

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 8, 2012

JIM HANNAH, CHIEF JUSTICE:

[11-1273](#). Tom Muccio, Mike Muccio, and Next Chapter Resources, LLC v. Johnelle Hunt; Phil Phillips; Mike Lax; Tommy Vaughan; Walter Smiley; Michael Johnson; Amy Sorrell; David Schumacher; Trey Trumbo; J.B. Hunt, LLC; Johnelle Hunt, LLC; Phil and Judy Phillips Family Limited Partnership, LLLP; TCH Investments, LLC; Big Horn Lodge Financing, LLC; BioBased Holdings, LLC; Smiley Investment Company; Lax, Vaughan, Fortson, McKenzie & Rowe, P.A.; Homestead Homes, LLC; and Next Generation Holdings, LLC, from Washington Circuit. Motions to dismiss appeal upon certification from the Arkansas Court of Appeals. Denied. Goodson, J., not participating.

DONALD L. CORBIN, JUSTICE:

[12-106](#). James Lee Brown v. Janice Marie Lee, from Pulaski Circuit, Sixth Division. Affirmed.

PAUL E. DANIELSON, JUSTICE:

[12-146](#). Zeldia Walls and Richard Gawenis v. Arkansas Oil & Gas Commission; and SEECO, Inc., from Van Buren Circuit. Affirmed in part; dismissed in part; Court of Appeals opinion vacated. Baker, J., not participating.

[12-163](#). Benefit Bank v. Marilyn Rogers, from Sebastian Circuit, Greenwood District. Affirmed; Court of Appeals opinion vacated.

KAREN R. BAKER, JUSTICE:

[CR11-1270](#). Samuel Lee Conway v. State of Arkansas, from Garland Circuit. Reversed and remanded for new trial.

[12-176](#). Bobby L. Harrell v. State of Arkansas, from Sharp Circuit. Reversed and remanded.

COURTNEY HUDSON GOODSON, JUSTICE:

[12-276](#). 40 Retail Corporation v. City of Clarksville, from Johnson Circuit. Reversed and remanded.

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PER CURIAM ORDERS

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

11-1298. Patricia Cannady, Individually and as Administratrix of the Estate of Anne Pressly, Deceased v. St. Vincent Infirmiry 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. Corbin, Baker, and Goodson, JJ., would grant.

12-133. Deborah Lucas v. Bill Frank Jones and Alice Fay Jones, from Washington Probate. Goodson, J., not participating.

REVIEW GRANTED: Petition for review was granted today in the following case.

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

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

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

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

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CR12-950. Thomas Rainey v. State of Arkansas, from Dallas Circuit. Petition for emergency writ of certiorari and emergency relief to complete the record and for appointment of counsel is denied without prejudice. *See* Ark. R. App. P. – Crim. 4(c)(3). Motion to proceed in forma pauperis is denied without prejudice. *See* Ark. Sup. Ct. R. 6-6(a)(b) (Proceedings of November 6, 2012)

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 is denied without prejudice. Goodson, J., not participating.

12-902. Samuel Mayfield, Sr. v. Circuit Court of Crittenden County, from Crittenden Probate. Pro se petition for writ of mandamus and temporary relief is denied. Attorney General is dismissed as an improper party.

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). 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.

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

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 is denied.

CACR10-1091. Chariell Ali Glaze v. State of Arkansas, from Faulkner Circuit. Pro se motion for a copy of, or use of, transcript. Motion treated as motion for transcript at public expense and denied.

[CR12-8](#). Deon Markregus Neely v. State of Arkansas, from Pulaski Circuit, Sixth Division. Pro se motion for belated appeal. Motion denied. *See per curiam* this date.

CR12-845. William E. Woods v. State of Arkansas, from Greene Circuit. Pro se motions for belated appeal of order and for appointment of counsel. Motions denied.

[CR12-884](#). Kelly A. Owens v. State of Arkansas, from Benton Circuit. Pro se motion for belated appeal. Motion denied. *See per curiam* this date.

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PER CURIAM ORDERS

12-672. Lisa Murphy v. State of Arkansas, from Jackson Circuit. Pro se motions to supplement record with new material and to file a belated brief. Motion to file belated brief granted; motion to supplement record denied.

In Re Retirement of Justice Robert L. Brown. See **per curiam** this date.

In Re Retirement of Justice James H. Gunter, Jr. See **per curiam** this date.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

CR12-128. Anthony Oral Craigg v. State of Arkansas, from Washington Circuit.

PETITIONS FOR REVIEW:

CR12-907. Richard Stephen Federick v. State of Arkansas, from Saline Circuit.

12-787. Fayetteville Real Estate & Development, LLC v. Bradley D. Norwood and Christy A. Norwood, from Washington Circuit.

12-795. John Bolden v. Director et al., from Board of Review.

CR11-97. Bruce Wade Pennington v. State of Arkansas, from Poinsett Circuit. Entry of appearance and motion to stay appeal proceedings.

CR11-97. Bruce Wade Pennington v. State of Arkansas, from Poinsett Circuit. Motion for extension of brief time pending determination of motion to stay.

CR12-475. Steven J. Russell, Jr. v. State of Arkansas, from Pulaski Circuit, Fifth Division. Appellant's motion to file belated brief.

CR12-792. State of Arkansas v. Bernard Kindall, from Pulaski Circuit, First Division. Appellant's motion for consolidation of appellate records.

CR12-792. State of Arkansas v. Bernard Kindall, from Pulaski Circuit, First Division. Appellant's motion for extension of brief time filed in conjunction with motion for consolidation.

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

12-928. Deborah M. Thorne v. Karen Combs Pritchard, Washington County Clerk and Ex Officio Circuit Clerk for Probate, from Washington Probate. Petition for writ of mandamus.

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SUBMISSIONS

CR12-304. Alonzo Watson v. State of Arkansas, from Pulaski Circuit, Fourth Division.

05-501. Stark Ligon, Executive Director, Committee on Professional Conduct v. Fred D. Davis, III, Arkansas Bar No. 72033, an Original Action.

12-89. Tammye Hall v. Justin Hall, from Pulaski Circuit, Fourteenth Division.

12-336. City of Rockport, Arkansas v. City of Malvern, Arkansas, et al., from Hot Spring Circuit.

12-385. Robert W. McWilliams and Sue McWilliams v. Pope County Board of Equalization and Karen Martin, Assessor, in her Official Capacity, from Pope Circuit.