

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 1, 2012

JIM HANNAH, CHIEF JUSTICE:

[11-1192](#). Courtney Baylark v. Helena Regional Medical Center, Phillips Hospital Corporation d/b/a Helena Regional Medical Center and Exigence, LLC, from Phillips Circuit. Reversed and dismissed on cross-appeal.

ROBERT L. BROWN, JUSTICE:

[11-1295](#). John Pearson v. Worksource and Wausau Insurance Company, from Arkansas Workers' Compensation Commission. Decision of the Workers' Compensation Commission reversed and remanded; opinion of the Court of Appeals vacated.

JIM GUNTER, JUSTICE:

[CR12-538](#). Derek D. Chambers v. State of Arkansas, from Saline Circuit. Affirmed; Court of Appeals opinion vacated. Danielson, J., concurs.

COURTNEY HUDSON GOODSON, JUSTICE:

[11-1299](#). HPD, LLC v. Tetra Technologies, Inc., from Union Circuit. Reversed and remanded.

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PER CURIAM ORDERS

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

CR12-857. Bobby Harold Cox III v. State of Arkansas, from Lonoke Circuit.

12-854. Ashley Browning v. Robert William Jones, from Pulaski Circuit, Seventeenth Division.

CACR11-788. Glen Eric Nelson, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's motion to transfer case to the Arkansas Supreme Court is denied.

CR12-118. Rickey Dale Newman v. State of Arkansas, from Crawford Circuit. Appellant's motion for expansion of page limit is denied. Danielson, J., would grant. Hannah, C.J., and Brown, J., would grant 40 total pages.

CR12-236. Benjamin Eagle v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's motion for reconsideration. Treated as petition for rehearing and denied.

CR12-721. Billy Dale Green v. State of Arkansas, from Randolph Circuit. Appellant's motion to settle the record and to stay briefing schedule is denied without prejudice. Clerk to set new briefing schedule.

CR12-721. Billy Dale Green v. State of Arkansas, from Randolph Circuit. Appellant's motion to supplement the record is granted.

CR12-727. State of Arkansas v. Darin Michael Etherton, from Benton Circuit. Appellant's motion to dismiss appeal is granted.

[CR12-861](#). State of Arkansas v. Steven Carl Williams, from Benton Circuit. Motion to withdraw as counsel is granted. See **per curiam** this date.

11-1287. David Pack v. Little Rock Convention & Visitors Bureau and Risk Management Resources, from Workers' Compensation Commission. Appellees' motion for rule on clerk, or in the alternative, motion to file belated reply brief is granted as timely.

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12-73. Greg Prock v. Bull Shoals Boat Landing, American Home Assurance, and AIG Claim Service, from Workers' Compensation Commission. Appellant's motion for oral argument is granted. Single oral argument combined with 12-75. Thirty minutes allotted per side.

12-75. Matthew Edmisten v. Bull Shoals Landing, American Home Assurance, and AIG Claim Service, from Workers' Compensation Commission. Appellant's motion for oral argument is granted. Single oral argument combined with 12-73. Thirty minutes allotted per side.

12-369. Ronald Lee May v. Raymond Cole Goodman, Jr., M.D., et al., from Sebastian Circuit, Fort Smith District. Motion of Arkansas Trial Lawyers Association (ATLA) to file brief amicus curiae is granted.

12-562. Billy Hallum v. Estate of Mel Hallum, from Craighead Circuit, Western District. Appellant's petition for reconsideration is denied.

12-565. Nicholas Bowen v. Letizia Bowen and David Bowen, from Hot Spring Circuit. Appellees' motion for reconsideration is denied.

12-603. Searcy County Counsel for Ethical Government v. Johnny Hinchey, County Judge of Searcy County, Arkansas, from Searcy Circuit. Appellee's motion to file belated brief is granted.

12-901. Karen Owings, Arkansas Bar No. 91206 v. Supreme Court Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of attorney license (resignation). Granted; with direction to the Clerk to remove the attorney's name from the registry of attorneys licensed to practice law in the State of Arkansas.

[12-904](#). Holly C. Stevens, Arkansas Bar No. 2005017 v. Supreme Court Committee on Professional Conduct, an Original Action. Petition for surrender of license is granted. See **per curiam** this date.

12-905. Christian Ruud, Arkansas Bar No. 2011080 v. Supreme Court Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of license (resignation). Granted; with direction to the Clerk to remove the attorney's name from the registry of attorneys licensed to practice law in the State of Arkansas.

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CR00-210. Russell Berger v. State of Arkansas, from Faulkner Circuit. Pro se motion to borrow a copy of all motions filed by appellant on direct appeal. Motion treated as motion for copies at public expense and denied.

CACR05-241. Isaac Russell v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion for reconsideration and pro se motion to supplement motion for reconsideration. Denied.

CR12-513. Nehemiah E. Armstrong v. State of Arkansas, from Pulaski Circuit, Fourth Division. Pro se motion to file a belated reply brief and motion for appointment of counsel. Motions denied.

[CR12-812](#). Deadrin Lamon Tolefree a/k/a Deandrin Lamon Tolefree v. State of Arkansas, from Clark Circuit. Pro se petition for writ of certiorari. Petition treated as motion for belated appeal of order and denied. See **per curiam** this date.

[CR12-831](#). Kenneth Crain, Jr. v. State of Arkansas, from Lonoke Circuit. Pro se motion for belated appeal of order. Motion denied. See **per curiam** this date.

[CR12-869](#). Cornelious Paige v. State of Arkansas and Hon. David L. Reynolds, Circuit Judge, from Faulkner Circuit. Pro se motion for permission. Motion treated as motion for rule on clerk and denied. See **per curiam** this date.

12-729. Joe Edward Butler v. Ray Hobbs, Director, Arkansas Department of Correction, from Lee Circuit. Pro se motion to dismiss appeal. Motion granted.

In Re Supreme Court Automation Committee. See [per curiam](#) this date.

Honorable Lynn Williams, Garland County Circuit Judge, Kirby Miraglia, Pulaski County Circuit Court, and Allen Fitzgerald, Arkansas State Police, are appointed to the Committee on Automation for three-year terms to expire October 31, 2015. David Fuqua and Vicki Asher are reappointed for three-year terms to expire October 31, 2015. We thank them for their willingness to serve on this important committee.

The court thanks Judge Jay Moody, Linda Shields, Ned Snow, and Tom Leath, whose terms have expired, for their service on the committee.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

11-1298. Patricia Cannady, Individually and as Administratrix of the Estate of Anne Pressly, Deceased v. St. Vincent Infirmary Medical Center, Jay Holland, M.D., Candida Griffin, and Sarah Elizabeth Miller, from Pulaski Circuit, First Division.

12-88. Bryant Healthcare Center LLC d/b/a Bryant Healthcare Center et al. v. Circuit Court of Saline County, from Saline Circuit.

12-133. Deborah Lucas v. Bill Frank Jones and Alice Fay Jones, from Washington Probate.

PETITIONS FOR REVIEW:

CR12-833. William Johnson v. State of Arkansas, from Craighead Circuit, Western District.

CR12-859. Ronald T. Jackson v. State of Arkansas, from Lonoke Circuit.

CR12-266. James C. Holian v. State of Arkansas, from Faulkner Circuit. Appellant's motion to reconsider oral argument.

12-799. Stark Ligon, Executive Director, Committee on Professional Conduct v. Michael R. Shahan, Arkansas Bar No. 93175, an Original Action. Petition for surrender of law license.

12-899. Jonathan Parker v. Washington County Circuit Court and Erin Parker, from Washington Circuit. Petition for writ of prohibition and stay of trial court proceedings.

12-902. Samuel Mayfield, Sr. v. Circuit Court of Crittenden County, from Crittenden Probate. Pro se petition for writ of mandamus and temporary relief.

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MOTIONS SUBMITTED

12-919. Ann Effinger Meuleman, Arkansas Bar No. 95100 v. Stark Ligon, Executive Director, Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of license (resignation).

12-922. Reynolds Metals Company v. Circuit Court of Clark County and Billy C. Kirksey, from Clark Circuit. Petition for writ of prohibition.

12-922. Reynolds Metals Company v. Circuit Court of Clark County and Billy C. Kirksey, from Clark Circuit. Motion to consolidate for purposes of oral argument and submission to the court.

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CASES SUBMITTED

CR11-1270. Samuel Lee Conway v. State of Arkansas, from Garland Circuit. Argued orally in the Old Supreme Court Courtroom located in the State Capitol.

11-1273. Tom Muccio, Mike Muccio, Nancy Muccio, and Next Chapter Resources, LLC v. Johnelle Hunt et al., from Washington Circuit.

12-106. James Lee Brown v. Janice Marie Lee, from Pulaski Circuit, Sixth Division.

12-163. Benefit Bank v. Marilyn Rogers, from Sebastian Circuit, Greenwood District.

12-276. 40 Retail Corporation v. City of Clarksville, from Johnson Circuit.

Opinions are available on the Internet at
<http://courts.arkansas.gov>