.02; Civil Appeals : 2080540).

**Writ Denied.**

- 1081742 Ex parte Gary Lowell Davis. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gary Lowell Davis v. State of Alabama) (Madison Circuit Court: CC-07-4182; Criminal Appeals : CR-08-0621).

**Writ Denied. No Opinion.**

- 1081762 Ex parte Charles Edward Scott. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charles Edward Scott v. State of Alabama) (Dallas Circuit Court: CC97-119.61; Criminal Appeals : CR-08-0584).

**Writ Denied. No Opinion.**

Circuit Judge, Thomas ap Roger Jones, (334) 874-2510  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Cecil Gordon Brendle, Jr, (334) 242-7357

**Smith, J.**

- 1081556 Ex parte D. E.H. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: D. E.H. and K. A. H v. Etowah County Department of Human Resources) (Etowah Juvenile Court: JU-08-21.02; JU-08-22.02; Civil Appeals : 2080487).

**Writ Denied. No Opinion.**

Pet. Atty., Charles Centerfit Hart, (256) 543-1701  
Pet. Atty., Joseph M. Willoughby, (256) 543-1660  
Resp. Atty., Elizabeth Hendrix, (334) 242-9330

1081593 Ex parte K. A. H. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: K. A. H. Etowah County Department of Human Resources) (Etowah Juvenile Court: JU-08-21.02; JU-08-22.02; Civil Appeals : 2080492).

**Writ Denied. No Opinion.**

District Judge, Charles W. Owen, (256) 549-5321  
Pet. Atty., Joseph M. Willoughby, (256) 543-1660  
Resp. Atty., Charles Centerfit Hart, (256) 543-1701  
Resp. Atty., Elizabeth Hendrix, (334) 242-9330  
Resp. Atty., Laura T. Lloyd, (256) 543-3664  
Resp. G. A. L., Rodney L. Ward, (256) 547-2800

1081601 Ex parte Ben Wilkins. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ben Wilkins v. State of Alabama) (Jefferson Circuit Court: CC85-2432.60; CC85-2434.60; Criminal Appeals : CR-08-0985).

**Writ Denied. No Opinion.**

Circuit Judge, Laura Petro, (205) 325-5646  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Jean-Paul Michael Chappell, (334) 242-7328

1081629 Ex parte Bert Lenorris Johnson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bert Lenorris Johnson v. State of Alabama) (Mobile Circuit Court: CC07-4651; CC07-4652; Criminal Appeals : CR-08-0682).

**Writ Denied. No Opinion.**

Circuit Judge, Robert Herschel Smith, (251) 574-8485  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Kristi O Wilkerson, (334) 353-8563

1081649 Ex parte Tyrone Triplett. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tyrone Triplett v. State of Alabama) (Mobile Circuit Court: CC02-1982.61; Criminal Appeals : CR-08-0902).

**Writ Denied. No Opinion.**

Circuit Judge, Charles A. Graddick, (251) 574-5639  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Stephanie Elizabeth Reiland, (334) 242-4318

1081668 Ex parte Kharon Torchec Davis. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kharon Torchec Davis v. State of Alabama) (Houston Circuit Court: CC07-1100; Criminal Appeals : CR-08-0084).

**Writ Denied. No Opinion.**

Circuit Judge, Sidney Jackson, (334) 677-4854  
Pet. Atty., Benjamin E Meredith, (334) 671-0289  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Stephen Norwood Dodd, (334) 242-7378

1081703 Ex parte Thomas William Yelton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Thomas William Yelton v. State of Alabama) (Butler Circuit Court: CC71-4319.64; Criminal Appeals : CR-07-0869).

**Writ Denied. No Opinion.**

Circuit Judge, H. Edward McFerrin, (334) 382-3621

Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Laura I. Cuthbert, (334) 353-9782

1080399 Apollo Engineering, Inc. v. The City of Decatur, Alabama (Appeal from Morgan Circuit Court: CV-06-759).

**Affirmed. No Opinion.**

Circuit Judge, Sherrie W. Paler, (256) 351-4700  
Apl. Atty., Rebekah Pugh Beal, (256) 533-7711  
Aple. Atty., A.J. Coleman, (256) 353-6824  
Aple. Atty., Herman H. Marks, (256) 341-4510  
Aple. Atty., Jon R. Sedlak, (256) 353-6824

1080400 City of Decatur, Alabama v. Apollo Engineering, Inc. (Appeal from Morgan Circuit Court: CV-06-759).

**Affirmed. No Opinion.**

Circuit Judge, Sherrie W. Paler, (256) 351-4700  
Apl. Atty., A.J. Coleman, (256) 353-6824

### **Parker, J.**

1071633 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ren Hawkins Brooks v. State of Alabama) (Lauderdale Circuit Court: CC05-75; Criminal Appeals : CR-05-2384).

**Writ Denied. No Opinion.**

1071688 Ex parte Tony Wayne McElyea. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Tony Wayne McElyea v. State of Alabama) (Madison Circuit Court: CC06-5480; CC06-5481; Criminal Appeals : CR-06-1429).

**Writ Denied. No Opinion.**

1080120 Ex parte J. W. L. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: J. W. L. v. State of Alabama) (Madison Circuit Court: CC-04-4184; 06-3907; 06-3908; Criminal Appeals : CR-06-2166).

**Writ Denied. No Opinion.**

1080307 Ex parte Neler Keeton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Neler Keeton v. State of Alabama) (Lauderdale Circuit Court: CC07-237; Criminal Appeals : CR-07-0084).

**Writ Denied. No Opinion.**

Circuit Judge, Michael T. Jones, (256) 760-5831  
Pet. Atty., Jeffrey B. Austin, (256) 764-0582  
Pet. Atty., John G. Butler, Jr., (256) 534-1321  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Marc Alan Starrett, (334) 353-8973

1080391 Ex parte James McConico, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James McConico, Jr. v. Deputy Warden Carter et al.) (Montgomery Circuit Court: CV08-230; Criminal Appeals : CR-07-1893).

**Writ Denied. No Opinion.**

Circuit Judge, Eugene W. Reese, (334) 832-1360  
Resp. Atty. General, Troy R. King, (334) 242-7300



Resp. Atty., Bart Gregory Harmon, (334) 353-3881

- 1080506 Ex parte Michael Glenn Willis. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Michael Glenn Willis v. State of Alabama) (Morgan Circuit Court: CC05-1405; Criminal Appeals : CR-07-0039).

**Writ Denied. No Opinion.**

Circuit Judge, Steven Ellis Haddock, (256) 351-4750  
Pet. Atty., Brian Mitchell White, (256) 355-1100  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Yvonne A.H. Saxon, (334) 242-7376

- 1080567 Ex parte Marilyn B. Lee. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Marilyn B. Lee v. Alabama Board of Nursing) (Montgomery Circuit Court: CV-08-575; Civil Appeals : 2070957).

**Writ Denied. No Opinion.**

Circuit Judge, Truman M. Hobbs, Jr., (334) 832-7147  
Pet. Atty., Robert M Hill, Jr, (256) 767-0700  
Resp. Atty., Alice Miller Maples, (334) 242-4341

- 1080720 Ex parte State of Alabama. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: State of Alabama v. Ricky Douglas Hannon) (Mobile Circuit Court: CC96-1973; Criminal Appeals : CR-07-1006).

**Writ Denied. No Opinion.**

Circuit Judge, Sarah Hicks Stewart, (251) 574-8457  
Pet. Atty. General, Troy R. King, (334) 242-7300  
Pet. Asst. Atty. General, P. David Bjurberg, (334) 242-7365  
Resp. Atty., Deborah Diane McGowin, (334) 433-0906

- 1081061 Ex parte Stephens Davis Taylor. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Stephens Davis Taylor v. Louisa Dodson Taylor) (Madison Circuit Court: DR-07-846; Civil Appeals : 2070690).

**Writ Denied. No Opinion.**

Circuit Judge, William K. Bell, (256) 532-3636  
Circuit Judge, James E. Hill, Jr., (205) 338-3869  
Pet. Atty., Joan Marie Kettell Dean, (256) 534-4557  
Resp. Atty., Amy S. Creech, (256) 536-1676  
Resp. Atty., Dinah P. Rhodes, (256) 536-1676

**Murdock, J.**

- 1081295 Ex parte Carole Elizabeth Harris. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Carole Elizabeth Harris v. State of Alabama) (Houston Circuit Court: CC06-1281; Criminal Appeals : CR-07-2206).

**Writ Denied. No Opinion.**

Circuit Judge, Larry K. Anderson, (334) 671-8761  
Pet. Atty., Allen K Mitchell, (334) 671-0289  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

1081422 Ex parte Billy Browning. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Billy Browning v. State of Alabama) (Coosa Circuit Court: CC77-05.60; CC77-06.60; Criminal Appeals : CR-07-1847).

**Writ Denied. No Opinion.**

Circuit Judge, John E. Rochester, (256) 354-2242  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275

1081457 Ex parte Elizabeth J. Kelly and Rick H. Kelly. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Elizabeth J. Kelly and Rick H. Kelly v. Rhondall H. Rumbley, individually and as executor of the estate of Annie Mae House, deceased, and Robert L. House) (Monroe Circuit Court: CV-04-135; Civil Appeals : 2070978).

**Writ Denied. No Opinion.**

Circuit Judge, Dawn Wiggins Hare, (251) 743-3649  
Pet. Atty., Donald Duane Doerr, Jr, (251) 937-7412  
Resp. Atty., J. Milton Coxwell, Jr., (251) 575-2146

1081522 Ex parte George Corrola Burton. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: George Corrola Burton v. State of Alabama) (Dallas Circuit Court: CC99-415.61; Criminal Appeals : CR-06-0104).

**Writ Denied. No Opinion.**

Circuit Judge, Thomas ap Roger Jones, (334) 874-2510  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

1081533 Ex parte E. G. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: E. G. v. Lee County Department of Human Resources) (Lee Juvenile Court: JU-05-762.02, JU-05-763.02, and JU-07-250.02; Civil Appeals : 2080418).

**Writ Denied. No Opinion.**

1081534 Ex parte M. K. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: M. K. v. Lee County Department of Human Resources) (Lee Juvenile Court: JU-05-758.02, JU 05-759.02, JU 05-760.02, JU-05-761.02, JU-05-762.02, JU-05-763.02, and JU-07-250.02; Civil Appeals : 2080384).

**Writ Denied. No Opinion.**

1081575 Ex parte Dale E. Lee. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Dale E. Lee v. State of Alabama) (Butler Circuit Court: CC91-29.61; Criminal Appeals : CR-08-1054).

**Writ Denied. No Opinion.**

Circuit Judge, H. Edward McFerrin, (334) 382-3621  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Tracy Millar Daniel, (334) 353-0074

1081653 Ex parte Walter R. Clay. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Walter R. Clay, alias v. State of Alabama) (Jefferson Circuit Court: CC08-2687; Criminal Appeals : CR-08-0773).

**Writ Denied. No Opinion.**

Circuit Judge, Tommy Nail, (205) 327-8205

Pet. Atty., Chris Steve Christ, (205) 252-2222  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Madeline H. Lewis, (334) 353-4840

## **Shaw, J.**

1080273 Christian Service Mission v. Sexton, Cullen & Jones, P.C. et al. (Appeal from Jefferson Circuit Court: CV-05-3327).

### **Affirmed. No Opinion.**

Circuit Judge, Harold V. Hughston, (256) 386-8526  
Apl. Atty., J. Timothy Francis, (205) 251-0252  
Apl. Atty., Clarence Leslie McDorman, (205) 871-3800  
Aple. Atty., Michael L. Chambers, (205) 251-9201  
Aple. Atty., Joseph E. Stott, (205) 967-9675

1080712 Marcia Lehr v. Sidney Chapman (Appeal from Barbour Circuit Court: CV-08-900036).

### **Affirmed. No Opinion.**

Circuit Judge, L. Bernard Smithart, (334) 775-3408  
Apl. Atty., Richard D Lively, (334) 491-4911  
Aple. Atty., Albert H Adams, Jr., (334) 687-1326

1080794 Ex parte Steven M. Stanford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Steven M. Stanford v. Kelly G. Stanford) (Mobile Circuit Court: DR-02-501461.01; Civil Appeals : 2070605).

### **Writ Denied. No Opinion.**

Circuit Judge, Rosemary D. Chambers, (334) 690-8463  
Pet. Atty., William Gregory Hughes, (251) 433-3671

1080821 Rose Stabler v. Mark Ryan (Appeal from Baldwin Circuit Court: CV-08-418).

### **Affirmed. No Opinion.**

Circuit Judge, Robert E. Wilters, (251) 580-2570  
Aple. Atty., James Brian Rossler, (251) 432-2300

1080851 Ex parte Joseph William Faulk. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Joseph William Faulk v. Linda Diana Faulk) (Mobile Circuit Court: DR-05-501105.01; Civil Appeals : 2071147).

### **Writ Denied. No Opinion.**

Circuit Judge, Rosemary D. Chambers, (334) 690-8463  
Pet. Atty., William Gregory Hughes, (251) 433-3671  
Resp. Atty., James D. Brooks, (251) 343-1680  
Resp. Atty., Andrew M. Jones, (251) 432-6685

1080858 Ex parte Gary Hicks and Peggy Hicks. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Gary Hicks and Peggy Hicks v. Madison Homes Holding Company, LLC) (Madison Circuit Court: CV-06-1935; Civil Appeals : 2070434).

### **Writ Denied. No Opinion.**

Circuit Judge, Karen K. Hall, (256) 532-3455  
Pet. Atty., Cheryl Baswell-Guthrie, (256) 288-0130  
Pet. Atty., Albert L. Jordan, (205) 870-0555  
Resp. Atty., Stacy L. Moon, (256) 536-0095

1080871 Ex parte Terry Dale Wright. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Terry Dale Wright v. State of Alabama) (Cullman Circuit Court: CC07-383; Criminal Appeals : CR-07-1317).

**Writ Denied. No Opinion.**

Circuit Judge, Don L. Hardeman, (256) 739-3530  
Pet. Atty., Gregory A. Johnson, (256) 739-0006  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. Gen., Beth Slate Poe, (334) 242-7377

1081187 Ex parte Jack Sweeney. PETITION FOR WRIT OF MANDAMUS AND WRIT OF PROHIBITION: CRIMINAL (In re: State of Alabama vs. Jack Sweeney) (Talladega Circuit Court: CC00-344; CC00-346; CC00-415; CC00-416; CC00-417; Criminal Appeals : CR-08-0615).

**Petition Denied. No Opinion.**

Circuit Judge, William E. Hollingsworth, III, (256) 761-2108  
Resp. Atty. General, Troy R. King, (334) 242-7300  
Resp. Asst. Atty. General, Robin Denise Scales, (334) 242-4275  
Resp. District Atty., Steve Giddens, (256) 362-2036

1081524 Ex parte S.J.R. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: S.J.R. v. F.M.R.) (Elmore Circuit Court: DR-95-430.01; Civil Appeals : 2071020).

**Writ Denied. No Opinion.**

1081642 Ex parte B. W. M. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: B. W. M. v. Madison County Department of Human Resources) (Madison Juvenile Court: JU-06-1736.02; Civil Appeals : 2080300).

**Writ Denied. No Opinion.**

**PER CURIAM**

1070350 Olshan Foundation Repair of Mobile, LP v. Regina Ryan and Randolph Ryan (Appeal from Jefferson Circuit Court: CV-07-2781).

**Affirmed. No Opinion.**

Circuit Judge, Edward L. Ramsey, (205) 325-5280  
Apl. Atty., Kathryn Roe Eldridge, (205) 254-1205  
Apl. Atty., Peter S. Fruin, (205) 254-1068  
Aple. Atty., Andrew P. Campbell, (205) 803-0051  
Aple. Atty., Wendy T. Tunstill, (205) 803-0051  
Aple. Atty., Jenifer Champ Wallis, (205) 803-0051