



**ALABAMA COURT OF CRIMINAL APPEALS
DECISIONS ANNOUNCED ON
FRIDAY, AUGUST 26, 2022**

PRESIDING JUDGE WINDOM

CR-21-0278 *Ronnie Lee Russell, Jr. v. State of Alabama* (Appeal from Tallapoosa Circuit Court: CC-18-392, CC-18-395, CC-18-396; CC-18-398, CC-18-399, CC-18-402, CC-18-403, CC-18-404, CC-18-405, and CC-18-406)

Affirmed by Memorandum.

CR-21-0306 *Christian James Street v. State of Alabama* (Appeal from Jackson Circuit Court: CC-21-277 and CC-21-280)

Affirmed by Memorandum.

CR-21-0331 *James McConico, Jr. v. Alabama Board of Pardons and Paroles* (Appeal from Montgomery Circuit Court: CV-21-347)

Affirmed by Memorandum.

CR-21-0407 *Daryl DeWayne Burks v. State of Alabama* (Appeal from Pike Circuit Court: CC-19-448)

Affirmed by Memorandum.

CR-21-0429 *Glenn Bernarr Frazier v. State of Alabama* (Appeal from Madison Circuit Court: CC-19-1893.70)

Affirmed by Memorandum.

CR-21-0495 *B.R.S., Jr. v. State of Alabama* (Appeal from Houston Juvenile Court: JU-18-368.05 and JU-18-368.06)

Affirmed by Memorandum.

CR-2022-0547 *Terrance Kareem Garrett v. State of Alabama* (Appeal from Lauderdale Circuit Court: CC-15-372.62)

Affirmed by Memorandum.

CR-2022-0590 *Tiffany Ann Bickelhaupt v. State of Alabama* (Appeal from Winston Circuit Court: CC-20-65.70)

Affirmed by Memorandum.

JUDGE KELLUM

CR-20-0404 *Roland Don Campbell v. State of Alabama* (Appeal from Jefferson Circuit Court: CC-19-385)

Affirmed by Memorandum.

CR-21-0118 *Arthur Leon McKinney, Jr. v. State of Alabama* (Appeal from Jefferson Circuit Court: CC-19-308)

Affirmed by Memorandum.

CR-21-0327 *Lareico Small v. State of Alabama* (Appeal from Autauga Circuit Court: CC-18-42)

Affirmed by Memorandum.

CR-21-0389 *Damon Warren v. City of Childersburg* (Appeal from Talladega Circuit Court: CC-20-122 and CC-20-123)

Affirmed by Memorandum.

CR-21-0440 *Melvin Nickson v. State of Alabama* (Appeal from Madison Circuit Court: CC-21-145.72)

Affirmed by Memorandum.

CR-21-0467 *Nathan Winston Stephens v. State of Alabama* (Appeal from Cullman Circuit Court: CC-20-628)

Affirmed by Memorandum.

CR-2022-0612 *Darrius Chestnut v. State of Alabama* (Appeal from Mobile Circuit Court: CC-15-3362.61)

Affirmed by Memorandum.

CR-2022-0655 *Gary Lavon Davis v. State of Alabama* (Appeal from Limestone Circuit Court: CC-16-928.62)

Affirmed by Memorandum.

JUDGE McCOOL

CR-20-0592 *Leonardo Adrian Gonzalez v. State of Alabama* (Appeal from Talladega Circuit Court: CC-19-99)

Affirmed by Memorandum on Return to Remand.

CR-20-0859 *Danial Monroe Clark III v. State of Alabama* (Appeal from Baldwin Circuit Court: CC-19-1984)

Affirmed by Memorandum.

CR-20-0970 *Michael R. Bush v. Alabama Board of Pardons and Paroles* (Appeal from Montgomery Circuit Court: CV-20-696)

Affirmed by Memorandum.

CR-21-0066 *Robert James Steele v. State of Alabama* (Appeal from Montgomery Circuit Court: CC-97-204.64)

Affirmed by Memorandum.

CR-21-0073 *Steven Henry Palmer v. State of Alabama* (Appeal from Jefferson Circuit Court: CC-03-2482.61)

Affirmed by Memorandum.

CR-21-0111 *James Keith Larry v. State of Alabama* (Appeal from Lauderdale Circuit Court: CC-09-538.63)

Affirmed by Memorandum.

CR-21-0155 *Pariss Shevee Kimbrough v. State of Alabama* (Appeal from Madison Circuit Court: CC-17-676.60)

Affirmed by Memorandum.

CR-21-0164 *Curtis William Wambles v. State of Alabama* (Appeal from Coffee Circuit Court: DC-20-900653.70, DC-20-900654.70, DC-20-900655.70, DC-20-900737.70, and DC-20-900759.70)

Affirmed by Memorandum.

CR- 21-0171 *Samtarius Antonio Austin v. State of Alabama* (Appeal from Pike Circuit Court: CC-19-303)

Affirmed by Memorandum.

CR-21-0177 *Geramy Shane Kutsch v. State of Alabama* (Appeal from Shelby Circuit Court: CC-17-695 and CC-17-697)

Affirmed by Memorandum.

CR-21-0182 *Kelly N. Dingler v. State of Alabama* (Appeal from Autauga Circuit Court: CC-19-208)

Affirmed by Memorandum.

CR-21-0413 *John Steven Massey, Jr. v. State of Alabama* (Appeal from Marion Circuit Court: CC-19-261.71)

Affirmed by Memorandum.

JUDGE COLE

CR-20-0448 *Jacoby Zenkuri Bean v. State of Alabama* (Appeal from Montgomery Circuit Court: CC-18-1706)

Affirmed by Memorandum.

CR-20-0452 *Anthony Wayne McCaa v. State of Alabama* (Appeal from Greene Circuit Court: CC-98-51.62)

Affirmed by Memorandum.

CR-20-0944 *Joshua Patrick Alexander v. State of Alabama* (Appeal from Coffee Circuit Court: CC-08-57.60)

Affirmed by Memorandum.

CR-20-0960 *Matthew Sherman Phillips v. Governor Kay Ivey and Alabama Department of Corrections* (Appeal from Morgan Circuit Court: CV-21-28)

Dismissed by Memorandum.

CR-21-0029 *Marty Marie Flirt v. State of Alabama* (Appeal from Baldwin Circuit Court: CC-19-1623)

Affirmed by Memorandum.

CR-21-0093 *Eric Lester Story v. Alabama Department of Corrections* (Appeal from Montgomery Circuit Court: CV-21-336)

Affirmed by Memorandum.

CR-21-0276 *Frederick Douglas Byrd v. State of Alabama* (Appeal from Lee Circuit Court: CC-85-506.60; CC-85-507.60; CC-85-508.60)

Affirmed by Memorandum.

JUDGE MINOR

CR-21-0037 *Steven Duatell Rice v. State of Alabama* (Appeal from Madison Circuit Court: CC-15-1225.61)

Affirmed by Memorandum.

CR-21-0173 *Kendal Tyler Battles v. State of Alabama* (Appeal from Tuscaloosa Circuit Court: CC-19-2059)

Affirmed by Memorandum.

CR-21-0197 *Andy Lamont Tinker v. State of Alabama* (Appeal from Coffee Circuit Court: CC-20-201)

Affirmed by Memorandum.

CR-21-0287 *Jennifer N. Bowden v. State of Alabama* (Appeal from Monroe Circuit Court: CC-16-98.60)

Affirmed by Memorandum on Return to Remand.

PER CURIAM

CR-21-0438 *John Edward Clay v. State of Alabama* (Appeal from Marshall Circuit Court: CC-20-450).

Affirmed by Memorandum.

ON REHEARING

CR-05-1805 *ToForest Onesha Johnson v. State of Alabama* (Appeal from Jefferson Circuit Court: CC-96-386.60).

Application for Rehearing Overruled.

CR-20-1015 *Undral Sandor Davis v. State of Alabama* (Appeal from Jackson Circuit Court: CC-01-1158.62).

**Application for Rehearing Overruled;
Unpublished Memorandum of May 20, 2022, Withdrawn;
Memorandum Substituted; Affirmed on Return to
Remand.**

CR-21-0079 *Terrance Jurand Austin v. State of Alabama* (Appeal from Jackson Circuit Court: CC-13-280.60)

Application for Rehearing Overruled.

CR-21-0113 *Eric D. Darby v. Alabama Board of Pardons and Paroles* (Appeal from Montgomery Circuit Court: CV-21-376)

Application for Rehearing Overruled.

CR-21-0141 *Emiliano Rodriguez v. State of Alabama* (Appeal from Houston Circuit Court: CC-20-993)

Application for Rehearing Overruled.

CR-21-0211 *Jerry Hammond v. State of Alabama* (Appeal from Houston Circuit Court: CC-88-790.64).

**Application for Rehearing Dismissed;
Unpublished Memorandum of June 24, 2022, Withdrawn;
Order Substituted; Appeal Dismissed.**

CR-21-0241 *T.C.A. v. State of Alabama* (Appeal from Mobile Circuit Court: CC-19-60, CC-19-61, and CC-19-62).

Application for Rehearing Overruled.

CR-21-0493 *Charles Vernon Harris, Jr. v. State of Alabama* (Appeal from Limestone Circuit Court: CV-21-26).

Application for Rehearing Overruled.