

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 24, 2012

JIM HANNAH, CHIEF JUSTICE:

[11-1163](#). C.B. v. State of Arkansas, from Jefferson Circuit. Affirmed.

JIM GUNTER, JUSTICE:

[CR11-872](#). Chad Lee White v. State of Arkansas, from Benton Circuit. Remanded with directions in part; affirmed in part. Brown, J., concurs.

PAUL E. DANIELSON, JUSTICE:

[CR11-1161](#). Joseph Chunestudy v. State of Arkansas, from Greene Circuit. Affirmed.

KAREN R. BAKER, JUSTICE:

[11-458](#). Lake Village Healthcare Center, LLC; Perennial Health Care Management, LLC; and V. James Santarsiero v. Richard Hatchett, Jr., as Administrator for the Estate of Richard Hatchett, Deceased, from Chicot Circuit. Affirmed. Hannah, C.J., and Corbin, Danielson, and Goodson, JJ., concur.

COURTNEY HUDSON GOODSON, JUSTICE:

[CR11-702](#). Michael Tornavacca v. State of Arkansas, from Hot Spring Circuit. Affirmed. Gunter and Danielson, JJ., concur. Brown, J., dissents.

PER CURIAM OPINION:

[CR11-216](#). Jermiko V. Johnson v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Affirmed.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 24, 2012

PER CURIAM ORDERS

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

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. Hannah, C.J., and Brown and Goodson, JJ., would grant.

11-1212. Thomas Schultz v. Butterball, LLC, from Franklin Circuit, Northern District.

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

11-1257. Clayton Coker v. Samantha Hess-Coker, from Garland Circuit.

12-73. Greg E. Prock v. Bull Shoals Landing, American Home Assurance, and AIG Claims Services, from Workers' Compensation Commission.

12-75. Matthew L. Edmisten v. Bull Shoals Landing and AIG Domestic Claims, Inc., from Workers' Compensation Commission.

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

11-1162. Danny Hurst and Mark David Hurst v. Southern Farm Bureau Casualty Insurance Company, from Washington Circuit. Goodson, J., not participating.

11-1215. Petrohawk Properties, LP v. Isaac Heigle et al., from Cleburne Circuit. Danielson, J., not participating.

12-81. Barry J. Jewell v. Debra Duree-Jewell, from Pulaski Circuit, Seventeenth Division.

12-85. Janice C. Tucker v. Bank of America et al., from Workers' Compensation Commission.

12-100. Sebastian Stadler v. Betty Ann Warren, from Johnson Circuit.

12-120. Jerry Brasfield v. Glayton Johnson, from Jefferson Circuit.

12-159. Helen Freeman Lynch v. Harrell Bates and Vivian Bates, from Faulkner Circuit.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 24, 2012

PER CURIAM ORDERS

CR10-888. Rickey C. Strain, Jr. v. State of Arkansas, from Jefferson Circuit. Appellant's motion for reconsideration is denied.

CR11-1171. Osires Guevara v. State of Arkansas, from Benton Circuit. Appellant's unopposed motion to file substituted brief is granted.

CR12-142. Brandon Lacy v. State of Arkansas, from Benton Circuit. Appellant's motion for writ of certiorari is granted. Writ returnable in 30 days.

12-13. Anna Geiger et al. v. Janice Verser et al., from Cleburne Circuit. Appellants' motion for reconsideration is denied.

12-41. Regions Bank, N.A., et al. v. Chase Bank USA, N.A., from Pulaski Circuit, Thirteenth Division. Appellants' motion to allow enlargement of page limit to the argument section of (cross) appellants' brief and to allow citation to the record in the related case 11-900 is denied. Corbin and Danielson, JJ., would grant.

[CR10-290](#). Wyouman D. Camp v. State of Arkansas, from Howard Circuit. Petition to reinvest jurisdiction in the trial court to consider a petition for writ of error corum nobis. Petition denied. See **per curiam** this date.

CR11-953. Barry G. Aaron v. State of Arkansas, from Miller Circuit. Pro se motion for rehearing. Pro se motion for rehearing treated as a motion for reconsideration of dismissal of appeal and denied. Gunter, J., not participating.

CR11-1097. Barry G. Aaron v. State of Arkansas, from Miller Circuit. Pro se motion for rehearing. Pro se motion for rehearing treated as a motion for reconsideration of dismissal of appeal and denied. Gunter, J., not participating.

[CR11-1218](#). Jeffery D. Morgan v. State of Arkansas, from Miller Circuit. Pro se motion to file a belated brief. Appeal dismissed; motion moot. See **per curiam** this date.

[CR12-169](#). Andrew Davis v. State of Arkansas, from Desha Circuit. Pro se motion for extension of time to file brief. Appeal dismissed; motion moot. See **per curiam** this date.

[CR12-202](#). Michael Lee Cowan v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Pro se motions for extension of brief time and for photocopying at public expense. Appeal dismissed; motions moot. See **per curiam** this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 24, 2012

PER CURIAM ORDERS

[11-1227](#). Hendryk T. Wilencewicz v. Ray Hobbs, Director, Arkansas Department of Correction, from Jefferson Circuit. Pro se motion to file belated appeal and/or motion for rule on clerk. Appeal dismissed; motion moot. See **per curiam** this date.

In Re Amendments to Administrative Order No. 19. See [per curiam](#) this date.

In Re Revised Income Withholding for Support Form. See [per curiam](#) this date.

In Re Supreme Court Committee on Model Jury Instructions–Civil. See [per curiam](#) this date.

Kristine G. Baker, Esq., of Little Rock has resigned from the Committee on Model Jury Instructions–Civil, after accepting appointment as United States District Court Judge for the Eastern District of Arkansas.

Ms. Baker has served the committee since February 21, 2008. The experience and legal knowledge she has brought to the committee has been a great asset and has not gone unnoticed. The court expresses its appreciation for her hard work and commitment to the committee, and we congratulate her on her future service to the people of Arkansas.

In Re Supreme Court Committee on Model Jury Instructions–Civil. See [per curiam](#) this date.

Lyn Pruitt, Esq., of Little Rock is appointed to the Supreme Court Committee on Model Jury Instructions–Civil, effective immediately, to fill the unexpired term of Kristine G. Baker, Esq. The term expires September 30, 2013. We thank Ms. Pruitt for her willingness to serve on this important committee.

In Re Supreme Court Committee on the Unauthorized Practice of Law. See [per curiam](#) this date.

Lee Short, Esq., of Little Rock, Second Congressional District, is appointed to the Supreme Court Committee on the Unauthorized Practice of Law for a three-year term to expire on May 31, 2015. The court thanks Mr. Short for accepting appointment to this important committee.

J. Trent Daniels, Esq., of Hot Springs, Fourth Congressional District, is reappointed to the committee for a three-year term to expire on May 31, 2015. The court extends its appreciation to Mr. Daniels for accepting reappointment.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 24, 2012

PER CURIAM ORDERS

The court expresses its gratitude to outgoing member Jim Jackson, Esq., Second Congressional District, who is term-limited, for his dedicated service to the work of the committee.

In Re Arkansas Rules of Civil Procedure, Rules of Appellate Procedure—Civil, District Court Rules, and Rules of the Supreme Court and Court of Appeals. See [per curiam](#) this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 24, 2012

MOTIONS SUBMITTED

PETITIONS FOR REVIEW:

11-1203. City of Bryant, Arkansas and Richard Penn, Director of Public Works for the City of Bryant, Arkansas v. Edward Collins and Quinn Collins, from Saline Circuit.

11-1286. Robert David Lewis v. AT&T Mobility, LLC and Metropolitan National Bank, from Pulaski Circuit, Third Division.

12-1. Richard Little v. Tyson Poultry, Inc., and Tynet, Inc., from Workers' Compensation Commission.

12-36. Scott Blake v. Jonathan Shellstrom, Robin Whitten, and Metropolitan Property Casualty Insurance Company, from Stone Circuit.

12-119. Mary Evelyn Gibbs, Executrix of the Estate of Bethel Acuff (Deceased) v. Donald V. Bumgarner, Mildred R. Bumgarner, and Donald W. "Donnie" Bumgarner, from Madison Circuit.

12-146. Zelda Walls and Richard Gawenis v. Arkansas Oil and Gas Commission and SEECO, Inc., from Van Buren Circuit.

12-162. Perry Mack v. Union Pacific Railroad Company, from Jefferson Circuit.

12-168. Emily Tonos Bendinelli v. Michael Emil Bendinelli, from Chicot Circuit.

12-188. J&J Excavating v. Doyne Construction Company, Inc., and Liberty Mutual Insurance Company, from Pulaski Circuit, Second Division.

12-210. Larry Lunday v. Entergy Arkansas, Inc.; Second Injury Fund; and Death and Permanent Total Disability Trust Fund, from Workers' Compensation Commission.

CR00-803. Timothy Lamont Howard v. State of Arkansas, from Little River Circuit. Appellant's motion to stay mandate in order to petition for writ of certiorari.

CR12-63. Kevin Kyle Crouse v. State of Arkansas, from Crittenden Circuit. Appellee's motion for permission to file supplemental brief.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 24, 2012

MOTIONS SUBMITTED

CR12-411. Teddy Allen Jones v. State of Arkansas, from Stone Circuit. Motion for rule on clerk.

CR12-411. Teddy Allen Jones v. State of Arkansas, from Stone Circuit. Motion of Beverly C. Claunch to be relieved as attorney for appellant.

12-162. Perry Mack v. Union Pacific Railroad Company, from Jefferson Circuit. Notice of supplemental authority.

12-256. Robert L. Cannon v. Arkansas Sex Offender Assessment Committee, from Pulaski Circuit, Sixth Division. Pro se request for motion for extension of time to file notice of appeal and designation of records.

12-256. Robert L. Cannon v. Arkansas Sex Offender Assessment Committee, from Pulaski Circuit, Sixth Division. Pro se petition for writ of certiorari to complete the record.

12-385. Robert W. McWilliams and Sue C. McWilliams v. Pope County Board of Equalization and Karen Martin, Assessor, from Pope Circuit. Appellants' motion requesting clarification regarding briefing issues.

12-416. A.G. Hunt Construction Company, Inc. v. M.L. Tester, from Conway Circuit. Motion for rule on clerk.

12-419. Steven David Erdahl, Arkansas Bar No. 2005005 v. Stark Ligon, Executive Director, Supreme Court Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of license (resignation).

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 24, 2012

SUBMISSIONS

CR11-1051. Brian Charland v. State of Arkansas, from Carroll Circuit, Eastern District.

CR11-1204. Theodis Mitchell, Jr. v. State of Arkansas, from Arkansas Circuit, Northern District.

11-256. Brandon Rowe et al. v. Larry Norris, Director, Arkansas Department of Correction, and Leroy Brownlee, Chairman of the Arkansas Parole Board, from Pulaski Circuit, Sixth Division.

11-344. Partne A. Daugherty v. Jacksonville Police Department; Gary Sipes, as Jacksonville City Police Chief; and Gary Fletcher, Mayor of Jacksonville, from Pulaski Circuit, Fifth Division.

12-15. Ground Zero Construction, Inc. v. Walnut Creek, LLC, et al., from Benton Circuit.