

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 21, 2013

DONALD L. CORBIN, JUSTICE

[CV-12-261](#). Davis Tillman, Special Administrator of the Estates of Rodney Nickle Tillman and Rebecca Ann Tillman, Deceased v. Raytheon Company, Individually and as Successor in Interest to Raytheon Aircraft Company; Hawker Beechcraft Corporation; Hawker Beechcraft, Incorporated; and Beech Aircraft Corporation, from Garland County Circuit Court. Affirmed.

PAUL E. DANIELSON, JUSTICE

[CV-13-456](#). Mark Adams and Kathy Adams, Individually and On Behalf of All Others Similarly Situated v. Cameron Mutual Insurance Company. Certified question from the United States District Court for the Western District of Arkansas. Certified question answered. Baker and Hart, JJ., concur. Goodson, J., not participating.

KAREN R. BAKER, JUSTICE

[CR-13-781](#). Tony Bernard Smith v. Honorable L.T. Simes, Circuit Court Judge of Phillips County, Arkansas, Criminal Division, from Phillips County Circuit Court. Petition for writ of prohibition or, in the alternative, writ of certiorari. Writ of prohibition denied; writ of certiorari granted. Special Justice John Elrod joins in this opinion. Corbin, J., not participating.

CLIFF HOOFFMAN, JUSTICE

[CV-13-76](#). John Moix v. Libby Moix, from Pulaski County Circuit Court, Seventeenth Division. Reversed and remanded. Baker, Goodson, and Hart, JJ., dissent.

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 21, 2013

PER CURIAM ORDERS

REHEARINGS DENIED: Petitions for rehearing were denied today in the following cases.

CV-12-1037. Charlotte Hall Hardin, Troy Gentry Guthrey, and Entergy Arkansas, Inc. v. India Bishop, from Jefferson County Circuit Court.

CV-13-182. Deer/Mt. Judea School District v. Thomas W. Kimbrell et al., from Pulaski County Circuit Court, Second Division.

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

CR-13-964. Calvin Carrick v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CV-13-877. St. Edward Mercy Medical Center and Sisters of Mercy Health System v. Deborah Warnock, from Arkansas Workers' Compensation Commission.

CV-13-912. Brenda L. (Jones) Pruitt v. Community Development Institute Head Start and Zurich American Insurance Company, from Arkansas Workers' Compensation Commission. Danielson, J., would dismiss.

[CR-13-480](#). Tony Bernard Smith v. J.R. Smith, Cross County Sheriff; Cross County Detention Facility, from Cross County Circuit Court. Second amended petition for writ of habeas corpus. Petition denied. See **per curiam** this date. Corbin, J., not participating.

CR-13-598. Marion Westerman v. State of Arkansas, from Cleburne County Circuit Court. Appellant's renewed motion to supplement record and establish new briefing schedule is granted.

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 21, 2013

PER CURIAM ORDERS

[CV-13-399](#). Christopher Cordero v. Arkansas Department of Human Services and J.C., a Minor, from Lonoke County Circuit Court. Writ of certiorari issued. See per curiam issued. (Proceedings of November 20, 2013)

CV-13-959. Camden Iron & Metals, Inc. v. Cornell Clay and Adrian Hill, from Bradley County Circuit Court. Motion for rule on clerk is denied.

CV-13-981. William O. Robinson and Brenda E. Robinson v. MidFirst Bank, from Saline County Circuit Court. Pro se writ of prohibition/motion to stay foreclosure is denied.

CR-09-315. Armon Houston v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellee's petition for rehearing. Denied.

CR-13-312. Allen Lynn Penn v. State of Arkansas, from Pulaski County Circuit Court, First Division. Pro se petition for rehearing. Petition treated as motion for reconsideration of denial of motion for rule on clerk and denied.

[CR-13-572](#). Donald Felix Winnett v. State of Arkansas, from Saline County Circuit Court. Pro se motion to submit a nonconforming brief and motion for sentence reduction. Appeal dismissed; motions moot. See **per curiam** this date.

[CR-13-594](#). Oscar W. Stanley v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Pro se motion for transcript, second motion for transcript, and motion for extension of time to file brief. Appeal dismissed; motions moot. See **per curiam** this date.

[CR-13-631](#). Terry Farnsworth v. State of Arkansas, from White County Circuit Court. Appellee's motion to dismiss appeal. Motion granted. See **per curiam** this date.

[CR-13-663](#). Frank Watts II v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Pro se motion for extension of time to file brief and motion for use of transcript. Appeal dismissed; motions moot. See **per curiam** this date.

[CR-13-671](#). Ed Deshawn Harris v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Pro se motion to correct the record. Motion granted; remanded to settle the record. See **per curiam** this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 21, 2013

PER CURIAM ORDERS

CR-13-673. Tony I. Harvey v. State of Arkansas, from Washington County Circuit Court. Appellee's motion to dismiss appeal. Granted.

CV-13-132. Jessie Hill v. State of Arkansas, from Jefferson County Circuit Court. Pro se motion for reconsideration; pro se motion for rule on clerk. Motion for rule on clerk denied; motion for reconsideration denied.

In Re Administrative Plans for Circuit and District Courts. See [per curiam](#) this date.

In Re Arkansas Access to Justice Commission. See [per curiam](#) this date. Hoofman, J., not participating.

Honorable Robin Green, circuit judge, of Bentonville is appointed to the Arkansas Access to Justice Commission for a three-year term to expire October 15, 2016. We thank her for her willingness to serve on this important commission. Honorable Leon Jamison of Pine Bluff, is reappointed to the Arkansas Access to Justice Commission for a three-year term to expire October 15, 2016. We thank him for his continued service. We express our gratitude to Honorable Jim Spears of Fort Smith for his years of valuable service to the commission.

In Re Judges and Lawyers Assistance Program. See [per curiam](#) this date. Hoofman, J., not participating.

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 21, 2013

MOTIONS SUBMITTED

PETITION FOR REHEARING:

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

PETITIONS FOR REVIEW:

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.

CV-13-889. Lynda Hamm v. Jerry Hamm, from White County Circuit Court.

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.

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

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.

CR-13-715. Troy Lawrence McCulley v. State of Arkansas, from Poinsett County Circuit Court. Resubmission of motion for rule on clerk.

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

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.

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 21, 2013

MOTIONS SUBMITTED

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.

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.

ARKANSAS SUPREME COURT

PROCEEDINGS OF NOVEMBER 21, 2013

CASES SUBMITTED

CV-13-145. Tanya Smith v. Conagra Foods, Inc., and Terry Steen, from the United States District Court for the Eastern District of Arkansas. Orally argued.

CV-13-261. Elizabeth Worden and Douglas Spires as Heirs at Law for Alfred Spires (Deceased) v. Dr. Jeffrey Kirchner, M.D. (Individually) and Arkansas Health Group, d/b/a North Little Rock Emergency Doctors Group and/or Arkansas Health Groups Separate Commercial Liability Insurers John Doe Insurance Companies A to Z and Baptist Health, d/b/a Baptist Health Medical Center-North Little Rock and/or Baptist Health's Separate Commercial Liability Insurers John Doe Insurance Companies A to Z and Baptist Medicare, Inc., d/b/a Practice Plus, from Pulaski County Circuit Court, Sixth Division.

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

CV-13-552. Claude Graves v. Greene County, Arkansas, from Greene County Circuit Court.

CV-13-587. Amalie E. Bishop (Singletary) v. Joseph E. Singletary, from Lonoke County Circuit Court.