

ARKANSAS SUPREME COURT
PROCEEDINGS OF JUNE 6, 2013

JIM HANNAH, CHIEF JUSTICE:

[CR-12-834](#). Ulises Arroyo, Jr. v. State of Arkansas, from Lonoke Circuit. Reversed and remanded. Corbin and Danielson, JJ., dissent.

DONALD L. CORBIN, JUSTICE:

[CV-13-48](#). Paul Henry and Crystal Henry v. Willard N. Mitchell, from Baxter Circuit. Affirmed.

CLIFF HOOFFMAN, JUSTICE:

[CV-12-1076](#). Kaitlin Lott v. Susan Langley, in Her Official Capacity as City of Little Rock Clerk; and Ozell Snider, Phil Wyrick, and Susan Inman, in Their Official Capacities as the Pulaski County Board of Election Commissioners, from Pulaski Circuit, Third Division. Appeal dismissed.

PER CURIAM OPINION:

[CV-11-1124](#). Ronnie Lee Smith v. Larry May, Deputy Director, Arkansas Department of Correction; Gary Musselwhite, Lieutenant, Arkansas Department of Correction, Pine Bluff Unit; and Officer Patterson, Classification Officer, Arkansas Department of Correction, from Jefferson Circuit. Affirmed.

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PER CURIAM ORDERS

REVIEWS DENIED: PETITIONS FOR REVIEW WERE DENIED TODAY IN THE FOLLOWING CASES.

CV-13-199. JOY B. HUGHES AND JOY B. HUGHES REVOCABLE LIVING TRUST V. ANNA DALTON, FROM SEBASTIAN CIRCUIT, FORT SMITH DISTRICT.

CV-13-410. MIKE WILSON AND JEANEAN WILSON V. MARK GOLEN AND JESSICA GOLEN ET AL., FROM FAULKNER CIRCUIT.

CR-13-20. PATRICK CINQUE SMITH V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT, FIRST DIVISION. APPELLANT'S SECOND MOTION TO SUPPLEMENT THE RECORD ON APPEAL IS GRANTED.

[CV-12-1065](#). VIRGINIA MCCREARY SKALLA V. JOSEPH F. CANEPARI, FROM CRITTENDEN CIRCUIT. REBRIEFING ORDERED. SEE **PER CURIAM** THIS DATE.

CV-13-230. EFFIE COLLINS AND COLLINS CHAPEL MORTUARY, INC. V. ARKANSAS BOARD OF EMBALMERS AND FUNERAL DIRECTORS, FROM MISSISSIPPI CIRCUIT, CHICKASAWBA DISTRICT. APPELLANTS' MOTION FOR LEAVE OF COURT TO SUPPLEMENT THE RECORD IS DENIED.

CV-13-230. EFFIE COLLINS AND COLLINS CHAPEL MORTUARY, INC. V. ARKANSAS BOARD OF EMBALMERS AND FUNERAL DIRECTORS, FROM MISSISSIPPI CIRCUIT, CHICKASAWBA DISTRICT. MOTION TO STAY DUE DATE OF APPELLANTS' BRIEF PENDING RULING ON MOTION FOR LEAVE OF COURT TO SUPPLEMENT THE RECORD IS GRANTED. BRIEF DUE IN SEVEN DAYS.

CV-13-411. ANNA ADDISON, ADMINISTRATRIX OF THE ESTATE OF PATSY COCKRELL, DECEASED V. WOODRUFF COUNTY HEALTH CENTER ET AL., FROM WOODRUFF CIRCUIT. PETITION FOR PERMISSION TO APPEAL PURSUANT TO ARK. R. APP. P.—CIV. 2(F) IS DENIED.

CV-13-416. PATRICIA SCALES VADEN AND MIKE MONCRIEF V. ANDERSON-TULLY COMPANY, FROM ARKANSAS CIRCUIT, SOUTHERN DISTRICT. APPELLEE'S MOTION TO DOCKET PARTIAL RECORD AND DISMISS APPEAL IS GRANTED.

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CV-13-418. ARKANSAS ANNUAL CONFERENCE OF THE AFRICAN METHODIST EPISCOPAL CHURCH V. CIRCUIT COURT OF SEBASTIAN COUNTY, FORT SMITH DISTRICT, AND DENORA COOMER, CIRCUIT CLERK, FROM SEBASTIAN CIRCUIT, FORT SMITH DISTRICT. PETITION FOR WRIT OF CERTIORARI OR MANDAMUS IS DENIED WITHOUT PREJUDICE. BAKER, J., WOULD GRANT.

CV-13-419. THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS V. HON. MIKE MEDLOCK, CIRCUIT JUDGE, FROM CRAWFORD CIRCUIT. PETITION FOR WRITS OF MANDAMUS, PROHIBITION AND/OR CERTIORARI IS TAKEN AS A CASE ONLY ON THE ISSUE OF VENUE. GOODSON, J., NOT PARTICIPATING.

[CR-06-1327](#). TERRY LEE WARD V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT, FOURTH DIVISION. PRO SE MOTION FOR COPIES AT PUBLIC EXPENSE OF SEALED RECORDS, SEALED DOCUMENTS, SEALED VIDEOTAPES, SEALED PICTURES AND SEALED INFORMATION FROM RECORD ON APPEAL AND MOTION FOR IMMEDIATE ACTION ON MOTION. MOTION FOR COPIES AT PUBLIC EXPENSE DENIED; MOTION FOR IMMEDIATE ACTION ON MOTION MOOT. SEE **PER CURIAM** THIS DATE.

[CR-12-703](#). MICHAEL WAYNE GREENE V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT, FOURTH DIVISION. PRO SE MOTION TO DUPLICATE AT STATE EXPENSE. APPEAL DISMISSED; MOTION MOOT. SEE **PER CURIAM** THIS DATE.

[CR-12-1061](#). KENDALL CLIFTON NICKELSON V. STATE OF ARKANSAS, FROM ASHLEY CIRCUIT. APPELLANT'S PRO SE MOTION FOR EXTENSION OF TIME TO FILE BRIEF. APPEAL DISMISSED; MOTION MOOT. SEE **PER CURIAM** THIS DATE.

CR-13-31. DEWAYNE BOYKINS V. HON. CHRIS E WILLIAMS, CIRCUIT JUDGE, FROM HOT SPRING CIRCUIT. PRO SE MOTION FOR RECONSIDERATION IS DENIED.

[CR-13-375](#). MELVIN SMITH, JR. V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT, FOURTH DIVISION. PRO SE APPELLANT'S MOTION FOR APPOINTMENT OF COUNSEL. APPEAL DISMISSED; MOTION MOOT. SEE **PER CURIAM** THIS DATE.

[CR-13-381](#). WALTER LEE WALTON V. STATE OF ARKANSAS, FROM SEBASTIAN CIRCUIT, FORT SMITH DISTRICT. PETITIONER'S PRO SE MOTION FOR BELATED APPEAL OF ORDER. MOTION DENIED. SEE **PER CURIAM** THIS DATE.

[CR-13-388](#). MIGUEL WILLIAMS V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT, SEVENTH DIVISION. PRO SE MOTION FOR BELATED APPEAL. MOTION DENIED. SEE **PER CURIAM** THIS DATE.

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MOTIONS SUBMITTED

PETITIONS FOR REVIEW:

CV-13-207. TERRY DRAY AND TONIA D. DRAY V. JUSTIN L. LIKENS AND ERIN R. LIKENS, FROM CRAWFORD CIRCUIT.

CV-13-261. ELIZABETH WORDEN AND DOUGLAS SPIRES, AS HEIRS AT LAW FOR ALFRED SPIRES, DECEASED V. DR. JEFFREY KIRCHNER, M.D., ET AL., FROM PULASKI CIRCUIT, SIXTH DIVISION.

CV-13-267. MAE WEAVER V. ARKANSAS DEPARTMENT OF CORRECTION AND PUBLIC EMPLOYEE CLAIMS DIVISION, FROM ARKANSAS WORKERS' COMPENSATION COMMISSION.

CR-13-294. SHARVELT MARQUETTE MISTER V. STATE OF ARKANSAS, FROM SEBASTIAN CIRCUIT, FORT SMITH DISTRICT. APPELLANT'S MOTION TO FILE BELATED BRIEF.

CR-13-431. ARBURY BOWERMAN V. STATE OF ARKANSAS, FROM LOGAN CIRCUIT. MOTION OF DAVID L. MOORE TO WITHDRAW AS ATTORNEY.

CR-13-431. ARBURY BOWERMAN V. STATE OF ARKANSAS, FROM LOGAN CIRCUIT. MOTION FOR RULE ON CLERK.

CR-13-438. EDWARD THOMPSON III V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT, SEVENTH DIVISION. MOTION OF JULIA B. JACKSON TO BE RELIEVED AS ATTORNEY FOR APPELLANT AND STAY BRIEFING SCHEDULE.

CR-13-444. NIGEL LEWIS V. STATE OF ARKANSAS, FROM PULASKI CIRCUIT, FIRST DIVISION. MOTION OF THOMAS B. DEVINE III TO BE RELIEVED AS ATTORNEY FOR APPELLANT AND STAY BRIEFING SCHEDULE.

CV-13-145. TANYA SMITH V. CONAGRA FOODS, INC., AND TERRY STEEN, AN ORIGINAL ACTION. MOTION FOR PERMISSION TO FILE AN AMICUS CURIAE BRIEF BY THE ARKANSAS STATE CHAMBER OF COMMERCE, THE ARKANSAS HOSPITALITY ASSOCIATION, AND THE ASSOCIATED BUILDERS AND CONTRACTORS OF ARKANSAS IN SUPPORT OF RESPONDENTS' BRIEF.

CV-13-456. MARK ADAMS AND KATHY ADAMS INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED V. CAMERON MUTUAL INSURANCE COMPANY, AN ORIGINAL ACTION. REQUEST TO CERTIFY QUESTION OF LAW FROM THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF ARKANSAS, FORT SMITH DIVISION.

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CASES SUBMITTED

CR-12-945. KATHY LIVINGSTON V. STATE OF ARKANSAS, FROM ASHLEY CIRCUIT.

CV-12-761. PRIMUS AUTOMOTIVE FINANCIAL SERVICE, INC. V. SHERRY L. WILBURN AND KEVIN L. WILBURN, FROM SEBASTIAN CIRCUIT, FORT SMITH DISTRICT.

CV-13-85. JAMES THOMPSON V. HON. GORDON "MACK" MCCAIN, CIRCUIT JUDGE, POPE COUNTY, ARKANSAS, FROM POPE CIRCUIT.