

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 12, 2011

JIM HANNAH, CHIEF JUSTICE:

[10-1329](#). Raymond Ellis, Executor of the Estate of Mildred Freeman, Deceased v. State Farm Bank, F.S.B. a/k/a State Farm Financial Services, F.S.B. and D. Denise Griffin, Attorney in Fact, from Faulkner Circuit. Reversed and Remanded.

DONALD L. CORBIN, JUSTICE:

[10-1185](#). Kojleb Kesai v. William G. Almand, Special Administrator of the Estate of Ricky Stephens, Deceased, from Washington Circuit. Reversed and Dismissed without Prejudice. Henry, J., dissents.

JIM GUNTER, JUSTICE:

[10-987](#). Kim Crockett v. C.A.G. Investments, Inc., from Crittenden Circuit. Affirmed.

PAUL E. DANIELSON, JUSTICE:

[10-1059](#). Reagen Craig Kirkland v. Jay Scott Sandlin and Allison C. Sandlin, from Washington Circuit. Affirmed. Henry, J., not participating.

KAREN R. BAKER, JUSTICE:

[10-1150](#). Baptist Health v. Andre Hutson et al., from Pulaski Circuit, Sixth Division. Affirmed.

PER CURIAM OPINION:

[CR09-577](#). Rico Benton v. State of Arkansas, from Hempstead Circuit. Affirmed.

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PER CURIAM ORDERS

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

CR11-346. Donnie Ray Slater v. State of Arkansas, from Arkansas Circuit, Southern District.

10-1153. Darla Jackson v. Tanya Smith f/k/a Tanya Gonzales et al., from Carroll Circuit, Western District. Baker, J., not participating.

CR93-988. Frank Williams, Jr. v. State of Arkansas, from Lafayette Circuit. Movant's motion for leave to file an enlarged statement of facts is granted. Corbin, J., not participating.

CR96-1025. Roderick Leshun Rankin v. State of Arkansas, from Jefferson Circuit. Movant's motion to recall the mandate and/or to reinvest jurisdiction in the circuit court to consider a writ of error coram nobis is denied. Brown, J., would request briefs on whether Rule 37.5 counsel was qualified and on the failure of the trial court to make written findings.

CR99-1221. Frank Williams, Jr. v. State of Arkansas, from Lafayette Circuit. Movant's motion for leave to file an enlarged statement of facts is granted. Corbin, J., not participating.

[CR10-1146](#). Rodney Tyrone Webb v. State of Arkansas, from Drew Circuit. Rebriefing ordered. See **per curiam** this date.

[CR10-1164](#). Gregory H. Holt v. State of Arkansas, from Pulaski Circuit, First Division. Appellant's motion to file belated brief is granted. See **per curiam** this date.

[CR11-406](#). William Mack Eubanks v. State of Arkansas, from Franklin Circuit, Northern District. Motion for belated appeal. Motion treated as motion for rule on clerk and granted. See **per curiam** this date.

[CR11-416](#). James Wedgeworth v. State of Arkansas, from Union Circuit. Motion of Robert L. Depper, Jr., to be allowed to withdraw as counsel for appellant is granted. See **per curiam** this date.

[07-1007](#). Donald K. Switzer, Arkansas Bar No. 91049 v. Supreme Court Committee on Professional Conduct, an Original Action. Substituted opinion upon petition to correct per curiam order for voluntary surrender of law license. See **per curiam** this date.

10-1094. Hempstead County Hunting Club, Inc. v. Southwestern Electric Power Company, Inc., an Original Action. Southwestern Electric Power Company's notice of recent legislative

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PER CURIAM ORDERS

enactment. Noted. Special Justices Charles Schlumberger, Mike Millar, and Deborah Knox join. Gunter, Danielson, and Henry, JJ., not participating.

10-1094. Hempstead County Hunting Club, Inc. v. Southwestern Electric Power Company, Inc., an Original Action. Southwestern Electric Power Company's expedited motion for leave to file reply to petitioner's response to notice of legislative enactment is granted. Special Justices Charles Schlumberger, Mike Millar, and Deborah Knox join. Gunter, Danielson, and Henry, JJ., not participating.

[CR10-197](#). Kevin W. Payton v. State of Arkansas, from Jefferson Circuit. Pro se motions to file belated reply brief, to dismiss criminal case, for change of venue on appeal, of illegal search and seizure, of sentence reduction, and of right to evidentiary hearing. Appeal dismissed; motions moot. See **per curiam** this date.

[CR11-207](#). James Butler v. State of Arkansas, from Garland Circuit. Pro se motions for appointment of counsel and for extension of time to file brief. Appeal dismissed; motions moot. See **per curiam** this date.

CR11-400. Robert H. Gautreaux, Sr. v. State of Arkansas, from Garland Circuit. Pro se motion for belated appeal. Motion dismissed.

CR11-408. David Newkirk v. State of Arkansas, from Conway Circuit. Pro se motion for rule on clerk to proceed with motion for belated appeal without certified record. Motion denied.

[CR11-411](#). Souvanny Mingboupha v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Pro se motion for belated appeal of order. Motion denied. See **per curiam** this date.

[11-82](#). Daniel Chappell, Jr. v. Ray Hobbs, from Jackson Circuit. Pro se motions to attach addendum to reply brief and for extension of time to file reply brief. Appeal dismissed; motions moot. See **per curiam** this date.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

10-575. Otis Campbell, on Behalf of Himself and All Others Similarly Situated v. Asbury Automotive, Inc., et al., from Pulaski Circuit, Third Division.

PETITIONS FOR REVIEW:

10-1163. Bobby W. Allen, Sr. et al. v. Richard O. Murphy, from Lee Circuit.

10-1168. Johnny Weaver et al. v. Roosevelt Collins, from Phillips Circuit.

10-1192. Michelle Reichardt v. Anthony Creasey, from Independence Circuit.

CR10-1304. Lesa Diane Menne v. State of Arkansas, from Lawrence Circuit. Appellant's motion to file belated brief.

CR11-440. Bruce A. Vosburg v. Honorable David L. Reynolds, Circuit Judge et al., from Faulkner Circuit. Petition for writ of certiorari to vacate the April 1, 2011 order.

10-568. Martin Wills v. Janet Lacefield, from Baxter Circuit. Appellant's motion to strike appellee's brief.

10-575. Otis Campbell, on Behalf of Himself and All Others Similarly Situated v. Asbury Automotive, Inc., et al., from Pulaski Circuit, Third Division. Appellant's motion for expedited consideration of and ruling on the petition for rehearing.

10-1198. Gary Wayne Holder v. Ralph Lee Stokes, from Miller Circuit. Appellant's motion for extraordinary relief.

10-1198. Gary Wayne Holder v. Ralph Lee Stokes, from Miller Circuit. Appellant's motion for delayed extension.

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SUBMISSIONS

10-1283. Jamie R. Mahone v. Arkansas Department of Human Services, from Washington Circuit. Joint motion to file belated briefs in support of petition for review.

CR10-598. Curtis Lavell Vance v. State of Arkansas, from Pulaski Circuit, Second Division.

10-1116. State of Arkansas v. A.G., from Pulaski Circuit, Fourth Division.

10-1201. N.D. v. State of Arkansas, from Jefferson Circuit.

11-8. Hunter Crenshaw v. Special Administrator of the Estate of Steven Ken Ayers, Deceased, from White Circuit.

11-166. Larry W. Wilson et al. v. Phillips County Election Commission et al., from Phillips Circuit.