

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 15, 2011

JIM HANNAH, CHIEF JUSTICE:

[CR11-71](#). David Smoak v. State of Arkansas, from Crawford Circuit. Affirmed in part; reversed and remanded in part. Corbin, Gunter, and Baker, JJ., concur in part and dissent in part.

DONALD L. CORBIN, JUSTICE:

[CR11-618](#). State of Arkansas v. Tammy Brewster and Jeremy Pennington, from Pulaski Circuit, Fourth Division. Appeal dismissed.

ROBERT L. BROWN, JUSTICE:

[11-128](#). Julia Laney Machen v. Billy Randall Machen, from Columbia Circuit. Affirmed as modified; Court of Appeals opinion vacated.

JIM GUNTER, JUSTICE:

[CR99-1221](#). Frank Williams, Jr. v. State of Arkansas, from Lafayette Circuit. Motion to recall the mandate denied without prejudice. Special Justice Steven W. Quattlebaum joins in this opinion. Corbin, J., not participating.

[11-317](#). Searcy County Counsel for Ethical Government v. Johnny Hinchey, County Judge, from Searcy Circuit. Dismissed without prejudice.

PAUL E. DANIELSON, JUSTICE:

[CR93-988](#). Frank Williams, Jr. v. State of Arkansas, from Lafayette Circuit. Motion to recall mandate. Motion granted. Special Justice Steven W. Quattlebaum joins in this opinion. Corbin, J., not participating.

[11-675](#). In Re Adoption of J.P., Derek Lee Pippinger v. Doris Benson and Bertie May Blasingame, from Poinsett Circuit. Affirmed in part; reversed and remanded in part. Court of Appeals' opinion vacated.

KAREN R. BAKER, JUSTICE:

[CR10-1241](#). Jose Luis Mendez v. State of Arkansas, from Washington Circuit. Reversed and remanded.

PER CURIAM OPINION:

[CR11-248](#). Michael Lee Cowan v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed in part; reversed and remanded in part.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 15, 2011

PER CURIAM ORDERS

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

CR11-1131. Robert Lee Thomas, Jr. v. State of Arkansas, from Saline Circuit.

11-681. Marx Real Estate Investments, LLC, et al. v. Dr. Victor Coloso et al., from Sebastian Circuit, Fort Smith District.

\*\*\*\*\*

[CR10-369](#). Charles Wayne Green v. State of Arkansas, from Randolph Circuit. Supplemental addendum ordered. See **per curiam** this date.

CR10-1104. Louis Ricardo Butler v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion for reconsideration of order denying counsel's motion for payment of fee for indigent representation is denied.

[CR10-1304](#). Lesa Diane Menne v. State of Arkansas, from Lawrence Circuit. Supplemental addendum ordered. See **per curiam** this date. Goodson, J., not participating.

CR11-416. James Wedgeworth v. State of Arkansas, from Union Circuit. Appellee's motion for time to correct brief pursuant to Rule 4-2(c) is granted.

CR11-539. Michael Gilliland v. State of Arkansas, from Hot Spring Circuit. Resubmission after remand of appellee's motion to dismiss appeal is denied.

CR11-539. Michael Gilliland v. State of Arkansas, from Hot Spring Circuit. Resubmission after remand of appellee's motion for extension of brief time filed in conjunction with motion to dismiss appeal is granted. Appellee's brief due in thirty days.

CR11-932. Raymond Leach v. State of Arkansas, from Polk Circuit. Motion of Andi L. Davis to be substituted as counsel for appellant is denied without prejudice.

CR11-1161. Joseph Chunestudy v. State of Arkansas, from Greene Circuit. Motion of Will A. Kueter to be relieved as counsel and to appoint Paul J. Teufel as counsel is granted.

CR11-1161. Joseph Chunestudy v. State of Arkansas, from Greene Circuit. Motion of Paul J. Teufel to be appointed as counsel is granted.

# ARKANSAS SUPREME COURT

## PROCEEDINGS OF DECEMBER 15, 2011

### PER CURIAM ORDERS

CA11-870. City of Clinton v. Southern Paramedic Services, Inc., et al., from Van Buren Circuit. Appellees' motion to transfer to the Supreme Court is granted.

11-952. Rebecca Christian-Holderfield and James Holderfield v. Arkansas Department of Human Services et al., from Carroll Circuit, Western District. Pro se motion for reconsideration is denied.

11-1156. James Scott Brown, Arkansas Bar No. 70082 v. Supreme Court Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of law license. Remanded for status.

[CR90-83](#). Antonio Demarion Coley v. State of Arkansas, from Pulaski Circuit, Fourth Division. 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.

[CR90-247](#). Michael Wayne Williams v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se petition and amended 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.

CR06-1187. James Al White v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion to borrow transcript. Motion treated as motion for transcript at public expense and denied.

[CR09-1353](#). James Butler 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.

CR11-932. Raymond Leach v. State of Arkansas, from Polk Circuit. Pro se motion to relieve appellate counsel is denied.

[CR11-1022](#). Kenneth Tucker, Jr. v. State of Arkansas, from Ashley Circuit. Pro se motion and amended motion for copy of record, appointment of counsel, and to stay briefing and petition for writ of certiorari. Appeal dismissed; motion, amended motion, and petition moot. See **per curiam** this date.

CR11-1058. Rusty Meek v. Hon. Harold S. Erwin, Circuit Judge, from Jackson Circuit. Pro se petition for writ of mandamus is moot.

**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF DECEMBER 15, 2011**

**PER CURIAM ORDERS**

In Re Supreme Court Committee on the Unauthorized Practice of Law. [See per curiam](#) issued. (Proceedings of December 9, 2011)

Michael Neathery of Benton has resigned from an at-large position for the Supreme Court Committee on the Unauthorized Practice of Law. The court thanks Mr. Neathery for his brief service to this important committee.

In Re Arkansas Supreme Court Administrative Order No. 8. [See per curiam](#) this date.

In Re Creation of the Arkansas Supreme Court Commission on Children, Youth and Families. [See per curiam](#) this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 15, 2011

MOTIONS SUBMITTED

PETITIONS FOR REVIEW:

11-594. Guy D. Czajka v. Director et al., from Board of Review.

11-683. Odd Jobs & More et al. v. Rosewell Reid, from Workers' Compensation Commission.

11-686. Jerri Bishop et al. v. Tariq, Inc., et al., from Pulaski Circuit, Sixteenth Division.

\*\*\*\*\*

CR11-116. Kenneth Ray Osburn v. State of Arkansas, from Ashley Circuit. Appellant's motion to recall mandate.

CR11-336. Brian N. Nelson v. State of Arkansas, from Garland Circuit. Appellant's motion for reconsideration.

CR11-776. Meloni Sey v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion to file belated brief.

CR11-1209. Brian T. Jordan v. State of Arkansas, from Benton Circuit. Motion of Kathryn S. Moore to be relieved as attorney for appellant and stay briefing schedule.

09-532. Harold Davy Cassell v. Ray Hobbs, Director, Arkansas Department of Correction, from Lincoln Circuit. Appellant's motion to recall mandate.

11-230. Ketan Bulsara, Administrator v. Julia Mortimer Watkins, M.D., from Pulaski Circuit, First Division. Appellant's motion for permission to supplement his response to appellee's motion to dismiss appeal.

11-356. J.E.M. v. G.F.J. and S.L.J., from Faulkner Probate. Appellees' request for oral argument.

11-356. J.E.M. v. G.F.J. and S.L.J., from Faulkner Probate. Appellant's motion to expedite appeal.

11-374. J.E.M. v. G.F.J. and S.L.J., from Faulkner Probate. Appellees' request for oral argument.

11-374. J.E.M. v. G.F.J. and S.L.J., from Faulkner Probate. Appellant's motion to expedite appeal.

**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF DECEMBER 15, 2011**

**MOTIONS SUBMITTED**

11-793. Laketha Brown Fluker et al. v. Helena-West Helena School District, from Phillips Circuit. Appellee's motion to supplement record.

11-933. Cleo McKenzie v. Joshua Pierce, from St. Francis Circuit. Appellee's motion to supplement record.

11-1129. Michelle Anne Brown v. Vernon Brown, from Benton Circuit. Joint motion to seal the record.

11-1157. N.D. v. State of Arkansas, from Jefferson Circuit. Appellant's petition for writ of certiorari.

11-1226. Kelly Diane Hammock v. Brandie Slonaker, from Mississippi Circuit, Chickasawba District. Motion for rule on clerk.

11-1248. Kevin Johnson v. Circuit Court of Cleburne County et al., from Cleburne Circuit. Petition for writ of mandamus and/or in the alternative for writ of certiorari.