

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 8, 2011

DONALD L. CORBIN, JUSTICE:

[CR11-5](#). Erickson Dimas-Martinez v. State of Arkansas, from Benton Circuit. Reversed and remanded.

ROBERT L. BROWN, JUSTICE:

[11-625](#). Advanced Fiberglass, LLC v. Irag Rovnaghi and Pegah Deheshmand, from Pulaski Circuit, Third Division. Writ denied.

JIM GUNTER, JUSTICE:

[CR11-476](#). Jonathan A. Halpaine v. State of Arkansas, from Saline Circuit. Affirmed. Baker, J., concurs.

COURTNEY HUDSON GOODSON, JUSTICE:

[10-1246](#). Bayer CropScience LP; Bayer CropScience Holding, Inc.; Bayer CropScience AG; Bayer AG; and Bayer BioScience NV v. Randy Schafer; End of the Road Farms, Inc.; Schafer Planting Co.; Wallace Farms; Robert E. Moery; Kyle Moery; Carter Farms Partnership; Petrus Farms, Inc.; Robert Petrus, Individually and as Trustee of the Robert Petrus Revocable Trust; R&B Amaden Farms; Randall J. Snider; R&S Planting Co., Inc.; S&R Farms; A.S. Kelly and Sons; and Neil Daniels Farms, from Lonoke Circuit. Affirmed. Baker, J., concurs.

[11-401](#). Rebecca Chandler v. Arkansas Appraiser Licensing and Certification Board and Jim Martin, Executive Director of the Arkansas Appraiser Licensing and Certification Board, from Pulaski Circuit, Sixth Division. Affirmed.

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PER CURIAM ORDERS

REHEARINGS DENIED: Petitions for rehearing were denied today in the following cases.

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

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

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

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 is denied without prejudice.

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 is granted. Appellee's brief due in nine days.

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

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. Granted 30 days with instruction to brief jurisdiction issue.

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[CR11-1155](#). Terry Lemmond v. State of Arkansas, from Stone Circuit. Motion for rule on clerk is granted. See **per curiam** this date.

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

11-669. Arkansas Department of Human Services v. James Douglas, from Sebastian Circuit, Fort Smith District. Motion to vacate order and dismiss is granted.

11-669. Arkansas Department of Human Services v. James Douglas, from Sebastian Circuit, Fort Smith District. Appellee's motion to dismiss appeal is moot.

11-669. Arkansas Department of Human Services v. James Douglas, from Sebastian Circuit, Fort Smith District. Appellant's motion for a nunc pro tunc order or alternative motion for appointment of a special administrator is moot.

[11-790](#). Kenneth G. Middleton and Lynn Carl Middleton v. Geraldine Lockhart, Mildren M. Anderson, Joyce M. Henson, and Jessie J. Brewer, from Newton Circuit. Appellees' motion to dismiss appeal and motion to extend time for appellees' response brief. Motion to dismiss denied. Motion to extend time granted. Appellees' brief due in thirty days. See **per curiam** this date.

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

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

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

11-1104. Charles T. Bedell, Jr. v. Keneshia Bedell, from Saline Circuit. Petition for writ of certiorari to complete the record is granted. Record due within thirty days.

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

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11-1199. Stuart Thomas v. Keith Hall, from Pulaski Circuit, Fifth Division. Motion for emergency stay is granted. Clerk to set expedited briefing schedule when the record is lodged. (Proceedings of December 6, 2011)

[CR92-167](#). David Shayne Henderson v. State of Arkansas, from Pulaski Circuit, Fifth Division. Pro se motion for use of transcript. Motion denied. See **per curiam** this date.

[CR11-446](#). Charles Edward Jones v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion for transcript and petition for writ of mandamus. Appeal dismissed; motion and petition moot. See **per curiam** this date.

CR11-582. Anthony D. Lamar v. State of Arkansas, from Pulaski Circuit, Seventh Division. Pro se motion for reconsideration of dismissal of appeal is denied.

CR11-802. Roger Clayton Price v. State of Arkansas, from Baxter Circuit. Appellee's motion to dismiss appeal is granted.

[CR11-820](#). Sidney Harvey v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellee's motions to dismiss appeal and for brief time. Motion to dismiss appeal granted; motion for brief time moot. See **per curiam** this date.

[CR11-852](#). Jimmy Edd Lee v. State of Arkansas, from Lafayette Circuit. Appellee's motions to correct record and for extension of brief time. Motions granted; remanded to settle the record. See **per curiam** this date.

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MOTIONS SUBMITTED

PETITIONS FOR REVIEW:

CR11-1131. Robert Lee Thomas, Jr. v. State of Arkansas, from Saline Circuit.

11-681. Marx Real Estate Investments, LLC, et al. v. Dr. Victor Coloso et al., from Sebastian Circuit, Fort Smith District.

CR10-1104. Louis Ricardo Butler v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion for reconsideration of order denying counsel's motion for payment of fee for indigent representation.

CR11-416. James Wedgeworth v. State of Arkansas, from Union Circuit. Appellee's motion for time to correct brief.

CR11-539. Michael Gilliland v. State of Arkansas, from Hot Spring Circuit. Resubmission after remand of appellee's motion to dismiss appeal.

CR11-539. Michael Gilliland v. State of Arkansas, from Hot Spring Circuit. Resubmission after remand of appellee's motion for extension of brief time filed in conjunction with motion to dismiss appeal.

CR11-932. Raymond Leach v. State of Arkansas, from Polk Circuit. Motion of Andi L. Davis to be substituted as counsel for appellant.

CR11-1161. Joseph Chunestudy v. State of Arkansas, from Greene Circuit. Motion of Will A. Kueter to be relieved as counsel and to appoint Paul J. Teufel as counsel.

CR11-1161. Joseph Chunestudy v. State of Arkansas, from Greene Circuit. Motion of Paul J. Teufel to be appointed as counsel.

CA11-870. City of Clinton v. Southern Paramedic Services, Inc., et al., from Van Buren Circuit. Appellees' motion to transfer to the Supreme Court.

11-952. Rebecca Christian-Holderfield and James Holderfield v. Arkansas Department of Human Services et al., from Carroll Circuit, Western District. Pro se motion for reconsideration.

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SUBMISSIONS

11-383. Arkansas Lottery Commission, Ernie Passailaigue, Director v. Alpha Marketing, from Pulaski Circuit, Fifth Division. Argued orally.

CR11-618. State of Arkansas v. Tammy Brewster et al., from Pulaski Circuit, Fourth Division.

11-128. Julia Laney Machen v. Billy Randall Machen, from Columbia Circuit.

11-317. Searcy County Counsel for Ethical Government et al. v. Johnny Hinchey, County Judge, et al., from Searcy Circuit.

11-675. Derek Lee Pippinger et al. v. Doris Benson et al., from Poinsett Circuit.