

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 12, 2015

HOWARD W. BRILL, CHIEF JUSTICE

CR-15-266. William Dewey Gill v. State of Arkansas, from White County Circuit Court. Affirmed in part; reversed and dismissed in part. Court of Appeals opinion vacated.

ROBIN F. WYNNE, JUSTICE

CV-15-177. Randi Silkman, as Administrator of the Estate of Vera Kolesar, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Vera Kolesar v. Evangelical Lutheran Good Samaritan Society; Evangelical Lutheran Good Samaritan Society, D/B/A Good Samaritan Campus Hot Springs; Good Samaritan Society Insurance, LTD.; Corrine White, in Her Capacity as Administrator of Good Samaritan Society - Hot Springs Village; John Doe I; John Doe II; John Doe III; John Doe IV; and John Doe V, from Saline County Circuit Court. Affirmed.

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PER CURIAM ORDERS

REHEARING DENIED: Petition for rehearing was denied today in the following case.

CV-15-156. George Brumley v. Arkansas Department of Human Services and G.B., Minor Child, from Washington County Circuit Court. Special Justice Robert Shafer joins. Hart, J., would grant. Wynne, J., not participating.

REVIEW GRANTED: Petition for review was granted today in the following case.

CV-15-824. Temika Donley v. Lakitcher Donley, from Pulaski County Circuit Court, Seventeenth Division. Danielson, J., would deny.

REVIEWS DENIED: Petitions for review were denied today in the following cases.

CR-15-820. Aaron James Szabo v. State of Arkansas, from Washington County Circuit Court.

CV-15-800. Emily Smithee v. Arkansas Department of Human Services and E.S., Minor Child, from Clay County Circuit Court.

CR-14-818. John Chad Griffin v. State of Arkansas, from Clark County Circuit Court. Joseph Karl Luebke's motion to withdraw as counsel and motion for attorney's fees and expenses is granted. Mr. Luebke awarded \$3,875.00 in fees and \$588.83 in costs. Special Justice Darren O'Quinn joins. Danielson, J., not participating.

CR-14-1019. Andrew M. Holland v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion for stay of mandate in order to petition for writ of certiorari. Motion treated as motion to recall mandate and granted.

CR-15-899. Zachary Holly v. State of Arkansas, from Benton County Circuit Court. Expedited motion for stay of execution is granted. Brill, C.J., and Danielson, J., would deny with instructions to seek relief from the trial court. (Proceedings of November 10, 2015)

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CV-14-434. Progressive Eldercare Services-Saline, Inc., d/b/a Heartland Rehabilitation and Care Center v. Ira Krauss, Administrator of the Estate of Patsy Krauss, Deceased, from Saline County Circuit Court. Appellant's motion to dismiss appeal is granted. Wynne, J., not participating.

CV-15-115. Grand River Enterprises Six Nations, LTD v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Joint motion for stay and for conditional remand or, in the alternative, for extension of time to file reply brief. Joint motion to stay and for conditional remand is denied. Motion for extension of time to file reply brief is granted. Reply brief due 14 days from this date (November 26, 2015). Danielson, J., would grant conditional remand.

CV-15-788. APH&R Nursing, LLC, et al. v. Angela Burnett, as Special Administratrix of the Estate of Amy Cleveland, et al., from Pulaski County Circuit Court, Sixteenth Division. Motion to withdraw memorandum motion for protective order regarding Rule 30(b)(6) depositions is granted.

CV-15-798. National Association for the Advancement of Colored People v. Hubert Bass, from Crittenden County Circuit Court. Motion for leave to supplement record, or, in the alternative, petition for writ of certiorari to complete the record is granted. Danielson, J., would deny.

CV-15-869. Judith Arnold v. Honorable Gordon Webb, Circuit Judge, from Newton County Circuit Court. Pro se petition for writ of mandamus is denied.

CR-02-1289. Steven Pinder v. State of Arkansas, from Columbia County Circuit Court. Pro se second petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis is denied. See **per curiam** this date.

CR-11-576. Rodney L. Jones v. State of Arkansas, from Van Buren County Circuit Court. Pro se motion for copy of transcript at public expense is denied.

CR-15-237. Terry Lee Ward v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motions for extension of brief time to obtain notary services and other relief. Motions denied.

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CR-15-237. Terry Lee Ward v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motion for immediate ruling to show cause for obstruction of justice and obstruction of the courts proceeding for procedures; motion for injunction and decest [sic](stop) and return to prior state before 09-08-2015 confiscated form-area or person and ADC inmate personal property inventory record; motion for court record. Motions denied.

CR-15-509. Wesley Elisha Grissom v. State of Arkansas, from Garland County Circuit Court. Appellee's motion to dismiss appeal is granted.

CR-15-647. Glen D. Perrian v. State of Arkansas, from Desha County Circuit Court, Arkansas City District. Pro se appellant's motion for appointment of counsel. Appeal dismissed; motion moot. See **per curiam** this date.

CR-15-661. Dustin Watson v. State of Arkansas, from White County Circuit Court. Pro se appellant's motion to withdraw pro se appeal. Motion granted in part and denied in part; appeal dismissed with prejudice to reinstating appeal.

CR-15-719. Duane Jefferson Gonder v. Hon. Don Glover, Circuit Judge, from Drew County Circuit Court. Pro se petitions for writ of mandamus, to supplement petition for writ of mandamus are denied. Petition to hold circuit court proceedings in abeyance is moot. See **per curiam** this date.

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PETITIONS FOR REVIEW:

CR-15-822. Angela Richardson v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CV-15-787. Kelly F. Jones v. Michael J. Jones, from Lonoke County Circuit Court.

CV-15-803. Gracie Neal, as Personal Representative of the Estate of Johnny Newborn, and on Behalf of the Wrongful Death Beneficiaries of Johnny Newborn v. Davis Nursing Association d/b/a Davis Life Care Center, from Jefferson County Circuit Court.

CV-15-851. Roy McMahan v. Arkansas Department of Human Services and J.M., Minor Child, from Washington County Circuit Court.

CR-93-189. John Brown, Reginald Early, and Tina Jimerson v. State of Arkansas, from Dallas County Circuit Court. Motion to permit Karen L. Daniel and Andrea L. Lewis to practice by comity in the State of Arkansas.

CV-15-422. Marilyn J. Worsham v. Director et al., from the Arkansas Board of Review. Appellant's motion to add to transcript of record.

CV-15-677. Corina Mendoza v. WIS International, Inc., et al. Arkansas Trial Lawyers Association's motion to file amicus curiae brief on behalf of appellant.

CV-15-833. Wendy Kelley, Director, Arkansas Department of Correction v. Stacey Johnson, Jason McGehee, Bruce Ward, Terrick Nooner, Jack Jones, Marcel Williams, Kenneth Williams, Don Davis, and Ledell Lee, from Pulaski County Circuit Court, Fifth Division. Appellant's motion to dismiss appeal.

CR-13-496. James Flowers v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Pro se motion to file a belated motion for reconsideration.

CR-15-246. Roy Lee Russell v. Hon. Sam Pope, Circuit Judge, from Desha County Circuit Court, Arkansas City District. Pro se second petition for writ of mandamus.

CR-15-434. Kiywaun Perry v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellee's motion to dismiss appeal.

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CR-15-479. Christopher Vaughn v. State of Arkansas, from Sevier County Circuit Court. Appellee's motion to dismiss appeal.

CR-15-725. Donald Felix Winnett v. Hon. Gary Arnold, Circuit Judge, from Saline County Circuit Court. Pro se petition for writ of mandamus.

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CASES SUBMITTED

CR-14-555. Michael Eugene Rea v. State of Arkansas, from Saline County Circuit Court.

CR-15-330. Derreck Pelletier v. State of Arkansas, from Faulkner County Circuit Court.

CV-15-111. Shelter Mutual Insurance Company v. Michael Goodner and Robbie Goodner, from Miller County Circuit Court.

CR-13-514. Bruce Wayne Brown v. State of Arkansas, from Garland County Circuit Court.