

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 19, 2011

JIM HANNAH, CHIEF JUSTICE:

[11-8](#). Hunter Crenshaw v. The Special Administrator of the Estate of Steven Ken Ayers, Deceased, from White Circuit. Affirmed.

ROBERT L. BROWN, JUSTICE:

[11-166](#). Larry W. Wilson; Tommy Hunt; Joe Grubbs; Rev. Cedric Pride; John Washington; Walter Morris, Sr.; Jay Hollowell; Robert Tucker; Gibson Turley, Jr.; Kenion Williams; Rev. Leroy Williams; I.E. Holland, Sr.; Emily Gordon; Al Gordon; Billie Jo Moore; Linda Copeland; Henry Jordan; Howard Newsome v. Phillips County Election Commission; Wes Fremyer, Chairman; Allen Martin, Member; Johnny Sumpter, Member; Linda White, County Clerk of Phillips County, Arkansas; and Unknown Violators of the Political Practices Act, from Phillips Circuit. Dismissed.

KAREN R. BAKER, JUSTICE:

[10-1255](#). Jane M. Henry, as Personal Representative of the Estate of Ernest L. Henry, Deceased v. Continental Casualty Company, as the Liability Insurance Carrier for Washington Regional Medical Center; Jon Berry, M.D., F.A.C.S.; Anthony R. Burton, M.D., F.A.C.S.; Jeffrey Bell, M.D., F.A.C.S.; Fayetteville Surgical Associates, P.A.; Kyle G. Hardy, M.D., F.C.C.P.; Michael A. Eckles, M.D.; Fayetteville Diagnostic Clinic, LTD.; Mana Medical Associates d/b/a a/k/a Medical Associates of Northwest Arkansas (MANA), from Washington Circuit. Reversed and Remanded. Corbin, Danielson, and Henry, JJ., dissent.

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PER CURIAM ORDERS

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

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

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

10-1163. Bobby W. Allen, Sr., et al. v. Richard O. Murphy, from Lee Circuit. Henry, J., not participating.

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

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

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[CR10-1304](#). Lesa Diane Menne v. State of Arkansas, from Lawrence Circuit. Appellant's motion to file belated brief is granted. See **per curiam** this date. Henry, J., not participating.

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 is denied.

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

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. Moot.

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

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

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 is granted.

CR10-290. Wyouman D. Camp v. State of Arkansas, from Howard Circuit. Pro se petition for rehearing. Petition denied.

CR10-1197. James Solomon v. State of Arkansas, from Washington Circuit. Pro se motion to file belated petition for review. Motion denied.

[CR11-290](#). Benjamin D. Carter, Jr. v. State of Arkansas, from Union Circuit. Pro se motion for extension of time to file brief. Appeal dismissed; motion moot. See **per curiam** this date.

CR11-423. Ricky Hershel Justus v. Honorable Marcia Hearnberger, Circuit Judge, from Garland Circuit. Pro se petition for writ of mandamus. Petition moot.

CR11-433. Willie Gaster Davis, Jr. v. Leslie W. Steen, Clerk of the Supreme Court of Arkansas, from Desha Circuit. Pro se motion and amended motion for rule on clerk to file mandamus petition without a certified record. Motion and amended motion denied.

CR11-449. Terry Lynn Scott v. State of Arkansas, from Miller Circuit. Pro se motion for rule on clerk. Motion denied.

CR11-454. Sonya Nate Mooney v. State of Arkansas, from Craighead Circuit, Western District. Pro se motion for rule on clerk to lodge appeal. Motion denied.

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

Upon resignation of Hon. David Clinger from the Committee on Model Jury Instructions - Criminal, we appoint Hon. Tom Cooper of Ashdown, Circuit Judge, to replace him. This term expires on February 28, 2014.

We thank Judge Clinger for his service and Judge Cooper for his willingness to serve on this important committee.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

10-1181. Thomas L. Fite v. Michael W. Grulkey et al., from Pulaski Circuit, Thirteenth Division.

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PETITIONS FOR REVIEW:

CR11-427. Troy Lynn Scott v. State of Arkansas, from Lonoke Circuit.

CR11-427. Kenneth Crain v. State of Arkansas, from Lonoke Circuit.

10-1169. David G. Vigneault v. Pamela J. Vigneault, from Benton Circuit.

10-1214. City of Little Rock et al. v. McGeorge Contracting Company, Inc., from Pulaski Circuit, Ninth Division.

10-1237. Cindy Gilbow v. Fraser M. Richards, M.D., from Craighead Circuit, Western District.

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11-389. Donald Wayne Eastman v. Canal Insurance Company, from Ouachita Circuit. Appellant's amended motion for rule on clerk after Supreme Court issued an order denying original rule on clerk on April 28, 2011.

11-490. Daisy Jackson v. The Chesapeake Life Insurance Company et al., from Pulaski Circuit, Sixteenth Division. Motion for rule on clerk.

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SUBMISSIONS

10-1094. Hempstead County Hunting Club, Inc. v. Southwestern Electric Power Company, an Original Action. Argued orally.

10-125. Bunn Builders, Inc., et al. v. Richard Womack et al., from Clark Circuit.

10-869. Emery Hughes Corporation v. Audrianna Grisham, P.A., from Lonoke Circuit.

10-1148. Second Injury Fund v. Cleveland Osborn, from Workers' Compensation Commission.

11-75. Harrisburg School District No. 6 et al. v. Byron Neal, from Poinsett Circuit.