

ARKANSAS SUPREME COURT

Opinions delivered
February 5, 2009

JIM HANNAH, CHIEF JUSTICE:

CR08-926. Billy Joe Kelley, Jr. v. State of Arkansas, from Pulaski Circuit, Fifth Division. Affirmed. PUBLISHED

ROBERT L. BROWN, JUSTICE:

08-606. City of Little Rock v. Jung Yul Rhee, Ashia Teriyaki, Fleishauer Family LLC, Kim C. Young, Sirrah, Inc., Jackson Hewitt, Charlie Bond, 12th Street Upholstery & Furniture, Mary Rollins, Mary's Magic Curl Beauty Salon, Pic Pac Store, Inc., Suk Chang, E-Z Food Mart, Thuan Nguyen, Beauty Nails, Ru Jae, J's Grill, Mae Ok Yi, from Pulaski Circuit, First Division. Affirmed. PUBLISHED

PAUL E. DANIELSON, JUSTICE:

CR08-1051. Tommy Lee Brown v. State of Arkansas, from Drew Circuit. Affirmed. PUBLISHED

ELANA CUNNINGHAM WILLS, JUSTICE:

CR08-231. Warren Law v. State of Arkansas, from Pulaski Circuit, First Division. Affirmed. PUBLISHED

PER CURIAM ORDERS

REHEARING DENIED: Petition for rehearing was denied today in the following case.

CR07-1340. Christopher Newton White v. State of Arkansas, from Benton Circuit. See per curiam this date. Imber, J., not participating. UNPUBLISHED

REVIEWS GRANTED: Petitions for review were granted today in the following cases.

CR08-1330. Johnny Elmo Morgan v. State of Arkansas, from Scott Circuit.

CR08-1331. John William "Bill" Seamster, Jr. v. State of Arkansas, from Crawford Circuit.

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

08-644. Alan Prendergast v. Leo Craft et al., from Benton Circuit.

08-792. Gordon Hite v. J & J Trucking et al., from Arkansas Workers' Compensation Commission.

08-1219. Andrea Hicks v. Joshua A. Cook, from Chicot Circuit.

08-1497. Kurt Belue, Sr. v. Arkansas Department of Human Services, from Sebastian Circuit, Fort Smith District.

CR09-44. Kenneth Lemaster v. State of Arkansas, from Lonoke Circuit. Motion for belated petition for review is denied.

CR08-762. Lee Mark Harris v. State of Arkansas, from Desha Circuit, Arkansas City District. Motion to proceed as a pauper is denied. See Rule 6-6.

08-790. Danny R. Dednam v. Director et al., from Board of Review. Motion for belated petition for review is denied.

08-1144. Benjamin L. Eagle v. Bank of America, from Pulaski Circuit, Fifth Division. Motion for rule on clerk, writ of certiorari, or mandamus is denied.

08-1476. Walter Dwayne Ramsey et al. v. Beverly Enterprises, Inc. et al., from Crittenden Circuit. Motion to dismiss on behalf of Dr. Bertram D. Kaplan. Moot.

08-15. Beverly Enterprises v. Annette Thomas, from Independence Circuit. Appeal dismissed for failure to file briefs in accordance with Rule 4-5.

CACR05-1183. Walter A. McCullough v. State of Arkansas, from Craighead Circuit, Western District. Pro se petition and supplemental petition to reinvest jurisdiction in trial court to consider a petition for writ of error coram nobis. Petitions denied. See **per curiam** this date. UNPUBLISHED

CACR06-1064. Daniel Plunkett v. State of Arkansas, from Poinsett Circuit. Pro se petition to reinvest jurisdiction in trial court to consider a petition for writ of error coram nobis. Petition denied. See **per curiam** this date. UNPUBLISHED

CR08-941. Darwin Gaye v. State of Arkansas, from Pulaski Circuit, Second Division. Pro se motions to supplement brief and for writ of certiorari. Appeal dismissed; motions moot. See **per curiam** this date. UNPUBLISHED

CR08-1284. Stacy Tubbs a/k/a Stacey Tubbs v. State of Arkansas, from Union Circuit. Pro se motion for belated appeal of order. Motion granted. See **per curiam** this date. UNPUBLISHED

CR08-1289. Jason Wheat v. State of Arkansas, from Faulkner Circuit. Pro se motions for appointment of counsel and extension of time to file appellant's brief. Appeal dismissed; motions moot. See **per curiam** this date. UNPUBLISHED

08-1286. Lance Mitchell Owens v. Leslie Steen, Clerk of the Arkansas Supreme Court, from Benton Circuit. Pro se motion for rule on clerk. Motion denied. See **per curiam** this date. UNPUBLISHED

08-1291. John Martin v. Mark Jefferson Mobley, from Pope Circuit. Pro se petition for leave to proceed in forma pauperis with tendered motion for rule on clerk. Petition denied. See **per curiam** this date. UNPUBLISHED

MOTIONS SUBMITTED

PETITION FOR REHEARING:

CR07-1016. Stanley Dewayne Jackson v. State of Arkansas, from Desha Circuit, Arkansas City District.

PETITIONS FOR REVIEW:

CR08-1080. Michael Justin Drake v. State of Arkansas, from Drew Circuit.

CR08-1380. Ronald Blanchard v. State of Arkansas, from Saline Circuit.

08-653. McCourt Manufacturing Corporation v. Dave Rycroft, from Sebastian Circuit, Fort Smith District.

08-698. C & C Trucking & Equipment, Inc. v. James Nolen et al., from Pike Circuit.

08-703. Earnest Tate v. Laboratory Corporation of American Holdings, from Pulaski Circuit, Sixteenth Division.

08-740. Christopher Wayne Roberts v. Robin Yanyan Yang (formerly Roberts), from Pulaski Circuit, Seventeenth Division.

08-813. New Life Beauty Center, Inc. v. Palomar Medical Technologies, Inc., from Sebastian Circuit, Fort Smith District.

CR08-160. Ledell Lee v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of Danny W. Glover to be relieved as attorney of record or for additional time in which to file abstract and brief.

CR08-1021. State of Arkansas v. Clarence Richardson, from Phillips Circuit. Motion to file belated brief, for declaration of rights and for other relief.

CR09-60. Charles Jason Baldwin v. State of Arkansas, from Craighead Circuit, Western District. Motion for rule on clerk.

CR09-60. Charles Jason Baldwin v. State of Arkansas, from Craighead Circuit, Western District. Motion to hold briefing in abeyance until resolution of Rule 37 proceedings.

CR09-76. Jarvis Rhodes v. State of Arkansas, from Jefferson Circuit. Motion of Horace J. Fikes, Jr. to withdraw as

attorney of record.

CA07-741. Ketan Bulsara v. Julia Mortimer Watkins, M.D., from Pulaski Circuit, First Division. Motion to certify appeal to the Supreme Court.

08-653. McCourt Manufacturing Corporation v. Dave Rycroft, from Sebastian Circuit, Fort Smith District. Motion for leave to file a reply.

08-654. Robert Meyer v. CDI Contractors, LLC, from Pulaski Circuit, Third Division. Motion of Nona M. Robinson to withdraw and substitute counsel.

08-698. C & C Trucking & Equipment, Inc. v. James Nolen, from Pike Circuit. Motion to accept belated response to petition for review.

08-754. David Hamilton et al. v. Bank of England, from Lonoke Circuit. Joint motion to dismiss joint petition for review.

CA08-834. Beverly Enterprises et al. v. Valerie Keaton, from Ouachita Circuit. Motion for reassignment or transfer of appeal to the Supreme Court.

08-1323. Don Cockerham et al. v. Arkansas Department of Human Services, from Pulaski Circuit, Eighth Division. Motion of Everett O. Martindale to be relieved as attorney of record.

CA08-1449. Robert Maulding v. Price's Utility Contractors, Inc. et al., from Workers' Compensation Commission. Appellant's motion requesting clarification regarding redacting issues.

SUBMISSIONS

08-784. Charles Archer et al. v. Sisters of Mercy Health System St. Louis, Inc. et al., from Garland Circuit. Argued orally.

08-323. William L. Jackson v. Sparks Regional Medical Center et al., from Sebastian Circuit, Fort Smith District.

08-845. Ernest Garcia et al. v. Estate of James M. Duvall, from Yell Circuit, Northern District.