

ARKANSAS SUPREME COURT

PROCEEDINGS OF MARCH 5, 2009

JIM HANNAH, CHIEF JUSTICE:

08-613. Ronald Sutton and Bonnie Sutton v. Lonnie Sutton and Lorene Sutton, from Scott Circuit. Affirmed. Danielson, J., not participating.

DONALD L. CORBIN, JUSTICE:

CR08-635. Doyle Dewayne Frye v. State of Arkansas, from Benton Circuit. Affirmed.

ROBERT L. BROWN, JUSTICE:

08-526. Asbury Automotive Used Car Center v. Patric Brosh, Mark Lunsford, Mel Anderson, NCAS, LLC, and New Century Auto Sales Corporation, from Washington Circuit. Reversed and Remanded.

JIM GUNTER, JUSTICE:

CR-08-322. Genre Jamison Page v. State of Arkansas, from Pulaski Circuit, First Division. Affirmed.

CR-08-903. Charles Wayne Green v. State of Arkansas, from Randolph Circuit. Affirmed. Brown, J., concurs. Hannah, C.J., and Wills, J., dissent. Imber, J., not participating.

08-1367. In Re Adoption of M.K.C., from Pope Circuit. Affirmed. Corbin, J., dissents.

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

08-473. Arthur Douglas Chavis, III, as Guardian for and Next Friend of Arthur D. Chavis, IV v. Jill Frances Brackenbury, from Pulaski Circuit, Seventeenth Division. Brown, J., not participating.

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REVIEWS GRANTED: Petitions for review were granted today in the following case.

CR09-51. Amanda Gail Holt v. State of Arkansas, from Pulaski Circuit, Seventh Division. (Appellant)

CR09-51. Amanda Gail Holt v. State of Arkansas, from Pulaski Circuit, Seventh Division. (Appellee)

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

CR09-72. LaShonna Williams v. State of Arkansas, from Union Circuit.

CR09-82. Calvin Carrick v. State of Arkansas, from Pulaski Circuit, Seventh Division.

08-1070. JoAnn Cooper v. Cooper Clinic, P.A. et al., from Sebastian Circuit, Fort Smith District.

08-1135. Benjamin A. Hess v. Wal-Mart Stores, Inc. et al., from Workers' Compensation Commission.

08-1193. Brook A. Rogers v. Director et al., from Board of Review.

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CR08-1330. Johnny Elmo Morgan v. State of Arkansas, from Scott Circuit. Appellee's motion to file supplemental brief is granted.

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CR08-1331. John William "Bill" Seamster, Jr. v. State of Arkansas, from Crawford Circuit. Appellant's motion to file substituted and alternatively a supplemental brief. Granted to file supplemental brief.

CR08-1331. John William "Bill" Seamster, Jr. v. State of Arkansas, from Crawford Circuit. Appellee's motion to file supplemental brief is granted.

CR08-1336. Martin Hinojosa v. State of Arkansas, from Pope Circuit. Appellee's motion to file supplemental brief is granted.

CR09-99. Shannon David Ray v. State of Arkansas, from Clark Circuit. Motion to substitute attorney on appeal is denied without prejudice. See Rule 6-6.

08-654. Robert Meyer d/b/a Meyer Excavators Contractors v. CDI Contractors, LLC, from Pulaski Circuit, Third Division. Rebriefing and supplemental record ordered. See **per curiam** this date. Danielson, and Corbin, JJ., concur.

09-177. In Re: Carolyn Boies Nitta, Arkansas Bar No. 2006217, an Original Action. Petition for surrender of law license. Granted, with direction to the Clerk to remove the attorney's name from the registry of attorneys licensed to practice law in the State of Arkansas.

09-178. In Re: Christopher P. Carrington, Arkansas Bar No. 2006064, an Original Action. Petition for surrender of law license. Granted, with direction to the Clerk to remove the attorney's name from the registry of attorneys licensed to practice law in the State of Arkansas.

09-179. In Re: John David Widener, Arkansas Bar No. 85169, an Original Action. Petition for surrender of law license is granted. See **per curiam** this date.

08-992. Advance America Servicing of Arkansas, Inc. et al. v. Brenda McGinnis, from Clark Circuit. Appellants' renewed motion to stay circuit court proceedings. Motion to stay granted as to summary judgment; motion denied as it relates to discovery.

CACR03-862. Howard Powell v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se petition to reinvest jurisdiction in circuit court to consider a petition for writ of error coram nobis. Petition denied. See **per curiam** this date.

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CACR08-463. Nathan D. Armstrong v. State of Arkansas, from Pulaski Circuit, Second Division. Pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis. Petition denied. See **per curiam** this date.

CR08-550 & CACR05-600. Steven Sparks v. State of Arkansas, from Washington Circuit. Pro se motions for leave to petition for declaratory judgments and review and for copies at public expense. Motions denied. See **per curiam** this date.

CR08-1172. Harold Edward Chism v. State of Arkansas, from Washington Circuit. Pro se petition for writ of mandamus; pro se motions for hearing, for appointment of counsel, for counsel and memorandum of law, for expansion of brief page limit, for permission to proceed, and for duplication of brief at state expense. Petition denied; appeal dismissed; motions moot. See **per curiam** this date.

CR08-1223. Lewis Richard v. State of Arkansas, from Howard Circuit. Pro se motions for appointment of counsel and for extension of brief time. Appeal dismissed; motions moot. See **per curiam** this date.

CR08-1396. Antonio Dolphin v. State of Arkansas, from Phillips Circuit. Pro se motion for belated appeal and rule on clerk. Motion treated as motion for rule on clerk and denied. See **per curiam** this date.

CR08-1400. Tommy Hall v. State of Arkansas, from Miller Circuit. Pro se motion for belated appeal and for permission to amend motion. Motion for belated appeal denied; motion for permission to amend moot. See **per curiam** this date.

CR08-1468. Stacy Johnson v. State of Arkansas, from Pulaski Circuit, Second Division. Pro se motion for belated appeal. Motion denied. See **per curiam** this date.

CR09-54. Robert Maxwell v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion to remand to settle record. Appeal dismissed; motion moot. See **per curiam** this date.

08-993. Benjamin Williams, Jr. v. Larry Norris, Director, Arkansas Department of Correction, from Lincoln Circuit. Pro se petition for reconsideration of denial of motion

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for rule on clerk. Petition denied. See **per curiam** this date.

08-923. In Re: Electronic Discovery and Proposed Ark. R. Civ. P. 26.1. See **per curiam** this date.

In Re: Arkansas Rules of Civil Procedure: Rules of the Supreme Court and Court of Appeals; and Rules of Appellate Procedure - Civil. See **per curiam** this date.

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MOTIONS SUBMITTED

PETITIONS FOR REVIEW:

CR09-110. Chamika Shanta Rogers v. State of Arkansas, from Pulaski Circuit, First Division.

08-1198. Cauley Bowman, PLLC et al. v. Twin City Fire Insurance Company, from Pulaski Circuit, Second Division.

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CR08-953. William Mack Eubanks v. State of Arkansas, from Franklin Circuit, Northern District. Motion by John Wesley Hall, Jr., to be substituted as counsel.

CR08-1380. Ronald Blanchard v. State of Arkansas, from Saline Circuit. Appellee's motion to file supplemental brief.

CR08-1380. Ronald Blanchard v. State of Arkansas, from Saline Circuit. Motion to appoint counsel for purpose of filing supplemental brief.

CR08-1481. Jessie Lloyd Misskelley, Jr. v. State of Arkansas, from Clay Circuit, Western District. Appellant's motion to permit filing of unified abstract and addendum and for setting of single deadline for filing.

CR08-1493. Damien Wayne Echols v. State of Arkansas, from Craighead Circuit, Western District. Appellant's motion to permit filing of unified abstract and addendum and for setting of single deadline for filing.

CR09-60. Charles Jason Baldwin v. State of Arkansas, from Craighead Circuit, Western District. Appellant's motion to permit filing of unified abstract and addendum and for setting of single deadline for filing.

CR09-76. Jarvis Rhodes v. State of Arkansas, from Jefferson Circuit. Amended motion to withdraw as attorney of record.

CR09-155. Robert Green, Jr. v. State of Arkansas, from Desha Circuit, Arkansas City District. Motion for rule on clerk.

07-1305. Paul Barre v. Charles "Chick" Hoffman et al., from Pulaski Circuit, Sixteenth Division. Motion of David A. Curran to withdraw as counsel.

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SUBMISSIONS

08-313. Ryan Whiteside v. Russellville Newspapers, Inc. et al., from Pope Circuit.  
Argued orally.

CR08-590. Alvin Travis McCullough v. State of Arkansas, from Washington Circuit.

06-1493. Woodson D. Walker v. Stark Ligon, As Executive Director of the Arkansas  
Supreme Court Committee on Professional Conduct, an Original Action.

08-293. David Rees et al. v. Sandra Smith, from Craighead Circuit, Western District.

08-1299. Mortgage Electronic Registration System, Inc. v. Southwest Homes of Arkansas,  
from Benton Circuit.