

ARKANSAS SUPREME COURT

PROCEEDINGS OF FEBRUARY 9, 2012

JIM HANNAH, CHIEF JUSTICE:

[11-946](#). Arkansas Department of Human Services and Minor Children v. Takemma Shelby and Robert Thomas, from Jefferson Circuit. Original action seeking writ of certiorari; writ denied. Corbin, Brown and Danielson, JJ., dissent.

ROBERT L. BROWN, JUSTICE:

[11-26](#). Theresa Enuart Paulino and Eddie Paulino v. QHG of Springdale, Inc., d/b/a Northwest Medical Center and Northwest Arkansas Hospitals, LLC, d/b/a Northwest Medical Center, from Washington Circuit. Affirmed. Goodson, J., not participating.

JIM GUNTER, JUSTICE:

[11-226](#). Crafton, Tull, Sparks & Associates v. Ruskin Heights, LLC; William B. Benton, Jr.; J. Kevin Adams; Edward A. Labry, III; John G. Brittingham; Carlen G. Hooker; Edward F. Davis; Kirk W. Van Veen; David Ruff; Metropolitan National Bank, from Washington Circuit. Dismissed without prejudice.

COURTNEY HUDSON GOODSON, JUSTICE:

[CR11-602](#). Vadarian Meadows v. State of Arkansas, from Union Circuit. Affirmed.

PER CURIAM OPINIONS:

[CR10-716](#). Joe Anthony Simmons v. State of Arkansas, from Washington Circuit. Affirmed.

[CR10-941](#). Routy Abernathy v. State of Arkansas, from Sebastian Circuit, Greenwood District. Affirmed.

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PER CURIAM ORDERS

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

11-968. Terence Watts v. Sears Roebuck & Company et al., from Workers' Compensation Commission.

11-989. Willie S. Grover v. Director et al., from Board of Review.

12-6. Paula Gammill and Steven Gammill v. Christa Hoover, from Stone Probate.

CR10-545. Mickey David Thomas v. State of Arkansas, from Sevier Circuit. Appellant's motion to supplement record on appeal and extend time for the filing of reply brief is granted. Supplemental record due within 30 days. Reply brief due 30 days thereafter.

[CR11-1256](#). Charles Cannon v. State of Arkansas, from Howard Circuit. Appellant's motion for reconsideration, or, in the alternative, motion for belated appeal. Motion for reconsideration is denied; motion for rule on clerk is granted. See **per curiam** this date.

CR12-71. John Wesley Magness v. State of Arkansas, from Van Buren Circuit. Motion for rule on clerk is granted.

11-688. Theresa Marshall v. Director et al., from Board of Review. Petitioner's motion for reconsideration is denied.

11-1289. Thomas W. Kimbrell, Commissioner of the Arkansas Department of Education, et al. v. Bob Allen McCleskey et al., from Pulaski Circuit, Sixth Division. Appellants' motion to stay pending resolution on appeal is granted.

12-88. Bryant Healthcare Center LLC d/b/a Bryant Healthcare Center et al. v. Circuit Court of Saline County, Arkansas, 2nd Division, from Saline Circuit. Petitioner's request for immediate stay is granted. (Proceedings of February 2, 2012)

12-88. Bryant Healthcare Center LLC d/b/a Bryant Healthcare Center et al. v. Circuit Court of Saline County, Arkansas, 2nd Division, from Saline Circuit. Arkansas Foundation for Medical Care's petitions to expedite the petitions for temporary relief to stay proceedings in circuit court pending consideration of the writ of certiorari are granted. (Proceedings of February 2, 2012)

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PER CURIAM ORDERS

12-88. Bryant Healthcare Center LLC d/b/a Bryant Healthcare Center et al. v. Circuit Court of Saline County, Arkansas, 2nd Division, from Saline Circuit. Arkansas Foundation for Medical Care's petitions for temporary relief to stay proceedings in circuit court pending consideration of the writ of certiorari are granted. (Proceedings of February 2, 2012)

12-88. Bryant Healthcare Center, LLC et al. v. Circuit Court of Saline County, Arkansas, 2nd Division, from Saline Circuit. Petition for writ of certiorari and immediate stay. Petition taken as a case. Stay granted.

12-88. Bryant Healthcare Center, LLC et al. v. Circuit Court of Saline County, Arkansas, 2nd Division, from Saline Circuit. Arkansas Foundation for Medical Care's petition for writ of certiorari as to William L. Chastain, Personal Representative of the Estate of Appolonia H. Chastain, Deceased. Petition taken as a case.

12-88. Bryant Healthcare Center, LLC et al. v. Circuit Court of Saline County, Arkansas, 2nd Division, from Saline Circuit. Arkansas Foundation for Medical Care's petition for writ of certiorari as to Kathy Sherwood, Personal Representative of the Estate of Flora June Evans, Deceased. Petition taken as a case.

12-88. Bryant Healthcare Center, LLC et al. v. Circuit Court of Saline County, Arkansas, 2nd Division, from Saline Circuit. Plaintiffs/Real Parties in Interest's motion to exceed page limit for consolidated response to petitions for writ of certiorari is denied. Danielson, J., would grant.

CR01-1132. Dennis James Smith v. State of Arkansas, from Drew Circuit. Pro se motion for transcript at public expense is denied.

CR02-895. Dennis James Smith v. State of Arkansas, from Desha Circuit. Pro se motion for transcript at public expense is denied.

CR11-922. Marcus Lance Rackley v. Hon. David Reynolds, Circuit Judge, from Faulkner Circuit. Pro se petition for writ of mandamus is moot.

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

11-522. Frank Randolph v. State of Arkansas, from Lincoln Circuit. Pro se petition for rehearing. Pro se petition for rehearing treated as motion for reconsideration of dismissal of appeal and denied.

[11-1081](#). Anthony Reed v. Ray Hobbs, Director, Arkansas Department of Correction, from Jefferson Circuit. Pro se motion to correct record. Appeal dismissed; motion moot. See **per curiam** this date.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

11-740. Twin Rivers Health & Rehab, LLC v. Arkansas Health Services Permit Commission et al., from Clark Circuit.

PETITIONS FOR REVIEW:

11-1012. Terry Richardson v. Union Pacific Railroad Company, from Pulaski Circuit, Third Division.

11-1018. Manufacturers & Traders Trust Company et al. v. Tracy M. Nickleson et al., from Faulkner Circuit.

CR11-1297. Lonnie Ellis and Clara Ellis v. State of Arkansas, from Pulaski Circuit, Second Division. Resubmission of appellants' pro se motions for appointment of counsel.

CR11-1297. Lonnie Ellis and Clara Ellis v. State of Arkansas, from Pulaski Circuit, Second Division. Motion of David R. Cannon to be relieved as counsel.

CR11-1297. Lonnie Ellis and Clara Ellis v. State of Arkansas, from Pulaski Circuit, Second Division. Pro se motions for rule on clerk.

11-740. Twin Rivers Health & Rehab, LLC v. Arkansas Health Services Permit Commission et al., from Clark Circuit. Appellant's motion to supplement the record.

11-951. Kelsey Villines et al. v. North Arkansas Regional Medical Center et al., from Boone Circuit. Appellants' motion for leave to attach petition for rehearing to petition for review.

11-1260. Stark Ligon, Executive Director, Supreme Court Committee on Professional Conduct v. Newton Donald Jenkins, Jr., Arkansas Bar No. 94231, an Original Action. Motion for appointment of special judge.

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MOTIONS SUBMITTED

12-51. Harrill & Sutter, P.L.L.C. v. Cynthia Kosin, from Garland Circuit. Appellant's motion for stay of order on fees pending appeal.

12-94. Gary L. Farnum, Arkansas Bar No. 2007234 v. Supreme Court Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of license (resignation).

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SUBMISSIONS

11-230. Ketan Bulsara, Administrator v. Julia Mortimer Watkins, M.D., from Pulaski Circuit, First Division. Argued orally.

CR11-416. James Wedgeworth v. State of Arkansas, from Union Circuit.

CR11-604. Tyrone Allen Ellis v. State of Arkansas, from Columbia Circuit.

CR11-713. State of Arkansas v. Mark Tyson, from Pulaski Circuit, Fifth Division.

CR11-818. Vincent Kevin Webb v. State of Arkansas, from Pulaski Circuit, Fourth Division.