

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 26, 2011

JIM HANNAH, CHIEF JUSTICE:

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

ROBERT L. BROWN, JUSTICE:

10-125. Bunn Builders, Inc.; Employers Mutual Casualty Company v. Richard Womack and Roy Turner, d/b/a R&R Enterprises, from Clark Circuit. Affirmed.

JIM GUNTER, JUSTICE:

10-1148. Second Injury Fund, Anderson Engineering, One Beacon Insurance, and Transportation Insurance Company v. Cleveland Osborn, from Arkansas Workers' Compensation Commission. Arkansas Workers' Compensation Commission Affirmed; Opinion of the Court of Appeals Vacated. Henry, J., not participating.

PAUL E. DANIELSON, JUSTICE:

11-75. Harrisburg School District No. 6; and Frankie Lindsey, Fonda Eaton, Barry Massengil, and Greg Reddman, in Their Official Capacities as Members of the Board of Education of Harrisburg School District No. 6 v. Byron Neal, from Poinsett Circuit. Affirmed.

KAREN R. BAKER, JUSTICE:

10-1094. Hempstead County Hunting Club, Inc. v. Southwestern Electric Power Company et al., an Original Action. Certified Question Answered. Special Justices Charles L. Schlumberger, G. Michael Millar, and Deborah A. Knox join in this opinion. Gunter, Danielson, and Henry, JJ., not participating.

PER CURIAM OPINIONS:

CR09-389. Manuel Enrique Camacho v. State of Arkansas, from Benton Circuit. Affirmed.

CR09-1118. Joseph Rounsaville v. State of Arkansas, from Pulaski Circuit, First Division. Affirmed.

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PER CURIAM ORDERS

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

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

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

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. Henry, J., not participating.

10-1214. City of Little Rock et al. v. McGeorge Contracting Company, Inc., from Pulaski Circuit, Ninth Division. Henry, J., not participating.

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, is denied.

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

CR10-909. Billy V. Wilburn v. State of Arkansas, from Miller Circuit. Pro se motion for appointment of counsel. Appeal dismissed; motion moot. See **per curiam** this date.

CR10-1254. Robert Joseph Moten v. State of Arkansas, from Arkansas Circuit, Northern District. Pro se motion for extension of time to file brief. Appeal dismissed; motion moot. See **per curiam** this date.

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PER CURIAM ORDERS

CR11-169. Wesley Elisha Grissom v. State of Arkansas, from Garland Circuit. Appellee's motion to dismiss appeal is granted.

CR11-352. Thurman Russell v. Hon. Gordon Webb, Circuit Judge, from Baxter Circuit. Pro se petition for writ of mandamus and motion to enter documents as exhibits. Amended response requested; motion denied. See **per curiam** this date.

CR11-482. Ronald Magness v. State of Arkansas, from Drew Circuit. Pro se motion to file belated pro se petition for review is denied.

In Memory of Chief Justice Richard B. Adkisson. See **per curiam** this date.

On May 18, 2011, Honorable Richard B. Adkisson, who served as chief justice of this court from 1981 to 1984, died at the age of 78. After serving in the United States Air Force, Chief Justice Adkisson attended the University of Arkansas at Fayetteville, where he earned his undergraduate and law degrees. Chief Justice Adkisson's road to this court included service as the Chief Assistant Attorney General from 1963 to 1966, Prosecuting Attorney for the Sixth Judicial Circuit from 1967 to 1970, and Circuit Judge for the Sixth Judicial Circuit from 1971 to 1980. Other career distinctions include terms as the Director of the National District Attorneys Association and as the President of the Arkansas Prosecuting Attorneys Association.

The Arkansas Supreme Court joins the judges, attorneys, and citizens of this state in saluting Chief Justice Adkisson for his years of dedication to the country, the State of Arkansas, and the Arkansas judicial system. The court extends its deepest condolences to Chief Justice Adkisson's wife, Kathy, and the rest of his family.

In Re Supreme Court Committee on Criminal Practice – Proposed Rule Changes. See **per curiam** this date.

In Re Procedures of the Arkansas Supreme Court Regulating Professional Conduct of Attorneys at Law. See **per curiam** this date.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

09-1049. Carol Diane Conway v. Hi-Tech Engineering, Inc., et al., from Garland Circuit.

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PETITIONS FOR REVIEW:

CR11-498. First Arkansas Bail Bonds, Inc. v. State of Arkansas, from Cleburne Circuit.

CR11-499. First Arkansas Bail Bonds, Inc., et al. v. State of Arkansas, from Cleburne Circuit.

10-1179. Farm Bureau Mutual Insurance Company of Arkansas, Inc. v. Danny W. Sells, from Pulaski Circuit, Thirteenth Division.

10-1289. Kristin N. Kuelbs et al. v. Kimberly Hill, from Garland Circuit.

10-1290. Kristin N. Kuelbs et al. v. Kimberly Hill, from Garland Circuit.

10-1292. Jay Elmore Statler et al. v. Jimmy Gibson et al., from Van Buren Circuit.

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CR11-97. Bruce Wade Pennington v. State of Arkansas, from Poinsett Circuit. Appellant's motion to file belated brief and for extension of time to file brief.

10-1285. Curtis L. Bowman et al. v. Centennial Bank, from Pulaski Circuit, Sixth Division. Appellants' motion to dismiss.

11-262. Holiday Hospitality Franchising, Inc. v. Hotel Associates, Inc., from Crittenden Circuit. Motion of Arkansas State Chamber of Commerce, Associated Industries of Arkansas, Inc., and Tyson Foods, Inc., for leave to file amicus curiae brief in support of appellant's petition for review.

11-262. Holiday Hospitality Franchising, Inc. v. Hotel Associates, Inc., from Crittenden Circuit. Motion of International Franchise Association for leave to file amicus curiae brief in support of appellant's petition for review.

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MOTIONS SUBMITTED

11-359. Stark Ligon, as Executive Director v. Frank David Rees, Arkansas Bar No. 79238, from Committee on Professional Conduct. Motion for appointment of Special Judge.

11-519. David Bolen et al. v. Washington County Zoning Board of Adjustments a/k/a Washington County Planning Board et al., from Washington Circuit. Appellee Big Red Dirt Farm's motion to expedite consideration of petition for review.

The following case is called for dismissal for failure to file a timely conforming brief in accordance with the rebriefing order of March 3, 2011.

10-1198. Gary Wayne Holder v. Ralph Lee Stokes, from Miller Circuit.

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SUBMISSIONS

09-1238. May Construction Company, Inc. v. Town Creek Construction & Development, LLC, et al., from Washington Circuit.

10-610. Centennial Bank f/k/a/ Community Bank et al. v. Tribuilt Construction Group, LLC, from Sebastian Circuit, Fort Smith District.

10-1220. Stephanie Riley v. State Farm Mutual Automobile Insurance Company, from Benton Circuit.

10-1221. Megan Bradley v. State Farm Mutual Automobile Insurance Company, from Benton Circuit.

10-1226. Steve Baxter v. State Farm Mutual Automobile Insurance Company, from Benton Circuit.