

William BENTON *v.* Honorable Jim GUNTER,
Circuit Judge on Assignment; Janice Roberts
and Jerry Riley; County and Probate Clerk,
Helen McClinton Bradley; and Jefferson County
Board of Election Commissioners

00-1156

27 S.W.3d 752

Supreme Court of Arkansas
Opinion delivered October 12, 2000

APPEAL & ERROR — PETITION FOR STAY GRANTED — PETITION FOR
ACCELERATED APPEAL GRANTED. — The supreme court temporarily
stayed the order of the circuit court and accelerated the appeal in
the matter, directing that simultaneous briefs be filed.

Petition for Stay granted; Petition for Accelerated appeal
granted; Briefing ordered.

John W. Cone, for petitioner/appellant.

No response.

PER CURIAM. Petitioner/appellant William Benton petitions
for an emergency writ of *certiorari* or an accelerated appeal
and a stay. At issue is a complaint for *mandamus* and declaratory
judgment filed in Jefferson County Circuit Court on September 28,
2000, by Janice Roberts and Jerry Riley to declare Benton ineligi-
ble to serve as Second Division Municipal Judge in Pine Bluff on
grounds that he does not reside in Pine Bluff. On that same date,
Benton and Megis R. Brainard filed a thirty-party petition and
cross claim for writ of *mandamus* and declaratory relief, challenging
the eligibility of Waymon Brown to serve in that same position on
the basis of the length of time he has been licensed to practice law.

On October 6, 2000, the circuit court, after a hearing on the
matter, denied and dismissed the petition filed by Benton and
Brainard, but granted the petition of Roberts and Riley for the
reason that Benton was not a qualified elector of the city of Pine
Bluff. The order of the court removed Benton from the ballot,
declared him ineligible as a candidate, stated that no votes should be
counted for him at the General Election, and stated that no certifi-
cate of elector should be issued to him.

[1] We temporarily stay the order of the circuit court and accelerate this appeal. We direct that simultaneous briefs be filed in this case on or before close of business on Friday, October 20, 2000. There will be no reply briefs.
