

ARKANSAS SUPREME COURT

PROCEEDINGS OF JUNE 27, 2013

JIM HANNAH, CHIEF JUSTICE:

[CR-11-1137](#). Partne Kiesling-Daugherty v. State of Arkansas, from Pulaski Circuit, Seventh Division. Motion for costs. Denied. Baker and Hart, JJ., dissent.

PAUL DANIELSON, JUSTICE:

[CV-13-269](#). Josie Payne v. Arkansas Department of Human Services and A.S., from Union Circuit. Supplemental record ordered and rebriefing in the court of appeals; court of appeals opinion vacated.

KAREN R. BAKER, JUSTICE:

[CV-12-306](#). Sharon Roller, Valerie Murphy, and Emily Smith v. TV Guide Online Holdings, LLC, from Washington Circuit. Reversed and remanded. Special Justice Edward Allen Gordon joins in this opinion. Goodson, J., not participating.

COURTNEY HUDSON GOODSON, JUSTICE:

[CV-12-37](#). Arlie Walls, Zelda Walls, Jonathan Hernandez de La Lama, and Ayesha Hernandez de La Lama v. Noble Humphries; Elsie Humphries; New Century Production Company, LLC; Paraclifta Land & Minerals Limited Partnership; James A. Claughton; and Southwestern Energy Production Company, from Van Buren Circuit. Reversed and remanded; court of appeals opinion vacated. Special Justices Suzanne G. Clark, Harold J. Evans, and Lance Lee join in this opinion. Danielson, Baker, and Hoofman, JJ., not participating.

[CV-12-922](#). Reynolds Metals Company v. Circuit Court of Clark County and Billy C. Kirksey, from Clark Circuit. Petition for Writ of Prohibition granted. Baker and Hart, JJ., dissent.

JOSEPHINE LINKER HART, JUSTICE:

[CV-12-1010](#). John Patrick Moody v. Arkansas State Board of Law Examiners, an Original Action. Affirmed.

PER CURIAM OPINIONS:

[CR-11-728](#). Robert James v. State of Arkansas, from Logan Circuit. Affirmed.

[CR-11-760](#). Johnny Lee Hill v. State of Arkansas, from Hot Spring Circuit. Affirmed.

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REHEARINGS DENIED: PETITIONS FOR REHEARING WERE DENIED TODAY IN THE FOLLOWING CASES.

CR-10-53. DEREK SALES V STATE OF ARKANSAS, FROM BRADLEY CIRCUIT.

CR-12-739. STATE OF ARKANSAS V TELECIA COLVIN, FROM PULASKI CIRCUIT, FOURTH DIVISION. BAKER AND HART, JJ., WOULD GRANT.

CR-12-1063. STATE OF ARKANSAS V JEREMY LYNN O'QUINN, FROM FAULKNER CIRCUIT. HART, J., WOULD GRANT. HOOFMAN, J., NOT PARTICIPATING.

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

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

CV-13-262. BENNIE JEAN WHITE V ALVIN D. CLAY, FROM PULASKI CIRCUIT, THIRD DIVISION. HART, J., WOULD GRANT.

CV-13-330. JOANIE HARP V SECURITY CREDIT SERVICES, LLC, FROM PULASKI CIRCUIT, SIXTH DIVISION. HART, J., WOULD GRANT.

CV-13-350. THOMAS E. REYNOLDS V DIRECTOR ET AL., FROM BOARD OF REVIEW.

CV-13-353. CHARLES HAGGANS V DIRECTOR ET AL., FROM BOARD OF REVIEW.

CV-13-355. DEBRA BISHOP V DIRECTOR ET AL., FROM BOARD OF REVIEW.

CV-13-387. CHRISTIAN LOPEZ V UNITED AUTOMOBILE INSURANCE COMPANY, FROM BENTON CIRCUIT. DANIELSON, J., WOULD GRANT.

CV-13-405. APRIL FLOWERS V DIRECTOR ET AL., FROM BOARD OF REVIEW.

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CR-02-213. KENNETH R. ISOM V STATE OF ARKANSAS, FROM DREW CIRCUIT. APPELLANT'S MOTION FOR LEAVE TO FILE OVERLENGTH APPLICATION IS GRANTED. CORBIN, J., NOT PARTICIPATING.

CR-08-1386. KENNETH R. ISOM V STATE OF ARKANSAS, FROM DREW CIRCUIT. APPELLANT'S MOTION FOR LEAVE TO FILE OVERLENGTH MOTION IS GRANTED. CORBIN, J., NOT PARTICIPATING.

CR-12-537. MICHAEL SHANE WINTERS V STATE OF ARKANSAS, FROM BENTON CIRCUIT. MOTION OF BRETT D. WATSON TO WITHDRAW AS COUNSEL IS GRANTED.

CR-13-172. ROBERT SNYDER V STATE OF ARKANSAS, FROM SALINE CIRCUIT. APPELLANT'S MOTION FOR RECONSIDERATION OF MOTION TO DISMISS APPEAL IS GRANTED. APPEAL DISMISSED. CORBIN, GOODSON, AND HART, JJ., WOULD DENY.

[CV-13-456](#). MARK ADAMS AND KATHY ADAMS INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED V CAMERON MUTUAL INSURANCE COMPANY, FROM UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF ARKANSAS, FORT SMITH DIVISION. CERTIFIED QUESTION ACCEPTED. SEE **PER CURIAM** THIS DATE. GOODSON, J., NOT PARTICIPATING.

CR-13-478. GARRITT S. MASON V STATE OF ARKANSAS, FROM GARLAND CIRCUIT. PETITION FOR WRIT OF MANDAMUS REGARDING PETITION TO PROCEED IN FORMA PAUPERIS IS DENIED.

CV-12-1131. DR. PITTMAN MOORE, M.D., ET AL. V CIRCUIT COURT OF PHILLIPS COUNTY, ARKANSAS, FROM PHILLIPS CIRCUIT. RESPONSE TO PER CURIAM ISSUED BY THE SUPREME COURT OF ARKANSAS ON APRIL 18, 2013, ON BEHALF OF BOBBIE TROUP, IN HER CAPACITY AS ADMINISTRATOR OF THE ESTATE OF EASTER DAWKINS, DECEASED. NOTED.

CV-12-1131. DR. PITTMAN MOORE, M.D., ET AL. V CIRCUIT COURT OF PHILLIPS COUNTY, ARKANSAS, FROM PHILLIPS CIRCUIT. PETITIONERS' RESPONSE TO PER CURIAM ISSUED BY THE SUPREME COURT AND SUPPLEMENTATION OF RECORD. NOTED.

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CV-12-1131. DR. PITTMAN MOORE, M.D., ET AL. V CIRCUIT COURT OF PHILLIPS COUNTY, ARKANSAS, FROM PHILLIPS CIRCUIT. PETITIONERS' MOTION FOR RULE ON CLERK IS GRANTED.

CV-13-464. JPMORGAN CHASE BANK, N.A. V FIRST SECURITY BANK, FROM FAULKNER CIRCUIT. AMENDED AND SUBSTITUTED MOTION FOR RULE ON CLERK IS GRANTED.

CV-13-464. JPMORGAN CHASE BANK, N.A. V FIRST SECURITY BANK, FROM FAULKNER CIRCUIT. APPELLEE'S MOTION TO DISMISS APPEAL IS TAKEN WITH THE CASE.

CV-13-468. ORTHO-MCNEIL-JANSSEN PHARMACEUTICALS, INC., ET AL. V STATE OF ARKANSAS, FROM PULASKI CIRCUIT, SIXTH DIVISION. APPELLANTS' UNOPPOSED PETITION FOR WRIT OF CERTIORARI TO SUPPLEMENT AND COMPLETE THE RECORD AND MOTION TO STAY BRIEFING SCHEDULE IS GRANTED.

[CV-13-505](#). CHARLES L. STUTTE, ARKANSAS BAR NO. 83174 V STARK LIGON, EXECUTIVE DIRECTOR, SUPREME COURT COMMITTEE ON PROFESSIONAL CONDUCT, AN ORIGINAL ACTION. PETITION TO SURRENDER ARKANSAS LAW LICENSE IS GRANTED. SEE **PER CURIAM** THIS DATE. GOODSON, J., NOT PARTICIPATING.

CR-83-94. RODNEY WILLIAMS V STATE OF ARKANSAS, FROM PULASKI CIRCUIT, SIXTH DIVISION. PRO SE PETITION FOR LEAVE TO PROCEED IN CIRCUIT COURT WITH A PETITION PURSUANT TO ARKANSAS RULE OF CRIMINAL PROCEDURE 37.1 AND MOTION FOR APPOINTMENT OF COUNSEL. PETITION DISMISSED; MOTION FOR APPOINTMENT OF COUNSEL MOOT.

[CR-04-534](#). CHARLES GENTRY RODGERS V STATE OF ARKANSAS, FROM PHILLIPS CIRCUIT. PRO SE PETITION TO REINVEST JURISDICTION IN THE TRIAL COURT TO CONSIDER A PETITION FOR WRIT OF ERROR CORAM NOBIS AND MOTION TO AMEND PETITION TO REINVEST JURISDICTION. PETITION DISMISSED; MOTION TO AMEND PETITION DENIED. SEE **PER CURIAM** THIS DATE.

CR-12-803. DUANE W. SPEARMAN V STATE OF ARKANSAS, FROM CHICOT CIRCUIT. PRO SE MOTION TO PROCEED PRO SE AND PRO SE PETITION FOR REHEARING. MOTION AND PETITION DENIED.

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[CR-13-364](#). JAMES BRIAN WRIGHT V STATE OF ARKANSAS, FROM SEBASTIAN CIRCUIT, FORT SMITH DISTRICT. PRO SE APPELLANT'S MOTION FOR EXTENSION OF TIME TO FILE BRIEF. APPEAL DISMISSED; MOTION MOOT. SEE **PER CURIAM** THIS DATE.

CR-13-438. EDWARD THOMPSON V STATE OF ARKANSAS, FROM PULASKI CIRCUIT, SEVENTH DIVISION. PRO SE MOTION FOR A COPY OF DISCOVERY MATERIAL AND TRANSCRIPT AT PUBLIC EXPENSE IS DENIED.

IN RE JUDICIAL DISCIPLINE AND DISABILITY COMMISSION. SEE [PER CURIAM](#) THIS DATE.

In accordance with Amendment 66 of the Constitution of Arkansas and Act 637 of 1989, the Supreme Court appoints Hon. Stephen Routon of Forrest City, District Judge, St. Francis County District Court, to the Judicial Discipline and Disability Commission for a six-year term expiring on June 30, 2019. We thank Judge Routon, who has been serving in an alternate position, for accepting this appointment.

We also appoint Hon. Jim Spears, Circuit Judge, of Fort Smith to an alternate position on the Commission for a six-year term expiring on June 30, 2019 and thank him for accepting appointment to this position.

The court expresses its gratitude to Judge Chris Williams of Malvern, whose term has expired, for his dedicated service to the Commission.

IN RE RECOMMENDATIONS OF THE JUDICIAL DISCIPLINE AND DISABILITY COMMISSION. SEE [PER CURIAM](#) THIS DATE.