

**IN THE SUPREME COURT  
OF THE STATE OF MISSISSIPPI  
MASTER DOCKET CALENDAR  
FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**SUBMITTED CASES**

**TUESDAY, JULY 05, 2011**

**2009-CA-01794-SCT**

***Pursue Energy Corporation v. Nancy Carol Garrett Abernathy, Nancy G. Abernathy, Anne M. Ballantyne, Stephen P. Ballantyne, Black Warrior Minerals, Inc., Erma Boyd, John L. Burwell , John L. Burwell, Jr. Children's Trust, Laura Jean Garrett Butler, Mark C. Butler, Ralph C. Butler, Barbara Ann White O'Connell Bryd Trust, Doris F. Callender, Mary Mortimer Campbell Children's Trust #2, Chainco, Inc., Homer Cummings, Sid Davis, Marie I. Fairchild LIT, Marie I. Fairchild Trust, W.R. Fairchild Construction, LLC, Wiley Fairchild, Harrison S. Ford, Gary Darwin Garrett, Georgia L. Jenkins Glisson, Barbara Ann Cooper Haley, Erin Hargroder, Chris Hemeter Life Estate, W. D. Hilton, Carroll Ingram, Mary C. Jenkins, Velma R. Jenkins, Janet White Johnston, James T. Kendall, W. Baldwin Lloyd, A. W. Magruder, Jr., J. D. Mashburn, James D. Mashburn, Marie McKay Mashburn, Edwin D. Moore, Glenn G. Mortimer, Glenn G. Mortimer, Jr. L/E, Mortimer Group, Piney Woods Country School, Robert S. Pirtle, Lottie Dent Potter, Mary Helen Garrett Shealy, R. H. Sims, Jr., Rudy H. Sims, Jr. and Larry A. Sims, James B. Sykes, Jr., Barbara Walters Thompson, MD, Grady Hamilton Vaughn, Miriam H. Whitsett and Wirt A. Yerger***

(Sub.)

Hon. J. Larry Buffington, Ruling Judge, Simpson County Chancery Court

(15 vols.)

APPELLANT - Paul Stephenson, Watkins & Eager, Jackson

APPELLEE - C. Victor Welsh, III, Pittman, Germany, Roberts & Welsh, LLP, Jackson

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**SUBMITTED CASES**

**TUESDAY, JULY 05, 2011**

**2010-IA-00149-SCT**

(Sub.)

***The Automobile Insurance Company of Hartford v. William Lipscomb, Westbrook Cooper, and Harold E. Whittington***  
Hon. Winston L. Kidd, Ruling Judge, Hinds County Circuit Court  
(4 vols.)  
APPELLANT - Jessie Doss, Jr., Webb, Sanders and Williams, PLLC,  
Tupelo  
APPELLEE - Bill Waller, Sr., Waller & Waller, Jackson

**CONSOLIDATED WITH:**

**2010-IA-00153-SCT**

***The Automobile Insurance Company of Hartford v. William Lipscomb, Westbrook Cooper, and Harold E. Whittington***  
Hon. Winston L. Kidd, Ruling Judge, Hinds County Circuit Court  
APPELLANT - No Brief Filed  
APPELLEE - No Brief Filed

**2010-CA-00599-SCT**

(Sub.)

***Walter D. Akins d/b/a Akins Construction Company v. Mississippi State Tax Commission***  
Hon. Patricia D. Wise, Ruling Judge, Hinds County Chancery Court  
(2 vols.)  
APPELLANT - James McGee, Barnes, Broom, Dallas & McLeod,  
PLLC, Flowood  
APPELLEE - Kenitta Toole, Jackson

**2010-KA-00770-SCT**

(Sub.)

***Kenneth Knight v. State of Mississippi***  
Hon. R. I. Prichard, III, Ruling Judge, Pearl River County Circuit Court  
(3 vols.)  
APPELLANT - Phillip Broadhead, University of Mississippi School of  
Law, University  
APPELLEE - Lisa L. Blount, Office of the Attorney General, Jackson

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**SUBMITTED CASES**

**TUESDAY, JULY 05, 2011**

**2010-IA-00776-SCT**

***Mississippi Crime Laboratory, Mississippi State Medical Examiners, Dr. Steven Hayne, In His Official and Personal Capacities, Sunshine Medical Clinic and Dr. Vihba Vig, In Her Official and Personal Capacities, Lisa Hoehn, M.D./Nurse Practitioner in Her Official and Personal Capacities, Expertox, Inc. and Medscreens, Inc. v. Hattie Douglas, Individually and as the Natural Mother, Next Friend and on Behalf of all the Heirs at Law and Wrongful Death Beneficiaries of Kaddarius Douglas, Deceased, and Kevin Hamlin, as the Natural Father and Next Friend of Kaddarius Douglas, Deceased, Kelvin L. Douglas, a Minor, Kendell Douglas, a Minor, Lakendrick R. Douglas, a Minor, Ty'sia Douglas, a Minor, and Jerome E. Douglas, a Minor***

(Sub.)

Hon. Winston L. Kidd, Ruling Judge, Hinds County Circuit Court  
(3 vols.)

APPELLANT - Barry Ford and Marlena Pickering, Baker Donelson Bearman & Caldwell, Jackson; Robert Gibbs, Brunini, Grantham, Grower & Hewes, PLLC, Jackson; John Howell, III, Watkins & Eager, Jackson; Robert Boyd, Boyd & Akin, PLLC, Clinton; Leah Ledford, Jackson

APPELLEE - Thomas Bellinder, Jackson

**2010-CA-01226-SCT**

(Sub.)

***James Edward Carambat v. Stacy Ruth Carambat***

Hon. Sanford R. Steckler, Ruling Judge, Hancock County Chancery Court

(3 vols.)

APPELLANT - Stephen Maggio, Gulfport

APPELLEE - Ottis Crocker, III, Gulfport

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**SUBMITTED CASES**

**TUESDAY, JULY 05, 2011**

**2010-KA-01426-SCT**

(Sub.)

***Stacey Bates Devers v. State of Mississippi***

Hon. Lamar Pickard, Ruling Judge, Copiah County Circuit Court  
(2 vols.)

APPELLANT - Justin T. Cook, Mississippi Office of Indigent  
Appeals, Jackson

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

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**SUBMITTED CASES**

**WEDNESDAY, JULY 06, 2011**

**2009-CA-01040-SCT**

(Sub.)

***Tellus Operating Group, LLC, Baxterville Oil Acquisitions, LLC, Mississippi Oil Acquisitions, LLC, NOMS, LLC, SNPI, LLC, BAX, LLC, Vickery Properties LLC, Baxterville Properties, LLC and Sutherland Energy Corp. v. Texas Petroleum Investment Co., et al.***

Hon. Prentiss Greene Harrell, Ruling Judge, Lamar County Circuit Court

(128 vols.)

APPELLANT - Michael Bentley and Wayne Drinkwater, Bradley Arant Boult Cummings LLP, Jackson; Paul Davis, Butler, Snow, O'Mara & Cannada, PLLC, Ridgeland

APPELLEE - John Sneed and Michael Wallace, Wise Carter Child & Caraway, P.A., Jackson; Daphne Lancaster, Aultman, Tyner, Ruffin & Swetman, LTD., Hattiesburg

**CONSOLIDATED WITH:**

**2009-CA-01041-SCT**

***Tellus Operating Group, LLC, Baxterville Oil Acquisitions, LLC, Mississippi Oil Acquisitions, LLC, NOMS, LLC, SNPI, LLC, BAX, LLC, Vickery Properties, LLC, Baxterville Properties, LLC and Sutherland Energy Corporation v. Total Petrochemicals USA, Inc. f/k/a Atofina Petrochemicals, Inc. f/k/a Fina Oil and Chemical Company***

Hon. Prentiss Greene Harrell, Ruling Judge, Lamar County Circuit Court

APPELLANT - No Brief Filed

APPELLEE - No Brief Filed

**CONSOLIDATED WITH:**

**2009-CA-01174-SCT**

***Texas Petroleum Investment Co., et al. v. Tellus Operating Group, LLC, et al.***

Hon. Prentiss Greene Harrell, Ruling Judge, Lamar County Circuit Court

APPELLANT - No Brief Filed

APPELLEE - No Brief Filed

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**SUBMITTED CASES**

**WEDNESDAY, JULY 06, 2011**

**2010-CA-00490-SCT**

***Richard Compere and James A. Bobo v. St. Dominic Jackson Memorial Hospital and Bryan Lantrip, M.D.***

(Sub.)

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

APPELLANT - James Bobo, Akers and Bobo, PLLC, Brandon  
APPELLEE - Lane Staines, Brunini, Grantham, Grower & Hewes, PLLC, Jackson; Stephanie Edgar, Watkins, Ludlam, Winter & Stennis, P.A., Jackson

**2010-KA-00863-SCT**

***Jason Powell v. State of Mississippi***

(Sub.)

Hon. Joseph H. Loper, Jr., Ruling Judge, Winston County Circuit Court  
(2 vols.)

APPELLANT - Allen Vollar, Starkville  
APPELLEE - Stephanie B. Wood, Office of the Attorney General, Jackson

**2010-CC-01077-SCT**

***Queen City Nursing Center, Inc., Community Living Centers, LLC d/b/a Meridian Community Living Center, and Beverly Enterprises-Mississippi, Inc. d/b/a Golden Living Center-Meridian v. Mississippi State Department of Health and Meadowbrook Health and Rehab, LLC***

(Sub.)

Hon. J. Dewayne Thomas, Ruling Judge, Hinds County Chancery Court  
(7 vols.)

APPELLANT - Andy Lowry, Copeland, Cook, Taylor & Bush, P.A., Ridgeland  
APPELLEE - Beatryce Tolsdorf, Office of the Attorney General, Jackson; Betty Collins, Wise Carter Child & Caraway, P.A., Jackson

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**SUBMITTED CASES**

**WEDNESDAY, JULY 06, 2011**

**2011-JP-00319-SCT**

***Mississippi Commission on Judicial Performance v. Albert B. Smith, III***

(Sub.)

Hon. H. David Clark, II, Ruling Judge

(3 vols.)

APPELLANT - John B. Toney, Mississippi Commission on Judicial Performance

APPELLEE - Andrew M. Westerfield, Westerfield, Janoush and Bell, PA, Cleveland; Merrida P. Coxwell, Jr., Coxwell and Associates

**2011-BD-00630-SCT**

***The Mississippi Bar v. Michael R. Wall***

(Sub.)

(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  
FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**SUBMITTED CASES**

**MONDAY, JULY 11, 2011**

**2010-AN-00117-SCT**

***John Fletcher, John McConnon and Tom Leader v.  
Diamondhead Incorporators***

(Sub.)

Hon. Billy G. Bridges, Ruling Judge, Hancock County Chancery  
Court

(27 vols.)

APPELLANT - David McCarty, Jackson

APPELLEE - John Scanlon, Ridgeland

**2010-IA-00131-SCT**

***Riverbend Utilities, Inc. v. Hugh Edward Brennan and Shanda  
Melissa Brennan, Meranda Ivy Brennan, and Sarah Elizabeth  
Marut***

(Sub.)

Hon. Lawrence Paul Bourgeois, Jr., Ruling Judge, Harrison County  
Circuit Court

(6 vols.)

APPELLANT - Brenda Long, Daniel Coker Horton & Bell, P.A.,  
Gulfport

APPELLEE - Harry Satterwhite, Mobile, AL

**2010-CA-00991-SCT**

***Frederick Jamal Davis, Nathan Rogers, Felicia Hundley, Ralph  
Hundley, Joey Mayes and Johnny Pickens v. State of  
Mississippi***

(Sub.)

Hon. Lester F. Williamson, Jr., Ruling Judge, Wayne County  
Circuit Court

(2 vols.)

APPELLANT - Pro Se

APPELLEE - Lean Follett, Follett & Follett, Meridian

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**SUBMITTED CASES**

**MONDAY, JULY 11, 2011**

**2011-JP-00552-SCT**

***Mississippi Commission on Judicial Performance v. Carol Ann Bustin***

(Sub.)

Hon. H. David Clark, II, Ruling Judge

(2 vols.)

APPELLANT - John B. Toney, Mississippi Commission on  
Judicial Performance, Jackson

APPELLEE - James K. Dukes, Jr., Hattiesburg

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**EN BANC COURTROOM**

**ARGUED CASES**

**WEDNESDAY, AUGUST 03, 2011**

**2010-CA-00881-SCT**

***Stacey Pickering, In His Capacity as Auditor for the State of Mississippi v. Jim Hood, Attorney General, ex rel State of Mississippi***

(Arg.)

Hon. Denise Owens, Ruling Judge, Hinds County Chancery Court  
(3 vols.)

APPELLANT - Arthur Jernigan, Jr., Ridgeland

APPELLEE - Justin Matheny, Office of the Attorney General,  
Jackson

**1:30 PM**

**(THIRTY MINUTES PER SIDE)**

**IN THE SUPREME COURT**  
**OF THE STATE OF MISSISSIPPI**  
**MASTER DOCKET CALENDAR**  
**FOURTH SITTING - JULY 04 - SEPTEMBER 02, 2011**

**EN BANC COURTROOM**

**ARGUED CASES**

**MONDAY, AUGUST 08, 2011**

**2010-CA-00925-SCT**

***Diana Kinsey, on Behalf of the Wrongful Death Beneficiaries of Ted Watkins, Deceased v. Pangborn Corporation, Unimin Corporation, Ash Grove Cement Company Precision Packaging, Inc., Clark Sand Company, Inc., Clemco Industries Corporation, Hanson Aggregates, Inc. f/k/a Hanson Aggregates Central, Inc. f/k/a Pioneer South Central, Inc. f/k/a Pioneer Concrete of Texas, Inc., Humble Sand Co., Inc. d/b/a Humble Sand & Gravel, Inc., Pamorlee Industries, Inc., Precision Packaging, Inc. f/k/a Quikrete Materials, Inc., Southern Silica of Louisiana, Inc., Mine Safety Appliances Company (MSA), Empire Abrasive Equipment Corporation and Specialty Sand Company and Kelco Sales & Engineering Company, a Division of Polley, Inc., Bob Schmidt, Inc., Schmidt Manufacturing, Inc., Lone Star Industries, Inc., American Optical Corporation and Pulmosan Safety Equipment Corporation***

(Arg.)

Hon. Roger T. Clark, Ruling Judge, Harrison County Circuit Court (10 vols.)

APPELLANT - John Givens and Timothy Porter, Porter and Malouf, P.A., Jackson; R. Allen Smith, Jr., The Smith Law Firm, Ridgeland

APPELLEE - Jennifer J. Skipper, Forman, Perry, Watkins, Krutz & Tardy, LLP, Jackson; Joseph G. Baladi, Watkins & Eager PLLC, Jackson; Kimberly P. Mangum, Barfield & Associates, Madison; Katharine McKee, Surkin, Page, Mannino, Peresich & McDermott, PLLC, Jackson; Matthew R. Dowd, Wells, Moore, Simmons & Hubbard, PLLC, Jackson; Clyde L. Nichols, III, Scott, Sullivan, Streetman & Fox, P.C., Jackson; G. Martin Street, Jr., Page, Kruger & Holland, P.A., Jackson; Victor J. Franckiewicz, Butler, Snow, O'Mara, Stevens, & Cannada, PLLC, Gulfport; Kyle V. Miller, Butler, Snow, O'Mara, Stevens, & Cannada, PLLC, Ridgeland

**10:30 AM**

**(THIRTY MINUTES PER SIDE)**