

ARKANSAS SUPREME COURT

PROCEEDINGS OF JANUARY 19, 2012

JIM HANNAH, CHIEF JUSTICE:

[11-561](#). Teresa L. Broussard v. St. Edward Mercy Health System, Inc., d/b/a St. Edward Mercy Medical Center Sisters of Mercy Health System, St. Louis, Inc.; Dr. Stephen Seffense; Dr. Michael Coleman, Jr.; Mary Brewer; Tony McClory; Gayla Patterson; Jim Self; Jane Does Nos. 1-5; and John Does Nos. 1-5, from Sebastian Circuit, Fort Smith District. Reversed and remanded.

PAUL E. DANIELSON, JUSTICE:

[11-740](#). Twin Rivers Health and Rehab, LLC v. Arkansas Health Services Permit Commission; Arkansas Health Services Permit Agency; Gracewood Nursing and Rehabilitation Center, LLC; and Hospitality Care Center, LLC, from Clark Circuit. Reversed and remanded in part; appeal dismissed without prejudice in part.

KAREN R. BAKER, JUSTICE:

[CR11-445](#). Ronald Wayne Magness v. State of Arkansas, from Drew Circuit. Reversed and dismissed.

COURTNEY HUDSON GOODSON, JUSTICE:

[11-268](#). Independence County, Arkansas v. City of Clarksville, Arkansas, from Johnson Circuit. Affirmed.

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PER CURIAM ORDERS

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

CR10-1241. Jose Luis Mendez v. State of Arkansas, from Washington Circuit.

CR11-71. David Smoak v. State of Arkansas, from Crawford Circuit. Corbin, Gunter, and Baker, JJ., would grant.

11-675. Derek Lee Pippinger v. Doris Benson et al., from Poinsett Circuit.

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

CR11-1207. Sherrell Jean Whisenant v. State of Arkansas, from Arkansas Circuit, Northern District.

11-918. Jeryl B. Grantham v. Gail L. Lucas, from Saline Circuit.

11-926. Roosevelt Dye v. Anderson Tully Company, from Desha Circuit. Goodson, J., not participating.

11-1268. Brian Lowrance and Anna Lowrance v. Janet Smith, from Saline Circuit.

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CR11-1297. Lonnie Ellis and Clara Ellis v. State of Arkansas, from Pulaski Circuit, Second Division. Appellants' petition for leave to proceed in forma pauperis is denied.

CR11-1297. Lonnie Ellis and Clara Ellis v. State of Arkansas, from Pulaski Circuit, Second Division. Appellants' pro se motions for appointment of counsel are denied without prejudice.

11-699. Beverly Health and Rehabilitation Services, Inc. v. Valerie Keaton, from Ouachita Circuit. Appellant's motion to dismiss appeal is granted.

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11-1061. DIRECTV v. Jo Murray, from Miller Circuit. Appellant's motion to supplement the record is granted. Appellant's motion to expand page limit for opening brief is denied. Corbin, J., would allow five additional pages. Appellant's motion to stay briefing schedule pending rulings on motion to expand page limit for opening brief and motion to supplement the record is denied. Appellant's motion to expedite disposition of motion to stay briefing schedule is moot. (Proceedings of January 12, 2012)

11-1104. Charles T. Bedell, Jr. v. Keneshia Bedell, from Saline Circuit. Resubmission of motion for rule on clerk is denied.

11-1107. Tamera Troeskyn v. Larry Herrington et al., from Arkansas Probate, Northern District. Motion of Christopher W. Hays to withdraw as counsel is granted.

11-1107. Tamera Troeskyn v. Larry Herrington et al., from Arkansas Probate, Northern District. Appellees' motion to substitute counsel is granted.

11-1199. Stuart Thomas v. Keith Hall, from Pulaski Circuit, Fifth Division. Arkansas Press Association's motion for leave to file amicus curiae brief is granted.

12-29. Lake Village Healthcare Center, LLC et al. v. Circuit Court of Chicot County, from Chicot Circuit. Petition for immediate stay and petition for temporary relief to stay proceedings in Circuit Court pending consideration of the writ of certiorari are granted. (Proceedings of January 12, 2012)

12-29. Lake Village Healthcare Center, LLC et al. v. Circuit Court of Chicot County, from Chicot Circuit. Petition for writ of certiorari is denied without prejudice. No written order.

12-29. Lake Village Healthcare Center, LLC et al. v. Circuit Court of Chicot County, from Chicot Circuit. Arkansas Foundation for Medical Care's petition for writ of certiorari is denied without prejudice. No written order.

12-29. Lake Village Healthcare Center, LLC et al. v. Circuit Court of Chicot County, from Chicot Circuit. Arkansas Foundation for Medical Care's petition to expedite the petition for temporary relief to stay proceedings in circuit court pending consideration of the writ of certiorari is moot.

CR93-189. Tina Jimerson v. State of Arkansas, from Dallas Circuit. Motion for transcript at public expense is denied.

CR06-1263. Leslie A. Young v. State of Arkansas, from Sharp Circuit. Pro se motion for production of documents treated as motion for photocopying at public expense and denied.

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CR07-1136. Leslie A. Young v. State of Arkansas, from Sharp Circuit. Pro se motion for production of documents treated as motion for photocopying at public expense and denied.

CR09-945. Leslie A. Young v. State of Arkansas, from Sharp Circuit. Pro se motion for production of documents treated as motion for photocopying at public expense and denied.

CR10-983. Kenny Halfacre v. State of Arkansas, from Jefferson Circuit. Pro se petition for rehearing treated as motion for reconsideration of dismissal of appeal and denied.

CR11-728. Robert L. James v. State of Arkansas, from Logan Circuit, Northern District. Pro se motion for copy of order at public expense is denied.

[11-579](#). James E. Smith v. Ray Hobbs, Director, Arkansas Department of Correction, from Jefferson Circuit. Pro se motions for duplication of brief at public expense and for information on status of motion for duplication of brief and for leave to correct docket number on motion for duplication of brief. Appeal dismissed; motions moot. See **per curiam** this date.

11-938. James Michael Stickley v. Hon. Tim Fox, Circuit Judge, from Pulaski Circuit, Sixth Division. Pro se motion for rule on clerk to file tendered pro se petition for writ of mandamus without a certified record is denied.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CR93-988. Frank Williams, Jr. v. State of Arkansas, from Lafayette Circuit.

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PETITIONS FOR REVIEW:

CR11-1311. Christian Adan Villagran v. State of Arkansas, from Pulaski Circuit, First Division.

11-944. Billy Mike Wilson v. Union Pacific Railroad Company, from Jefferson Circuit.

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CR02-22. Karl D. Roberts v. State of Arkansas, from Polk Circuit. Tendered motion for additional time to tender replies.

CR03-780. Karl D. Roberts v. State of Arkansas, from Polk Circuit. Tendered motion for additional time to tender replies.

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

CR11-556. Cristobal Mancia v. State of Arkansas, from Benton Circuit. Appellee's motion to file belated brief.

CR11-776. Meloni Sey v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Courtney Cline to withdraw as counsel.

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

CR11-1267. Marcus W. Fields v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Motion of Otto R. Frye to be relieved and for substitution as counsel of record.

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MOTIONS SUBMITTED

CR11-1267. Marcus W. Fields v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Pro se motion for appointment of counsel.

CR12-14. Tony James Robinson v. Pulaski County Circuit Court, from Pulaski Circuit, Seventh Division. Petition for writ of certiorari.

CR12-30. Richard Stephen Federick v. State of Arkansas, from Saline Circuit. Motion for rule on clerk.

11-790. Kenneth G. Middleton et al. v. Geraldine Lockhart et al., from Newton Circuit. Appellees' motion to correct brief.

11-931. Bennett & DeLoney, P.C., et al. v. State of Arkansas, from Pulaski Circuit, Second Division. Appellee's motion to consolidate 11-931 and 11-1013.

11-1000. Anna Geiger et al. v. Terry Hipp et al., from Cleburne Circuit. Appellants' motion to file belated brief.

11-1013. Jack Boyajian v. State of Arkansas, from Pulaski Circuit, Sixth Division. Appellee's motion to consolidate 11-1013 and 11-931.

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SUBMISSIONS

11-370. Yanmar Co., LTD, d/b/a Yanmar Diesel Engine Company LTD and Yanmar America Corporation v. Wanda H. Slater, from Jefferson Circuit. Argued orally.

CR10-369. Charles Wayne Green v. State of Arkansas, from Randolph Circuit.

11-70. Bayer CropScience LP and Bayer CropScience Holding, Inc. v. Lenny Joe Kyle, Individually, and Lenny Joe Kyle Farms, from Woodruff Circuit.

11-770. Stark Ligon, Executive Director, Supreme Court Committee on Professional Conduct v. James Paul Clouette, Arkansas Bar No. 74025, an Original Action.

11-881. Wilma Bohot v. State Farm Mutual Automobile Insurance Company, from Washington Circuit.