

# ARKANSAS SUPREME COURT

Opinions Delivered  
January 28, 2010

JIM HANNAH, CHIEF JUSTICE:

CR09-761. Patricia McClanahan v. State of Arkansas, from Scott Circuit. Circuit Court Reversed; Court of Appeals Affirmed. Danielson, J., not participating.

DONALD L. CORBIN, JUSTICE:

08-543. Landmark Novelties, Inc. v. Arkansas State Board of Pharmacy, from Pulaski Circuit, Second Division. Affirmed.

ROBERT L. BROWN, JUSTICE:

09-603. Jeffrey Hardy v. Diana Hardy, from Faulkner Circuit. Dismissed Without Prejudice.

PER CURIAM OPINION:

CR09-37. Kareem Holloway v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. Brown, J., not participating.

## PER CURIAM ORDERS

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

CR09-530. State of Arkansas v. Edward Joshaway, from Phillips Circuit. Gunter, Danielson, and Wills, JJ., dissent.

CR09-609. Hutson Burks v. State of Arkansas, from Pulaski Circuit, Seventh Division. Hannah, C.J., and Wills, J., would grant.

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

CR09-1312. Zane Edward Fair v. State of Arkansas, from Independence Circuit. Brown, J., not participating.

09-1219. QHG of Springdale, Inc. d/b/a Northwest Medical Center v. Ernest W. Archer, M.D., from Washington Circuit (Appellant).

09-1219. QHG of Springdale, Inc. d/b/a Northwest Medical Center v. Ernest W. Archer, M.D., from Washington

Circuit (Appellee). Brown, J., would grant.

09-1295. Tim Johnson v. Arkansas Steel Erectors et al., from Workers' Compensation Commission. Danielson and Wills, JJ., would grant.

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CR07-623. Ronald Jay Campbell v. State of Arkansas, from Lonoke Circuit. Motion to withdraw as counsel is granted.

CR09-1248. Michael Allen Hatcher v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Pro se motion for ruling in favor of petitioner due to State's failure to timely file brief is denied.

CR09-1248. Michael Allen Hatcher v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion to file belated brief is granted.

CR10-17. Joshua Adam Tillery v. State of Arkansas, from Van Buren Circuit. Petition for writ of certiorari to complete the record and for setting of briefing schedule is denied without prejudice.

CR10-38. Benjamin Eagle v. Circuit Court of Pulaski County, from Pulaski Circuit, Fourth Division. Motion to proceed *in forma pauperis* is denied without prejudice.

09-1093. State of Louisiana et al. v. The City of El Dorado Waste Utilities et al., from Union Circuit. Motion for enlargement of the page limit of appellee Pollution Control and Ecology Commission's response brief is granted.

10-27. Alan Sargent v. William Springer, from Garland Circuit. Motion for rule on clerk is granted; motion for extension of time to file record on appeal is moot. See **per curiam** this date.

CR02-895. Dennis James Smith v. State of Arkansas, from Desha Circuit, Arkansas City District. Pro se motion for transcript at public expense is denied. Brown, J., not participating.

CR05-609. Michael MacKool v. State of Arkansas, from Pulaski Circuit, Fifth Division. Pro se motion for photocopy of trial transcript and other material at public expense. Motion denied. See **per curiam** this date. Brown, J., not participating.

CACR08-1313. Ernest Dean Wade v. State of Arkansas, from Washington Circuit. Pro se motion for photocopy of trial transcript and other material at public expense. Motion denied. See **per curiam** this date. Brown, J., not participating.

CR08-1396. Antonio Dolphin v. State of Arkansas, from Phillips Circuit. Pro se motion for reconsideration is denied. Brown, J., not participating.

CR09-1036. Wendell Lee Rogers v. State of Arkansas, from Union Circuit. Pro se motion for appointment of counsel denied; pro se motion for extension of time to file brief granted in part and denied in part. See **per curiam** this date. Brown, J., not participating.

CR09-1296. Donald Ray Mathis v. State of Arkansas, from Union Circuit. Pro se motion for appointment of counsel. Motion granted; writ of certiorari issued. See **per curiam** this date. Brown, J., not participating.

CR09-1366. James Delamar v. Honorable Robert McCallum, Circuit Judge, from Clark Circuit. Pro se motion for rule on clerk to file petition for writ of mandamus without certified record is denied. Brown, J., not participating.

09-497. Charles Alexander/Ryahim v. Larry Norris, from Lincoln Circuit. Pro se motion for reconsideration and

amended motion for reconsideration are denied. Brown, J., not participating.

In Re: Supreme Court Committee on the Unauthorized Practice of Law. See **per curiam** this date.

J. Trent Daniels, Esq., of Hot Springs, Fourth Congressional District, is appointed to the Supreme Court Committee on the Unauthorized Practice of Law for a three-year term to expire on May 31, 2012. The court thanks Mr. Daniels for accepting appointment to this important committee.

Jim Jackson, Esq., of Bryant, Second Congressional District, is reappointed to the committee for a three-year term to expire on May 31, 2012. We thank Mr. Jackson for his continued service.

The court expresses its appreciation to David L. Beatty, Esq., of Lewisville, whose term has expired, for his service to the committee.

## MOTIONS SUBMITTED

### PETITIONS FOR REVIEW:

CR09-1324. Keith F. White v. State of Arkansas, from Union Circuit.

09-1222. Carlos Honeysuckle v. Michael S. McCarthy et al., from Workers' Compensation Commission.

09-1251. Amanda Culhane v. Oxford Ridge, LLC et al., from Benton Circuit.

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CR09-60. Charles Jason Baldwin v. State of Arkansas, from Craighead Circuit, Western District. Renewed motion for remand for further proceedings regarding recusal.

CR09-833. Myka Talley v. State of Arkansas, from Miller Circuit. Appellee's second motion to direct compliance with Arkansas Supreme Court Rule 4-3(i).

CR09-833. Myka Talley v. State of Arkansas, from Miller Circuit. Appellee's motion for extension of brief time.

CR10-31. Eddrick Childs v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion for rule on clerk.

CR10-40. Thurman Russell v. State of Arkansas, from Baxter Circuit. Motion for rule on clerk.

08-144. Edward Loveless v. Roy Agee et al., from Jefferson Circuit. Pro se motion for injunction.

10-78. In Re: L. Anita Thomas, Arkansas Bar No. 83244, an Original Action. Petition for surrender of license.

## SUBMISSIONS

09-662. Fireman's Fund Insurance Company et al. v. Care Management, Inc. d/b/a Southwest Nursing Homes, an Original Action. Argued orally.

08-52. Christopher Wayne Roberts v. Robin YanYan Roberts Yang, from Pulaski Circuit, Seventeenth Division.

08-144. Edward Loveless v. Roy Agee, Larry Norris et al., from Jefferson Circuit.

09-408. Monte Red et al. v. U. S. Bank, from Saline Circuit.

09-476. W. E. Pender & Sons, Inc. et al. v. Burton Lee, from Perry Circuit.

09-561. Angie Fletcher v. Kevin Scorza, from Pulaski Circuit, Seventeenth Division.