

ARKANSAS SUPREME COURT

Opinions Delivered
December 10, 2009

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JIM HANNAH, CHIEF JUSTICE:

09-245. Eddie Wade v. Benton County Sheriff Keith Ferguson, Benton County Deputy Tom Brewster and Benton County Deputy Brian Stearman, each in their official and individual capacities, from Washington Circuit. Affirmed. Imber, J., not participating.

DONALD L. CORBIN, JUSTICE:

09-343. Northport Health Services of Arkansas, LLC v. Arkansas Department of Human Services, from Pulaski Circuit, Third Division. Affirmed. Imber, J., not participating.

ROBERT L. BROWN, JUSTICE:

09-333. State of Arkansas, Office of Child Support Enforcement v. Kevin L. Jones, from Hot Spring Circuit. Affirmed. Imber, J., not participating.

PAUL E. DANIELSON, JUSTICE:

09-208. State Farm Automobile Insurance Company v. Eda Stamps and Gary Stamps, from Sebastian Circuit, Fort Smith District. Affirmed. Imber, J., not participating.

PER CURIAM ORDERS

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

CR07-623. Ronald Jay Campbell v. State of Arkansas, from Lonoke Circuit.

CR08-1394. Wilbert L. Johnson v. State of Arkansas, from Pulaski Circuit, Seventh Division.

08-999. Riceland Foods, Inc. v. Randy Pearson et al., from St. Francis Circuit.

08-1031. Arkansas Department of Correction v. Frank Williams, Jr., from Pulaski Circuit, Sixth Division. Wills, J., not participating.

REVIEW DENIED: Petition for review was denied today in the following case.

CR09-1152. Sonya Nate Mooney v. State of Arkansas, from Craighead Circuit, Western District.

CR95-975. Jimmy Don Wooten v. State of Arkansas, from Pope Circuit. Motion to recall mandate denied without prejudice with right to refile motion to recall the mandate.

CR08-1493. Damien Wayne Echols v. State of Arkansas, from Craighead Circuit, Western District. Appellant's motion to file amended brief is granted; appellee allowed thirty days to respond. Wills, J., not participating.

CR09-140. Brandon Carter v. State of Arkansas, from Columbia Circuit. Petition for writ of certiorari to complete the record is granted.

CR09-831. Benjamin D. Carter, Jr. v. State of Arkansas, from Union Circuit. Appellee's motion to direct compliance with Arkansas Supreme Court Rule 4-3(i) is granted.

CR09-831. Benjamin D. Carter, Jr. v. State of Arkansas, from Union Circuit. Appellee's motion for extension of brief time. Moot.

CR09-1259. James Earl Montgomery v. State of Arkansas, from Greene Circuit. Motion for rule on clerk is granted. See **per curiam** this date.

08-1031. Arkansas Department of Correction v. Frank Williams, Jr., from Pulaski Circuit, Sixth Division. Appellee's motion for stay of mandate is denied without prejudice. See Rule 5-3(c). Wills, J., not participating.

08-1352. David Stills v. Amber Stills, from Washington Circuit. Appellee's motion to reschedule oral argument is denied.

08-1438. Guy Jones v. J. Eric Turner et al., from Faulkner Circuit. Appellant's motion for costs is granted.

09-313. Barry Jewell v. Keith Moser et al., from Pulaski Circuit, Sixth Division. Appellant's motion to reschedule oral argument is granted.

09-614. Damont Ewells v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellee's motion to strike is granted.

09-622. Ketan Bulsara v. Julia Mortimer Watkins, M.D., from Pulaski Circuit, First Division. Appellant's motion to file supplemental brief is granted.

09-622. Ketan Bulsara v. Julia Mortimer Watkins, M.D., from Pulaski Circuit, First Division. Appellee's motion to file supplemental brief is granted.

09-718. Hempstead County Hunting Club, Inc. et al. v. Public Service Commission et al., from Arkansas Public Service Commission. Motion of Sierra Club, National Audubon Society and Audubon Arkansas for leave to file amicus curiae brief in support of appellants is denied. See Rule 4-6(a). Special Justice Danyelle Walker agrees. Gunter and Danielson, JJ., not participating.

09-1093. Louisiana Environmental Action Network et al. v. Arkansas Pollution Control and Ecology Commission, from

Union Circuit. Motion for extension of time to file brief and for other relief is granted.

CR81-82. Robert Heffernan v. Larry Norris, Director, Arkansas Department of Correction, and State of Arkansas, from Saline Circuit. Pro se motion for use of trial transcript. Motion denied. See **per curiam** this date.

CR09-784. Ronnie Lauderdale v. State of Arkansas, from Crittenden Circuit. Appellee's motion to dismiss appeal granted; appellant's pro se motion to file belated brief moot. See **per curiam** this date.

CR09-999. Raylee Earl Jackson v. State of Arkansas, from Pulaski Circuit, First Division. Pro se motion for belated appeal of judgment of conviction. Motion denied. See **per curiam** this date.

CR09-1162. Kendrick Hunter Hunt v. State of Arkansas, from Pulaski Circuit, Fifth Division. Pro se petition for review. Petition dismissed. See **per curiam** this date.

09-1028. Phillip Lacefield v. Carol Rose and Marc I. Baretz, from Crittenden Circuit. Pro se motion for "Certificate of Appealability" and for extension of time to file brief treated as motion for belated appeal and denied.

In Re: Arkansas Access to Justice Commission. See **per curiam** this date.

In Re: The Arkansas Continuing Legal Education Board. See **per curiam** this date.

Three initial terms of three years on the Continuing Legal Education Board came to a conclusion on December 5, 2009. Accordingly, the court makes the following reappointments:

J. Cotten Cunningham of Little Rock is reappointed to the Continuing Legal Education Board for a three-year term concluding on December 5, 2012. Mr. Cunningham will continue to represent the 2nd Congressional District.

Chris Parks of Fort Smith is reappointed to the Continuing Legal Education Board for a three-year term concluding on December 5, 2012. Mr. Parks will continue to represent the 3rd Congressional District.

Patricia James of Little Rock is reappointed to the Continuing Legal Education Board for a three-year term concluding on December 5, 2012. Ms. James will continue to be an at-large representative.

The court extends its sincere appreciation to Mr. Cunningham, Mr. Parks, and Ms. James for accepting reappointment to this important Board.

MOTIONS SUBMITTED

PETITION FOR REHEARING:

08-1492. State of Arkansas v. R. H., from Pulaski Circuit, Tenth Division.

PETITIONS FOR REVIEW:

CR09-1153. Jimmy Burdette v. City of Van Buren, from Crawford Circuit.

09-1038. Norma Ferguson v. Larry James Ferguson, from Hempstead Circuit.

09-1128. T.C. a Minor v. State of Arkansas, from Ouachita Circuit.

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

CR02-811. Rickey D. Newman v. State of Arkansas, from Crawford Circuit. Application for permission to be appointed as counsel.

CR08-1493. Damien Wayne Echols v. State of Arkansas, from Craighead Circuit, Western District. Motion to file reply brief on appeal in excess of usual page limit.

08-1348. Edward C. Grays et ux. v. Floyd's Sawmill, Inc., from Lincoln Circuit. Motion for reconsideration.

09-684. John Doe et al. v. Arkansas Supreme Court Committee on Professional Conduct, an Original Action. Petitioners' motion to dismiss amended petition for writ of certiorari.

09-1314. In Re: Michael Kelly Wooldridge, Arkansas Bar No. 95051, an Original Action. Petition to surrender Arkansas law license.

SUBMISSIONS

CR09-77. Timothy Wayne Kemp v. State of Arkansas, from Pulaski Circuit, First Division.

CR09-670. State of Arkansas v. Mikel Short, from Baxter Circuit.

08-1452. Don Gentry, County Judge Phillips County, Arkansas v. Christine Robinson, from Phillips Circuit.

09-361. Jimmy Rettig v. Alton Ballard et al., from Pulaski Circuit, Fifth Division.

09-593. Gary Michaelis d/b/a Racer AG Service v. Robert Stewart and Circuit Court of St. Francis County, Arkansas, from St. Francis Circuit.

