

# ARKANSAS SUPREME COURT

Opinions delivered  
April 23, 2009

---

[Click here for today's opinions](#)

---

JIM HANNAH, CHIEF JUSTICE:

08-534. La'Ronda Slaughter and Estate of Jerry Slaughter, Deceased v. Capitol Supply Company, Inc., Sherwood Valve Company and Brenntag Mid-South, Inc., from Calhoun Circuit. Affirmed. PUBLISHED

DONALD L. CORBIN, JUSTICE:

08-731. Sharon Bell v. James Misenheimer, from Columbia Circuit. Circuit Court Affirmed; Court of Appeals Reversed. PUBLISHED

ROBERT L. BROWN, JUSTICE:

08-1145. David Foscue v. Roland E. McDaniel, Estate of Robert Ben McDaniel, Deceased, Sheila Foscue, from Bradley Circuit. Reversed and Remanded. PUBLISHED

ANNABELLE CLINTON IMBER, JUSTICE:

08-807. Herman Brock v. Tab Townsell, from Faulkner Circuit. Affirmed. PUBLISHED

PER CURIAM OPINIONS:

CR08-45. Anthony D. White v. State of Arkansas, from Grant Circuit. Affirmed. UNPUBLISHED

CR08-362. Stephen Bates v. State of Arkansas, from Pope Circuit. Appeal Dismissed. UNPUBLISHED

## PER CURIAM ORDERS

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

08-992. Advance America Servicing of Arkansas, Inc. et al. v. Brenda McGinnis, from Clark Circuit.

08-1299. Mortgage Electronic Registration Systems, Inc. v. Southwest Homes of Arkansas, Inc., from Benton Circuit.

\*\*\*\*\*

REVIEW GRANTED: Petition for review was granted today in the following case.

09-73. Brenda Bryant Osborn et al. v. Billy Bryant et al., from Jackson Circuit.

\*\*\*\*\*

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

08-1500. Home Depot et al. v. Kimberly Brasel, from Workers' Compensation Commission.

09-6. Cedric Walker v. Cooper Standard Automotive et al., from Workers' Compensation Commission.

09-7. Entergy Arkansas, Inc. v. Arkansas Public Service Commission, from Arkansas Public Service Commission.

\*\*\*\*\*

CR02-811. Rickey Dale Newman v. State of Arkansas, from Crawford Circuit. Federal Public Defender's application for permission to be appointed as counsel on behalf of petitioner is granted.

CR09-339. Adam Davis, Jr. v. State of Arkansas, from Garland Circuit. Motion by William O. James, Jr. for entry of appearance as counsel. Noted.

CR09-344. Jamie Deachell Fox v. State of Arkansas, from Crittenden Circuit. Motion for rule on clerk is granted. See **per curiam** this date. PUBLISHED

CR09-345. Daniel Dorsey v. State of Arkansas, from Crittenden Circuit. Motion for rule on clerk is granted. See **per curiam** this date. PUBLISHED

CR09-345. Daniel Dorsey v. State of Arkansas, from Crittenden Circuit. Motion to be relieved as counsel and for appointment of substitute counsel is denied.

CR09-355. Roderick Williams v. State of Arkansas, from Desha Circuit, Arkansas City District. Motion to be relieved and for appointment of new counsel is granted. See **per curiam** this date. PUBLISHED

08-71. Stark Ligon, As Executive Director of the Supreme Court Committee on Professional Conduct v. Horace Alvin Walker, Arkansas Bar No. 82169, an Original Action. Motion for judgment on the pleadings and for entry of final order of disbarment is granted. See **per curiam** this date. PUBLISHED

09-328. Michael Estes v. Amber Hunt, from Pulaski Circuit, Sixteenth Division. Motion for rule on clerk is denied.

08-1299. Mortgage Electronic Registration Systems, Inc. v. Southwest Homes of Arkansas, Inc., from Benton Circuit. Notice of expedited argument in the Kansas Supreme Court. Noted.

08-1199. Western Sizzlin Corporation et al. v. Parks Land Company LLLP et al., from Pulaski Circuit, Fifth Division. Appellants' motion for oral argument is denied.

CR84-54. Timothy Ellis McDaniel v. State of Arkansas, from Garland Circuit. Pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis. Petition denied. See **per curiam** this date. Gunter, J.,

not participating. UNPUBLISHED

CR93-1071. Randall T. McArty v. State of Arkansas, from Clark Circuit. Pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis. Petition denied. See **per curiam** this date. UNPUBLISHED

CR98-1197. Jason Gates v. State of Arkansas, from Lonoke Circuit. Pro se motion for transcript. Motion denied. See **per curiam** this date. UNPUBLISHED

CR02-46. Dennis Van Jenkins v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion for copy of transcript at public expense. Motion denied. See **per curiam** this date. UNPUBLISHED

CR08-773. Mark A. Thompson v. State of Arkansas, from Pulaski Circuit, Second Division. Pro se motion for writ of certiorari to expand record. Appeal dismissed, motion moot. See **per curiam** this date. UNPUBLISHED

CR08-1400. Tommy Hall v. State of Arkansas, from Miller Circuit. Pro se motions for certified copies. Motions denied. See **per curiam** this date. UNPUBLISHED

CR09-105. Reggie Patterson v. State of Arkansas, from Lincoln Circuit. Pro se motion for belated appeal. Motion treated as motion for rule on clerk and denied. See **per curiam** this date. UNPUBLISHED

08-924. In Re: Arkansas Bar Association Petition to Amend Code of Judicial Conduct. See **per curiam** this date. PUBLISHED

## MOTIONS SUBMITTED

### PETITIONS FOR REVIEW:

08-1416. Vang Lee v. Monzer Mansour, from Benton Circuit.

09-23. Randy E. Lewis v. Auto Parts & Tire Co., Inc. et al., from Workers' Compensation Commission.

09-166. Denver L. Gulley v. City of Mountain Home and Municipal League, from Workers' Compensation Committee.

\*\*\*\*\*

CR08-112. Timothy Wallace v. State of Arkansas, from Saline Circuit. Petition to withdraw and for appointment of attorney.

CR08-778. State of Arkansas v. Bobby Junior Cox, from Lonoke Circuit. Appellant's motion to dismiss appeal and cross-appeal.

CR08-1320. Kenny Travis, Jr. v. State of Arkansas, from Mississippi Circuit, Chickasawba District. Appellant's motion for leave to file belated brief.

CR08-1464. Justin Anderson v. State of Arkansas, from Miller Circuit. Appellee's motion for rebriefing by the appellant to comply with Ark. Sup. Ct. R. 4-2(a)(5) as to an abstract of the trial records.

CR09-370. Antonio Daniels v. State of Arkansas, from Drew Circuit. Motion for rule on clerk.

05-1412. Stark Ligon, As Executive Director of the Supreme Court Committee on Professional Conduct v. Zimmery Crutcher, Jr., Arkansas Bar No. 74029, an Original Action. Petitioner's motion for judgment on the pleadings and for entry of final order of disbarment.

09-26. Virginia Kowalski, Administratrix of the Estate of Kevin Allen Curry, Deceased v. Rose Drug of Dardenelle, Inc., and Randeep Mann, M.D., from Yell Circuit, Northern District. Motion of Arkansas Trial Lawyers Association to file brief amicus curiae.

09-196. Timothy Gwaltney v. Sex Offender Assessment Committee, from Pulaski Circuit, Sixth Division. Appellant's motion to supplement the record and for extension of time to file brief.

09-371. James O. Wyre, II v. Carrie Wyre, from Garland Circuit. Motion for rule on clerk.

09-404. Arkansas Supreme Court Committee on Professional Conduct v. F. Scott Straub, Arkansas Bar No. 98019, an Original Action. Petition to reciprocally disbar.

### **SUBMISSIONS**

08-934. Union Pacific Railroad et al. v. Victor S. Vickers et al., from Lafayette Circuit. Argued orally.

CR08-160. Ledell Lee v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CR08-693. Joshua Leallen Lofton v. State of Arkansas, from Pulaski Circuit, Fifth Division.

CR08-1058. Nathan Gilcrease v. State of Arkansas, from Pulaski Circuit, First Division.

08-1440. Christina Hagenbaugh et al. v. Perry County Sheriff et al., from Pulaski Circuit, Second Division.