

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 11, 2013

DONALD L. CORBIN, JUSTICE:

[CR12-129](#). Jeffrey Golden v. State of Arkansas, from Faulkner Circuit. Affirmed. Hannah, C.J., and Hart and Hoofman, JJ., dissent.

[CR12-588](#). Jackie M. Breeden Jr. v. State of Arkansas, from Benton Circuit. Affirmed; motion to withdraw as counsel granted.

KAREN R. BAKER, JUSTICE:

[CR12-340](#). Rahsaan Aki Taylor v. State of Arkansas, from Pulaski Circuit, Fourth Division. Affirmed. Hart, J., concurs.

COURTNEY HUDSON GOODSON, JUSTICE:

[CR11-660](#). Kevin Banks v. State of Arkansas, from Pulaski Circuit, Second Division. Affirmed. Baker, J., concurs. Hart, J., dissents.

JOSEPHINE LINKER HART, JUSTICE:

[12-432](#). Blair Stautzenberger and Estate of C. Elizabeth Osborne v. M. Duane Stautzenberger and Michael Stautzenberger, from Benton Circuit. Affirmed in part; reversed in part and remanded. Corbin, Danielson, and Goodson, JJ., concur in part; dissent in part.

PER CURIAM OPINION:

[12-791](#). Ricky Justus v. Ray Hobbs, Director, Arkansas Department of Correction, from Lincoln Circuit. Affirmed.

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 11, 2013

PER CURIAM ORDERS

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

CR13-234. Terrance Duggar v. State of Arkansas, from Pulaski Circuit, Fourth Division.

CR13-249. Corey James Williams v. State of Arkansas, from Pulaski Circuit, First Division.

CR13-250. Anthony Surratt, Jr. v. State of Arkansas, from Pulaski Circuit, Seventh Division.

13-134. Eddie Young v. Blytheville School District and Erick Smith, from Mississippi Circuit, Chickasawba District.

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[CR13-205](#). Clay Breeden v. State of Arkansas, from Polk Circuit. Motion for rule on clerk is granted. See **per curiam** this date.

[10-260/10-351/10-428/11-577](#). Jack Harold Jones, Marcel Williams, Jason McGehee, Don Davis, Bruce Ward, and Stacey Johnson v. Ray Hobbs, Director, Arkansas Department of Correction; and Arkansas Department of Correction, from Pulaski Circuit, Sixth Division. Respondents' motion to lift stays of execution moot. See **per curiam** this date. Corbin, J., not participating in Case No. 10-428 (Stacey Johnson).

10-260/10-428/11-577. Jack Harold Jones, Marcel Williams, Jason McGehee, Bruce Ward, and Stacey Johnson v. Ray Hobbs, Director, Arkansas Department of Correction; and Arkansas Department of Correction, from Pulaski Circuit, Sixth Division. Petitioners' motion to take matter as a case denied. See per curiam issued. Corbin, J., not participating in Case No. 10-428 (Stacey Johnson).

CA12-873. Courtyard Gardens Health and Rehabilitation, LLC, et al. v. Kenny Quarles, from Clark Circuit. Appellee/cross-appellant's motion to reassign case to Supreme Court is granted. Request for oral argument is denied.

13-269. Josie Payne v. Arkansas Department of Human Services and Minor Child, from Union Circuit. Joint motion for rule on clerk to file petition for review is granted. Hannah, C.J., and Corbin, J., would deny.

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 11, 2013

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[CR12-984](#). Robert Coleman v. State of Arkansas, from Arkansas Circuit, Northern District. Appellee's motion to dismiss appeal and appellant's motion to file a belated brief. Appeal dismissed; motions moot. See **per curiam** this date.

CR12-1051. Richard Bower v. State of Arkansas, from Baxter Circuit. Appellee's motion to dismiss appeal is granted.

[CR13-2](#). John Webb, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Appellant's pro se motion for belated appeal. Appeal dismissed; motion treated as motion to file a belated brief and declared moot. See **per curiam** this date.

[CR13-91](#). Marcus W. Fields v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Pro se appellant's motion for extension of time to file corrected brief. Appeal dismissed; motion moot. See **per curiam** this date.

CR13-111. Lee James Owens v. State of Arkansas, from Miller Circuit. Pro se motion for access to record on appeal and extension of time to file appellant's brief-in-chief. Motion for access to record and extension of brief time granted. Brief due thirty days from the date of this per curiam order. (Record to be returned when brief submitted.)

[12-672](#). Lisa Murphy v. State of Arkansas, from Jackson Circuit. Pro se motions requesting evidentiary hearing and to file belated reply brief. Motion requesting evidentiary hearing denied; motion to file belated reply brief granted; appeal reversed and remanded. See **per curiam** this date.

ARKANSAS SUPREME COURT  
PROCEEDINGS OF APRIL 11, 2013

MOTIONS SUBMITTED

PETITIONS FOR REVIEW:

13-140. Donna Deering and Barry Deering v. Supermarket Investors, Inc., from Pulaski Circuit, Sixth Division.

13-175. Sharon Garrett v. Director et al., from Board of Review.

13-219. R.R. v. State of Arkansas, from Pope Circuit.

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CR13-280. Delvin Devonne Williams v. State of Arkansas, from Miller Circuit. Petition for writ of certiorari on failure to consider conditions of release prior to money bail; excessive money bail; and predetermination by the court to keep defendant jailed pending trial with request for oral argument.

12-922. Reynolds Metals Company v. Circuit Court of Clark County, Arkansas, and Billy C. Kirksey, from Clark Circuit. Motion of Arkansas American Federation of Labor and Congress of Industrial Organizations (Arkansas AFL-CIO) to file brief amicus curiae in support of respondents.

12-1131. Pittman Moore, M.D., et al. v. Circuit Court of Phillips County, Arkansas, and Estate of Easter Dawkins, Deceased, from Phillips Circuit. Motion of separate respondent, Estate of Easter Dawkins, to remand to the trial court to obtain relevant portions of the record and to supplement the record.

13-202. Karen Cooper and Jack Dowell v. Faulkner County Circuit Court, from Faulkner Circuit. Motion to dismiss petitioners' writ of prohibition, or alternatively, writ of certiorari.

13-282. Kevin Brewer v. Clark County Circuit Clerk, from Clark Circuit. Motion to proceed in forma pauperis.

13-282. Kevin Brewer v. Clark County Circuit Clerk, from Clark Circuit. Pro se motion for rule on clerk.

ARKANSAS SUPREME COURT

PROCEEDINGS OF APRIL 11, 2013

SUBMISSIONS

CR10-1200. Lemuel Session Whiteside v. State of Arkansas, from Pulaski Circuit, Seventh Division. Argued orally.

CR12-554. Joseph Anthony Scamardo, Jr. v. State of Arkansas, from Sebastian Circuit, Fort Smith District.

CR12-861. State of Arkansas v. Steven Carl Williams, from Benton Circuit.

12-958. Roger McLemore et al. v. Richard Weiss, Director, Arkansas Department of Finance and Administration, et al., from Pulaski Circuit, Sixteenth Division.

12-959. Elmer Graham v. Iris Cawthorn, from Prairie Circuit, Northern District.