



**LIST OF DECISIONS ANNOUNCED BY
COURT OF CIVIL APPEALS OF ALABAMA
ON FRIDAY, FEBRUARY 6, 2009**

PRESIDING JUDGE THOMPSON

2070434 Gary Hicks and Peggy Hicks v. Madison Homes Holding Company, LLC (Appeal from Madison Circuit Court: CV-06-1935)

Affirmed. No Opinion.

2070692 Property Owners Association of Ono North, Inc. v. Melody Drake Coggin (Appeal from Baldwin Circuit Court: CV-07-289)

Affirmed. No Opinion.

JUDGE PITTMAN

2070649 J. R. v. State Department of Human Resources (Appeal from Bibb Juvenile Court: JU-06-199.02 and JU-07-67.02)

Affirmed. No Opinion.

2070763 Reynalda Alanis Duran et al. v. Goff Group (Appeal from Shelby Circuit Court: CV-04-867)

Affirmed.

2070796 David Alan Kelly v. Marla Kelly Asson (Appeal from Colbert Circuit Court: DR-98-361.02)

Affirmed. No Opinion.

2070938 Brett Varner d/b/a Gold's Pest Control v. Donald Martin & Sylvia Martin (Appeal from Houston Circuit Court: CV-07-448)

Affirmed. No Opinion.

JUDGE BRYAN

2070441 Regions Bank, as trustee of the J. F. B. Lowrey Trust v. Jerold Dean (Appeal from Conecuh Circuit Court: CV-05-116)

Reversed And Remanded.

2070809 F. Scott Andrews, Jr. v. Eva Sproull Andrews (Appeal from Calhoun Circuit Court: DR-07-900007)

Affirmed. No Opinion.

2070812 David Cochran, Jr. v. Parking Management of Birmingham, Inc. (Appeal from Jefferson Circuit Court: CV-04-3571)

Affirmed. No Opinion.

2080002 Gwendolyn J. Smith v. Michael C. Smith (Appeal from Mobile Probate Court: 08-2223)

Affirmed. No Opinion.

JUDGE THOMAS

2070265 Ruth Brogden and Dorothy Timothy v. Travis D. Durkee and April Durkee (Appeal from Covington Circuit Court: CV-05-114)

Affirmed.

2070678 State Department of Human Resources v. Samantha Lott (Appeal from Mobile Circuit Court: DR-07-501074)

Affirmed.

2070709 Darius Moore v. Larry Welch, Sid Sewell, and Frank James (Appeal from Mobile Circuit Court: CV-05-3522.51)

Affirmed.

2070715 Fluor Enterprises, Inc., d/b/a Fluor Signature Services v. Darrell Lawshe (Appeal from Mobile Circuit Court: CV-07-900241.00)

Affirmed in Part; Reversed in Part; And Remanded with Instructions.

2070758 Susan Smith Odom v. Shane Smith (Appeal from Covington Circuit Court: DR-06-371.01)

Affirmed.

JUDGE MOORE

2071021 Nichole Irene Baker v. Brandon Lee Baker (Appeal from Clay Circuit Court: DR-07-45)

Affirmed. No Opinion.

ON REHEARING

2070504 J. V. Lamar, Bayou La Batre Church of Christ, and Bayou La Batre Church of Christ Disaster Relief, Inc. v. Foley Church of Christ (Appeal from Mobile Circuit Court: CV-06-900048)

Application for Rehearing Overruled

2070704 Bill Flora v. Affordable Homes, LLC, et al. (Appeal from Pike Circuit Court: CV-03-229)

Application for Rehearing Overruled

2070765 Ex parte Tim Russell, acting commissioner, Alabama Department of Revenue. PETITION FOR WRIT OF MANDAMUS (In re: Christina Meyers, individually and as representative of the Plaintiffs' class v. Tim Russell, acting commissioner, Alabama Department of Revenue; Kay Ivey, treasurer for the State of Alabama; and Jefferson County Board of Equalization) (Jefferson Circuit Court: CV-08-133)

On Rehearing Ex Mero Motu; Opinion of January 9, 2009, Withdrawn; Opinion Substituted; Petition Granted In Part And Denied In Part; Writ Issued.