



**SUPREME COURT OF ALABAMA
DECISIONS ANNOUNCED ON
FRIDAY, JANUARY 6, 2023**

CHIEF JUSTICE PARKER

2022-0950 *Ex parte M.T.* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: M.T. and R.S.) (Jefferson Circuit Court: DR-21-166; Civil Appeals: CL-2022-1028).

Writ Denied. No Opinion.

JUSTICE BOLIN

1210202 *Oxford Mall, LLC v. Penney OPCO, LLC* (Appeal from Calhoun Circuit Court: CV-21-900223).

Affirmed. No Opinion.

2022-0851 *Ex parte Shannon Pilotte n/k/a Shannon Griffin* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Shannon Pilotte n/k/a Shannon Griffin v. Matthew Pilotte) (Madison Circuit Court: DR-15-491.03; Civil Appeals: 2200714).

Writ Denied. No Opinion.

2022-0879 *Ex parte R.C.M.* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: R.C.M. v. State of Alabama) (Cullman Circuit Court: CC-10-343.62; Criminal Appeals: CR-20-0759).

Writ Denied. No Opinion.

2022-0925 *Ex parte Johnny Lee Self* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Johnny Lee Self v. State of Alabama) (Jefferson Circuit Court: CC-03-1269.60 and CC-03-1270.60; Criminal Appeals: CR-19-0978).

Writ Denied. No Opinion.

2022-0938 *Ex parte T.B.* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: T.B. v. State of Alabama) (Baldwin Circuit Court: CC-19-1961, CC-19-1962, CC-19-900137, CC-19-900138, CC-19-900139, CC-19-900250, CC-19-900251, CC-19-900252, and CC-19-900253; Criminal Appeals: CR-20-0341).

Writ Denied. No Opinion.

2022-1001 *Ex parte Ronnie Marshall* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ronnie Marshall v. State of Alabama) (Jefferson Circuit Court: CC-97-4425; Criminal Appeals: CR-2022-0742).

Writ Denied. No Opinion.

JUSTICE SHAW

2022-0969 *Ex parte Clifford Ellis* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Clifford Ellis v. Alabama Department of Corrections (Montgomery Circuit Court: CV-21-900769; Criminal Appeals: CR-21-0299)).

Writ Denied. No Opinion.

2022-0994 *Ex parte Glen Fredrick Taylor* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Glen Fredrick Taylor v. State of Alabama) (Talladega Circuit Court: CC-10-96.61; Criminal Appeals: CR-21-0431).

Writ Denied. No Opinion.

JUSTICE WISE

1210405 *Effortless Property Solutions, LLC v. Lore Hislop and Averbuch Realty Co., Inc.* (Appeal from Madison Circuit Court: CV-19-901104).

Affirmed. No Opinion.

2022-0552 *Lance Wayne v. CGP Southland Plaza LLC* (Appeal from Morgan Circuit Court: CV-20-900237).

Affirmed. No Opinion.

2022-1016 *Ex parte L.R.G.* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: L.R.G. v. Le.G. and K.G.) (Houston Juvenile Court: JU-16-496.04; Civil Appeals: CL-2022-0522).

Writ Denied. No Opinion.

2022-1017 *Ex parte L.R.G.* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: L.R.G. v. Le.G. and K.G.) (Houston Juvenile Court: JU-16-497.04; Civil Appeals: CL-2022-0523).

Writ Denied. No Opinion.

JUSTICE BRYAN

2022-0600 Jerry Busbin v. Terrell Reed and Brenda Osgood (Appeal from Walker Circuit Court: CV-00-159).

Affirmed. No Opinion.

JUSTICE SELLERS

2022-0942 *Ex parte Jimmie Lee Boggan, Jr.* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jimmie Lee Boggan v. State of Alabama) (Mobile Circuit Court: CC-12-3765.62 and CC-12-3766.62; Criminal Appeals: CR-20-0739).

Writ Denied. No Opinion.

2022-0993 *Ex parte John Joseph Massone, Jr.* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: John Joseph Massone, Jr. v. Sharon Elizabeth Massone) (Shelby Circuit Court: DR-20-900102; Civil Appeals: 2210382).

Writ Denied. No Opinion.

JUSTICE MENDHEIM

2022-0441 *WPNVA, LLC; JAY-E, LLC; John White-Spunner; and Chester Stefan v. City of Daphne* (Appeal from Baldwin Circuit Court: CV-18-901402).

Affirmed. No Opinion.

2022-0465 *Ivan Arlando Dubose v. Freddie Marion Riley* (Appeal from Mobile Circuit Court: CV-20-901660).

Affirmed. No Opinion.

2022-0968 *Ex parte Kendal Tyler Battles* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kendal Tyler Battles v. State of Alabama) (Tuscaloosa Circuit Court: CC-19-2059; Criminal Appeals: CR-21-0173).

Writ Denied. No Opinion.

JUSTICE STEWART

2022-0973 *Ex parte J.N.M.-R.* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: J.N.M.-R. v. M.D.L.-C.) (Baldwin Circuit Court: DR-21-900030; Civil Appeals: 2210304).

Writ Denied. No Opinion.

2022-0755 *Jeffrey D. Milner, M.D., Ph.D., and C & J Sciences, LLC v. Southeast ER Physicians, PA; The Healthcare Authority of Baptist Health, an affiliate of UAB Health Systems, d/b/a Prattville Baptist, Baptist South, Baptist East, and Baptist Montgomery; Jon Cuba, M.D.; and Ginger Henry* (Appeal from Jefferson Circuit Court: CV-20-903497).

Affirmed. No Opinion.

2022-1019 *Ex parte Darryl Jevon Joyce* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Darryl Jevon Joyce v. State of Alabama) (Montgomery Circuit Court: CC-96-1980.60; Criminal Appeals: CR-2022-0526).

Writ Denied. No Opinion.

JUSTICE MITCHELL

2022-0528 *Elizabeth Zaiontz and Henry Zaiontz v. Monjri M. Shah, M.D.* (Appeal from Jefferson Circuit Court: CV-18-904017).

Affirmed. No Opinion.

2022-0962 *Ex parte James McConico, Jr.* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: James McConico, Jr. v. Alabama Board of Pardons and Paroles) (Montgomery Circuit Court: CV-21-347; Criminal Appeals: CR-21-0331).

Writ Denied. No Opinion.

2022-0949 *Ex parte Larry Turner* PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Larry Turner v. Arnold Place Association, Inc.) (Mobile Circuit Court: CV-18-901926; Civil Appeals: 2200843).

Writ Denied. No Opinion.

PER CURIAM

1200401 *Tamera Erskine, as personal representative of the Estate of Joann Bashinsky, deceased v. J. Kenneth Guin, Jr., and Gregory H. Hawley* (Appeal from Jefferson Probate Court: 19BHM02213).

Appeal Dismissed.

1210153 *John P. McKleroy Jr., and Patty Townsend v. Landon E. Ash and Tamera Erskine, as personal representative of the Estate of Joann Bashinsky, deceased* (Appeal from Jefferson Probate Court: 19BHM02213).

Appeal Dismissed.

ON REHEARING

1210304 *Dalen Gaines v. Nick Smith, individually and in his official capacity as sheriff of Walker County, and Christopher Doeur, individually and in his official capacity as a deputy sheriff of Walker County.* (Appeal from Walker Circuit Court: CV-20-900217).

Application Overruled. No Opinion.

1210359 *J. Mark McLaughlin and Sherry L. McLaughlin v. The Bank of New York Mellon f/k/a The Bank of New York, as trustee for Registered Holders of CWABS, Inc., Asset-Backed Certificates, Series 2005-14.* (Appeal from Shelby Circuit Court: CV-18-901213).

Application Overruled. No Opinion.