



**LIST OF DECISIONS ANNOUNCED BY  
COURT OF CIVIL APPEALS OF ALABAMA  
ON FRIDAY, FEBRUARY 20, 2009**

---

**PRESIDING JUDGE THOMPSON**

2070439 Thomas & Associates v. John Yasko, III (Appeal from Walker Circuit Court: CV-02-224)

**Affirmed. No Opinion.**

Circuit Judge, Jerry Selman, (205) 384-7237  
Aplt. Atty., Joseph H. Driver, (205) 822-2006  
Aple. Atty., Charles C Tatum, Jr, (205) 387-0708

2070501 Debbie Whorton v. D. L. Bruce, individually and d/b/a Bruce Carpets (Appeal from Baldwin Circuit Court: CV-05-608)

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

District Judge, Robert E Wilters, (251) 580-2570  
Aplt. Atty., David E Hudgens, (251) 625-2880  
Aplt. Atty., Alvin L. Moon, (251) 625-2880  
Aple. Atty., Braxton Blake Lowe, (251) 968-5540

2070817 E. G. v. K. C. (Appeal from Jefferson Juvenile Court: JU-04-52650.01)

**Affirmed. No Opinion.**

**JUDGE PITTMAN**

2070279 Robert Hewlett et al. v. Double Kay Corporation (Appeal from Madison Circuit Court: CV-07-57)

**Affirmed. No Opinion.**

Circuit Judge, James P Smith, (256) 532-3394  
Aplt. Atty., Timothy P Pittman, (256) 564-7317  
Aple. Atty., Robert C Gammons, (256) 533-7711  
Aple. Atty., Joshua B. White, (256) 533-7711

## JUDGE BRYAN

2071111 H. R. v. A. B. and E. B. (Appeal from St. Clair Juvenile Court: JU-07-553)

**Affirmed. No Opinion.**

## JUDGE THOMAS

2070764 Water and Wastewater Board of the City of Madison v. City of Athens (Appeal from Limestone Circuit Court: CV-05-93)

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

Circuit Judge, James W Woodroof, IV, (256) 233-6410

Aplt. Atty., Gary K. Grace, (256) 534-0491

Aplt. Atty., Lucy A Grace, (256) 534-0491

Aple. Atty., Matthew B. Reeves, (256) 536-1711

Aple. Atty., J Jeffery Rich, (256) 536-1711

2070834 Daryl Gardner and Dwight DeRamus v. State of Alabama (Appeal from Autauga Circuit Court: CV-06-366)

**Reversed And Remanded.**

Circuit Judge, Ben A Fuller, (334) 361-3766

Aplt. Atty., Jerry M. Blevins, (334) 262-7600

Aple. Atty., James R Houts, (334) 567-2237

## JUDGE MOORE

2070749 Hutch Hammond v. Terry Lovvorn and Sherry Lovvorn (Appeal from Randolph Circuit Court: CV-06-93)

**Reversed and Remanded with Instructions**

Circuit Judge, Steven Richard Perryman, (334) 756-3800

Aplt. Atty., Ivan B Cooper, (205) 581-0717

Aplt. Atty., Jason M Jackson, (256) 234-2547

Aplt. Atty., Mac M Moorner, (205) 581-0700

Aple. Atty., John K Warren, (256) 354-5711

2071083 Veleta Williams and Williams Group Homes, Inc. v. Paula Hill and Hill's Group Home, Inc. (Appeal from Mobile Circuit Court: CV-05-3579)

**Appeal Dismissed In Part; Affirmed In Part.**

Circuit Judge, Sarah H Stewart, (251) 574-8457

Aplt. Atty., Ronnie Lee Williams, (251) 432-6985

Aple. Atty., Marcus Edward McCrory, (251) 433-0730

2071179 Berdnetter Minniefield v. Phillip Keith Boykins (Appeal from Jefferson Circuit Court: CV-07-2811)

**Affirmed. No Opinion.**

Circuit Judge, G William Noble, (205) 325-5020

Aplt. Atty., Carolyn Rankins Shields, (205) 685-0048

Aple. Atty., A Joe Peddy, (205) 251-5885

Aple. Atty., Amy A Weems, (205) 251-5885

2080175 George Horton and Louise Horton v. Venita K. Perkins (Appeal from Lauderdale Circuit Court: CV-06-435)

**Affirmed.**

Circuit Judge, Ned Michael Suttle, (256) 760-5820  
Aplt. Atty., Derek Kendal Johnson, (256) 764-2220  
Aple. Atty., Harold G Peck, (256) 766-4490

## **PER CURIAM**

2071049 G. J. H. v. Jefferson County Department of Human Resources (Appeal from Jefferson Juvenile Court: JU 02-51947.00 & JU-02-51947.01)

**Affirmed. No Opinion.**

## **ON REHEARING**

2061070 Norandal U.S.A., Inc. v. Welton Graben (Appeal from Jackson Circuit Court: CV-99-361)

**Application Granted; Opinion of October 17, 2008, Withdrawn; Opinion Substituted; Reversed And Remanded.**

Circuit Judge, Jenifer C Holt, (256) 574-9350  
Aplt. Atty., Claude E Hundley, III, (256) 535-1100  
Aplt. Atty., Jeffrey Todd Kelly, (256) 535-1100  
Aple. Atty., George A. Moore, (256) 533-5770

2070489 Deborah Lynn Weeks v. Michael Roy Weeks (Appeal from Marion Circuit Court: DR-07-176)

**Application for Rehearing Overruled**

District Judge, James C Cashion, (205) 921-3181  
Aplt. Atty., Eddie Beason, (256) 332-1660  
Aple. Atty., M Lionel Leathers, (205) 487-4301

2070723 Gary Bell d/b/a Duane Corporation v. Nathaniel Owens (Appeal from Calhoun Circuit Court: CV-05-114.80)

**Application for Rehearing Overruled**

Circuit Judge, John H Bentley, (205) 921-2200  
Aple. Atty., Clarence Dortch, III, (256) 761-9000  
Aple. Atty., W L Williams, Jr, (205) 458-8394