

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**TUESDAY, JANUARY 06, 2009**

- 2006-CA-01497-COA**     *Azikiwe Kambule v. State of Mississippi*  
(Sub.)                     Hon. Samac S. Richardson , Ruling Judge, Madison County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - Julie Epps, Canton  
                                   APPELLEE - Lisa Blount, Office of the Attorney General, Jackson
- 2007-CP-01072-COA**     *Eric S. Berry v. State of Mississippi*  
(Sub.)                     Hon. Robert B. Helfrich , Ruling Judge, Forrest County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Laura Tedder, Jackson
- 2007-CP-01078-COA**     *Jimmy Dale Mayhan v. State of Mississippi*  
(Sub.)                     Hon. Andrew C. Baker , Ruling Judge, DeSoto County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Billy Gore, Office of the Attorney General, Jackson
- 2007-CP-01194-COA**     *David E. Lyons a/k/a David Earl Lyons a/k/a Fox v. Christopher B. Epps*  
(Sub.)                     Hon. Margaret Carey-McCray , Ruling Judge, Leflore County Circuit Court (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Jane Mapp, Jackson
- 2007-CP-02192-COA**     *Willie Ross v. State of Mississippi*  
(Sub.)                     Hon. Lee J. Howard , Ruling Judge, Lowndes County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Lisa Blount, Office of the Attorney General, Jackson

**IN THE COURT OF APPEALS**  
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**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**TUESDAY, JANUARY 06, 2009**

- 2007-KA-02198-COA**     *Edward Lamont Neal v. State of Mississippi*  
(Sub.)                     Hon. James T. Kitchens Jr., Ruling Judge, Lowndes County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - Justin Cook, Jackson  
                                   APPELLEE - Stephanie Wood, Jackson
- 2007-CA-02223-COA**     *Herbert Tucker, Individually and d/b/a H & G Construction, Inc. v. Tyrone Williams and Sharon Williams*  
(Sub.)                     Hon. William H. Singletary , Ruling Judge, Hinds County Chancery  
                                   Court (2 vols.)  
                                   APPELLANT - K. Boackle, Ridgeland  
                                   APPELLEE - S. Harrison, Jackson
- 2007-KA-02233-COA**     *Percy Clark, Jr. a/k/a Percy Clark v. State of Mississippi*  
(Sub.)                     Hon. Bobby Burt DeLaughter , Ruling Judge, Hinds County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - W. Hinchcliff, Jackson  
                                   APPELLEE - LaDonna Holland, Jackson
- 2007-CC-02236-COA**     *Mississippi Employment Security Commission a/k/a Mississippi Department of Employment Security a/k/a MESC a/k/a MDES and City of Clinton v. Linda Johnson*  
(Sub.)                     Hon. W. Swan Yerger , Ruling Judge, Hinds County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - Kenneth Dreher, Clinton  
                                   APPELLEE - Patricia Kennedy, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**TUESDAY, JANUARY 06, 2009**

- 2007-KA-02260-COA**     *Jim Terry a/k/a James Clayton Terry v. State of Mississippi*  
(Sub.)                     Hon. Lee J. Howard , Ruling Judge, Lowndes County Circuit Court  
                                   (6 vols.)  
                                   APPELLANT - Jim Waide, Waide and Associates, P.A., Tupelo  
                                   APPELLEE - John Henry, Jr., Office of the Attorney General, Jackson
- 2008-SA-00169-COA**     *Brentwood Health Management of Mississippi, LLC d/b/a Children's*  
(Sub.)                     *Hopital of Vicksburg v. Mississippi State Department of Health*  
                                   Hon. Denise Owens , Ruling Judge, Hinds County Chancery Court  
                                   (4 vols.)  
                                   APPELLANT - Thomas Kirkland, Jr., Copeland Cook Taylor & Bush,  
                                   P.A., Ridgeland  
                                   APPELLEE - Sondra McLemore, Jackson
- 2008-CP-00234-COA**     *Dennis Dobbs v. State of Mississippi*  
(Sub.)                     Hon. Lee J. Howard , Ruling Judge, Clay County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Billy Gore, Office of the Attorney General, Jackson
- 2008-KA-00375-COA**     *Thomas Terrell Smith v. State of Mississippi*  
(Sub.)                     Hon. James T. Kitchens Jr., Ruling Judge, Oktibbeha County Circuit  
                                   Court (5 vols.)  
                                   APPELLANT - Erin Pridgen, Jackson  
                                   APPELLEE - W. Watts, Office of the Attorney General, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**TUESDAY, JANUARY 06, 2009**

- 2008-CP-00430-COA**     *Otha Horton v. Christopher Epps, Margaret Bingham and Michelle Taylor*  
(Sub.)                     Hon. Samac S. Richardson , Ruling Judge, Rankin County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Jane Mapp, Jackson
- 2008-KA-00551-COA**     *Eddie Lamont Henderson v. State of Mississippi*  
(Sub.)                     Hon. Andrew C. Baker , Ruling Judge, Panola County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - David Walker, Walker, David L., Law Offices,  
                                   Southaven  
                                   APPELLEE - John Henry, Jr., Office of the Attorney General, Jackson
- 2008-CC-00582-COA**     *Mississippi Employment Security Commission v. Raymond Clark*  
(Sub.)                     Hon. Marcus D. Gordon , Ruling Judge, Leake County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - LeAnne Brady, Jackson  
                                   APPELLEE - Pro Se
- 2008-SA-00627-COA**     *Public Employees' Retirement System v. Albert "Butch" Lee*  
(Sub.)                     Hon. Winston L. Kidd , Ruling Judge, Hinds County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - Mary Bowers, Jackson  
                                   APPELLEE - Mark Baker, Sr., Brandon
- 2008-CP-00724-COA**     *Walter Conlee v. State of Mississippi*  
(Sub.)                     Hon. William E. Chapman III, Ruling Judge, Rankin County Circuit  
                                   Court (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - LaDonna Holland, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
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**TUESDAY, JANUARY 06, 2009**

- 2008-CP-00731-COA**     *Robert Stanley Rowland v. State of Mississippi*  
(Sub.)                     Hon. W. Ashley Hines , Ruling Judge, Washington County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - John Henry, Jr., Office of the Attorney General, Jackson
- 2008-CA-00781-COA**     *Shannon Lewis, Jana Lewis, Individually, and on Behalf of the*  
                                   *Wrongful Death Beneficiaries of Minor William Robertson Lewis,*  
                                   *Deceased; and Calvin E. Robertson, Individually, and on Behalf of all*  
                                   *the Wrongful Death Beneficiaries of Dorothy P. Robertson, Deceased*  
                                   *v. Progressive Gulf Insurance Company, Inc., Cleansy L. Barkdale;*  
                                   *Albert Nickerson, Individually and d/b/a Nickerson Trucking; Lofton*  
                                   *Timber Company, LLC; and Georgia Pacific Corporation*  
(Sub.)                     Hon. Joseph H. Loper Jr., Ruling Judge, Attala County Circuit Court  
                                   (4 vols.)  
                                   APPELLANT - Reagan Wise, Webb, Sanders and Williams, PLLC,  
                                   Tupelo  
                                   APPELLEE - James Perry, Daphne, AL
- 2008-CA-00874-COA**     *William Patrick Daley v. Charlotte Carlton*  
(Sub.)                     Hon. Cynthia L. Brewer , Ruling Judge, Madison County Chancery Court  
                                   (2 vols.)  
                                   APPELLANT - Christopher Tabb, Brandon  
                                   APPELLEE - Jeffrey Rimes, Madison
- 2008-CP-00878-COA**     *Sarah Attaberry v. State of Mississippi*  
(Sub.)                     Hon. Billy Joe Landrum , Ruling Judge, Jones County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Billy Gore, Office of the Attorney General, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**TUESDAY, JANUARY 06, 2009**

- 2008-CA-00928-COA**     *Bobby Didon v. State of Mississippi*  
(Sub.)                     Hon. Prentiss Greene Harrell , Ruling Judge, Lawrence County Circuit Court (1 vol.)  
                                 APPELLANT - William Goodwin, McComb  
                                 APPELLEE - Stephanie Wood, Jackson
- 2008-WC-01224-COA**     *Wade Short v. Wilson Meat House, LLC and Bridgefield Casualty Insurance Company*  
(Sub.)                     Hon. Lamar Pickard , Ruling Judge, Copiah County Circuit Court (3 vols.)  
                                 APPELLANT - John Stevens, Grenfell, Sledge & Stevens, Jackson  
                                 APPELLEE - Peter Corson, Jackson
- 2008-CP-01286-COA**     *Anthonie Henderson a/k/a Anthonie Jermaine Henderson a/k/a Anthonie J. Henderson v. State of Mississippi*  
(Sub.)                     Hon. Andrew C. Baker , Ruling Judge, Panola County Circuit Court (1 vol.)  
                                 APPELLANT - Pro Se  
                                 APPELLEE - W. Watts, Office of the Attorney General, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 07, 2009**

- 2006-CA-01220-COA**     *Gaila Tate McCaskill Oliver f/k/a Gaila Tate McCaskill in her Capacity as Executrix of the Estate of Jeffrey L. McCaskill and as Next Friend to Matthew McCaskill, Josh McCaskill and Hunter McCaskill, Minors v. The Goodyear Tire & Rubber Company*  
(Sub.)                     Hon. Margaret Carey-McCray , Ruling Judge, Washington County Circuit Court (7 vols.)  
                                 APPELLANT - Edward Lamar, Henderson Dantone, P.A., Greenville  
                                 APPELLEE - J. Wohnner, Jr., Watkins & Eager, Jackson
- 2007-KA-00993-COA**     *Scotty B. Lyles v. State of Mississippi*  
(Sub.)                     Hon. James T. Kitchens Jr., Ruling Judge, Oktibbeha County Circuit Court (3 vols.)  
                                 APPELLANT - Brenda Patterson, Jackson  
                                 APPELLEE - Lisa Blount, Office of the Attorney General, Jackson
- 2007-CA-01459-COA**     *Prentiss E. Sellers v. Nancy Bridges Sellers*  
(Sub.)                     Hon. J. Max Kilpatrick , Ruling Judge, Neshoba County Chancery Court (8 vols.)  
                                 APPELLANT - Marvin Wiggins, Jr., DeKalb; Henry Palmer, Lawyers, PLLC, Meridian  
                                 APPELLEE - William Jacob, Self, Jacob & Kieronski, LLP, Meridian
- 2007-CP-01576-COA**     *Ladennis Graham v. State of Mississippi*  
(Sub.)                     Hon. Billy Joe Landrum , Ruling Judge, Jones County Circuit Court (2 vols.)  
                                 APPELLANT - Pro Se  
                                 APPELLEE - Billy Gore, Office of the Attorney General, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 07, 2009**

**2007-CA-01628-COA**     *Dana M. Shadden v. Keith A. Shadden*  
(Sub.)                     Hon. John S. Grant III, Ruling Judge, Rankin County Chancery Court  
                                   (3 vols.)  
                                   APPELLANT - James McIntyre, Jackson  
                                   APPELLEE - Christopher Palmer, Adams & Edens, Brandon

**2007-CA-01808-COA**     *James Allen Owens, Jr. v. Martha Sue Owens*  
(Sub.)                     Hon. Kenneth M. Burns , Ruling Judge, Chickasaw County Chancery  
                                   Court (2 vols.)  
                                   APPELLANT - Phillip Whitehead, Booneville  
                                   APPELLEE - Elizabeth Ausbern, Houston

**2007-CA-01944-COA**     *United Plumbing & Heating Company, Inc., Price's Glass & Mirror*  
*Co., Inc., James Thomas d/b/a T's Tile, Carr Plumbing Supply, Inc.,*  
*Ricky Jackson d/b/a Jackson Sheet Metal & Welding, Tommy*  
*Meadows d/b/a F&M Construction, Precision Ceiling, LLC and*  
*Ronnie Deforest v. AmSouth Bank, Sometimes Identified as Regions*  
*Bank as Successor from the Merger with AmSouth Bank f/k/a Deposit*  
*Guaranty National Bank*  
(Sub.)                     Hon. Bobby Burt DeLaughter , Ruling Judge, Hinds County Circuit Court  
                                   (7 vols.)  
                                   APPELLANT - William Fulgham, Flowood  
                                   APPELLEE - David Donnell, Adams & Reese, LLP, Jackson

**2007-CA-01967-COA**     *Glenn Browning Wheeler v. Elizabeth Redus Wheeler*  
(Sub.)                     Hon. Patricia D. Wise , Ruling Judge, Hinds County Chancery Court  
                                   (4 vols.)  
                                   APPELLANT - John Reeves, John R. Reeves, Law Offices, Jackson  
                                   APPELLEE - Leo Carmody, Jr., Robinson Biggs Ingram Solop & Farris,  
                                   Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 07, 2009**

- 2007-CA-02046-COA**     ***Bruce H. Penton v. Carol Annette Penton***  
(Sub.)                     Hon. James H. C. Thomas Jr., Ruling Judge, Pearl River County  
   Chancery Court (2 vols.)  
   APPELLANT - Betsy Walker, Biloxi  
   APPELLEE - James Hayden, Petal
- 2007-KA-02255-COA**     ***Rhonda Renea Simmons v. State of Mississippi***  
(Sub.)                     Hon. Henry L. Lackey , Ruling Judge, Tippah County Circuit Court  
   (4 vols.)  
   APPELLANT - Catouche Body, Jackson  
   APPELLEE - LaDonna Holland, Jackson
- 2008-CA-00028-COA**     ***Claudine Brown, Individually and as Administratrix of the Estate of Charles Brown, Deceased and on behalf of all Wrongful Death Beneficiaries of Charles Brown, Deceased v. Progressive Gulf Insurance Company***  
(Sub.)                     Hon. Jannie M. Lewis , Ruling Judge, Yazoo County Circuit Court  
   (9 vols.)  
   APPELLANT - James Nobles, Jr., Clinton  
   APPELLEE - Ginny Kennedy, Ridgeland
- 2008-CA-00078-COA**     ***Marco J. Borne; and The Estate of Eldridge Dupree, Deceased, by and through His Personal Representative, Nichole Dupree; and the Wrongful Death Beneficiaries of Eldridge Dupree, Deceased v. Dunlop Tire Corporation, Inc.***  
(Sub.)                     Hon. Samac S. Richardson , Ruling Judge, Rankin County Circuit Court  
   (3 vols.)  
   APPELLANT - Mark Lumpkin, Biloxi  
   APPELLEE - LeAnn Nealey, Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 07, 2009**

- 2008-KA-00097-COA**     *Sarah Lynn Hudspeth v. State of Mississippi*  
(Sub.)                     Hon. Lester F. Williamson Jr., Ruling Judge, Kemper County Circuit Court (3 vols.)  
APPELLANT - George Holmes, Jackson  
APPELLEE - Deirdre McCrory, Office of the Attorney General, Jackson
- 2008-KA-00127-COA**     *Jimmy Lee Daniels a/k/a Jimmy v. State of Mississippi*  
(Sub.)                     Hon. David H. Strong Jr., Ruling Judge, Pike County Circuit Court (5 vols.)  
APPELLANT - Leslie Lee, Jackson  
APPELLEE - Lisa Blount, Office of the Attorney General, Jackson
- 2008-CA-00130-COA**     *Loretta Milyanovich v. Douglas E. Feeley*  
(Sub.)                     Hon. Robert P. Krebs , Ruling Judge, Jackson County Circuit Court (2 vols.)  
APPELLANT - Danielle Brewer, LoCoco and LoCoco, P.A., D'Iberville  
APPELLEE - H. Mullen, Pascagoula
- 2008-KA-00144-COA**     *Alexander Womack and Maurice Womack v. State of Mississippi*  
(Sub.)                     Hon. Robert G. Evans , Ruling Judge, Simpson County Circuit Court (4 vols.)  
APPELLANT - Benjamin Suber, Jackson  
APPELLEE - Laura Tedder, Jackson
- 2008-CA-00190-COA**     *Mark Andrew West, Sr. v. April Saylor West*  
(Sub.)                     Hon. Vicki B. Cobb , Ruling Judge, DeSoto County Chancery Court (3 vols.)  
APPELLANT - H. Garner, Garner & Garner, Hernando  
APPELLEE - George Luter, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 07, 2009**

- 2008-CA-00203-COA**     *Daniel Webster v. City of D' Iberville City Council, Mayor of D'Iberville and City Council President Rusty Quave and City Manager of D' Iberville Alan Santa Cruz*  
(Sub.)                     Hon. Jerry O. Terry Sr., Ruling Judge, Harrison County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - LaQuetta Golden, Gulfport  
                                   APPELLEE - William Allen, Allen, Allen, Breeland & Allen,  
                                   Brookhaven
- 2008-KA-00366-COA**     *John L. Woods a/k/a John Louis Woods v. State of Mississippi*  
(Sub.)                     Hon. Robert P. Krebs , Ruling Judge, Jackson County Circuit Court  
                                   (8 vols.)  
                                   APPELLANT - Benjamin Suber, Jackson  
                                   APPELLEE - Stephanie Wood, Jackson
- 2008-CP-00369-COA**     *Lewis E. Walton v. State of Mississippi*  
(Sub.)                     Hon. Robert P. Chamberlin , Ruling Judge, DeSoto County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - John Henry, Jr., Office of the Attorney General, Jackson
- 2008-CA-00376-COA**     *Glen D. Jackson v. Carter, Charles, Individually and in His Capacity as a Registered Forester and d/b/a Mid-South Forestry, Mid-South Forestry, Inc. and Richard Chism d/b/a Chism Logging*  
(Sub.)                     Hon. Robert William Elliott , Ruling Judge, Union County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - John Weddle, Nickels & Weddle, PLLC, Tupelo  
                                   APPELLEE - Matthew Taylor, Clark, Scott & Streetman, P.A.,  
                                   Ridgeland; John Hinkle, IV, Markow Walker, P.A., Ridgeland

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 07, 2009**

- 2008-CP-00493-COA**     ***Karl Hunt v. State of Mississippi***  
(Sub.)                     Hon. James Lamar Roberts Jr., Ruling Judge, Lee County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Laura Tedder, Jackson
- 2008-CA-00529-COA**     ***Robin Harper, Individually and on Behalf of Reijah Harper, a Minor***  
(Sub.)                     ***v. Cal-Maine Farms, Inc.***  
                                   Hon. Bobby Burt DeLaughter , Ruling Judge, Hinds County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - Michael Williams, Davis, Goss & Williams, PLLC,  
                                   Jackson  
                                   APPELLEE - Caryn Anlage, Copeland Cook Taylor & Bush, P.A.,  
                                   Ridgeland
- 2008-CA-00555-COA**     ***Eugene C. Frazier v. Simon Frazier***  
(Sub.)                     Hon. Denise Owens , Ruling Judge, Hinds County Chancery Court  
                                   (2 vols.)  
                                   APPELLANT - E. Marks, Jackson  
                                   APPELLEE - No Brief Filed
- 2008-CA-00635-COA**     ***John Hulsman and Donna Hulsman v. Behavioral Health Systems,***  
(Sub.)                     ***Inc. and Blue Cross & Blue Shield of Alabama***  
                                   Hon. William E. Chapman III, Ruling Judge, Rankin County Circuit  
                                   Court (2 vols.)  
                                   APPELLANT - Louis Watson, Jr., Jackson  
                                   APPELLEE - Cavender Kimble, Birmingham, AL; James Bullock, Shell  
                                   Buford, PLLC, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
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**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 07, 2009**

- 2008-CP-00917-COA**     *Bennie E. Lacy Bennie E. Lacey a/k/a Benny E. Lacey a/k/a Bandigo Lacey a/k/a Bendo a/k/a Bennie Everette Lacey v. State of Mississippi*  
(Sub.)                     Hon. Robert Walter Bailey , Ruling Judge, Wayne County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Stephanie Wood, Jackson
- 2008-CA-00922-COA**     *Nikki Hatten Niolet v. Phil Rice*  
(Sub.)                     Hon. William E. Chapman III, Ruling Judge, Madison County Circuit  
                                   Court (2 vols.)  
                                   APPELLANT - Jim Waide, Waide and Associates, P.A., Tupelo  
                                   APPELLEE - David Thomas, II, Balch & Bingham LLP, Jackson
- 2008-WC-01218-COA**     *Karen Johnson v. Sanderson Farms, Inc.*  
(Sub.)                     Hon. Lamar Pickard , Ruling Judge, Copiah County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - John Stevens, Grenfell, Sledge & Stevens, Jackson  
                                   APPELLEE - Ryan Mitchell, Ferris Burson & Entrekin, PLLC, Laurel

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**THURSDAY, JANUARY 08, 2009**

- 2007-CP-00865-COA**     *Jeffery D. Cooper v. State of Mississippi*  
(Sub.)                     Hon. Henry L. Lackey , Ruling Judge, Chickasaw County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Laura Tedder, Jackson
- 2007-KP-01626-COA**     *Jael Fraise v. State of Mississippi*  
(Sub.)                     Hon. R. I. Prichard III, Ruling Judge, Pearl River County Circuit Court  
                                   (4 vols.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Lisa Blount, Office of the Attorney General, Jackson
- 2007-KA-01734-COA**     *Robert McKinney v. State of Mississippi*  
(Sub.)                     Hon. Albert B. Smith III, Ruling Judge, Quitman County Circuit Court  
                                   (6 vols.)  
                                   APPELLANT - W. Hinchcliff, Jackson  
                                   APPELLEE - Lisa Blount, Office of the Attorney General, Jackson
- 2007-KA-01768-COA**     *Dewaun O' Sha Griffin v. State of Mississippi*  
(Sub.)                     Hon. Marcus D. Gordon , Ruling Judge, Leake County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - Edmund Phillips, Jr., Newton  
                                   APPELLEE - John Henry, Jr., Office of the Attorney General, Jackson
- 2007-CP-01785-COA**     *Ronnie Mackey a/k/a Ronald Fantae Mackey v. State of Mississippi*  
(Sub.)                     Hon. Robert B. Helfrich , Ruling Judge, Forrest County Circuit Court  
                                   (1 vol.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Deirdre McCrory, Office of the Attorney General, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**THURSDAY, JANUARY 08, 2009**

- 2007-CA-01868-COA**     *Rhonda Lynn Blackwell Kittrell Farrior v. Kendall Kurt Kittrell, Sr.*  
(Sub.)                     Hon. D. Neil Harris Sr., Ruling Judge, Greene County Chancery Court  
                                   (4 vols.)  
                                   APPELLANT - John Smallwood, Laurel  
                                   APPELLEE - Tadd Parsons, Wiggins
- 2007-KA-01869-COA**     *Whitzey Santaiz Walker v. State of Mississippi*  
(Sub.)                     Hon. Isadore W. Patrick Jr., Ruling Judge, Warren County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - Erin Pridgen, Jackson  
                                   APPELLEE - Billy Gore, Office of the Attorney General, Jackson
- 2007-CA-01942-COA**     *Patricia Fleishhacker v. Walter Fleishhacker*  
(Sub.)                     Hon. Talmadge D. Littlejohn , Ruling Judge, Lee County Chancery Court  
                                   (6 vols.)  
                                   APPELLANT - Richard McLaughlin, Tupelo  
                                   APPELLEE - John Ferrell, Booneville
- 2007-CA-01954-COA**     *James Craig Palculict v. Luciana Gascon Curtis Palculict*  
(Sub.)                     Hon. Mitchell M. Lundy Jr., Ruling Judge, DeSoto County Chancery  
                                   Court (4 vols.)  
                                   APPELLANT - Lee Ann Turner, Starkville  
                                   APPELLEE - Pro Se
- 2007-CA-01991-COA**     *Joy Lynn Pearson v. Steven Allen Pearson*  
(Sub.)                     Hon. Debra K. Halford , Ruling Judge, Pike County Chancery Court  
                                   (4 vols.)  
                                   APPELLANT - Eduardo Flechas, Jackson  
                                   APPELLEE - Wayne Smith, Liberty

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**THURSDAY, JANUARY 08, 2009**

- 2007-CA-02047-COA**     *Charles E. Allen, III v. Janet Ellen Davis Allen*  
(Sub.)                     Hon. James H. C. Thomas Jr., Ruling Judge, Pearl River County  
   Chancery Court (3 vols.)  
   APPELLANT - Michael Vallette, Ocean Springs  
   APPELLEE - Joseph Fillingame, Hattiesburg
- 2007-CA-02106-COA**     *Stone County Publishing, Inc. d/b/a The Times of Stone County and*  
(Sub.)                     *South Mississippi v. Bill Prout, Darrell Berry, Donna Rouse, Mike*  
   *Cain, Thomas E. Hall*  
   Hon. Lisa P. Dodson , Ruling Judge, Stone County Circuit Court  
   (3 vols.)  
   APPELLANT - Darren Gray, Wiggins  
   APPELLEE - Rebecca Taylor, Taylor & Taylor, Wiggins
- 2007-KA-02168-COA**     *Benito Jo Ruiz, Jr. v. State of Mississippi*  
(Sub.)                     Hon. Albert B. Smith III, Ruling Judge, Coahoma County Circuit Court  
   (2 vols.)  
   APPELLANT - Leslie Lee, Jackson  
   APPELLEE - Laura Tedder, Jackson
- 2007-CA-02186-COA**     *Sandra Melissa Hults v. James Alan Hults*  
(Sub.)                     Hon. Randy Grant Pierce , Ruling Judge, Jackson County Chancery Court  
   (4 vols.)  
   APPELLANT - Gary Roberts, Pascagoula  
   APPELLEE - Mark Watts, Pascagoula

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**THURSDAY, JANUARY 08, 2009**

- 2008-CA-00072-COA**     *Irene Stark and Husband, Kenneth Stark v. Greenwood Leflore Hospital, R. Bruce Newell, M.D., and Greenwood Orthopedic Clinic*  
(Sub.)                     Hon. Margaret Carey-McCray , Ruling Judge, Leflore County Circuit Court (3 vols.)  
APPELLANT - John Cocke, Merkel & Cocke, P. A., Clarksdale  
APPELLEE - Gaye Nell Currie, Jackson
- 2008-CA-00102-COA**     *Charlene Rogers, Administratrix of the Estate of Robert Gary Rogers, Deceased, and Jennifer Ann Rogers, by through her Mother and Next Friend, Charlene Rogers and Charlene Rogers, Individually v. Barlow Eddy Jenkins P.A. and Hugh Blair*  
(Sub.)                     Hon. W. Swan Yerger , Ruling Judge, Hinds County Circuit Court (9 vols.)  
APPELLANT - Margaret Ellis, Kitchens & Ellis, Jackson  
APPELLEE - Richard Edmonson, Robinson Biggs Ingram Solop & Farris, Jackson
- 2008-CA-00121-COA**     *Rebuild America, Inc. v. Robert K. Milner, Patricia K. Milner and Wachovia Bank, N.A., Successor in Interest to First Union National Bank, as Indenture Trustee*  
(Sub.)                     Hon. James H. C. Thomas Jr., Ruling Judge, Pearl River County Chancery Court (2 vols.)  
APPELLANT - Kimberly Turner, Jackson  
APPELLEE - W. Robison, McComb
- 2008-CP-00343-COA**     *David Wayne Gaddy v. State of Mississippi*  
(Sub.)                     Hon. Stephen B. Simpson , Ruling Judge, Harrison County Circuit Court (2 vols.)  
APPELLANT - Pro Se  
APPELLEE - Jeffrey Klingfuss, Office of the Attorney General, Jackson

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**THURSDAY, JANUARY 08, 2009**

**2008-CA-00359-COA**     *Carl Andrew Fisher v. Lauderdale County Board of Supervisor*  
(Sub.)                     Hon. Lester F. Williamson Jr., Ruling Judge, Lauderdale County Circuit  
                                   Court (1 vol.)  
                                   APPELLANT - Thomas Powell, Ridgeland  
                                   APPELLEE - Robert Bailey, Meridian

**2008-KA-00455-COA**     *Robert Wade Presley v. State of Mississippi*  
(Sub.)                     Hon. James Seth Andrew Pounds , Ruling Judge, Monroe County Circuit  
                                   Court (4 vols.)  
                                   APPELLANT - Justin Cook, Jackson  
                                   APPELLEE - Deirdre McCrory, Office of the Attorney General, Jackson

**2008-CA-00478-COA**     *A. B., A Minor, Through her Mother, C.D. v. Stone County School*  
(Sub.)                     *District*  
                                   Hon. Lisa P. Dodson , Ruling Judge, Stone County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - Paul Caston, Montague, Pittman & Varnado, P.A.,  
                                   Hattiesburg  
                                   APPELLEE - Walter Dukes, Dukes, Dukes, Keating and Faneca, P.A.,  
                                   Gulfport

**2008-CA-00501-COA**     *James Alton Wallace v. Donna Wallace*  
(Sub.)                     Hon. Edward E. Patten Jr., Ruling Judge, Lincoln County Chancery Court  
                                   (2 vols.)  
                                   APPELLANT - Edwin Bean, Jr., McComb  
                                   APPELLEE - Durwood Breeland, Allen, Allen, Breeland & Allen,  
                                   Brookhaven

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**THURSDAY, JANUARY 08, 2009**

- 2008-CP-00538-COA**     *Larry Smith a/k/a Larry Floyd Smith v. State of Mississippi*  
(Sub.)                     Hon. Marcus D. Gordon , Ruling Judge, Scott County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - Pro Se  
                                   APPELLEE - Laura Tedder, Jackson
- 2008-KA-00542-COA**     *James Lewis Fillyaw v. State of Mississippi*  
(Sub.)                     Hon. James McClure III, Ruling Judge, Panola County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - W. Hinchcliff, Jackson  
                                   APPELLEE - Charles Maris, Jr., Office of the Attorney General, Jackson
- 2008-CA-00640-COA**     *Lois Kaigler, on Her Behalf and that of Her Minor Child, Leshan*  
(Sub.)                     *Kaigler v. The City of Bay St. Louis, Mississippi and The VCJ Gym*  
                                   Hon. Stephen B. Simpson , Ruling Judge, Hancock County Circuit Court  
                                   (4 vols.)  
                                   APPELLANT - Matthew Pepper, D'Iberville  
                                   APPELLEE - Brenda Long, Daniel Coker Horton & Bell, P.A., Gulfport
- 2008-CA-00669-COA**     *Lloyd G. Oliphant & Sons Paint Co., Inc. v. Barry S. Logan*  
(Sub.)                     *AND Barry S. Logan v. Overly Electric Company*  
                                   Hon. Lee J. Howard , Ruling Judge, Oktibbeha County Circuit Court  
                                   (5 vols.)  
                                   APPELLANT - Martha Stegall, Mitchell, McNutt & Sams, P.A., Tupelo  
                                   APPELLEE - John White, Tupelo; Reagan Wise, Webb, Sanders and  
                                   Williams, PLLC, Tupelo

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**THURSDAY, JANUARY 08, 2009**

**2008-WC-00858-COA**    *Ruth Wooten v. Franklin Corporation and Liberty Mutual Insurance Company*

(Sub.)                      Hon. Andrew K. Howorth , Ruling Judge, Chickasaw County Circuit Court (3 vols.)  
APPELLANT - Don Gleason, Jr, Tupelo  
APPELLEE - George Read, Daniel Coker Horton & Bell, P.A., Oxford

**2008-KA-00875-COA**    *Melvin Alesich v. State of Mississippi*

(Sub.)                      Hon. John H. Whitfield , Ruling Judge, Harrison County Circuit Court (3 vols.)  
APPELLANT - Benjamin Suber, Jackson  
APPELLEE - LaDonna Holland, Jackson



**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**PANEL COURT ROOM**

**ARGUED CASES**

**WEDNESDAY, JANUARY 21, 2009**

**2007-WC-02270-COA**    *Connie Radford v. CCA- Delta Correctional Facility and Zurich American Ins Co of IL*

(Arg.)                      Hon. W. Ashley Hines , Ruling Judge, Leflore County Circuit Court  
(6 vols.)  
APPELLANT - Lawrence Hakim, Batesville  
APPELLEE - F. Bailey, Watkins, Ludlam, Winter & Stennis, P.A.,  
Jackson

**2:30 PM**  
**(TWENTY MINUTES PER SIDE)**

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**PANEL COURT ROOM**

**ARGUED CASES**

**WEDNESDAY, JANUARY 21, 2009**

**2008-CA-00897-COA**     *Joe Knight, Wrongful Death Beneficiaries of Charles Prather, Deceased and Brandi Holland, Wrongful Death Beneficiary of Carolyn Prather, Deceased v. Mississippi Transportation Commission*  
(Arg.)                     Hon. Henry L. Lackey , Ruling Judge, Calhoun County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - A. Harlow, Jr., Harlow Law Offices, Grenada  
                                   APPELLEE - F. Henson, III, Upshaw, Williams, Biggers, Beckham &  
                                   Riddick, Greenwood

**1:30 PM**  
**(TWENTY MINUTES PER SIDE)**

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**PANEL COURT ROOM**

**ARGUED CASES**

**TUESDAY, JANUARY 27, 2009**

**2007-CA-01983-COA**     *Richard A. Simoneaux v. State of Mississippi*  
(Arg.)                     Hon. Mike Smith , Ruling Judge, Pike County Circuit Court  
                                   (2 vols.)  
                                   APPELLANT - Daniel Kitchens, Kitchens & Ellis, Jackson  
                                   APPELLEE - W. Watts, Office of the Attorney General, Jackson

**10:30 AM**

**(TWENTY MINUTES PER SIDE)**

**(The oral argument has been rescheduled from Wednesday, January 21, 2009 to Tuesday, January 27, 2009 at 10:30 a.m. ).**

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**PANEL COURT ROOM**

**ARGUED CASES**

**THURSDAY, JANUARY 22, 2009**

**2007-CA-01659-COA**    *National Bank of Commerce and NBC Capital Corporation v. Justin Shelton*

(Arg.)                      Hon. James T. Kitchens Jr., Ruling Judge, Lowndes County Circuit Court  
(4 vols.)  
APPELLANT - H. Rogers, Starkville  
APPELLEE - John Reeves, John R. Reeves, Law Offices, Jackson

**CONSOLIDATED WITH:**

**2007-CA-01749-COA**    *National Bank of Commerce and NBC Capital Corporation v. Justin Shelton*

Hon. James T. Kitchens Jr., Ruling Judge, Lowndes County Circuit Court  
APPELLANT - No Brief Filed  
APPELLEE - No Brief Filed

**1:30 PM**  
**(TWENTY MINUTES PER SIDE)**

**(This case has been moved to 2nd Sitting and has rescheduled oral arguments for Tuesday, March 24, 2009 at 1:30 p.m.).**



**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**PANEL COURT ROOM**

**ARGUED CASES**

**THURSDAY, FEBRUARY 05, 2009**

**2007-SA-01780-COA**     *Mississippi Transportation Commission v. Engineering Associates, a  
Division of Pickering Firm, Inc.*

(Arg.)

Hon. W. Swan Yerger , Ruling Judge, Hinds County Circuit Court  
(5 vols.)

APPELLANT - James Isonhood, Jackson

APPELLEE - Mark Herbert, Watkins, Ludlam, Winter & Stennis, P.A.,  
Jackson

**10:30 AM**

**(TWENTY MINUTES PER SIDE)**

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**PANEL COURT ROOM**

**ARGUED CASES**

**TUESDAY, FEBRUARY 24, 2009**

**2008-SA-00223-COA**     *Mississippi State Department of Health and City of Cleveland v. Mid South Associates, LLC*

(Arg.)                     Hon. Vicki B. Cobb , Ruling Judge, DeSoto County Chancery Court  
(5 vols.)  
APPELLANT - Andy Lowry, Copeland Cook Taylor & Bush, P.A.,  
Ridgeland  
APPELLEE - William Hussey, Maxey Wann, PLLC, Jackson

**10:30 AM**  
**(TWENTY MINUTES PER SIDE)**



**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 14, 2009**

**2007-CA-02066-COA**     *Steve Ruth v. London Suzette Burchfield*  
(Sub.)                     Hon. H. J. Davidson Jr., Ruling Judge, Lowndes County Chancery Court  
                                   (3 vols.)  
                                   APPELLANT - Timothy Hudson, Sims & Sims, Columbus  
                                   APPELLEE - Hal McClanahan, Columbus

**(This case has been added to the 1st Sitting docket)**

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**THURSDAY, JANUARY 15, 2009**

**2007-KA-01197-COA**     *Albert Lee Thomas, Jr. a/k/a Boo a/k/a Al Thomas a/k/a Albert Brown Thomas a/k/a Albert Lee v. State of Mississippi*  
(Sub.)                     Hon. Tomie T. Green , Ruling Judge, Hinds County Circuit Court  
                                   (5 vols.)  
                                   APPELLANT - Brenda Patterson, Jackson  
                                   APPELLEE - Deirdre McCrory, Office of the Attorney General, Jackson

**2008-CA-00126-COA**     *Claiborne County, Mississippi and Claiborne County Board of Supervisors v. Eddie Ray Parker*  
(Sub.)                     Hon. Lamar Pickard , Ruling Judge, Claiborne County Circuit Court  
                                   (3 vols.)  
                                   APPELLANT - Vangela Wade, Ridgeland  
                                   APPELLEE - Amy Saling, Waller & Waller, Jackson

**(These cases were added to the 1st Sitting docket)**

**IN THE COURT OF APPEALS**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 05 - MARCH 06, 2009**

**SUBMITTED CASES**

**TUESDAY, JANUARY 20, 2009**

**2007-CA-00325-COA**     *The Goodyear Tire & Rubber Company f/k/a Kelly Springfield, Inc. and Big 10 Tire Company v. Nicholas L. Kirby, Jr., Administrator of the Estate of Travis C. Kirby, Deceased and Nicholas L. Kirby, Jr., Shirley S. Kirby, Nicholas L. Kirby, III, Individually Riley D. Strickland and Sidney Odom*

(Sub.)                     Hon. Forrest A. Johnson Jr., Ruling Judge, Copiah County Circuit Court  
(65 vols.)

APPELLANT - Michael Baxter, Copeland Cook Taylor & Bush, P.A.,  
Ridgeland

APPELLEE - Michael Allred, Allred Law Firm, Jackson

**(This case is added to the 1st Sitting docket).**