

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 4, 2010

JIM HANNAH, CHIEF JUSTICE:

CR09-60. Charles Jason Baldwin v. State of Arkansas, from Craighead Circuit, Western District. Reversed and Remanded. Special Justice Jeff Priebe joins. Wills, J., not participating.

CR10-346. Anthony Nicholas Dicandia v. State of Arkansas, from Perry Circuit. Affirmed.

DONALD L. CORBIN, JUSTICE:

CR09-788. Robert D. Loggins v. State of Arkansas, from Union Circuit. Affirmed.

ROBERT L. BROWN, JUSTICE:

CR08-1481. Jessie Lloyd Misskelley, Jr. v. State of Arkansas, from Clay Circuit, Western District. Reversed and Remanded. Special Justice Jeff Priebe joins. Wills, J., not participating.

PAUL E. DANIELSON, JUSTICE:

09-1349. William Kistner and William Kistner, Jr. v. George T. Cupples, Tuffer Enterprises, Inc., and Integrated Distribution, from Pulaski Circuit, Third Division. Affirmed.

RONALD L. SHEFFIELD, JUSTICE:

CR08-1493. Damien Wayne Echols v. State of Arkansas, from Craighead Circuit, Western District. Reversed and Remanded. Special Justice Jeff Priebe joins. Wills, J., not participating.

CR09-1409. Freddie Joe Montoya v. State of Arkansas, from Benton Circuit. Reversed and Remanded.

CR10-242. Randy Paul Brown v. State of Arkansas, from Saline Circuit. Circuit Court Affirmed; Opinion of the Court of Appeals Vacated. Hannah, C.J., and Danielson, J., concur.

08-73. Stark Ligon, Executive Director of the Supreme Court Committee on Professional Conduct v. Oscar Amos Stilley, an Original Action. Order of Disbarment Entered.

## PER CURIAM ORDERS

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

CR10-1071. Reina Isabell Vance v. State of Arkansas, from Crawford Circuit.

10-449. Darrell W. Diggs v. Cattlemen's Livestock Market, Inc., and Commerce & Industry Insurance Company, from Workers' Compensation Commission.

10-506. Roy Kilgore v. CTL Distribution, Inc. and Protective Insurance Company, from Workers' Compensation Commission.

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CR10-50. Jason Taylor v. State of Arkansas, from Saline Circuit. Appellant's motion to file corrected petition for rehearing is granted.

CR10-420. Walter Gabriel Turner v. State of Arkansas, from Columbia Circuit. Appellant's motion for leave to file belated brief is granted. See **per curiam** this date.

CR10-1036. Calvin Washington, Jr. v. State of Arkansas, from Garland Circuit. Motion of Mark S. Fraiser, Chief Public Defender, to withdraw as attorney on direct appeal is granted. See **per curiam** this date.

10-306. Audrey Hunter et al. v. Transamerica Life Insurance Company et al., from Pulaski Circuit, Third Division. Appellant's motion for extension of time to file belated reply brief is denied.

10-368. Misty Porter v. Arkansas Department of Human Services et al., from Little River Circuit. Appellant's motion for extension of time to complete the record is granted. See **per curiam** this date.

CA10-746. Kristen Parker v. Arkansas Department of Human Services and minor child, from Saline Circuit. Joint motion to dismiss appeal is denied; motion for belated appeal is granted. See **per curiam** this date.

10-1074. Cooper Tire & Rubber Company v. Olly Neal, Circuit Judge, from Phillips Circuit. Motion for expedited briefing schedule, expedited consideration of the appeal, to shorten the briefing time, and request for oral argument to be completed on or before November 18, 2010, is denied.

## PER CURIAM ORDERS

10-1122. Tommy L. Fite v. Collins Kilgore, Circuit Judge et al., from Pulaski Circuit, Thirteenth Division. Petition and amended petition for writ of prohibition are denied without prejudice. Respondent Grulkey's motion for Rule 11 sanctions is denied. (Proceedings of November 1, 2010)

CR95-148. Joseph O'Neal v. State of Arkansas, from Chicot Circuit. Pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis. Petition dismissed. See **per curiam** this date.

CR99-1102. James C. Fudge v. State of Arkansas, from Pulaski Circuit, First Division. Pro se 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.

CACR08-1385. Edward Carter v. State of Arkansas, from Garland Circuit. Pro se motion to borrow trial transcript is denied. See **per curiam** this date.

CR09-1294. State of Arkansas v. Lynda King, from Jefferson Circuit. Appeal treated as petition for writ of certiorari and granted. See **per curiam** this date.

CR10-410. Willie Clay Smith v. State of Arkansas, from Pulaski Circuit, Fifth Division. Pro se motion to be present and heard on motion for appointment of counsel and pro se motion "to appeal" motion to appoint counsel and to be present on hearing to implement the Criminal Justice Act of 1964. Motions denied.

CR10-558. Lewis J. White v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion to duplicate at state expense. Appeal dismissed; motion moot. See **per curiam** this date.

CR10-630. Nickol E. Carter v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion for reconsideration is denied. Motion for notification is moot.

## MOTIONS SUBMITTED

### PETITION FOR REHEARING:

09-1070. Baptist Health v. Bruce Murphy et al., from Pulaski Circuit, Thirteenth Division.

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### PETITIONS FOR REVIEW:

CR10-986. Emmett Lee Hillard v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CR10-998. David Wayne Fuson v. State of Arkansas, from Crawford Circuit.

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CR08-1464. Justin Anderson v. State of Arkansas, from Miller Circuit. Appellant's motion to remand and reinvest circuit court with jurisdiction to reconsider retardation issue.

CR10-661. Chamika Rogers v. State of Arkansas, from Pulaski Circuit, First Division. Appellant's second motion to continue abeyance status.

10-257. Allstate Insurance Company v. Jon H. Dodson, M.D. et al., from Pulaski Circuit, Sixteenth Division. Appellees' objections to and motion to strike new arguments in appellant/cross-appellee's reply brief.

10-1074. Cooper Tire & Rubber Company v. Olly Neal, Circuit Judge, et al., from Phillips Circuit. Tucker Plaintiffs' emergency motion for clarification of the emergency motion for stay.

10-1074. Cooper Tire & Rubber Company v. Olly Neal, Circuit Judge, et al., from Phillips Circuit. Tucker Plaintiffs' first motion to dissolve temporary stay.

10-1074. Cooper Tire & Rubber Company v. Olly Neal, Circuit Judge, et al., from Phillips Circuit. Tucker Plaintiffs' second motion to dissolve temporary stay.

## **SUBMISSIONS**

10-105. Rhonda Calaway v. Practice Management Services, Inc., and Richard Johns, M.D., an Original Action. Argued orally.

CR10-169. Travis Roberson v. State of Arkansas, from Washington Circuit.

CR10-300. Deon Markregus Neely v. State of Arkansas, from Pulaski Circuit, Seventh Division.

10-151. City of Rockport, Arkansas v. Aaron Wright, Leann Wright Welch and City of Malvern, Arkansas, from Hot Spring Circuit.

10-275. Troy Burdine v. Richard A. Weiss, Director, Arkansas Department of Finance and Administration, from Benton Circuit.