

IN THE SUPREME COURT OF MISSISSIPPI
COURT OF APPEALS OF THE STATE OF MISSISSIPPI

SUPREME COURT #2006-CA-01570

APPELLANT, LISA STEPHENS

V.

APPELLEE, SHANNON MILLER

APPELLANT'S REPLY BRIEF

Tommy D. Cadle
Kenneth E. Floyd, II
Attorneys for the Appellant

IN THE SUPREME COURT OF MISSISSIPPI
COURT OF APPEALS OF THE STATE OF MISSISSIPPI

LISA STEPHENS

APPELLANT

VS.

NO. 2006F-CA-01570

SHANNON MILLER

APPELLEE

CERTIFICATE OF INTERESTED PERSONS

The undersigned counsel of record certified that the following listed persons have an interest in the outcome of this case. These representations are made in order that the Honorable Justices of this Court may evaluate possible disqualification or recusal:

1. Lisa Stephens, Appellant
2. Honorable Emily M. Parker, Counsel for Appellee on Appeal
3. Honorable Sharion Aycock
4. Honorable Tommy D. Cadle, Counsel for Appellant on Appeal

WITNESS my signature on this the 11 day of June, 2007.

ATTORNEY FOR APPELLANT



TOMMY D. CADLE

MSB# 7674

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ARGUMENT AND CONCLUSION

In Miller's response to Stephens' Appeal, she completely and totally ignores the points raised as to the disputed fact that Miller had knowledge of the child's propensity to engage the door closing button that resulted in the injury that is the subject of this lawsuit. The Affidavit submitted by the Plaintiff sets out in clear and plain details of the incident and the comments of the Appellee Miller.

Miller makes great issue of the fact that no elaborate complaint was made of Stephens' standing. It should be obvious of her standing based on the facts presented and the inescapable conclusion that every person has some status at every point in their daily life, and that the Court is quite obviously aware that this person, based on the Affidavit of Stephens, was in fact, an invitee and was due the care and was not afforded that care by the Appellee. That this disputed fact, alone, should be this Court's basis for reversing the grant of Summary Judgment.

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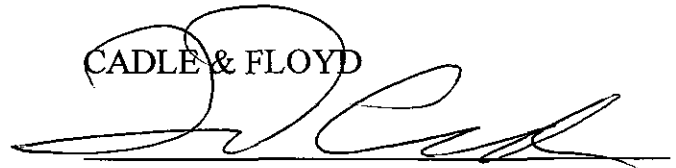
CERTIFICATE OF MAILING

THIS is to certify that I, Tommy D. Cadle, attorney for Appellant, have this day mailed by United States mail, postage prepaid, the original and three copies of the Appellant's Reply Brief to the Honorable Betty W. Sephton, Clerk, Supreme Court of Mississippi at the address of said Court, Post Office Box 249, Jackson, Mississippi, 39205-0249.

THIS the 11 day of June, 2007.

Respectfully submitted,

CADLE & FLOYD



TOMMY D. CADLE, MSB# [REDACTED]

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CERTIFICATE OF SERVICE

I, TOMMY D. CADLE, the attorney for the Appellant, do hereby certify that I have this day served a true and correct copy of the Appellant's Reply Brief, by placing said copy in the United States Mail, postage prepaid, addressed to the following:

Honorable Emily M. Parker
Webb, Sanders & Williams, P.L.L.C
Post Office Box 496
Tupelo, MS 38802

Honorable Sharion Aycock
Circuit Judge
Post Office Drawer 1100
Tupelo, MS 38802

Ms. Betty W. Sephton
Supreme Court of Mississippi Clerk
Post Office Box 249
Jackson, MS 39205-0249

DATED, this, the 11 day of June, 2007.

Respectfully submitted,

CADLE & FLOYD



TOMMY D. CADLE

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