

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 19, 2012

JIM HANNAH, CHIEF JUSTICE:

[CR11-539](#). Michael Gilliland v. State of Arkansas, from Hot Spring Circuit. Affirmed.

DONALD L. CORBIN, JUSTICE:

[11-1212](#). Thomas Schultz v. Butterball, LLC, from Franklin Circuit, Northern District. Affirmed.

ROBERT L. BROWN, JUSTICE:

[CR11-437](#). Chase A. Prater v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed.

JIM GUNTER, JUSTICE:

[11-879](#). Michael Leonard Miller v. Arkansas Department of Finance and Administration, Richard Weiss, Director, from Washington Circuit. Affirmed.

KAREN R. BAKER, JUSTICE:

[11-732](#). Corey McMillan, Individually, and on Behalf of a Class of Similarly Situated Persons v. Live Nation Entertainment, Inc., and Ticketmaster, L.L.C., d/b/a Ticketmaster, an Original Action. Certified Question Answered. Hannah, C.J., and Brown and Goodson, JJ., dissent.

PER CURIAM OPINION:

[11-61](#). Timothy Davis v. Ray Hobbs, Director, Arkansas Department of Correction, from Lincoln Circuit. Appeal dismissed.

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PER CURIAM ORDERS

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

10-127. Joe Louis Kelley, Jr. v. Larry Norris, Director, and Shelli Maroney, Records Supervisor, Arkansas Department of Correction, from Jefferson Circuit.

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REVIEW DENIED: Petition for review was denied today in the following case.

CR12-217. Michael Feuket v. State of Arkansas, from Pulaski Circuit, Seventh Division.

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CR02-22. Karl Roberts v. State of Arkansas, from Polk Circuit. Petitioner's motion for leave to file a 39-page argument or for permission to incorporate by reference from the brief in CR03-780, a companion case is denied. Danielson, J., would grant.

CR11-1267. Marcus W. Fields v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellee's motion for compliance with Administrative Order 19 and the rules governing the contents of briefs is granted. Appellant's redacted record and brief due in thirty days.

03-308. Nancie Givens, Acting Executive Director, Committee on Professional Conduct v. James S. Scott, Jr., Arkansas Bar No. 87154, an Original Action. Petition to surrender is denied. *See Ligon v. Dunklin*, 364 Ark. 38, 216 S.W.3d 118 (2005). Remanded for further proceedings. Gunter, J., would grant.

12-13. Anna Geiger et al. v. Janice Verser et al., from Cleburne Circuit. Appellees' motion to dismiss appeal is granted.

[12-222](#). R.R. v. State of Arkansas, from Pope Circuit. Motion for rule on clerk is granted. Brown, J., concurs.

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12-222. R.R. v. State of Arkansas, from Pope Circuit. Motion of Michael Lamoureux to withdraw as counsel on behalf of appellant is denied without prejudice. Baker, J., would grant. Brown, J., concurs.

12-222. R.R. v. State of Arkansas, from Pope Circuit. Appellant's motion to protect the identity of juvenile is granted.

12-277. Arkansas Department of Human Services v. Circuit Court of Jefferson County, from Jefferson Circuit. Expedited petition for a writ of certiorari and ex parte request for a stay of circuit court proceedings. Expedited review granted; temporary stay of circuit court's order directing board payment granted; writ of certiorari denied without prejudice.

12-287. Sean Scotney v. Victoria Scotney, from Washington Circuit. Motion for rule on clerk is denied.

CACR97-1336. John Kelley v. State of Arkansas, from Grant Circuit. Pro se motion for discovery/transcript/documents is denied.

[CR11-1279](#). Lee Charles Millsap, Jr., a/k/a Solomon Lee Millsap v. State of Arkansas, from Pulaski Circuit, Seventh Division. Pro se motions for extension of time to file brief and for appointment of counsel. Appeal dismissed; motions moot. See **per curiam** this date.

CR11-1303. Archie Edwards v. State of Arkansas, from Boone Circuit. Pro se motions for belated appeal and for appointment of counsel. Motion for belated appeal treated as motion for rule on clerk and denied; motion for appointment of counsel denied.

[CR12-16](#). Anthony Bryant Williamson v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Pro se motions for extension of time to file appellant's brief, for appointment of counsel, for duplication at state expense, and to amend motions. Appeal dismissed; motions moot. See **per curiam** this date.

[CR12-90](#). Greg Hogue v. State of Arkansas, from Pulaski Circuit, Seventh Division. Pro se motion for rule on clerk to lodge record belatedly. Motion denied. See **per curiam** this date.

11-1098. Patrick Robertson v. Ray Hobbs, from Jefferson Circuit. Appellee's motion to dismiss appeal is granted.

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In Memory of Hon. John M. "Jack" Graves. See [per curiam](#) this date.

On April 11, 2012, the Honorable Jack Graves, retired circuit judge for the Thirteenth Judicial Circuit, died at the age of 86. Judge Graves, a decorated veteran of World War II, graduated from the University of Arkansas Law School and started practicing law in 1950. In addition to maintaining his private law practice, he also served as Camden City Attorney and Prosecuting Attorney for the Thirteenth Judicial Circuit. In 1973, he was elected circuit judge and served in that position for 26 years until his retirement in 1998.

He served the citizens of the Thirteenth Judicial Circuit with distinction, where he also garnered the respect and admiration of his fellow judges. He also served his colleagues as President of the Arkansas Judicial Council and as a director of the Arkansas Judicial Retirement System Board.

On the sad occasion of his passing, the Arkansas Supreme Court wishes to acknowledge his life of service to his country and the Arkansas legal system and to express our sympathy to his wife, Maurice, and his family.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

11-931. Bennett & DeLoney, P.C., et al. v. State of Arkansas, from Pulaski Circuit, Second Division.

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PETITIONS FOR REVIEW:

CR12-166. Francisco Ortego Montalvo v. State of Arkansas, from Faulkner Circuit.

CR12-236. Benjamin Eagle v. State of Arkansas, from Pulaski Circuit, Fourth Division.

11-1235. Herman Trotter v. State of Arkansas, from Hempstead Circuit.

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CR12-243. Louis Oberlin Morris v. Honorable Timothy Weaver, Circuit Judge, from Fulton Circuit. Petition for writ of certiorari or, in the alternative, a writ of prohibition, with request for oral argument.

11-1128. Ray Hobbs, Director, Arkansas Department of Correction et al. v. Jack Harold Jones et al., from Pulaski Circuit, Sixth Division. Appellees/Cross-Appellants' motion for additional argument time and for clarification of argument procedures.

12-256. Robert L. Cannon v. Arkansas Sex Offender Assessment Committee, from Pulaski Circuit, Sixth Division. Motion for leave to proceed in forma pauperis.

12-301. Liberty Bank of Arkansas et al. v. Arlands, LLC, from Craighead Circuit, Western District. Appellants' motion to dismiss appeal.

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SUBMISSIONS

11-894. Harrill & Sutter v. Hank Farrar et al., from Saline Circuit. Argued orally.

CR10-638. State of Arkansas v. Kenneth Harrison, from Pulaski Circuit, First Division.

CR11-919. Phillip Sullivan v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CR11-932. Raymond David Leach III v. State of Arkansas, from Polk Circuit.

11-766. The Entertainer, Inc., and Charles E. Wells v. Cory Duffy, from Mississippi Circuit, Chickasawba District.