

ARKANSAS SUPREME COURT

PROCEEDINGS OF MARCH 10, 2011

JIM GUNTER, JUSTICE:

[CR10-922](#). Zvontric Lamar Sesley v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Hannah, C.J., and Corbin and Danielson, JJ., dissent.

PER CURIAM OPINION:

[CR09-123](#). Talideen Tramal Davenport v. State of Arkansas, from Pulaski Circuit, Seventh Division. Reversed and Remanded.

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PER CURIAM ORDERS

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

10-1283. Jamie R. Mahone v. Arkansas Department of Human Services et al., from Washington Circuit.

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

CR11-138. Theodore Metcalf v. State of Arkansas, from Pulaski Circuit, Second Division.

11-140. Tracy L. (Blair) Hanshaw v. John A. Blair, from Benton Circuit.

CR10-1036. Calvin Washington, Jr. v. State of Arkansas, from Garland Circuit. Appellee's motion for compliance with Arkansas Supreme Court Rule 4-3(i) is granted. Appellant's complying brief due in thirty days.

CR10-1200. Lemuel Session Whiteside v. State of Arkansas, from Pulaski Circuit, Seventh Division. Motion of Jessica R. Feierman for permission to practice by comity on behalf of Appellant is granted.

CR10-1200. Lemuel Session Whiteside v. State of Arkansas, from Pulaski Circuit, Seventh Division. Motion of Juvenile Law Center for leave to file an amicus curiae brief on behalf of Appellant is granted.

CR10-1200. Lemuel Session Whiteside v. State of Arkansas, from Pulaski Circuit, Seventh Division. Motion of Arkansas Public Defender Commission for leave to file an amicus curiae brief on behalf of Appellant is granted.

10-360. State of Arkansas v. D.S., from Benton Circuit. Motion of Sherri L. Latimer to be relieved as counsel for Appellee is granted.

10-568. Martin Wills v. Janet Lacefield, from Baxter Circuit. Appellant's motion to exceed the page limit of argument in his substituted brief is denied.

10-568. Martin Wills v. Janet Lacefield, from Baxter Circuit. Appellant's emergency motion to toll the time for substituted brief is moot.

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[10-1059](#). Reagen Craig Kirkland v. J. Scott Sandlin and Allison C. Sandlin, Husband and Wife, from Washington Circuit. Rebriefing ordered. See **per curiam** this date.

10-1074. Cooper Tire & Rubber Company v. Olly Neal, Circuit Judge, from Phillips Circuit. Motion of Arkansas Trial Lawyers Association to file an amicus curiae brief on behalf of the Respondent is granted.

10-1076. Dustin Barwick v. Government Employee Insurance Company, Inc., from Benton Circuit. Motion for oral argument is denied.

10-1250. Mark Gibbs and Karla Gibbs v. PrimeLending, A Plains Capital Company, et al., an Original Action. Motion of Arkansas Trial Lawyers Association to file an amicus curiae brief on behalf of Respondents is granted.

10-1296. Howard Curry v. Pope County Equalization Board et al., from Pope Circuit. Appellant's motion for extension of brief time is granted. Brief due April 9, 2011.

10-1296. Howard Curry v. Pope County Equalization Board et al., from Pope Circuit. Appellant's motion to submit appeals simultaneously is granted.

CR10-1215. David Allen Hensley v. State of Arkansas, from Miller Circuit. Appellee's motion to dismiss appeal is granted.

CR10-1216. David Allen Hensley v. State of Arkansas, from Miller Circuit. Appellee's motion to dismiss appeal is granted.

[CR11-55](#). Shelton Wormley v. State of Arkansas, from Drew Circuit. Pro se motion for extension of time to file brief. Appeal dismissed; motion moot. See **per curiam** this date.

[CR11-98](#). Nathan Gilcrease v. State of Arkansas, from Pulaski Circuit, First Division. Pro se motion for extension of time to file brief. Appeal dismissed; motion moot. See **per curiam** this date.

CR11-146. Ernest Brown v. State of Arkansas, from Crittenden Circuit. Pro se motion for belated appeal is denied.

10-955. Richard Davis v. State of Arkansas, from Lincoln Circuit. Pro se motion for reconsideration of dismissal of appeal is denied.

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[In Re](#) Supreme Court Committee on Model Jury Instructions–Criminal. See **per curiam** this date.

Hon. David Clinger of Bentonville, Circuit Judge, Hon. Ralph Wilson, Jr. of Osceola, Circuit Judge, Hon. Robert Wyatt, Jr. of Pine Bluff, Circuit Judge, and John Wesley Hall, Esq., of Little Rock are appointed to our Committee on Model Jury Instructions–Criminal for three-year terms to expire on February 28, 2014. We thank them for their willingness to serve on this important committee.

Hon. Charles Yeargan of Murfreesboro, Circuit Judge, Hon. Tom Deen of Monticello, and Gregg Parrish, Esq., of Fayetteville are reappointed to the Committee on Model Jury Instructions–Criminal for three-year terms to expire on February 28, 2014. We thank these members for their continued service.

The court expresses its gratitude to Judge Kirk Johnson of Texarkana, Judge Philip Smith of Pocahontas, Judge Brent Davis of Jonesboro, and Hon. John Threet of Fayetteville, whose terms have expired, for their years of valuable service to the committee.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

10-518. Harrill & Sutter P.L.L.C. v. Cynthia Kosin, from Garland Circuit.

PETITIONS FOR REVIEW:

CR11-159. Weston Ludrick v. State of Arkansas, from Washington Circuit.

10-1051. Estate of Helen Virginia Coan v. Michael P. Gaughan, from Ouachita Circuit.

10-1098. Marina Velazquez, as Parent and Next Friend of the Minor Child, Cruz Hernandez v. Britton Riddle, from Sebastian Circuit, Fort Smith District.

CR93-988. Frank Williams, Jr. v. State of Arkansas, from Lafayette Circuit. Movant's motion to recall mandate.

CR99-1221. Frank Williams, Jr. v. State of Arkansas, from Lafayette Circuit. Movant's motion to recall mandate.

CR11-176. Julie Ann Prado v. Circuit Clerk of Mississippi County et al., from Mississippi Circuit, Chickasawba District. Petition for writ of mandamus and writ of certiorari.

CR11-219. Joseph Wayne Trotter v. State of Arkansas, from Pulaski Circuit, First Division. Appellant's motion to file belated appeal.

10-285. James R. Baber v. Pamela P. Baber, from Pulaski Circuit, Seventeenth Division. Appellee's motion for attorney's fees and costs.

10-869. Emery Hughes Corporation v. Audrianna Grisham, P.A., from Lonoke Circuit. Appellant's motion to expand page limit and for leave to file supplemental abstract related to cross-appeal.

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MOTIONS SUBMITTED

10-1094. Hempstead County Hunting Club, Inc. v. Southwestern Electric Power Company et al., an Original Action. Petitioner's motion to expedite oral argument.

10-1287. L.T. Simes, Circuit Judge v. Arkansas Judicial Discipline and Disability Commission, an Original Action. Arkansas State Conference of the NAACP and W. Harold Flowers Law Society's motion for leave to file amicus curiae brief on behalf of Appellant.

11-166. Larry W. Wilson et al. v. Phillips County Election Commission et al., from Phillips Circuit. Appellant's motion for accelerated proceedings.

11-188. Courtney Harrell Hill v. James R. Harrell, from Saline Circuit. Motion for rule on clerk.

11-225. Earnest McGaughey v. Arkansas Department of Human Services, from Carroll Circuit, Eastern District. Motion for rule on clerk.

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CASES SUBMITTED

09-1311. King's Ranch of Jonesboro, Inc. v. City of Jonesboro et al., from Craighead Circuit, Western District. Argued orally.

CR10-907. David Hughes v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CR10-923. Marvis Lashaun Hervey v. State of Arkansas, from Pulaski Circuit, First Division.

10-777. Mizell Gatson v. Freddie Billings, from Union Circuit.