

Appendix US Supreme Court

In The Court Tennessee for the Thirtieth Judicial District at Memphis

Opinions of Tennessee Judicial 13th district division IV Order for Dismissal &
Judgement date Jan 08 2019. Appendix A.

In The State Court of Appeals of Tennessee at Jackson

Opinions of Court of Appeals of Tennessee Order for Dismissal of Appeal
Date Aug 28 2019. Appendix B

In The Supreme Court Western Division Appellate Court Jackson TN

Opinions of Supreme Court of TN – Jackson Order for Rehearing Denied
Date Dec 27 2019. Appendix C
Date Nov 27 2019 Appendix D

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

FILED
11/27/2019
Clerk of the
Appellate Courts

ADRIAN WEATHERSPOON v. FATEMAH BAGAHPOUR ET AL.

**Circuit Court for Shelby County
No. CT-004025-18**

No. W2019-00430-SC-R11-CV

ORDER

Adrian Weatherspoon filed a Tenn. R. App. P. 11 application for permission to appeal on November 4, 2019 from an order of the Court of Appeals filed on August 28, 2019, dismissing his appeal as untimely. An application for permission to appeal must be filed within sixty (60) days of the filing of the judgment of the intermediate appellate court or, if a timely petition for rehearing was filed, within sixty (60) days of the entry of the order on the petition for rehearing. *See* Tenn. R. App. P. 11(b). Accordingly, the application to this Court was due on or before October 28, 2019. The sixty-day period for filing an application for permission to appeal is jurisdictional in civil cases and cannot be extended. *See* Tenn. R. App. P. 2 & 21(b) and *State v. Sims*, 626 S.W.2d 3 (Tenn. 1981).

It is, therefore, ordered that the application for permission to appeal be dismissed. Costs are taxed to Adrian Weatherspoon, for which execution may issue if necessary.

PER CURIAM

Appendix A

IN THE CIRCUIT COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

ADRIAN WEATHERSPOON,)
Plaintiff,)
v.)
FATEMAH BAGAHPOUR, et al.)
Defendants.)
Docket No. CT-004025-18
Division IV

ORDER OF DISMISSAL AND JUDGMENT

THIS CAUSE CAME ON FOR TRIAL BEFORE THE COURT, sitting without a jury, on January 8, 2019, with Defendants Robert Seeman, Autumn Sterling, and Scott Palmer being voluntarily dismissed immediately preceding the trial, and upon consideration of the evidence produced, the testimony of Plaintiff, testimony of Defendant Fatemah Baghaipour, Exhibits 1 through 4, attached and incorporated herein by reference, arguments of counsel for Defendants Seeman, Sterling, Palmer, and Vincent Brooks, the Court finds that claims against governmental entities and their employees must be brought in strict compliance with the Governmental Tort Liability Act (GTLA); that claims were not brought in compliance with the GTLA; that there is insufficient proof to support any claim against any of the Defendants in this matter; from which the Court finds that Plaintiff did not carry his burden of proof in this case and that judgment should therefore be granted in favor of all Defendants.

IN THE COURT OF APPEALS OF TENNESSEE
AT JACKSON

ADRIAN WEATHERSPOON v. FATEMAH BAGAHPOUR ET AL.
Vincent Brooks

Shelby County Circuit Court
CT-004025-18

No. W2019-00430-COA-R3-CV

Date Printed: 08/28/2019

Notice / Filed Date: 08/28/2019

NOTICE - Case Dispositional Decision - Dismissing Appeal (Involuntary)

The Appellate Court Clerk's Office has entered the above action.

Appendix B

James M. Hivner
Clerk of the Appellate Courts

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

FILED
12/27/2019
Clerk of the
Appellate Courts

ADRIAN WEATHERSPOON v. FATEMAH BAGAHPOUR ET AL.

**Circuit Court for Shelby County
No. CT-004025-18**

No. W2019-00430-SC-R11-CV

ORDER

On November 27, 2019, this Court dismissed the application for permission to appeal filed by Adrian Weatherspoon, as untimely. Adrian Weatherspoon has now filed an untimely petition to rehear pursuant to Tenn. R. App. P. 39. The sixty-day period for filing an application for permission to appeal in a case arising from the Court of Appeals is jurisdictional. *See* Tenn. R. App. P. 11(b). Accordingly, after due consideration, the petition is respectfully denied.

Appendix D

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE
AT JACKSON

ADRIAN WEATHERSPOON v. FATEMAH BAGAHPOUR ET AL.

**Shelby County Circuit Court
CT-004025-18**

No. W2019-00430-SC-R11-CV

Date Printed: 12/27/2019

Notice / Filed Date: 12/27/2019

NOTICE - Order - Petition to Rehear Denied

The Appellate Court Clerk's Office has entered the above action.

Appendix C

James M. Hivner
Clerk of the Appellate Courts