

# ARKANSAS SUPREME COURT

Opinions Delivered  
September 17, 2009

---

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

---

JIM HANNAH, CHIEF JUSTICE:

09-308. Daryl Guffey v. Kim Billings Counts and Office of Child Support Enforcement, from Washington Circuit. Court of Appeals Affirmed; Circuit Court Affirmed.

PAUL E. DANIELSON, JUSTICE:

09-13. Flow Doc, Inc.; Royce McNeal, Jr., and Brent H. McNeal v. Thomas M. Horton, on behalf of himself and all others similarly situated, from Pulaski Circuit, Twelfth Division. Dismissed in Part; Affirmed in Part.

ELANA CUNNINGHAM WILLS, JUSTICE:

09-225. Richard Weiss, Director of the Arkansas Department of Finance and Administration v. Bryce Company, LLC, from White Circuit. Affirmed.

PER CURIAM OPINION:

CR08-909. David Woody v. State of Arkansas, from Pope Circuit. Affirmed.

## PER CURIAM ORDERS

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

09-438. Kathy Travis Gilbow v. Patrick Travis, from Benton Circuit.

\*\*\*\*\*

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

CR09-637. Terrance Wright v. State of Arkansas, from Clark Circuit.

CR09-675. Michael E. Jackson v. State of Arkansas, from Faulkner Circuit.

\*\*\*\*\*

CR09-934. Brian K. Walker v. State of Arkansas, from Pulaski Circuit, First Division. Motion for rule on clerk is granted; motion to be relieved as counsel is denied. See **per curiam** this date.

09-643. John Schubert et ux. v. Arkansas Department of Human Services, from Crawford Circuit. Appellee's motion to dismiss appeal. Motion to be submitted as a case.

CA09-695. John Schubert et ux. v. Arkansas Department of Human Services, from Crawford Circuit. Appellee's motion to reconsider granting of appellants' request for an additional thirty days to file brief. Passed until motion to dismiss appeal in 09-643 is submitted.

09-946. In Re: John David Harris, Arkansas Bar No. 89151, an Original Action. Petition for voluntary surrender of law license is granted. See **per curiam** this date.

CR09-948. Avery Darnell Williams v. State of Arkansas, from Pulaski Circuit, Fifth Division. Motion for rule on clerk is granted. See **per curiam** this date.

CR09-986. Thurstle Dale Mullen v. Honorable Michael Medlock, Circuit Judge, from Crawford Circuit. Petition for writ of certiorari is denied without prejudice. Imber, and Wills, JJ., would grant as to notice of revocation of bond.

08-543. Landmark Novelties, Inc. v. Arkansas State Board of Pharmacy, from Pulaski Circuit, Second Division. Certified, supplemental record ordered; substituted brief ordered. See **per curiam** this date.

09-749. Lee Campbell v. Michael Hankins, from Jefferson Circuit. Appellant's motion to dismiss petition for review is granted.

CR02-811. Rickey D. Newman v. State of Arkansas, from Crawford Circuit. Pro se motions to deny relief, to obtain information or status of circuit court case, and to proceed without counsel, and pro se motion and supplemental motion in support of Attorney General's position pertaining to petition to reinvest jurisdiction in trial court to consider petition for writ of error coram nobis. Motions denied in part and moot in part. See **per curiam** this date.

CR08-994. Ruffus Gray a/k/a Rufus Gray v. State of Arkansas, from Clark Circuit. Pro se motion for reconsideration of pro se motion for belated appeal and motion for appointment of counsel. Motion for reconsideration denied; motion for appointment of counsel moot. See **per curiam** this date.

CR08-1433. Jerry Lee Marshall v. State of Arkansas, from Cleveland Circuit. Pro se petition for writ of certiorari. Petition treated as motion for rule on clerk and denied. See **per curiam** this date.

CR08-1460. Wesley Barringer v. State of Arkansas, from Jefferson Circuit. Pro se motion for belated appeal. Motion granted. See **per curiam** this date.

CR09-315. Armon Houston v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motions for extension of time to file appellant's brief and for record. Motion for extension of time granted in part and denied in part; motion for record granted. See **per curiam** this date.

CR09-318. Larry Donnell Reed v. State of Arkansas, from Pulaski Circuit, Seventh Division. Pro se motions for extension of time to file appellant's brief and for copy of record. Motion for extension of time granted in part and denied in part; motion for copy treated as motion for access to record and granted. See **per curiam** this date.

08-1177. Edward Loveless v. Fern Tucker, Circuit Clerk of Pope County, from Pope Circuit. Pro se motion to stay appeal. Motion treated as petition for writ of certiorari to complete record and denied; final extension of brief time granted. See **per curiam** this date.

09-300. Arlis Dale Greathouse v. State of Arkansas, from Jefferson Circuit. Appellee State's motion to dismiss appeal. Motion granted; appeal dismissed. See **per curiam** this date.

09-400. Brian L. Morris v. Larry Norris, Director, Arkansas Department of Correction, from Jefferson Circuit. Appellee State's motion to dismiss appeal. Motion granted; appeal dismissed. See **per curiam** this date.

09-437. Michael L. Douglas, \$553.00 in U.S. Currency, 1992 Lincoln Town Car VIN 1LNLM81WXNY673286 and Motorola Cell Phone v. State of Arkansas, from Drew Circuit. Pro se motion for belated appeal or motion for rule on clerk. Motion treated as motion for belated appeal and denied. See **per curiam** this date.

09-554. Windell McClain a/k/a Seiyid Jihad Mateen v. Larry Norris, Director, Arkansas Department of Correction, from Chicot Circuit. Pro se motion for belated appeal. Motion denied. See **per curiam** this date.

09-655. Howard Wayne Jones v. Larry Norris, Director, Arkansas Department of Correction, from Lee Circuit. Pro se motion for belated appeal. Motion treated as motion for rule on clerk and denied. See **per curiam** this date.

### MOTIONS SUBMITTED

#### PETITIONS FOR REVIEW:

09-425. Patricia White v. Ralph G. King et al., from Crittenden Circuit.

09-467. J. Sky Tapp v. Lance Landers, from Independence Circuit.

09-475. Pat Salmon & Sons, Inc. v. Ricky C. Pate et al., from Workers' Compensation Commission.

\*\*\*\*\*

CR02-811. Rickey D. Newman v. State of Arkansas, from Crawford Circuit. Motion to substitute counsel.

CR09-634. Zachariah Scott Marcyniuk v. State of Arkansas, from Washington Circuit. Appellant's motion for waiver of page limit.

CR09-703. Albert Lee Lewis, Jr. v. State of Arkansas, from Craighead Circuit, Eastern District. Petition for writ of certiorari to complete the record and for compliance with Arkansas Supreme Court Rule 4-3(h).

CR09-969. Michael Wayne Gilliland v. State of Arkansas, from Hot Spring Circuit. Motion to be relieved as attorney of record.

CR09-969. Michael Wayne Gilliland v. State of Arkansas, from Hot Spring Circuit. Motion for substitution of counsel.

E09-80. Elinda J. Stribling v. Artie Williams, Director, Arkansas Department of Workforce Services, from Board of Review. Motion to certify to the Arkansas Supreme Court.

09-619. Farmer's Union Mutual Insurance Company, Inc v. Randall Robertson et ux., from Pope Circuit. Appellant's motion to correct record, to take judicial notice and for stay of briefing schedule.

09-688. Alcoa World Alumina, LLC v. Richard Weiss, Director, Department of Finance and Administration, from Pulaski Circuit, Third Division. Motion for extension of time to file appellee's brief pending disposition of the motion for permission to file amicus brief.

09-688. Alcoa World Alumina, LLC v. Richard Weiss, Director, Department of Finance and Administration, from Pulaski Circuit, Third Division. Appellee's motion for expansion of page limit.

09-710. Newton Donald Jenkins, Jr. v. Arkansas Supreme Court Committee on Professional Conduct, an Original Action. Appellant's motion to strike.

09-991. Scott Quality Products, Inc. v. Darrell Gaines, from Lonoke Circuit. Motion for rule on clerk.

09-993. Tremayne Scoggins v. Evon M. Medlock, from Pulaski Circuit, Ninth Division. Appellee's motion to dismiss appeal.

### **SUBMISSIONS**

08-1099. John H. Bayird, as Administrator for the Estate of Mamie Elliott, Deceased v. William Floyd, from Drew Circuit. Argued orally.

CR08-356. Robert Lee Williams, Jr. a/k/a R.J. Williams v. State of Arkansas, from Nevada Circuit.

CR08-1294. Courtney Pollard v. State of Arkansas, from Crittenden Circuit.

CR08-1308. Joe Lester Cantrell v. State of Arkansas, from Perry Circuit.

CR08-1455. Robert Maldonado v. State of Arkansas, from Pulaski Circuit, Seventh Division.

CR09-106. Marcha Jarmane Smith v. State of Arkansas, from Jefferson Circuit.

CR09-159. Diana Nichole Robertson v. State of Arkansas, from Crittenden Circuit.