

# ROOKER REPORT

August 2002

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## Blake Freeman Chases Thieves, Recovers Purse

Attorney Blake Freeman never dreamed that a routine shopping trip to a Hermitage department store would make him a hero.

But he turned out to be just that to an elderly victim of a daring daylight crime.

The drama unfolded as Freeman was loading merchandise into his Chevy Blazer at a K-Mart store where the attorney, his wife and daughter had just made a purchase on Saturday, Aug. 10.

At that time, Freeman noticed the 80-year-old woman running through the parking lot in pursuit of two fleeing men. She was yelling, "Get 'em...they stole my purse," Freeman recalled.

Freeman said the lady had been standing in the parking lot talking to some friends when the two thieves came up behind her and yanked the purse, breaking the shoulder strap.

An employee of the store gave chase on foot and Freeman, thinking he might be able to cut them off before they reached a nearby wooded area, went after them in his Blazer. But before he could catch up to the pair, they momentarily disappeared into the woods.

In seconds, the man with the purse reappeared in an open field and Freeman abandoned his vehicle and went after him on foot.

When the thief saw Freeman coming at him, he tossed the purse to the ground, scaled a fence and escaped.

While Freeman said he would like to have caught the thief, he was pleased to recover the purse for the elderly woman, who "gave me a big hug and thanked me."

"My blood was boiling," said Freeman. "My mom is 80 years old and I would hate for somebody to treat her that way."

At last report, neither of the purse snatchers had been captured.



JUDGE MONDELLI

Davidson County Judge Michael

Mondelli will become president of the Tennessee General Sessions Judges Conference next month.

Mondelli, who will succeed Judge Christy R. Little of Madison County, will be sworn in at the close of the conference's annual meeting in Jackson Sept. 18-20.

At the same time, Judge Leon Ruben will begin his 20th year as secretary-treasurer of the statewide group, which is made up of 166 general sessions judges.

## Mondelli President-Elect Of State Judges Conference

◆ **General Sessions Courts will be in recess on the days of the conference.**

As president, Mondelli's duties will be many fold. He will provide semi-annual meetings to give judges the opportunity to meet continuing legal education requirements; appoint committees to work with the state bar association and other bench and bar groups; appoint members to various regulatory boards that require judges as members, and conduct orientation programs for incoming general sessions judges.

Mondelli, whose late father Les Mondelli Sr. was a longtime general

sessions judge, was first elected to the court's Division VI bench in 1990. He currently is midway through his second eight-year term.

During his terms on the bench, Mondelli has twice served as presiding judge of the 11-division court and was the first to create committees within the court to address specific issues under the umbrella of the court's jurisdiction.

At the close of his one-year term as conference president, Mondelli will preside over the group's 2003 meeting in Nashville and will turn over the reins to a new president-elect from East Tennessee.

## Was Errant E-Mail Guided by Fate?

What could happen if a personal e-mail got misdirected in cyber space and was received by the wrong person?

You might ask General Sessions secretary Becky Hahn, whose electronic transmission intended for her mother-in-law resulted in unbelievable coincidences and sad memories for its recipient.

Hahn's intended e-mail for "Marian Hahn" was addressed to "mhahn@bellsouth.net," as was listed. But it was received by "Mary" Hahn, a middle-aged Mississippi school teacher, who was shocked when she read the name of the sender. After regaining her composure, she wrote back:

"My name is Mary Hahn and I had a daughter named Becky Hahn who died in 1981. She was just four years old."

"I'm not upset, just very confused," she continued. "I know it's just a coincidence that you have the same name as my daughter, but how often does one receive an e-mail from someone with the same name as a deceased loved one."

She asked that Hahn write back and explain why she had e-mailed her.

Hahn has complied with the request. Stay tuned.

## Trial Courts Retain Dozier

Criminal Court Judge Steve Dozier will serve his second term as presiding judge over the state trial courts.

Dozier was the unanimous choice of the county's 15 criminal, circuit and chancery judges at their selection meeting on Aug. 15.

Dozier has called on all courts to observe a period of silence on Sept. 11 in remembrance of the victims of the World Trade Center tragedy.



DOZIER



JUDGE AARON HOLT

## Holt Reelected Presiding Judge

John Aaron Holt has been reelected to a second term as presiding judge of the General Sessions Court.

Holt will begin his second one-year term in September. He joins fellow judges Leon Ruben and Mike Mondelli in serving more than a single term in the presiding judge's position. The presiding judge oversees business matters of the 11-division court, which has an operating budget of more than \$7 million.

Holt said he would continue to focus on making the court's services readily available and easily accessible to the general public. He added that some realignment would be forthcoming in the makeup of some committees of judges which address specific issues arising from the general flow of business.

# CHEERS...

Longtime attorney **Tom Nelson** has been selected to fill a vacancy on the General Sessions Court's panel of night court commissioners.

Judges chose Nelson from a list of applicants for the seat formerly held by attorney **George Linebaugh**, who recently completed seven years on the court. Nelson, a native of North Dakota, has primarily focused on a criminal law practice since his graduation from the Nashville School of Law in 1985. He also has served as a special general sessions judge on numerous occasions and for the past ten months has served as a substitute judicial commissioner.



TOM NELSON

Nelson assumed his new position this month. He joins **Houston Hagar, Gerald Burkett, Howard Taradash** and **Carolyn Piphus** on the night court.

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There is a reason for the good mood radiating from **Carol Crews** these days. The court officer for General Sessions Judge **John Brown** is showing off her pride over her son **Daniel's** rewarding year, which included him getting married, honeymooning in Italy, and getting his Masters Degree from Middle Tennessee State University where he also landed an investments teaching job. Currently a financial analyst for the state treasury department, Daniel will become certified in that field next year. He shares his blessings with new bride **Tiffany Milliken** of Nashville.

◆ Congratulations to Traffic Violations Bureau Chief Clerk **Bill Cartwright**, whose 12-and-under girls fast-pitch softball team captured third place in the USFA World Series at Panama City, Fla. Cartwright managed the Thunderbolts to the National Softball Association state championship to earn a shot at the world title. The team's third place finish came in competition with 35 other teams. Cartwright's daughter **Kelsey** played second base for the Thunderbolts, who were cheered on by chief circuit court clerk **Tracy Cartwright**, Bill's wife and Kelsey's mom.

◆ Speaking of moms, the Traffic Violations Bureau's **Kim Smith** became one on July 30 when she gave birth to a 7-pound, 12-ounce son named **Glen Robnison Smith**, who measured 20.25 inches upon his arrival at Centennial Hospital. Daddy **Billy Smith** is sharing smiles with granddad **Ronnie Crow**, a court officer for Judge **Casey Moreland**.

# ... TEARS

Sympathy to Metro mail carrier **Mark Boyd** in the untimely death of his father, Bishop **Melvin Boyd**, a local and national religious leader who succumbed to heart failure on July 28. Bishop Boyd, pastor of Grace Apostolic Church, was 62.

We are saddened by the tragic passing of **Christopher S. Osborne**, 26, who died in a swimming accident near Old Hickory Dam on Aug. 7. He was the nephew of **Delana Sullivan**, a deputy clerk in the General Sessions Civil Division office.

Condolences to Nashville attorney **Joseph Lackey, Jr.**, in the death of his mother **Elysabeth Enoch Lackey**, who passed away on Aug. 10. Mrs. Lackey was the widow of attorney **Joseph Lee Lackey, Sr.**

## BIRTHDAYS

## SEPTEMBER

### Traffic Violations

- 5 Annette Wheeler
- 7 Steve Leary
- 9 Joey Torrence
- 11 Bill Cartwright  
Alberita Wilson
- 20 Nancy Capps
- 21 Tony Eden
- 22 Elaine Howell
- 27 Leslie Allumbaugh  
Don Rosso
- 28 Elizabeth Harris

### Circuit Court Clerk

- 3 Anneccia Donigan
- 23 Candy Rucker

### General Sessions

- 21 Stephanie Phillips

### Probate Clerk

- 5 Anita Riggan
- 18 Bob Bradshaw
- Ricky Deatherage

## State Adds Second Routing Guide for Mental Health Workers Being Garnished

Garnishments of state employees assigned to the Mental Health Department now have two routing destinations for service of process.

Noting that the Mental Health Department is separated into two different accounts, the state issued the following routing instructions:

Garnishments for state employees working at Arlington, Greene Valley and Cloverbottom mental health facilities should contain the following information on the garnishment form:

**Tennessee Department of Finance and Administration**  
**Commissioner Warren Neal**  
**State Capitol, First Floor**  
**Nashville, TN 37243.**

Garnishments for state employees working at all other mental health facilities should contain the following information on the form:

**Tennessee Department of Mental Health**  
**Commissioner Elizabeth Rukeyser**  
**425 Fifth Avenue North**  
**Nashville, TN 37243.**

In all cases, the name and social security number of the individual being garnished must be provided.

"This information has to be correct to insure that service of process will be accepted, instead of being returned to the Court Clerk as being served to the wrong Commissioner," according to a prepared statement from the state.

"If you are not sure of the exact mental health institution at which the individual to be garnished is employed," the statement continued, "you may call State Information at 741-5595."

Complete routing instructions for all state departments can be obtained from the circuit court clerk's office or by accessing our internet site at [www.nashville.org/cir](http://www.nashville.org/cir) and linking to the May and June issues of the Rooker Report.

### Next Holiday: Labor Day, September 2

All civil clerk's offices will be closed on Monday, Sept. 2 in observance of Labor Day. Regular office hours will resume on Tuesday, Sept. 3.

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Established by **George L. Rooker (1929-1993)**,  
 (Circuit Court Clerk, 1968-1993)

DA coordinator, Gen  
 er ..... t Clerk



# JURY

# TRIAL VERDICTS

## ABBREVIATIONS:

P	PLAINTIFF	CP	COUNTER PLAINTIFF
D	DEFENDANT	CD	COUNTER DEFENDANT
NP	NON-PARTY	GSA	GENERAL SESSIONS APPEAL
ST	SOFT TISSUE	PUN	PUNITIVE

### APPEALS

Week of July 15

### CIRCUIT COURT

### GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
02C-1081	GSA/DOGBITE	3RD*	\$1,100	(P-49) (D-51)	P-\$2,133	DEFENDANT
99C-949	ASSAULT	6TH	(P) \$500			
01C-2088	PERSONAL INJURY	3RD*	(P) \$8,937			
00C-2609	CONDEMNATION	3RD*	UNDER ADVISEMENT			

### Soft Tissue

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-1179	AUTO ACCIDENT/ST	1ST	\$150,000	DEFENDANT			

\*--JURY WAIVED

Week of July 22

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
99C-3612	ASSAULT	1ST	(P) \$25,000			

### Soft Tissue

CASE	TYPE	COURT	PRAYER	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
01C-1537	AUTO ACCIDENT/ST	8TH	\$35,000	\$25,000			

## NON-JURY TRIAL RESULTS

Week of July 1

### CIRCUIT COURT

### GENERAL SESSIONS

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
00C-179	WORKERS COMPENSATION	6TH	(P) FUTURE MEDS			
01C-3871	GSA/CONTRACT	1ST	(P) \$4,800		P-\$9,800	DEFENDANT
00C-1767	NEGLIGENCE	1ST	(P) \$4,500			
01C-2555	CONTRACT	8TH	(P) \$5,590			
01C-3200	GSA/CONTRACT	1ST	PENDING		P-\$5,900	DEFENDANT
01C-3466	GSA/CONTRACT	8TH	(P) \$8,337		P-\$3,000	DEFENDANT
99C-2021	GSA/CONTRACT	8TH	(P) \$5,553		P-\$7,744	DEFENDANT

Week of July 29

CASE	TYPE	COURT	VERDICT	PCT. FAULT	JUDGMENT	APPELLANT
99C-3182	DAMAGES	3RD	(P) \$7,081			
02C-210	GSA/CONTRACT	5TH	(P) \$2,900		P-\$2,863	DEFENDANT
01C-2314	GSA/CONTRACT	1ST	(P) \$6,932		TRANSFERRED	
02C-273	GSA/CONTRACT	6TH*	(P) \$500		P-\$2,419	DEFENDANT
01C-3612	GSA/CONTRACT	8TH	(P) \$1,719		P-\$1,449	DEFENDANT
01C-1012	WORKERS COMPENSATION	1ST	UNDER ADVISEMENT			
02C-654	GSA/CONTRACT	8TH	(P) \$6,598		P-\$5,287	DEFENDANT
01C-2854	GSA/CONTRACT	5TH	(P) \$8,321		P-\$8,321	DEFENDANT
01C-3683	GSA/CONTRACT	5TH	(P) \$1,700 + 5% ANNUM		DEFENDANT	PLAINTIFF
01C-1053	WORKERS COMPENSATION	5TH	UNDER ADVISEMENT			
99C-2916	AUTO ACCIDENT	1ST	(P) \$60,000	(P-40) (D-60)		
02C-402	GSA/CONTRACT	8TH	(P) \$6,000		P-\$6,657	DEFENDANT

\*--HEARD BY MARSH NICHOLS

# TRENDS



RATIO: PLAINTIFFS 5.1-1

## CASE ANALYSES

### AUTO ACCIDENTS

PLAINTIFFS 31  
DEFENDANTS 6

#### MONTH-BY-MONTH

MONTH	TOTALS	JURY	NON-JURY	PLAINTIFF	DEFENDANT	NONE
JANUARY	9	9	0	8	1	0
FEBRUARY	5	5	0	3	1	1
MARCH	3	1	2	2	0	1
APRIL	5	5	0	3	2	0
MAY	7	5	2	5	1	1
JUNE	3	3	0	8	0	0
JULY	3	2	1	2	1	0

#### JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	1,342,250	578-945,000	89,235
FEBRUARY	263,905	3,225-258,946	4,734
MARCH	10,000	N/A	N/A
APRIL	49,743	1,000-46,030	2,713
MAY	122,373	0-100,000	12,686
JUNE	73,034	5,032-62,500	34,001
JULY	25,000	N/A	N/A

#### NON-JURY AWARDS

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	N/A	N/A	N/A
FEBRUARY	N/A	N/A	N/A
MARCH	2,374	N/A	N/A
APRIL	N/A	N/A	N/A
MAY	1,500	N/A	N/A
JUNE	N/A	N/A	N/A
JULY	60,000	N/A	N/A

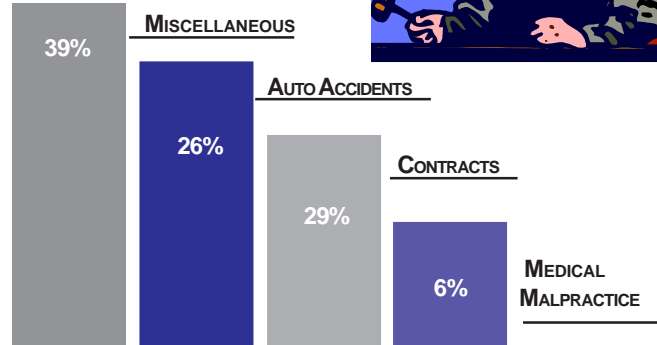
#### SOFT TISSUE CASES

MONTH	\$TOTALS	DOLLAR RANGE	\$MEAN
JANUARY	185,578	578-150,000	35,000
FEBRUARY	3,225	N/A	N/A
MARCH	N/A	N/A	N/A
APRIL	1,000	N/A	N/A
MAY	373	0-373	N/A
JUNE	N/A	N/A	N/A
JULY	25,000	N/A	N/A

#### \*GENERAL SESSIONS APPEALS

MONTH	\$TOTALS	PLAINTIFF	DEFENDANT	NONE
JANUARY	10,200	1	0	0
FEBRUARY	9,401	1	1	0
MARCH	12,374	2	0	1
APRIL	N/A	0	1	0
MAY	1,873	2	1	0
JUNE	10,534	2	0	0
JULY	N/A	0	0	0

## CIVIL TRIALS BY CLASS



## DATA BANK

Statistics compiled for the month of July

### CASE INFORMATION

#### Circuit Court

CIVIL CASES FILED .....	223
JURY .....	85
NON-JURY .....	138
CIVIL CASES CONCLUDED .....	260
JURY .....	126
NON-JURY .....	134
NEW DIVORCE CASES FILED .....	231
DIVORCE CASES CONCLUDED .....	230

#### General Sessions Civil

NEW CASES FILED .....	3,021
EXECUTIONS ISSUED .....	3,389
GARNISHMENT PAYMENTS .....	3,657
JUDGMENTS COLLECTED .....	\$608,897
(NOTE: JUNE'S JUDGMENTS COLLECTED TOTAL WAS REPORTED INCORRECTLY DUE TO A TYPOGRAPHICAL ERROR. THE TOTAL SHOULD HAVE BEEN \$635,367.)	
ORDER OF PROTECTION PETITIONS .....	254

#### Probate Court

NEW CASES FILED .....	190
CASES CLOSED .....	207

#### Traffic Violations

MOVING CITATIONS .....	24,388
PARKING VIOLATIONS .....	6,938
TOTAL FINES COLLECTED .....	\$351,711
NULLIFICATIONS .....	1,872
NULLIFICATION FEES COLLECTED .....	\$22,455

### Other Classes

CONTRACTS	YTD	PLAINTIFFS	DEFENDANTS	NO VERDICT
	39	29	2	8
<b>JULY AWARDS: \$58,950-- TOTAL AWARDS TO DATE: \$153,574</b>				

MISCELLANEOUS	
52	
PLAINTIFFS	36
DEFENDANTS	6
NO VERDICT	10

MALPRACTICE	
8	
PLAINTIFFS	2
DEFENDANTS	6
NO VERDICT	0