

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 16, 2013

DONALD L. CORBIN, JUSTICE:

[CR12-859](#). Ronald Tywan Jackson v. State of Arkansas, from Lonoke Circuit. Affirmed; Court of Appeals' opinion vacated. Hannah, C.J., and Baker, Hart, JJ., and Special Justice Gregory T. Jones concur. Hoofman, J., not participating.

[12-874](#). Temco Construction, LLC v. Gregg Gann and Sherry Gann, from Faulkner Circuit. Affirmed. Hannah, C.J., and Baker and Hart, JJ., dissent.

COURTNEY HUDSON GOODSON, JUSTICE:

[CR12-739](#). State of Arkansas v. Telecia Colvin, from Pulaski Circuit, Fourth Division. Reversed and remanded. Hannah, C.J., and Baker and Hart, JJ., dissent.

CLIFF HOOFFMAN, JUSTICE:

[CR12-638](#). Sean Fincham v. State of Arkansas, from Pulaski Circuit, First Division. Reversed and remanded. Danielson and Baker, JJ., dissent.

PER CURIAM OPINION:

[CR11-37](#). Paul Anthony Norris v. State of Arkansas, from Saline Circuit. Affirmed.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 16, 2013

PER CURIAM ORDERS

REHEARING DENIED: Petition for rehearing was denied today in the following case.

CR12-129. Jeffrey Golden v. State of Arkansas, from Faulkner Circuit. Hoofman, J., would grant.

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

13-244. Randy Russell v. Andrea Russell, from Sebastian Circuit, Fort Smith District. Hannah, C.J., would deny.

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

13-305. Jacob Brown v. Arkansas Department of Human Services and Minor Children, from Carroll Circuit, Eastern District.

CR13-172. Robert Snyder v. State of Arkansas, from Saline Circuit. Appellant's motion to dismiss appeal is denied.

CR13-359. Sanders M. Carter v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion for rule on clerk is dismissed without prejudice.

CR13-359. Sanders M. Carter v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of J. Blake Hendrix to withdraw as local counsel is denied without prejudice.

CR13-359. Sanders M. Carter v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of Jordan B. Tinsley to be substituted as local counsel is denied without prejudice.

CR13-359. Sanders M. Carter v. State of Arkansas, from Pulaski Circuit, Fourth Division. Motion of Karen Thompson to practice by comity in the State of Arkansas on behalf of appellant is denied without prejudice.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 16, 2013

PER CURIAM ORDERS

[CR13-360](#). Jason Hayes v. State of Arkansas, from Boone Circuit. Motion for rule on clerk is granted. See **per curiam** this date.

CR13-360. Jason Hayes v. State of Arkansas, from Boone Circuit. Motion to seal and unified brief in support thereof is granted.

CR13-390. Raymond C. Sanders, Jr. v. State of Arkansas, from Hot Spring Circuit. Petition for writ of certiorari to complete the record. Moot.

12-938. Don Etherly and Christopher Franklin v. Howard Newsome et al., from Phillips Circuit. Appellees' motion for filing belated brief is granted. Hannah, C.J., and Corbin and Hoofman, JJ., would deny.

12-1058. Ortho-McNeil-Janssen Pharmaceuticals, Inc., et al. v. State of Arkansas, from Pulaski Circuit, Sixth Division. Motion of Product Liability Advisory Council, Inc. for reconsideration of the court's denial of its motion for permission to file a brief as amicus curiae in support of appellants is denied.

13-269. Josie Payne v. Arkansas Department of Human Services and Minor Child, from Union Circuit. Joint motion to file supplemental brief is granted.

13-339. Donald Ray Stratton, Jr. v. Benton County Circuit Court, from Benton Probate. Petition for writ of prohibition is denied without prejudice.

[13-370](#). Arkansas Access to Justice Foundation, Inc., and Arkansas IOLTA Foundation, Inc., an Original Action. Petition to approve the agreement and plan of merger by and between Arkansas Access to Justice Foundation, Inc., and Arkansas IOLTA Foundation, Inc.; to amend Rule 1.15 of the Arkansas Rules of Professional Conduct; and to amend Section 28 of the Procedures Regulating Professional Conduct. See **per curiam** this date.

CR12-534. Melvin Marlton Brown v. State of Arkansas, from Ouachita Circuit. Pro se petition for writ of mandamus and motion for appointment of counsel. Petition treated as motion for reconsideration and dismissed; motion for appointment of counsel moot.

[CR12-587](#). James Edward Daniels, Jr. v. State of Arkansas, from Drew Circuit. Pro se motions for permission to supplement/amend brief. Motions denied; order affirmed. See **per curiam** this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 16, 2013

PER CURIAM ORDERS

[CR12-605](#). Janet K. Denson v. State of Arkansas, from Sevier Circuit. Pro se motions for extension of time to file brief and for appointment of counsel. Appeal dismissed; motions moot. See **per curiam** this date.

CR13-91. Marcus W. Fields v. State of Arkansas, from Sebastian Circuit, Fort Smith District. Pro se motion for records review (sic) and designation of record. Motion treated as motion for reconsideration of dismissal of appeal and denied.

CR13-216. Ricky Lee Scott v. Hon. Richard L. Proctor, Circuit Judge, from Cross Circuit. Pro se petition for writ of mandamus. Moot.

12-520. Tommy Mosley v. Ray Hobbs, Director, Arkansas Department of Correction, from Jefferson Circuit. Pro se petition for rehearing. Pro se petition for rehearing treated as motion for reconsideration and denied.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 16, 2013

MOTIONS SUBMITTED

PETITION FOR REHEARING:

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

PETITIONS FOR REVIEW:

13-253. Betty Boykin v. Crockett Adjustment Insurance and Central Moloney, Inc., from Workers' Compensation Commission.

13-288. Johnnie Foster v. Tyson Poultry, Inc., from Workers' Compensation Commission.

CR91-36. Bruce Earl Ward v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellant's motion to recall mandate.

CR98-657. Bruce Earl Ward v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellant's motion to recall mandate.

CR00-1322. Bruce Earl Ward v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellant's motion to recall mandate.

CR00-1322. Bruce Earl Ward v. State of Arkansas, from Pulaski Circuit, Seventh Division. Appellee's motion for leave to file overlength response.

CR02-213. Kenneth Isom v. State of Arkansas, from Drew Circuit. Motion of Julie Vandiver and Scott Braden for permission to be appointed as counsel on behalf of movant/petitioner.

CR08-1386. Kenneth Isom v. State of Arkansas, from Drew Circuit. Motion of Julie Vandiver and Scott Braden for permission to be appointed as counsel on behalf of movant/petitioner.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 16, 2013

MOTIONS SUBMITTED

CR12-487. Roy Lee Smith v. State of Arkansas, from Arkansas Circuit, Northern District. Appellant's petition for writ of certiorari to complete the record.

11-1260. Stark Ligon, Executive Director, Supreme Court Committee on Professional Conduct v. Newton Donald Jenkins, Jr., Arkansas Bar No. 94231, an Original Action. Petitioner's second motion for summary disposition, entry of order of disbarment, and money judgment.

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 16, 2013

SUBMISSIONS

CR10-53. Derek Sales v. State of Arkansas, from Bradley Circuit.

CR12-1104. Arjel Gold v. State of Arkansas, from Washington Circuit.

12-742. Barton Land Services, Inc., et al. v. Seeco, Inc., et al., from Van Buren Circuit.

12-852. State of Arkansas v. Kenny Webster Cassell, from Searcy Circuit.

12-873. Courtyard Gardens Health and Rehabilitation, LLC, et al. v. Kenny Quarles et al., from Clark Circuit.