

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 1, 2011

DONALD L. CORBIN, JUSTICE:

[11-294](#). Jonesboro Healthcare Center, LLC v. Eaton-Moery Environmental Services, Inc., d/b/a Delta Environmental, from Craighead Circuit, Western District. Affirmed. Danielson and Goodson, JJ., dissent.

ROBERT L. BROWN, JUSTICE:

[CR10-1068](#). Karl D. Roberts v. State of Arkansas, from Polk Circuit. Dismissed without prejudice.

[11-500](#). BancorpSouth Bank v. Gene Shields, from Union Circuit. Affirmed. Gunter, J., not participating.

KAREN R. BAKER, JUSTICE:

[CR11-11](#). Billy Joe Kelley, Jr. v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Hannah, C.J., and Danielson, J., concur.

COURTNEY HUDSON GOODSON, JUSTICE:

[11-526](#). Michael Bakalekos, James Bauldree, Randall Beers, Curtis Briggs, Darel Casteel, Dan Chandler, Mary Cook, Robert Cullison, James Dickson, David Ebinger, Jimmy Evans, Marty Garrison, John Hall, Fred Hopkins, David Hudson, Samuel Iverson, Ralph Jackson, Richard Jensen, Richard Jordan, Richard Kinsey, Robert Littleton, Jimmy Massie, Brian McClung, Mark Ross, Danny Sabo, Charles Simon, David Smith, Patrice Smith, Charles Speer, John Stafford, Stuart Sullivan, Patricia Swain, Raymond Timmons, Kevin Tindle, Charles Vint, Dwain Watson, Robert Wortham, and William Yeager v. Brad Furlow, Lee Harrod, Farris Hensley, Sara Lenahan, Mike Lowery, Albert Miller and Bruce Moore, in Their Official Capacities as Trustees of the Policemen's Pension and Relief Fund of the City of Little Rock, Arkansas; and the Policemen's Pension and Relief Fund of the City of Little Rock, Arkansas, from Pulaski Circuit, Thirteenth Division. Affirmed.

PER CURIAM OPINION:

[CR10-628](#). Deandra Stephenson v. State of Arkansas, from Pulaski Circuit, First Division. Appeal dismissed.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 1, 2011

PER CURIAM ORDERS

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

CR11-116. Kenneth Ray Osburn v. State of Arkansas, from Ashley Circuit. [Danielson, J., dissents.](#)

REVIEWS DENIED: Petitions for review were denied today in the following cases.

CR11-1023. Sheva Howard v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CR11-1027. Patrick Lavell Davis v. State of Arkansas, from Hot Spring Circuit.

11-1070. T.B. v. State of Arkansas, from Howard Circuit.

[CR11-556](#). Cristobal Mancia v. State of Arkansas, from Benton Circuit. Appellant's motion to reconsider dismissal and reinstate appeal and motion to file belated brief are granted. See **per curiam** this date.

CR11-776. Meloni Sey v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion to supplement record is denied.

CR11-932. Raymond Leach v. State of Arkansas, from Polk Circuit. Appellant's motion to supplement record and stay brief time. Motion to supplement the record is granted. Appellant's tendered brief and supplemental addendum filed this date.

11-933. Cleo McKenzie v. Joshua James Pierce, from St. Francis Circuit. Appellant's motion to supplement record and stay brief time. Motion to supplement the record is granted. Supplemental record due in thirty days. Brief due thirty days after supplemental record is filed.

11-1086. Joey McCutchen v. City of Fort Smith, Arkansas, et al., from Sebastian Circuit, Fort Smith District. Motion to stay pending appeal and alternative motion to expedite appeal are denied.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 1, 2011

PER CURIAM ORDERS

11-1120. Joshua Chase v. Arkansas Department of Human Services et al., from Jefferson Circuit. Appellant's motion to correct the record is granted. Duplicate of any exhibits or stipulation signed by all trial counsel as to what exhibits contained to be completed by December 15, 2011.

11-1120. Joshua Chase v. Arkansas Department of Human Services et al., from Jefferson Circuit. Appellant's motion to stay brief time is granted. Clerk to set briefing schedule upon filing of complete record.

11-1128. Ray Hobbs, Director, Arkansas Department of Correction et al. v. Jack Harold Jones et al., from Pulaski Circuit, Sixth Division. Appellants' motion for expedited review is granted. Corbin, J., would deny.

11-1129. Michelle Anne Brown v. Vernon Brown, from Benton Circuit. Appellant's motion for emergency temporary relief pending outcome of appeal is denied. Henry, J., would grant. (Proceedings of November 17, 2011)

11-1129. Michelle Anne Brown v. Vernon Brown, from Benton Circuit. Appellee's motion to strike reply of appellant is moot. (Proceedings of November 17, 2011)

11-1129. Michelle Anne Brown v. Vernon Brown, from Benton Circuit. Appellant's motion to expedite appeal is moot.

11-1129. Michelle Anne Brown v. Vernon Brown, from Benton Circuit. Appellant's amended motion to expedite appeal is granted. Corbin, J., would deny.

11-1129. Michelle Anne Brown v. Vernon Brown, from Benton Circuit. Appellee's motion to stay briefing time until record is complete is granted. Corbin, J., would deny.

[CR98-485](#). Jamie D. Lee v. State of Arkansas, from Miller Circuit. Pro se petition to reinvest jurisdiction in the circuit court to consider a petition for writ of error coram nobis and motion for appointment of counsel to review the record. Petition and motion denied. See **per curiam** this date.

CR05-472. Wallace A. Gardner v. State of Arkansas, from Pulaski Circuit, Sixth Division. Pro se motion to duplicate at state expense (request for photocopy of transcript and exhibits at public expense) is denied.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 1, 2011

PER CURIAM ORDERS

CR06-704/CR08-14. Walter A. McCullough v. State of Arkansas, from Craighead Circuit, Western District. Pro se motion for copy of written material at public expense is denied.

CR09-1079. Calvin Jemar Perry v. State of Arkansas, from Hot Spring Circuit. Petition for rehearing is denied.

CR11-565. Kelton Esquire Bond v. State of Arkansas, from Benton Circuit. Pro se motion for extension of time to file brief is granted. Brief due in thirty days.

CR11-863. James Robert Lowe v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Pro se motion for record and for extension of time to file appellant's brief. Motions granted. Brief due in forty days. Copy of record must be returned to Clerk's office with brief.

CR11-864. Roderick Goins v. State of Arkansas, from Jefferson Circuit. Appellee's motion to dismiss appeal is granted. Motion for extension of brief time is moot.

CR11-867. Willie Gaster Davis, Jr. v. Thomas D. Deen, Prosecuting Attorney, from Desha Circuit. Pro se motion for reconsideration is denied.

CR11-986. Ramon Williamson v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion for belated appeal of order is denied.

CR11-1055. James Roy Thompson v. State of Arkansas, from Miller Circuit. Pro se motion for rehearing seeking review by the Arkansas Supreme Court. Motion for rehearing treated as a petition for review and dismissed.

10-1219. Chester Allen Treadwell v. Ray Hobbs, Director, Arkansas Department of Correction, from Lincoln Circuit. Appellant's motion to dismiss appeal is granted.

[11-489](#). Carl Edward Willis v. Ray Hobbs, Director, Arkansas Department of Correction, from Jefferson Circuit. Pro se motion for extension of brief time. Appeal dismissed; motion moot. See **per curiam** this date.

[11-522](#). Frank Randolph v. State of Arkansas, from Lincoln Circuit. Appellant's pro se motion for appointment of counsel. Appeal dismissed; motion moot. See **per curiam** this date.

ARKANSAS SUPREME COURT
PROCEEDINGS OF DECEMBER 1, 2011
PER CURIAM ORDERS

In Re Supreme Court Committee on the Unauthorized Practice of Law. [See per curiam](#) this date.

Randy Hyde of Little Rock and Michael Neathery of Benton are appointed to the Supreme Court Committee on the Unauthorized Practice of Law, at-large positions, for three-year terms to expire on May 31, 2014. The court thanks Mr. Hyde and Mr. Neathery for accepting appointment to this important committee.

ARKANSAS SUPREME COURT
PROCEEDINGS OF DECEMBER 1, 2011

MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CR11-194. State of Arkansas v. Bernard Kindall, from Pulaski Circuit, First Division.

11-69. Curtis Bridges v. Glen Shields, from Cleveland Circuit.

PETITIONS FOR REVIEW:

11-584. Carol Calaway Wilson v. Pulaski Bank & Trust Company et al., from Pulaski Circuit, Sixth Division.

11-611. Greenway Land Company, Inc. v. Beth Imboden Hinchey, from Cross Circuit.

11-619. Wayne Smith Trucking, Inc., et al. v. Dan McWilliams, from Workers' Compensation Commission.

11-662. Entergy Arkansas, Inc. v. Arkansas Public Service Commission and Arkansas Tech University, from Public Service Commission.

CR11-621. Kenneth Joe Barrow v. State of Arkansas, from Faulkner Circuit. Appellee's motion to dismiss appeal for lack of jurisdiction.

CR11-621. Kenneth Joe Barrow v. State of Arkansas, from Faulkner Circuit. Appellee's motion to stay brief time pending determination of motion to dismiss.

CR11-736. Napoleon Johnson v. State of Arkansas, from Jefferson Circuit. Appellee's motion to dismiss appeal.

CR11-736. Napoleon Johnson v. State of Arkansas, from Jefferson Circuit. Appellee's motion for brief time in the event the court denies motion to dismiss appeal.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 1, 2011

MOTIONS SUBMITTED

CR11-1155. Terry Lemmond v. State of Arkansas, from Stone Circuit. Motion for rule on clerk.

11-664. Donald B. Bedell et al. v. Brenda Williams, from Pulaski Circuit, Thirteenth Division. Joint motion for additional time for oral argument.

11-790. Kenneth G. Middleton et al. v. Geraldine Lockhart et al., from Newton Circuit. Appellees' motion to dismiss appeal.

11-790. Kenneth G. Middleton et al. v. Geraldine Lockhart et al., from Newton Circuit. Appellees' motion to extend time to file brief filed in conjunction with motion to dismiss appeal.

11-962. Johnny Warren v. Anthony Frizzell II, from Pulaski Circuit, Twelfth Division. Pro se motion for reconsideration.

11-962. Johnny Warren v. Anthony Frizzell II, from Pulaski Circuit, Twelfth Division. Pro se motion for clarification.

11-990. Johnny Warren v. Todd Alan Wooten et al., from Pulaski Circuit, Fifth Division. Pro se motion for reconsideration.

11-1141. B. B. v. Arkansas Department of Human Services et al., from Pulaski Circuit, Tenth Division. Motion for rule on clerk.

11-1156. James Scott Brown, Arkansas Bar No. 70082 v. Supreme Court Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of law license.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 1, 2011

CASES SUBMITTED

CR93-988. Frank Williams, Jr. v. State of Arkansas, from Lafayette Circuit. Argued orally.

CR99-1221. Frank Williams, Jr. v. State of Arkansas, from Lafayette Circuit. Argued orally.

CR10-1241. Jose Luis Mendez v. State of Arkansas, from Washington Circuit.

CR11-71. David James Smoak v. State of Arkansas, from Crawford Circuit.

11-625. Advance Fiberglass, LLC v. Irag Rovnaghi et al., from Pulaski Circuit, Third Division.