

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**SUBMITTED CASES**

**TUESDAY, JANUARY 03, 2012**

**2009-CA-01008-SCT**

*The Kroger Co. and Kroger Limited Partnership I v. Linda Knox*

(Sub.)

Hon. Winston L. Kidd, Ruling Judge, Hinds County Circuit Court

(16 vols.)

APPELLANT - LeAnn Nealey, Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Ridgeland

APPELLEE - James Ashley Ogden, Jackson

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**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**SUBMITTED CASES**

**TUESDAY, JANUARY 03, 2012**

**2010-CA-00741-SCT**      *The Estate of Henry C. Gibson, By and Through Don R. Gibson, Administrator, for the use and benefits of the Estate of Henry C. Gibson, and on Behalf of and for the use and benefit of the Wrongful Death Beneficiaries of Henry C. Gibson v. Magnolia Healthcare, Inc. and Foundation Health Services, Inc.*

(Sub.)      Hon. Betty W. Sanders, Ruling Judge, Washington County Circuit Court  
(24 vols.)  
APPELLANT - Mary Perry, Wilkes and McHugh, P.A., Tampa, FL  
APPELLEE - Justin Starling, Heilman Law Group, P.A., Jackson

**2010-KA-01052-SCT**      *Damien Anderson a/k/a Damien Wise v. State of Mississippi*

(Sub.)      Hon. Jannie M. Lewis, Ruling Judge, Holmes County Circuit Court  
(5 vols.)  
APPELLANT - Adrienne Hooper-Wooten, Ridgeland  
APPELLEE - Deirdre McCrory, Office of the Attorney General, Jackson

**2010-CA-01598-SCT**      *Chander Paul Khurana d/b/a VK Quick Mart and VK's Wine & Liquor v. Mississippi Department of Revenue*

(Sub.)      Hon. Debra K. Halford, Ruling Judge, Pike County Chancery Court  
(6 vols.)  
APPELLANT - James McGee, Barnes, McGee and Associates, P.A., Flowood; Brandon Dixon, Flowood  
APPELLEE - Heather Deaton, Mississippi Department of Revenue, Jackson

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**SUBMITTED CASES**

**TUESDAY, JANUARY 03, 2012**

**2010-CA-02098-SCT**

*W. C. Fore d/b/a W.C. Fore Trucking, Inc. v. Mississippi Department of Revenue f/k/a Mississippi State Tax Commission, Mississippi Department of Environmental Quality and Mississippi Commission on Environmental Quality*

(Sub.)

Hon. Eugene Love Fair, Jr., Ruling Judge, Harrison County Chancery Court

(11 vols.)

APPELLANT - Bobby R. Long, Dukes, Dukes, Keating and Faneca, P.A., Gulfport

APPELLEE - Abigail M. Marbury and Gary W. Stringer, Jackson; Carol Ann Walker and Roy Furrh, Jackson

**2011-KA-00137-SCT**

*Joshua King v. State of Mississippi*

(Sub.)

Hon. Kenneth L. Thomas, Ruling Judge, Bolivar County Circuit Court

(6 vols.)

APPELLANT - Mollie McMillin, Jackson

APPELLEE - Stephanie B. Wood, Office of the Attorney General, Jackson

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**SUBMITTED CASES**

**TUESDAY, JANUARY 03, 2012**

**2011-CA-00286-SCT**

*Jimmy Steven Fowler, Jr., Individually and for and on Behalf of the Wrongful Death Beneficiaries of Jimmy Steven Fowler, Deceased v. John Paul White, M.D., Marilyn Lehman, R.N. and The Sanctuary Hospice House, Inc.*

(Sub.)

Hon. James Lamar Roberts, Jr., Ruling Judge, Lee County Circuit Court

(4 vols.)

APPELLANT - Steven Irwin, Mandeville, LA

APPELLEE - Ronald Michael, Booneville; L. F. Sams and Margaret Gratz, Mitchell, McNutt & Sams, P.A., Tupelo; Clinton Guenther, Upshaw, Williams, Biggers, Beckham & Riddick, Greenwood; Jeffrey Moore, Phelps Dunbar, Tupelo; Michael Phillips, Wilkins Tipton, Jackson

**2011-KA-00406-SCT**

(Sub.)

*James Richard Connors, Jr. a/k/a Jim v. State of Mississippi*

Hon. Michael M. Taylor, Ruling Judge, Pike County Circuit Court

(5 vols.)

APPELLANT - Mollie McMillin, Jackson

APPELLEE - Billy L. Gore, Office of the Attorney General, Jackson

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 04, 2012**

**2010-KA-00095-SCT**

(Sub.)

***Eddie Mitchell v. State of Mississippi***

Hon. Bobby Burt DeLaughter, Ruling Judge, Hinds County Circuit Court

(4 vols.)

APPELLANT - Julie Epps, Canton

APPELLEE - Jeffrey Klingfuss, Office of the Attorney General, Jackson

**2010-CA-01104-SCT**

(Sub.)

***Town Creek Master Water Management District of Lee, Pontotoc, Prentiss, and Union Counties, Mississippi v. Denton Webb, Ruby Webb, Rachael Webb and Dan W. Webb***

Hon. Percy L. Lynchard, Jr., Ruling Judge, Lee County Chancery Court

(12 vols.)

APPELLANT - Thomas Freeland, IV, Freeland & Freeland, Oxford

APPELLEE - Paul Jenkins, Jr., Webb, Sanders and Williams, PLLC, Tupelo

**CONSOLIDATED WITH:**

**2003-CA-02270-SCT**

***Denton Webb, Ruby Webb, Rachael Webb and Dan W. Webb v. Town Creek Master Water Management District of Lee, Pontotoc, Prentiss and Union Counties; and John Morgan, Jimmy Bucy, Kenneth Oswald and Houston Pannell in Their Official Capacities as Members of the Board of Commissioners of Town Creek Master Water Management District of Lee, Pontotoc, Prentiss and Union Counties***

Hon. Woodrow Wilson Brand Jr., Ruling Judge, Lee County Chancery Court

APPELLANT - Paul Jenkins, Jr., Webb, Sanders and Williams, PLLC, Tupelo

APPELLEE - Thomas Freeland, III, Freeland & Freeland, Oxford

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 04, 2012**

- 2010-KA-01525-SCT**      *Tadise Seales a/k/a Tadise Raymanuel Seales v. State of Mississippi*  
(Sub.)                      Hon. Marcus D. Gordon, Ruling Judge, Neshoba County Circuit Court  
   (2 vols.)  
   APPELLANT - Edmund Phillips, Jr., Newton  
   APPELLEE - Lisa Blount, Office of the Attorney General, Jackson
- 2010-IA-02028-SCT**      *Rene C. Levario v. State of Mississippi*  
(Sub.)                      Hon. Robert P. Krebs, Ruling Judge, Jackson County Circuit Court  
   (2 vols.)  
   APPELLANT - Calvin Taylor, Pascagoula  
   APPELLEE - Tanya Hasbrouck, Pascagoula
- 2011-CA-00328-SCT**      *Wayne County School District v. Ernestine Worsham, individually and on Behalf of Ze'Metrice Denison, a Minor*  
(Sub.)                      Hon. Lester F. Williamson, Jr., Ruling Judge, Wayne County Circuit Court  
   (4 vols.)  
   APPELLANT - Lonnie Bailey, Upshaw, Williams, Biggers, Beckham & Riddick, Greenwood  
   APPELLEE - Thomas Hudson, Jackson
- 2011-SA-01041-SCT**      *Dialysis Solutions, LLC v. Mississippi State Department of Health; Mary Currier, in Her Official Capacity as the Executive Director of the Department, State Health Officer and RCG-Montgomery County, LLC*  
(Sub.)                      Hon. Mary Currier, Ruling Judge, Hinds County Department of Health Certificate of Need  
   (3 vols.)  
   APPELLANT - Bryant Clark, Lexington  
   APPELLEE - Barry Cockrell, Baker Donelson Bearman & Caldwell, PC, Jackson; Beatryce Tolsdorf, Jackson

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**SUBMITTED CASES**

**WEDNESDAY, JANUARY 04, 2012**

**2011-BD-01140-SCT**

(Sub.)

*The Mississippi Bar v. Brandon Leigh Galloway*

(0 vol.)

APPELLANT - Adam B. Kilgore, The Mississippi Bar, Jackson

APPELLEE - PRO SE

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**SUBMITTED CASES**

**MONDAY, JANUARY 09, 2012**

**2010-IA-01604-SCT**      ***Deborah Knapp and Harold Knapp v. St. Dominic-Jackson Memorial Hospital***

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

(7 vols.)

APPELLANT - Jwon Nathaniel, Jackson

APPELLEE - Lane Staines and Sharon Bridges, Brunini, Grantham, Grower & Hewes, PLLC, Jackson

**2011-SA-00007-SCT**      ***St. Dominic - Jackson Memorial Hospital v. Mississippi State Department of Health and Madison HMA d/b/a Madison River Oaks Hospital***

(Sub.)                      Hon. Cynthia L. Brewer, Ruling Judge, Madison County Chancery Court

(12 vols.)

APPELLANT - Jonathan Werne and Edmund L. Brunini, Jr., Brunini, Grantham, Grower & Hewes, PLLC, Jackson

APPELLEE - Andy Lowry, Copeland Cook Taylor & Bush, P.A., Ridgeland

**2011-IA-00273-SCT**      ***Laurel Ford Lincoln Mercury, Inc. a/k/a Laurel Ford and Kia and Kia Motors America, Inc. v. Larry Blakeney***

(Sub.)                      Hon. Eddie H. Bowen, Ruling Judge, Smith County Circuit Court

(2 vols.)

APPELLANT - Jeremy Gaddy, Birmingham, AL; Joseph Gill and Rebecca Cowan, Currie Johnson Griffin Gaines & Myers, P. A., Jackson

APPELLEE - Eugene Tullos, Tullos & Tullos, Raleigh

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**EN BANC COURTROOM**

**ARGUED CASES**

**WEDNESDAY, JANUARY 11, 2012**

**2009-CT-02037-SCT**

(Arg.)

*Arvind Kumar, Individually and d/b/a Holiday Inn of Columbus, Tony Savage and Tracey Savage v. Shanna Loper*  
Hon. Lee J. Howard, Ruling Judge, Lowndes County Circuit Court  
(2 vols.)  
APPELLANT - John Crowell, Columbus  
APPELLEE - Dewitt T. Hicks, Jr., and P. Nelson Smith, Jr., Hicks & Smith, PLLC, Columbus

**10:30 AM**

**(THIRTY MINUTES PER SIDE)**

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**EN BANC COURTROOM**

**ARGUED CASES**

**WEDNESDAY, JANUARY 18, 2012**

**2010-CA-01880-SCT**

(Arg.)

***Denbury Onshore, LLC v. Precision Welding, Inc.***

Hon. David H. Strong, Jr., Ruling Judge, Lincoln County Circuit  
Court

(10 vols.)

APPELLANT - W. Scott Welch, III, Baker Donelson Bearman  
& Caldwell, PC, Jackson

APPELLEE - Robert V. Greenlee, Ridgeland

**10:30 AM**

**(THIRTY MINUTES PER SIDE)**

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**EN BANC COURTROOM**

**ARGUED CASES**

**MONDAY, JANUARY 30, 2012**

**2010-CA-01465-SCT**

*Phillips 66 Company, Phillips Petroleum Company, Conoco Phillips Company, Drilling Specialties Company, LLC a/k/a Drilling Specialties Company, LLC and Chevron Phillips Chemical Company, LP, as a Successor In Interest to Conoco Phillips Company, f/k/a Phillips Petroleum Company v. Troy Lofton*

(Arg.)

Hon. Billy Joe Landrum, Ruling Judge, Jones County Circuit Court

(88 vols.)

APPELLANT - J. Jeffrey Trotter, Adams & Reese, LLP, Ridgeland

APPELLEE - Gregory Jones, Houston, TX; Robert Hammond, Hattiesburg

**1:30 PM**

**(THIRTY MINUTES PER SIDE)**

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**EN BANC COURTROOM**

**ARGUED CASES**

**WEDNESDAY, FEBRUARY 01, 2012**

**2010-CA-00924-SCT**

(Arg.)

*Mississippi Valley Silica Company, Inc. v. Rutha Eastman as Administratrix of the Estate of Robert Eastman, II*

Hon. Isadore W. Patrick, Jr., Ruling Judge, Warren County Circuit Court

(49 vols.)

APPELLANT - Andy Lowry, Copeland Cook Taylor & Bush, P.A., Ridgeland

APPELLEE - John T. Givens, Porter & Malouf, P.A., Jackson

**1:30 PM**

**(THIRTY MINUTES PER SIDE)**

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**SUBMITTED ~~ARGUED~~ CASES**

**MONDAY, FEBRUARY 06, 2012**

**2011-CC-00226-SCT**

*Joseph Michael Upchurch v. City of Moss Point, a Body Politic  
and Its Civil Service Commission*

(Arg.)

Hon. Robert P. Krebs, Ruling Judge, Jackson County Circuit  
Court

(3 vols.)

APPELLANT - Russell S. Gill, Biloxi

APPELLEE - Amy Lassiter St. Pe', Pascagoula

**1:30 PM**

**(THIRTY MINUTES PER SIDE)**

**(THE ORAL ARGUMENT IN THE ABOVE CASE, 2011-CC-00226, HAS BEEN  
CANCELLED. THE CASE WAS DISMISSED BY ORDER OF FEBRUARY 3, 2012.)**

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
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**FIRST SITTING - JANUARY 02 - MARCH 02, 2012**

**EN BANC COURTROOM**

**ARGUED CASES**

**THURSDAY, FEBRUARY 09, 2012**

**2012-IA-00166-SCT**

(Arg.)

*In Re: Charles Hooker, David Gatlin, Nathan Kern, Anthony McCray, Kirby Tate, Katherine Robertson, and Aaron Brown*  
Hon. Tomie T. Green, Ruling Judge, Hinds County Circuit Court  
( vols.)  
APPELLANT - Thomas M. Fortner and Richard Anthony Filce, Hattiesburg; Luther T. Munford and Robert Gregg Mayer, Jackson; Edward Blackmon, Canton; Sylvia S. Owen, Tupelo  
APPELLEE - David K. Scott, Office of the Attorney General, Jackson

**9:00 AM**

**(ONE HOUR AND THIRTY MINUTES PER SIDE)**