

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 9, 2010

JIM HANNAH, CHIEF JUSTICE:

10-159. Shane and Monica Looney v. Faye M. Blair and Chesapeake Operating, Inc., from White Circuit. Affirmed in Part; Reversed and Remanded in Part.

DONALD L. CORBIN, JUSTICE:

10-192. The Ralph Loyd Martin Revocable Trust Declaration Dated the First Day of April 1994; Ralph Loyd Martin, Trustee of the Ralph Loyd Martin Revocable Trust Declaration Dated the First Day of April 1994; the Festus Mary Martin Revocable Trust Declaration Dated the First Day of April 1994; and Festus Mary Martin, Trustee of the Festus Mary Martin Revocable Trust Declaration Dated the First Day of April 1994 v. Arkansas Midstream Gas Services Corporation, from White Circuit. Affirmed. Special Justice Nate Coulter joins in this opinion. Hannah, C.J., not participating.

ROBERT L. BROWN, JUSTICE:

10-516. Southwestern Energy Production Company v. James Elkins and Ruby Elkins as Husband and Wife, from Conway Circuit. Affirmed in Part; Reversed and Remanded in Part. Order Modified. Danielson and Wills, JJ., concur in part and dissent in part.

JIM GUNTER, JUSTICE:

10-321. Jonesboro Care & Rehab Center v. Ronna Woods, from the Workers' Compensation Commission. Decision of the Workers' Compensation Commission Affirmed; Opinion of the Court of Appeals Vacated.

PAUL E. DANIELSON, JUSTICE:

CR10-207. State of Arkansas v. April Janelle Brown, from Pulaski Circuit, Fifth Division. Reversed and Remanded.

09-1406. Tasha Orr, Individually and as Court-Appointed Personal Representative of the Estate of Melvin Woodson, Jr., Deceased v. Stephen Hudson, M.D., and Timothy Calicott, M.D., from Faulkner Circuit. Affirmed; Court of Appeals' Opinion Vacated. Wills, J., concurs in part; dissents in part.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 9, 2010

PER CURIAM OPINIONS:

CR09-714. Timothy Wallace v. State of Arkansas, from Saline Circuit. Affirmed.

CR10-317. Robert James v. State of Arkansas, from Logan Circuit. Affirmed; Motion to be Relieved Granted.

09-85. Frederick Marks v. State of Arkansas, from Lee Circuit. Affirmed.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 9, 2010

PER CURIAM ORDERS

PETITIONS FOR REVIEW: Petitions for review were denied today in the following cases.

10-488. Ressie Lee Brooks v. First State Bank, N.A., from Faulkner Circuit.

10-682. David Collins v. Billie Grady Collins, from Independence Circuit.

\*\*\*\*\*

CR10-50. Jason Taylor v. State of Arkansas, from Saline Circuit. Appellant's motion for recall of mandate and stay of mandate in order to petition for writ of certiorari is granted.

CR10-661. Chamika Rogers v. State of Arkansas, from Pulaski Circuit, First Division. Appellant's motion to dismiss appeal is granted.

CR10-919. Vann Tucker v. State of Arkansas, from Pope Circuit. Appellant's motion for leave to exceed page limitations on brief is granted.

CR10-998. David Wayne Fuson v. State of Arkansas, from Crawford Circuit. Appellant's motion for leave to file tendered supplemental brief on grant of petition for review is granted.

08-73. Stark Ligon, Executive Director of the Supreme Court Committee on Professional Conduct v. Oscar Stilley, an Original Action. Respondent's renewed motion for access to the courts, renewed motion for recusal with respect to petition for rehearing, and for extension of time to file petition for rehearing. All Justices decline the suggestion of recusal; motion denied.

10-840. Arkansas Department of Human Services et al. v. Sheila Cole et al., from Pulaski Circuit, Second Division. Second motion of Daniel Greenberg on behalf of Dr. Roger Hiatt for permission to file an amicus curiae brief is granted.

10-1094. Hempstead County Hunting Club, Inc. v. Southwestern Electric Power Company et al., an Original Action. Motion of the Arkansas Public Service Commission for leave to file neutral amicus curiae brief is granted. Danielson, J., not participating.

10-1139. Sander Wood v. Julian H. Wood, from Cleburne Circuit. Appellant's motion for rule on clerk and to remand for clarification of trial court extension order to lodge record. Motion for rule on clerk remanded. Motion to remand for lack of a final order is dismissed without prejudice. See **per curiam** this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 9, 2010

PER CURIAM ORDERS

10-1157. Larry Lindsay v. Dorina Morcan, from Garland Circuit. Pro se motion to proceed in forma pauperis is denied without prejudice.

10-1181. Thomas L. Fite v. Michael W. Grulkey et al., from Pulaski Circuit, Thirteenth Division. Appellant's motion for accelerated proceedings, oral argument, and expedited review. Motion for accelerated proceedings and expedited review is granted. Motion for oral argument is denied.

10-1190. Donald Wayne Eastman v. Canal Insurance Company, from Ouachita Circuit. Pro se petition for writ of prohibition and for temporary stay. Petition for writ of prohibition is denied without prejudice. Motion for temporary stay is denied.

CR96-1478. Floyd D. Johnson v. State of Arkansas, from Poinsett Circuit. Appellant's pro se motion for photocopy of transcript at public expense is denied.

CR05-751. Eddy Stanley Harris, Jr. v. State of Arkansas, from Pulaski Circuit, Fourth Division. Petition to reinvest jurisdiction in the trial court to consider a petition for a writ of error coram nobis is denied. See **per curiam** this date.

CR10-927. Robert Coleman v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's pro se motion for extension of time to file brief. Appeal dismissed; motion moot. See **per curiam** this date.

10-763. Timothy Ramon Moore v. Ray Hobbs, from Jefferson Circuit. Appellant's pro se motion for reconsideration of dismissal of appeal is denied.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 9, 2010

MOTIONS SUBMITTED

PETITION FOR REHEARING:

CR10-103. Antwan Lavan Fowler v. State of Arkansas, from Faulkner Circuit.

\*\*\*\*\*

PETITIONS FOR REVIEW:

10-632. Ricky Gaskins v. Jeff Minner Trucking and Great American Insurance Company of New York, from the Arkansas Workers' Compensation Commission.

10-663. Cal Moore, Rayburn Moore, and Estate of Freddie Moore v. Karen Dunsworth and Kerry McClendon, from Union Circuit.

10-1195. David Rios, Jr. v. State of Arkansas, from Carroll Circuit, Eastern District.

\*\*\*\*\*

CR10-1077. Joe A. Newman v. State of Arkansas, from Jefferson Circuit. Appellee's motion for permission to submit a supplemental brief.

CR10-1200. Lemuel Session Whiteside v. State of Arkansas, from Pulaski Circuit, Seventh Division. Motion of Clint Miller to be relieved as counsel for appellant.

CR10-1200. Lemuel Session Whiteside v. State of Arkansas, from Pulaski Circuit, Seventh Division. Motion of J. Thomas Sullivan and Mark F. Hampton to appear as counsel on appeal.

10-1074. Cooper Tire & Rubber Company v. Ollie Neal, Circuit Judge, from Phillips Circuit. Petitioner's motion to supplement the record.

10-1117. Stephen Miller, Frances Miller, and MSW Properties, Inc. v. Gerald K. Crow, Circuit Judge, and William E. Rubley, Jr., from Carroll Circuit, Eastern District. Petition for writ of prohibition or, alternatively, petition for writ of certiorari.

10-1207. Michael A. Hayes v. Sandra L. Otto, from Pulaski Circuit, Fourteenth Division. Pro se motion for rule on clerk.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 9, 2010

MOTIONS SUBMITTED

10-1212. Tom Muccio and Nancy Muccio v. Johnelle Hunt, LLC, from Washington Circuit. Appellee's motion to dismiss appeal.

10-1250. Mark Gibbs and Karla Gibbs v. PrimeLending, A Plains Capital Company, an Original Action. Motion to certify question of law.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 9, 2010

SUBMISSIONS

10-498. McLane Southern, Inc. v. Arkansas Tobacco Control Board, from Pulaski Circuit, Third Division. Argued orally.

CR08-1386. Kenneth Isom v. State of Arkansas, from Drew Circuit.

CR09-548. Kenneth Isom v. State of Arkansas, from Drew Circuit.

10-562. Mike E. Carr; Michael L. Carr; Tahoe Gaming, LLC; C.L. Carr; and C.L. Carr, Jr. v. Stewart Nance, Individually, and as Parent of John Pruett Nance, and John Pruett Nance, from Newton Circuit.