

James F. VALLEY *v.* The Honorable L.T. SIMES, II, Circuit Judge; Phillips County Circuit Court; Phillips County Election Commission (PCEC); Joann Smith, Chair of the PCEC; Linda White, Phillips County Clerk; Jesse L. Smith, III (*Candidate*)

03-1137

123 S.W.3d 910

Supreme Court of Arkansas  
Opinion delivered October 17, 2003

1. APPEAL & ERROR — LOWER COURT STAYED FROM FURTHER PROCEEDINGS — WRIT OF CERTIORARI ISSUED. — The lower court was stayed from proceeding further in this election contest case until the supreme court could consider petitioner's interlocutory appeal regarding the trial judge's ruling on disqualifying petitioner's attorney; a writ of certiorari was issued, directing the court reporter and the clerk to complete the record required for disposition of the appeal.
2. APPEAL & ERROR — MOTION TO EXPEDITE APPEAL — GRANTED. — The request by the parties to expedite the appeal was granted.

Petition for Alternative Relief Via Writ of Prohibition, Mandamus or Certiorari, and Motion for Expedited Appeal and Oral Arguments; lower court stayed from further proceeding; appellees' request for expedited appeal granted.

*Petitioner, pro se.*

*Mike Beebe, Att'y Gen., by: Timothy G. Gauger, Ass't Att'y Gen., for respondent L.T. Simes, II.*

*L. Ashley Higgins, P.A., by: L. Ashley Higgins, for respondents, Phillips County Circuit Court, Joann Smith, and Linda White.*

**P**ER CURIAM. The court stays the lower court from proceeding further in this election contest case until this court can consider Mr. James F. Valley's interlocutory appeal regarding the trial judge's ruling on the disqualification of attorney Charles Halbert from representing Mr. Valley. We also grant the requests of Mr. Valley, the Phillips County Election Commission, and the Phillips County Circuit Clerk to expedite this appeal. If Mr. Halbert is determined by this court to have been improperly disqualified, other issues clearly will arise regarding the efficacy of any proceedings that took place after his

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disqualification. A writ of certiorari is issued, directing the court reporter and the clerk to complete the record required for the disposition of Mr. Valley's appeal.

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