

ARKANSAS SUPREME COURT

Proceedings of
September 9, 2010

PER CURIAM ORDERS

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

CR10-594. John Mark Cox v. State of Arkansas, from Howard Circuit.

CR10-643. Matthew Hammonds v. State of Arkansas, from Conway Circuit.

CR10-711. James Allen Hill v. State of Arkansas, from Jefferson Circuit.

CR10-719. Kimberly Dione Pace v. State of Arkansas, from Pulaski Circuit, Fifth Division.

10-238. Heirs of F. D. Goza et al. v. Estate of William Potts, from Hot Spring Circuit.

10-245. Tracey Lilley Trafford v. Dennis Lilley et al., from Conway Circuit.

10-307. S. Kelleen DesLauriers v. Richard Gautney et al., from Lonoke Circuit.

10-391. Deltic Timber Corporation v. Kathy Sue Newland et al., from Conway Circuit.

10-458. Patricia Pereira dos Reis Courdin v. Mitch Courdin, from Washington Circuit.

10-483. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division.

10-489. Martine "Tina" Oates v. Michael "Mickey" Oates, from Pulaski Circuit, Thirteenth Division.

10-557. Tammie L. Shannon v. James McJunkins, from Craighead Circuit, Western District.

10-766. Tracy Zobrist v. Doug Zobrist, from Lonoke Circuit.

CR05-699. Timothy Lamont Howard v. State of Arkansas, from Little River Circuit. Motion to recall the mandate is denied. Danielson and Sheffield, JJ., would grant. Corbin, J., not participating.

CR05-699. Timothy Lamont Howard v. State of Arkansas, from Little River Circuit. Motion to file application under seal is denied. See Rule 2-1(f) and Administrative Order No. 19. Corbin, J., not participating.

CACR10-47. Jacob Wade Pope Wages v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's pro se motion for reassignment to the Arkansas Supreme Court is denied.

CACR10-372. John Wagner v. State of Arkansas, from Mississippi Circuit, Chickasawba District. Appellee's motion to certify to the Arkansas Supreme Court is granted.

CR10-456. Charles Jason Baldwin and Jessie L. Misskelley v. State of Arkansas, from Craighead Circuit, Western District. Appellant Baldwin's petition for writ of certiorari to complete the record or remand to settle the record and motion for extension of time to file appellant's brief. Petition for writ of certiorari. Granted thirty days. Brief due thirty days thereafter. Wills, J., not participating.

CR10-456. Charles Jason Baldwin and Jessie L. Misskelley v. State of Arkansas, from Craighead Circuit, Western District. Appellant Misskelley's petition for writ of certiorari to complete the record or remand to settle the record and for extension of time to file brief. Petition for writ of certiorari. Granted thirty days. Brief due thirty days thereafter. Wills, J., not participating.

CR10-473. Dwight Shane Kelley v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Lyndsey Weber to be relieved as attorney for appellant is granted.

CR10-749. Shirley A. Taylor v. State of Arkansas, from Bradley Circuit. Motion for rule on clerk is granted. See **per curiam** this date. Corbin, J., not participating.

CR10-780. Patrick Lavell Davis v. State of Arkansas, from Hot Spring Circuit. Petition for bond pending appeal is denied.

CR10-786. Benjamin L. Eagle v. Circuit Court of Pulaski County, from Pulaski Circuit, Fourth Division. Petition for writ of prohibition is denied without prejudice.

CR10-838. Denisse Serrano v. State of Arkansas, from Saline Circuit. Motion for rule on the clerk is denied without prejudice. See **per curiam** this date.

CR10-852. Anthony Henderson v. Hon. Larry Chandler, Circuit Judge, from Columbia Circuit. Petition for writ of prohibition. Treated as a petition for writ of certiorari and denied without prejudice.

09-1192. Alfred (John) Henry Racine, III v. Helane Marie Nelson, from Pulaski Circuit, Seventeenth Division. Motion for extension of time to file belated reply brief. Granted fifteen days.

09-1273. Mary D. Fitton v. Bank of Little Rock, from Pulaski Circuit, Second Division. Appellant's motion to release bond is granted.

10-60. John K. Kelly v. Christian Snowden Kelly, from Pulaski Circuit, Fifteenth Division. Appellant's motion to show cause and for an increase in bond amount. Motion to increase bond within five days is granted or show cause order will be entered. Brown, J., not participating.

CA10-63. Ricky Pope et ux. v. Michael Overton et al., from Hot Spring Circuit. Appellants' motion to certify appeal to the Arkansas Supreme Court is granted. Request for oral argument is denied.

10-146. Charles Lawrence v. City of Texarkana and Texarkana Fire Department, from Miller Circuit. Rebriefing ordered. Gunter, J., not participating. See **per curiam** this date.

10-149. Omar Chavez et al. v. The Medical Assurance Company, Inc., et al., from Pulaski Circuit, Fifth Division. Appellants' motion to file belated brief is denied.

10-149. Omar Chavez et al. v. The Medical Assurance Company, Inc., et al., from Pulaski Circuit, Fifth Division. Appellants' motion for reconsideration or for rule on clerk is denied.

CA10-220. Dardanelle & Russellville Railroad v. Certain Underwriters at Lloyd's, London, from Pope Circuit. Appellee's motion for reassignment to the Supreme Court is denied.

CA10-295. Alicia Bethany v. Emily Jones, from Perry Circuit. Appellant's motion to transfer case to the Arkansas Supreme Court is granted.

10-306. Audrey Hunter et al. v. Transamerica Life Insurance Co. et al., from Pulaski Circuit, Third Division. Appellees' motion to file reply memorandum in support of motion to dismiss the appeal of Daniel A. Crager is granted.

10-337. Minor Lee McNeil v. Richard Weiss, Director, Department of Finance and Administration, from Saline Circuit. Appellant's motion for dispositive ruling is denied without prejudice.

10-337. Minor Lee McNeil v. Richard Weiss, Director, Department of Finance and Administration, from Saline Circuit. Appellant's motion for remand for jury trial is denied.

10-356. Pat Matsukis et al. v. Dani Joy, Mayor, City of Eureka Springs et al., from Carroll Circuit, Western District. Appellees' motion to file belated brief is granted.

CA10-360. State of Arkansas v. D.S., from Benton Circuit. Appellant's motion to certify and transfer to the Arkansas Supreme Court is granted.

10-368. Misty Porter v. Arkansas Department of Human Services et al., from Little River Circuit. Motion for rule on clerk is granted.

10-368. Misty Porter v. Arkansas Department of Human Services et al., from Little River Circuit. Petition for writ of certiorari to complete the record is granted.

CA10-371. Advocat, Inc. et al. v. Dana Couch Heide, from Hot Spring Circuit. Appellants' motion for reassignment to the Arkansas Supreme Court is denied.

10-514. Tammy McLain et al. v. City of Little Rock Planning Commission, from Pulaski Circuit, Sixteenth Division. Appellants' motion for correction of filed record is granted.

10-514. Tammy McLain et al. v. City of Little Rock Planning Commission, from Pulaski Circuit, Sixteenth Division. Appellants' motion to file a non-conforming brief, or alternatively, a seven-day extension to correct font size from twelve to fourteen point and reprint brief. Motion to file non-conforming brief is granted.

10-648. Rosslare Funding, Inc., et al. v. Stacy Bryant et al., from Greene Circuit. Joint report of Appellants and Appellees as required by the June 29, 2010, order of this court. Noted.

10-713. Quality Petroleum, Inc. v. Windward Petroleum, Inc., from Pulaski Circuit, Third Division. Appellant's motion to supplement the record and extension of time to file brief is granted.

10-735. Intertex Maschinenbau GmbH & Co. v. Columbia County Circuit Court, from Columbia Circuit. Petition for writ of certiorari and application for stay. Petition for writ of certiorari is denied without prejudice. Application for stay is denied.

10-735. Intertex Maschinenbau GmbH & Co. v. Columbia County Circuit Court, from Columbia Circuit. Petitioner's motion to supplement certified partial record for petition for writ of certiorari is granted.

10-781. Lee County Cooperative Clinic et al. v. Marianna Neighborhood Action Council et al., from Lee Circuit. Petition for writ of certiorari to complete the record. Appeal dismissed.

10-803. George T. Sullivan v. Wesley Howell et ux., from Conway Circuit. Appellees' motion to dismiss appeal is granted.

10-806. In Re: Tyler S. McClay, Arkansas Bar No. 2007319, an Original Action. Petition for voluntary surrender of Arkansas Law License. Granted; with direction to the Clerk to remove the attorney's name from the registry of attorney's licensed to practice law in the State of Arkansas.

10-839. Drew Norris et al. v. Scott Petroleum Corporation, from Chicot Circuit. Appellee's motion to dismiss appeal is granted.

10-864. Wynona Smith v. Hair Plus Beauty Supplies, Inc. et al., from Workers' Compensation Commission. Motion to file belated petition for review is denied.

10-865. 100 Black Men of Greater Little Rock v. Lee Johnson, from Pulaski Circuit, Thirteenth Division. Appellant's motion for rule on clerk is denied. Sheffield, J., not participating.

MOTIONS SUBMITTED

PETITIONS FOR REVIEW:

10-347. Georgia N. Mason et al. v. Alice Buckman et al., from Van Buren Circuit.

10-442. Deborah Landers v. Arkansas Department of Education, State Board of Education, from Pulaski Circuit, Sixth Division.

CR10-362. Kevin Ray Percy v. State of Arkansas, from Garland Circuit. Appellee's motion to file belated brief.

CR10-420. Walter Gabriel Turner v. State of Arkansas, from Columbia Circuit. Motion of Terrence Cain for entry of appearance.

CR10-661. Chamika Rogers v. State of Arkansas, from Pulaski Circuit, First Division. Appellant's motion to hold briefing in abeyance or for extension of time to file brief.

10-356. Pat Matsukis et al. v. Dani Joy, Mayor of the City of Eureka Springs, et al., from Carroll Circuit, Western District. Appellants' motion to expedite appeal.

SUBMISSIONS

09-1024. George Repking et al. v. Brad Lokey et al., from Sebastian Circuit, Fort Smith District.

09-1098. City of Pine Bluff v. Pine Bluff/Jefferson County Library, from Jefferson Circuit.

09-1222. Carlos Honeysuckle v. Curtis H. Stout, Inc., et al., from Workers' Compensation Commission.

09-1269. Tommy Reed, Executive Director of the Arkansas Professional Bail Bond Company, et al. v. Arvis Harper Bail Bonds, Inc., et al., from Pulaski Circuit, Fifth Division.

10-160. Gary Zollicoffer v. Mike Beebe, Governor, et al., from Pulaski Circuit, Second Division.