

ARKANSAS SUPREME COURT

PROCEEDINGS OF DECEMBER 6, 2012

JIM HANNAH, CHIEF JUSTICE:

[11-1086](#). Joey McCutchen v. City of Fort Smith, Arkansas; Dennis Kelly; Gary Campbell; André Good; and Ken Pyle, from Sebastian Circuit, Fort Smith District. Affirmed in part; reversed in part.

DONALD L. CORBIN, JUSTICE:

[CR12-413](#). State of Arkansas v. Harold Myers, from Sebastian Circuit, Greenwood District. Appeal dismissed.

COURTNEY HUDSON GOODSON, JUSTICE:

[CR12-412](#). State of Arkansas v. Natasha Jones, from Sebastian Circuit, Fort Smith District. Appeal dismissed.

[12-406](#). Debbie Tait, Kerry Jones, Leanna Lackey, and Lesia Winters v. Community First Trust Company, William L. Kerst, the Fowler Family Trust, from Polk Circuit. Reversed and remanded.

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PER CURIAM ORDER

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

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.

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

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

12-788. Ann Shull Bell and Nelson Keith Bell v. Bank of America, N.A., from Lonoke Circuit. Gunter, J., not participating.

12-821. Michael Douglas v. Director et al., from Board of Review.

12-847. Ricky Johnson, Jr. v. Arkansas Department of Human Services, from Craighead Circuit, Western District.

CACR11-1137. Partne Kiesling-Daugherty v. State of Arkansas, from Pulaski Circuit, Seventh Division. Motion of Charles Daniel Hancock for award of costs is taken as a case.

CR12-739. State of Arkansas v. Telecia Colvin, from Pulaski Circuit, Fourth Division. Motion requesting substitution of appellate counsel and for extension of time to file brief is granted.

[10-127](#). Joe Louis Kelley, Jr. v. Ray Hobbs, Director, and Shelli Maroney, Records Supervisor, Arkansas Department of Correction, from Jefferson Circuit. Petition for writ of mandamus or alternative relief for enforcement of Supreme Court's order. Dismissed. See **per curiam** this date.

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12-303. International Fidelity Insurance Company v. NISHA, LLC, from Faulkner Circuit. Motion to dismiss appeal is granted.

[12-947](#). Amado Mancia v. Arkansas Department of Human Services and Minor Children, from Carroll Circuit, Eastern District. Motion for rule on clerk and for belated appeal. Motion treated as motion for rule on clerk granted. See **per curiam** this date.

12-947. Amado Mancia v. Arkansas Department of Human Services and Minor Children, from Carroll Circuit, Eastern District. Motion of Casey D. Copeland to withdraw as attorney for appellant denied.

12-947. Amado Mancia v. Arkansas Department of Human Services and Minor Children, from Carroll Circuit, Eastern District. Appellant's motion for anonymity moot.

[CACR08-616](#). Walter J. Sims v. State of Arkansas, from Jefferson Circuit. Pro se petition to reinvest jurisdiction in the circuit court to consider a petition for writ of error coram nobis. Petition denied. See **per curiam** this date.

CR12-601. Gary Smith v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellee's motions to dismiss appeal and for extension of time to file brief. Appellee's motion to dismiss appeal granted; appellee's motion for extension of brief time moot.

CR12-872. Charles Goodwin v. State of Arkansas, from Ouachita Circuit. Pro se motion for belated appeal. Motion treated as motion for rule on clerk and denied.

CR12-894. Richard Duncan v. State of Arkansas, from Pulaski Circuit, Second Division. Pro se motion to withdraw appeal. Motion granted.

CR12-916. Hilliard Nelson v. State of Arkansas, from Desha Circuit. Pro se motion for belated appeal of order. Motion denied.

12-400. Reginald Early v. Lawrence E. Baker, Jr., et al., from Jefferson Circuit. Pro se motion for extension of time to file brief granted. Tendered brief filed this date.

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

Honorable Kenny Johnson, 10th Judicial Circuit, of Warren is appointed to the Supreme Court Child Support Committee for a four-year term to expire on November 30, 2016. The court thanks him for accepting appointment to this important committee.

Honorable Rita Gruber, Arkansas Court of Appeals, of Little Rock, James A. McLarty, III, Esquire, of Newport, and Barbara Morris-Williams, Esquire, Office of Child Support Enforcement, of Little Rock are reappointed to the Supreme Court Child Support Committee for four-year terms to expire on November 30, 2016. The court thanks these members for their continued service.

The court expresses its appreciation to Judge Leon Jamison and Jennifer Stone, Esquire, whose terms have expired, for their service to the committee.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

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

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

PETITIONS FOR REVIEW:

CR12-997. Leonard Leon Bean v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

12-876. Joy Ann Richardson v. Jim Brown, from Faulkner Circuit.

CR94-358. Terrick Terrell Nooner v. State of Arkansas, from Pulaski Circuit, Fourth Division. Appellant's motion for leave to file overlength motion.

CACR12-576. Tony James Robinson v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellant's motion to transfer this case to the Arkansas Supreme Court.

CR12-859. Ronald T. Jackson v. State of Arkansas, from Lonoke Circuit. Appellant's motion to allow supplemental briefing.

CR12-1008. Arjel Gold v. State of Arkansas, from Washington Circuit. Appellant's petition for writ of certiorari to complete the record.

CA12-476. Amanda Marie Scudder v. Raylinia Ramsey, from Jackson Circuit. Appellee's motion for reassignment to the Arkansas Supreme Court.

12-910. Ford Motor Company v. Paulette R. Washington, from Jefferson Circuit. Appellant's motion to take notice of supplemental authority.

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MOTIONS SUBMITTED

12-922. Reynolds Metals Company v. Circuit Court of Clark County, Arkansas, and Billy C. Kirksey, from Clark Circuit. Petitioner's motion to stay proceedings in the circuit court.

12-922. Reynolds Metals Company v. Circuit Court of Clark County, Arkansas, and Billy C. Kirksey, from Clark Circuit. Motion of the "Moving Defendants" to intervene.

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CASES SUBMITTED

11-823. Proassurance Indemnity Company, Inc., f/k/a The Medical Assurance Company, Inc. v. Pamela Metheny and Kenny Metheny, Individually and Co-Conservators of C.R.M., from Pulaski Circuit, Sixteenth Division. Argued orally.

CR11-1282. Troy Jason Patrick Riley v. State of Arkansas, from Logan Circuit, Southern District.

11-1168. Falcon Cable Media LP, Falcon Telecable LP, and Interlink Communications Partners LLC d/b/a Charter Communications v. Arkansas Public Service Commission, from Pulaski Circuit, Third Division.

11-1308. LVNV Funding, LLC v. Rae Nardi, from Montgomery Circuit.

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