

**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF JUNE 16, 2011**

JIM HANNAH, CHIEF JUSTICE:

[10-1250](#). Mark and Karla Gibbs v. PrimeLending, a Plains Capital Company et al., an Original Action. Certified Question Answered.

ROBERT L. BROWN, JUSTICE:

[10-1220](#). Stephanie Riley v. State Farm Mutual Automobile Insurance Company, from Benton Circuit. Reversed and Remanded. Hannah, C.J., and Henry, J., concur.

JIM GUNTER, JUSTICE:

[10-1221](#). Megan Bradley v. State Farm Mutual Automobile Insurance Company, from Benton Circuit. Reversed and Remanded.

[11-17](#). Mountain Pure, LLC v. Little Rock Wastewater Utility, from Pulaski Circuit, Sixth Division. Affirmed.

PAUL E. DANIELSON, JUSTICE:

[10-60](#). John K. Kelly v. Christian Snowden Kelly, from Pulaski Circuit, Fifteenth Division. Reversed and Remanded. Special Justices James A. McLarty, III and Alex Streett join in this opinion. Special Justice Vada Berger concurs. Corbin and Henry, JJ., dissent. Brown, Gunter, and Baker, JJ., not participating.

[10-1226](#). Steve Baxter v. State Farm Mutual Automobile Insurance Company, from Benton Circuit. Reversed and Remanded.

[11-123](#). Ray Hobbs, Director of the Arkansas Department of Correction v. Chancey Baird, from Jefferson Circuit. Affirmed.

KAREN R. BAKER, JUSTICE:

[10-568](#). Martin Donald Wills v. Janet F. Lacefield, from Baxter Circuit. Affirmed.

COURTNEY HUDSON HENRY, JUSTICE:

[11-132](#). Arkansas Teacher Retirement System v. Brenda Short, in Her Official Capacity as Garland County Assessor; Jo West-Taylor, in Her Official Capacity as Garland County Treasurer; and Rebecca Dodd-Talbert, in Her Official Capacity as Garland County Collector, from Garland Circuit. Affirmed.

**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF JUNE 16, 2011**

PER CURIAM OPINIONS:

[CR09-374](#). Tywan Winston v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed.

[09-301](#). James C. Lumley v. State of Arkansas, from Lee Circuit. Affirmed.

ARKANSAS SUPREME COURT

PROCEEDINGS OF JUNE 16, 2011

PER CURIAM ORDERS

[10-870](#). M. Jay Carter v. Ernie Cline and Karen Cline, from Pulaski Circuit, Third Division. Rebriefing ordered. See **per curiam** this date.

[CR10-572](#). Jacquelyne Velcoff v. State of Arkansas, from Clark Circuit. Pro se motion to file belated reply brief. Appeal dismissed; motion moot. See **per curiam** this date.

CR11-60. George Hickey v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion for extension of time to file brief is granted; tendered brief to be filed as of this date.

[CR11-148](#). Sherman Watson v. State of Arkansas, from Hot Spring Circuit. Pro se motion to enter documents as exhibits. Remanded for evidentiary hearing and for findings of fact. See **per curiam** this date.

CR11-408. David Newkirk v. State of Arkansas, from Conway Circuit. Pro se petition for rehearing pertaining to denial of motion for rule on clerk to proceed with motion for belated appeal without a certified record. Petition for rehearing treated as motion for reconsideration and denied.

[CR11-431](#). Joe Moore v. State of Arkansas, from Miller Circuit. Pro se motion for transcript. Appeal dismissed; motion moot. See **per curiam** this date.

[CR11-503](#). Archie L. Ross v. State of Arkansas, from Crittenden Circuit. Pro se motion for belated appeal of order. Motion denied. See **per curiam** this date.

In Re Arkansas Judicial Discipline and Disability Commission. See [per curiam](#) this date.

The Supreme Court appoints to the Arkansas Judicial Discipline and Disability Commission Honorable Joyce Warren of Little Rock, 6th Judicial Circuit, for a six-year term to expire on June 30, 2017. We thank Judge Warren for agreeing to move from her alternate position to the Commission.

To fill the position being vacated by Judge Warren, we appoint Honorable Don Glover of McGehee, 10th Judicial Circuit, to an alternate position on the Commission. This term expires on June 30, 2012. We thank Judge Glover for accepting this appointment.

The court expresses its gratitude to Judge Leon Jamison of Pine Bluff, whose term has expired, for his valuable service to the Commission over the years.

ARKANSAS SUPREME COURT

PROCEEDINGS OF JUNE 16, 2011

PER CURIAM ORDERS

In Re Supreme Court Committee on Civil Practice. See [per curiam](#) this date.

Vincent Chadick, Esq., of Fayetteville is appointed to the Civil Practice Committee for a three-year term to expire on July 31, 2014. We thank him for his willingness to serve on this important committee.

We reappoint Hon. Leon Johnson, Circuit Judge, of Little Rock and Brian Brooks, Esq., of Greenbrier to the committee for three-year terms to expire July 31, 2014. We thank them for their continued service.

The court expresses its gratitude to Rodney Moore of Arkadelphia, whose term has expired, for his years of valuable service to this committee.

In Re Client Security Fund Committee. See [per curiam](#) this date.

We reappoint JoAnn Maxey, Esq., of Little Rock, Second Congressional District, and Ray Fulmer, Esq., of Fort Smith, Third Congressional District, to the Client Security Fund Committee for five-year terms to expire on July 31, 2016. The court thanks Ms. Maxey and Mr. Fulmer for accepting reappointment to this committee.

ARKANSAS SUPREME COURT

PROCEEDINGS OF JUNE 16, 2011

MOTIONS SUBMITTED

PETITION FOR REHEARING:

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

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PETITIONS FOR REVIEW:

CR11-484. Chariell Ali Glaze v. State of Arkansas, from Faulkner Circuit.

10-1321. Carl E. Feltus v. Maverick Tube, LLC, et al., from Workers' Compensation Commission.

10-1322. Aegon Insurance USA et al. v. DeAnn E. Durham-Gilpatrick, from Workers' Compensation Commission.

10-1324. Advocat, Inc., et al. v. Dana Couch Heide, from Hot Spring Circuit.

10-1330. Mike Adams v. Bemis Company, Inc., et al., from Workers' Compensation Commission.

10-1337. National Bank of Arkansas v. River Crossing Partners, LLC, et al., from Pulaski Circuit, Sixth Division.

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CR10-511. Billy Dale Green v. State of Arkansas, from Randolph Circuit. Appellant's motion to recall mandate.

CR10-1200. Lemuel Session Whiteside v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellant's request for clarification of appellate rules.

CR11-11. Billy Joe Kelley, Jr. v. State of Arkansas, from Pulaski Circuit, Fifth Division. Appellant's motion for oral argument.

CR11-416. James Wedgeworth v. State of Arkansas, from Union Circuit. Appellant's motion to correct the record and stay briefing schedule.

CR11-535. Dale Harvey Brown v. State of Arkansas, from Van Buren Circuit. Motion for appointment of Sharon Kiel as counsel on behalf of appellant.

CR11-535. Dale Harvey Brown v. State of Arkansas, from Van Buren Circuit. Motion to file

**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF JUNE 16, 2011**

**MOTIONS SUBMITTED**

belated appeal.

10-932. Arkansas State Highway & Transportation Department v. Lamar Advantage Holding Company, from Pulaski Circuit, Sixth Division. Appellee's motion to recall mandate and for permission to file petition for rehearing.

10-1064. Michelle Six v. Vernon Rhoden et al., from Grant Circuit. Appellant's motion to dismiss appeal.

10-1246. Bayer CropScience LP et al. v. Randy Schafer et al., from Lonoke Circuit. Appellants' motion for leave to file supplemental addendum.

10-1246. Bayer CropScience LP et al. v. Randy Schafer et al., from Lonoke Circuit. Riceland Foods' motion for leave to file amicus curiae brief in support of appellees.

10-1246. Bayer CropScience LP et al. v. Randy Schafer et al., from Lonoke Circuit. Arkansas Trial Lawyers Association's motion for leave to file amicus curiae brief in support of appellees.

10-1246. Bayer CropScience LP et al. v. Randy Schafer et al., from Lonoke Circuit. USA Rice Federation's motion for leave to file amicus curiae brief in support of appellees.

11-571. Charles G. Walker, Arkansas Bar No 2007-007 v. Supreme Court Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of law license.

11-572. Sharron P. Glaze, Arkansas Bar No. 86055 v. Supreme Court Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of law license.

11-577. Jason Farrell McGehee, Bruce Ward, Marcel Wayne Williams v. Ray Hobbs, Director, Arkansas Department of Correction and Arkansas Department of Correction, from Pulaski Circuit, Sixth Division. Petition for stay of execution.

**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF JUNE 16, 2011**

**SUBMISSIONS**

11-112. April Forrester v. Mark Martin, Secretary of State, et al., in his official capacity only, from Pulaski Circuit, Ninth Division. Argued orally.

10-906. Darrell F. Brown, Sr. v. Velma Ann Bell Wilson et al., from Sevier Circuit.

10-1093. Bert John Warbington et al. v. First Community Bank n/k/a Iberia Bank, from Poinsett Circuit.

10-1182. David S. Clark v. Arkansas Game & Fish Commission et al., from Pulaski Circuit, Fifth Division.

11-81. Philadelphia Indemnity Insurance Company v. Luther Austin et al., from Craighead Circuit, Western District.