



**LIST OF DECISIONS ANNOUNCED BY  
THE SUPREME COURT OF ALABAMA  
ON FRIDAY, NOVEMBER 9, 2018**

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**Stuart, C.J.**

1171075 Lance Jones v. State of Alabama, Governor of Alabama, and Circuit Clerk of Jefferson County (Appeal from Montgomery Circuit Court: CV-18-11).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1171208 Ex parte Philip C. Hardee. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Philip C. Hardee v. Gloria Mays Lomax et al.) (Butler Circuit Court: CV-15-900008; Civil Appeals : 2170734).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171215 Ex parte Calvin Massey. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Calvin Massey v. State of Alabama) (Montgomery Circuit Court: CC-11-737.63; Criminal Appeals : CR-17-0663).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

**Bolin, J.**

1171217 Ex parte John David Young. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Knott, Aleshia Moffett & John David Young v. State of Alabama) (Mobile Circuit Court: CC-15-5149, CC-15-5153, CC-15-5154 (William Knott); CC-15-5144, CC-15-5145, CC-15-5147 (Aleshia Moffett); CC-15-5156, CC-15-5159, CC-15-5161, CC-15-5165, CC-15-5166 (John David Young); Criminal Appeals : CR-16-0557).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180068 Ex parte William Knott. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Knott, Aleshia Moffett & John David Young v. State of Alabama) (Mobile Circuit Court: CC-15-5149, CC-15-5153, CC-15-5154-; Criminal Appeals : CR-16-0557).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

## **Parker, J.**

1170036 Donald Carter, individually and as next friend of Loretta Carter, an incapacitated individual v. Bell Sports, Inc. (Appeal from Tallapoosa Circuit Court, Alexander City Division: CV-13-900086).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1171145 Ex parte Jimmy Junior Gray. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jimmy Junior Gray v. State of Alabama) (Jefferson Circuit Court: CC-88-3721.64; Criminal Appeals : CR-17-0501).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171157 Ex parte Suzanne McAbee. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Suzanne McAbee v. Fitzgerald Washington, Secretary of Alabama Department of Labor) (Baldwin Circuit Court: CV-17-901046; Civil Appeals : 2170720).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180020 Ex parte J. Z. F. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: J. Z. F. v. State of Alabama) (Morgan Circuit Court: CC-16-1323; Criminal Appeals : CR-17-0491).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180024 Ex parte Drago Ferguson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Drago Ferguson v. State of Alabama) (Cleburne Circuit Court: CC-17-51; CC-17-52; CC-17-53; Criminal Appeals : CR-17-0146).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

## **Shaw, J.**

1170571 Abraham Burton v. City of Fairfield (Appeal from Jefferson Circuit Court, Bessemer Division: CV-16-27; Civil Appeals : 2170406).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1170877 Joseph Goodwin, as personal representative of the Estate of David Goodwin, deceased v. Premier Bank of the South, Inc., et al. (Appeal from Cullman Circuit Court: CV-17-900324).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1171191 Ex parte Alabama Department of Revenue. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Alabama Department of Revenue v. Scholastic Book Clubs, Inc.) (Montgomery Circuit Court: CV-16-900562; Civil Appeals : 2161077).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171209 Ex parte David Tinsley Underwood III. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: David Tinsley Underwood III v. State of Alabama) (Cullman Circuit Court: CC-12-302.60; Criminal Appeals : CR-17-0851).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180030 Ex parte Larry Lambert Sheffield. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Larry Lambert Sheffield v. State of Alabama) (Baldwin Circuit Court: CC-15-1577.80; Criminal Appeals : CR-17-0493).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

## **Main, J.**

1171095 Ex parte Bobby McCrary, as trustee of the Bobby McCrary Revocable Trust dated June 18, 2001, and Patricia L. McCrary, as trustee of the Patricia L. McCrary Revocable Trust dated June 18, 2001. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Bobby McCrary, as trustee of the Bobby McCrary Revocable Trust dated June 18, 2001, and Patricia L. McCrary, as trustee of the Patricia L. McCrary Revocable Trust dated June 18, 2001 v. Michael Wayne Cole and Pamela W. Cole et al.) (Autauga Circuit Court: CV-16-17; Civil Appeals : 2170508).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171121 Ex parte Frances Sydney Rumsey. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Frances Sydney Rumsey v. Alabama Law Enforcement Agency; Hal Taylor, Acting Secretary) (Mobile Circuit Court: CV-17-158; Civil Appeals : 2170420).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171210 Ex parte Bradley Emmerson Grindle. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Bradley Emmerson Grindle v. State of Alabama) (Madison Circuit Court: CC-14-420.70; Criminal Appeals : CR-17-0630).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180027 Ex parte Jamie Ladae Kelly. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Jamie Ladae Kelly v. State of Alabama) (Madison Circuit Court: CC-16-908; Criminal Appeals : CR-17-0104).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180028 Ex parte Sandra Hill Treadway. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Sandra Hill Treadway v. State of Alabama) (Lawrence Circuit Court: CC-15-387; Criminal Appeals : CR-17-0099).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180072 Ex parte Richard A. Yeager. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Richard A. Yeager v. State of Alabama) (Henry Circuit Court: CC-08-151.60; CC-08-152.60; CC-08-153.60; CC-08-154.60; CC-08-204.60; Criminal Appeals : CR-16-0969).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

## **Wise, J.**

1160979 Bibler Masonry, Inc. v. Evanston Insurance Company (Appeal from Madison Circuit Court: CV-15-901632).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1170666 Vanessa Gardner v. Publix Super Market, Inc. (Appeal from Autauga Circuit Court: CV-17-900073).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1171147 Ex parte William Dangelo McKinney. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Dangelo McKinney v. State of Alabama) (Etowah Circuit Court: CC-15-1449; Criminal Appeals : CR-16-1114).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171184 Ex parte Estella Curry. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Estella Curry v. State of Alabama) (Escambia Circuit Court: CC-14-573; Criminal Appeals : CR-16-1197).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180026 Ex parte Shaquille Brandon Upshaw. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Shaquille Brandon Upshaw v. State of Alabama) (Montgomery Circuit Court: CC-17-1351; Criminal Appeals : CR-17-0648).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180048 Ex parte M.D. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: M.D. v. Russell County Department of Human Resources) (Russell Juvenile Court: JU-14-136.01; Civil Appeals : 2160994).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180064 Ex parte Kenneth Lynn Pollard, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Kenneth Lynn Pollard, Jr. v. State of Alabama) (Talladega Circuit Court: CC-03-490.61; Criminal Appeals : CR-17-0554).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

## **Bryan, J.**

1170624 Genesis USA Development, LLC v. Samuel H. Frazier et al. (Appeal from Limestone Circuit Court: CV-15-21).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1171183 Ex parte Richard Burgin, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Richard Burgin, Jr. v. State of Alabama) (Madison Circuit Court: CC-15-335; Criminal Appeals : CR-17-0148).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171190 Ex parte S.C. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: S.C. v. Lee County Department of Human Resources) (Lee Juvenile Court: JU-15-326.04; Civil Appeals : 2170428).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180019 Ex parte Damon Lake. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Damon Lake v. State of Alabama) (Sumter Circuit Court: CC-13-55; Criminal Appeals : CR-16-1212).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180044 Ex parte Nicholas Lewis Harris. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Nicholas Lewis Harris v. State of Alabama) (Montgomery Circuit Court: CC-14-306.60; Criminal Appeals : CR-17-0552).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180045 Ex parte J. E. W. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: J. E. W. v. State of Alabama) (Baldwin Circuit Court: CC-15-65.60; Criminal Appeals : CR-17-0738).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180054 Ex parte Carolyn D. Robinson. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Carolyn D. Robinson v. Linda Hall) (Jefferson Circuit Court: CV-10-731; Civil Appeals : 2170561).

**Writ Denied. No Opinion.**

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## **Sellers, J.**

1171163 Ex parte B. D. B. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: B. D. B. v. State of Alabama) (Houston Juvenile Court: JU-11-123.17; Criminal Appeals : CR-17-0116).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171192 Ex parte Boyd J. Landry. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Boyd J. Landry v. Angela O. Landry) (Autauga Circuit Court: DR-06-65.07; Civil Appeals : 2170204).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180003 Ex parte James Calvin Casey, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: James Calvin Casey, Jr. v. Charles Stephens, Sandra Stephens, Pam Bingham and Chris Bingham) (Marshall Circuit Court: CV-13-900363; Civil Appeals : 2170821).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180008 Ex parte Henry Patrick McGhee, Jr. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Henry Patrick McGhee, Jr. v. State of Alabama) (Tuscaloosa Circuit Court: CC-15-2176; Criminal Appeals : CR-17-0349).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180022 Ex parte William Barrett Slade II. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: William Barrett Slade II v. State of Alabama) (Madison Circuit Court: CC-14-1588.60; Criminal Appeals : CR-17-0244).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180033 Ex parte Gregory Rayshon Spann. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Gregory Rayshon Spann v. State of Alabama) (Henry Circuit Court: CC13-111.60; Criminal Appeals : CR-17-0541).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1170225 Bass Enterprises, LLC, and Phillip Wayne Bass v. Clarence E. Burke, Jr., et al. (Appeal from Baldwin Circuit Court: CV-14-900196).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1170267 Alabama Capital, LLC, et al. v. Bass Enterprises, LLC, and Phillip Wayne Bass (Appeal from Baldwin Circuit Court: CV-14-900196).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1170268 Baldwin County Sewer Service, LLC v. Bass Enterprises, LLC, and Phillip Wayne Bass (Appeal from Baldwin Circuit Court: CV-14-900196).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1170269 Pennstar, LLC, et al. v. Bass Enterprises, LLC, and Phillip Wayne Bass (Appeal from Baldwin Circuit Court: CV-14-900196).

**Affirmed. No Opinion.**

Links : [DECISION](#)

## **Mendheim, J.**

1170295 Cindy Wash v. Wal-Mart Stores, Inc.; Wal-Mart Stores East LP; and Metro Trailer Leasing, Inc. (Appeal from Shelby Circuit Court: CV-16-900418).

**Affirmed. No Opinion.**

Links : [DECISION](#)

1171116 Ex parte Ricky Dee Varner. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Ricky Dee Varner v. State of Alabama) (Enterprise Circuit Court: CC-15-13.70; CC-16-415.70; CC-16-417.70; CC-16-418.70; CC-16-419.70; Criminal Appeals : CR-17-0553).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171136 Ex parte Deandre Laquis Malloy. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Deandre Laquis Malloy v. State of Alabama) (Madison Circuit Court: CC-15-4633.70; CC-16-1130.70; Criminal Appeals : CR-17-0563).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1171177 Ex parte Casandra Grant Smith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Casandra Grant Smith v. State of Alabama) (Jefferson Circuit Court: CC-16-3578; Criminal Appeals : CR-17-0479).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

1180029 Ex parte Stevin Ra Dunning. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Stevin Ra Dunning v. State of Alabama) (Jefferson Circuit Court: CC-15-2289; Criminal Appeals : CR-16-1069).

**Writ Denied. No Opinion.**

Links : [Certificate of Judgment](#)

## **ON REHEARING**

1170483 Marion County, Alabama, and the Marion County Commission v. City of Winfield et al. (Appeal from Marion Circuit Court: CV-16-900092).

**Application Overruled. No Opinion.**

Links : [Certificate of Judgment](#)