

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF DECEMBER 5, 2013**

**JIM HANNAH, CHIEF JUSTICE**

| [CR-12-218](#). Frederick Dwayne Mason v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed.

| [CV-13-552](#). Claude Graves v. Greene County, Arkansas, from Greene County Circuit Court. Affirmed.

**PAUL E. DANIELSON, JUSTICE**

| [CR-13-246](#). Mark David Johnson v. State of Arkansas, from Drew County Circuit Court. Affirmed. Baker and Hart, JJ., concur.

| [CV-13-327](#). Steve Rose v. Harbor East, Inc.; Harbor East Property Owners Association; Recreational Management, Inc.; Iberia Bank, Successor in Interest to Pulaski Bank and Trust; and Unknown Tenants, from Montgomery County Circuit Court. Affirmed.

**KAREN R. BAKER, JUSTICE**

| [CR-12-721](#). Billy Dale Green v. State of Arkansas, from Randolph County Circuit Court. Affirmed. Hannah, C.J., and Corbin and Danielson, JJ., concurring in part and dissenting in part.

**JOSEPHINE LINKER HART, JUSTICE**

| [CV-12-1048](#). Deborah Nowicki, Individually and as Executrix of the Estate of Robert Henry Nowicki, II, Deceased, and on Behalf of All Wrongful Death Beneficiaries of Robert Henry Nowicki, II v. Kenny Pigue d/b/a K & D Grain Transport, Teel Marketing Services, Inc., Rick Ellis, Diane Ellis, and Ellis Transports, LLC, from Crittenden County Circuit Court. Affirmed. Hannah, C.J., and Danielson, J., dissent.

| [CV-13-467](#). Diamante, LLC v. Gary Dye and Linda Dye, from Saline County Circuit Court. Affirmed.

**CLIFF HOOFFMAN, JUSTICE**

| [CV-13-145](#). Tanya Smith v. ConAgra Foods, Inc., and Terry Steen, from United States District Court for the Eastern District of Arkansas, Western Division. Certified question answered.

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**PER CURIAM OPINIONS**

| [CR-11-1009](#). Robert Joseph Moten v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Affirmed.

| [CR-13-866](#). Detrick D. Croston v. State of Arkansas, from Faulkner County Circuit Court. Appeal dismissed; motion moot.

| [CV-12-400](#). Reginald R. Early v. Lawrence E. Baker and Michael Ferricher, from Jefferson County Circuit Court. Order affirmed; motion moot.

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**PER CURIAM ORDERS**

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

CV-12-1065. Virginia McCreary Skalla v. Joseph F. Canepari, from Crittenden County Circuit Court.

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

CV-13-890. Bank of the Ozarks, Inc., and Bank of the Ozarks v. Robert Walker, Ann B. Hines, and Judith Belk, from Lonoke County Circuit Court.

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

CV-13-852. Ditch 56 Farms, LLC; Ronnie McCord; Clint McCord; and McCord Farms, LLC v. Stanley Foster, Judy Foster, Linda Alden, and Danny Brandon, from Craighead County Circuit Court, Eastern District. Baker and Hart, JJ., would grant.

CV-13-889. Lynda Hamm v. Jerry Hamm, from White County Circuit Court. Hannah, C.J., not participating.

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CR-13-563. Antonio L. Williams v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion and second motion for extension of time to comply with order to remand to settle the record are granted.

CR-13-655. Sandra Nance v. State of Arkansas, from Lonoke County Circuit Court. Appellant's unopposed motion to supplement record and for leave to file supplemental addendum is granted. Supplemental record due in thirty days; supplemental addendum due thirty days thereafter.

CR-13-843. Donnie R. Robinson v. State of Arkansas, from Drew County Circuit Court. Appellant's motion to file supplemental brief is granted.

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### PER CURIAM ORDERS

CR-13-972. Scott Wayne Riddle v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of John Wesley Hall to be substituted as counsel is granted.

CV-13-858. Monica Contreras v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Appellant's motion to file supplemental brief is denied.

CV-13-995. Alltel Corporation and Alltel Communications, Inc. v. Peter Rosenow, Individually and on Behalf of a Class of Similarly Situated Persons, from Saline County Circuit Court. Appellee's motion for expedited appeal is denied.

[CR-13-396](#). Rammie Earl Hall v. State of Arkansas, from Randolph County Circuit Court. Pro se motion for extension of time to file brief. Appeal dismissed; motion moot. See **per curiam** this date.

CR-13-630. John Brown v. State of Arkansas, from Sharp County Circuit Court. Appellee's motion to dismiss appeal. Granted.

CV-13-41. Eric C. Burgie v. Ray Hobbs, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Pro se motion to file motion for reconsideration with extended page limit. Moot.

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**MOTIONS SUBMITTED**

PETITIONS FOR REVIEW:

CR-13-880. Chad Edward Malcum v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division.

CR-13-1046. Leroy Haskins v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CV-13-936. Peter Brave v. Marie Brave, from Pulaski County Circuit Court, Sixteenth Division.

CV-13-968. Kenneth R. Brown and Karen Brown v. Federal Home Loan Mortgage Corporation a/k/a Freddie Mac, from Pulaski County Circuit Court, Third Division.

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CR-12-475. Steven J. Russell, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Renewed motion for appointment of counsel by the court for representation of appellant.

CV-12-1043. LegalZoom.com, Inc. v. Jonathan McIllwain, from Pope County Circuit Court. Appellee's motion to recall and stay mandate pending petition for writ of certiorari to the United States Supreme Court.

CV-13-356. Desiree Kolbek et al. v. Farmers Insurance Exchange and Truck Insurance Exchange, from Sebastian County Circuit Court, Fort Smith District. Appellees' motion to supplement record.

CV-13-847. Mary Berryhill v. Frances Synatzske and Bryan Huffman, as Special Administrator of the Estate of Frances Synatzske, from Hot Spring County Circuit Court. Appellant's motion for supplemental briefing.

CV-13-1051. Greg Bowerman v. Takeda Pharmaceuticals USA, Inc., f/k/a Takeda Pharmaceuticals North America, Inc., et al., from United States District Court, Western District of Louisiana, Lafayette Division. Memorandum and Certification Order.

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**MOTIONS SUBMITTED**

CV-13-1054. Ronald L. Eggers, Arkansas Bar No. 82060 v. Stark Ligon, as Executive Director, Committee on Professional Conduct, an Original Action. Petition for voluntary surrender of license (resignation).

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**CASES SUBMITTED**

CR-12-933. Brandon Clark Fritts v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-13-18. Talideen Davenport v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CR-13-488. Raymond Wilson v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District.