

# ARKANSAS SUPREME COURT

## PROCEEDINGS OF FEBRUARY 13, 2014

### **DONALD L. CORBIN, JUSTICE**

[CV-13-419](#). Board of Trustees of the University of Arkansas v. Crawford County Circuit Court, The Honorable Michael Medlock, Judge, from Crawford County Circuit Court. Petition moot. Special Justice A. Vaughan Hankins joins in this opinion. Goodson, J., not participating.

### **PAUL E. DANIELSON, JUSTICE**

[CV-13-448](#). Board of Trustees of the University of Arkansas v. Mike Burcham, from Crawford County Circuit Court. Reversed and dismissed. Special Justice A. Vaughan Hankins joins in this opinion. Goodson, J., not participating.

[CV-13-692](#). J.B. Hunt, LLC v. Robert B. Thornton; Frieda V. Thornton; Robert B. and Frieda V. Thornton, As Trustees of The Thornton Family Charitable Remainder Annuity Trust No. 1 U/T/D June 28, 1989, The Thornton Family Charitable Remainder Annuity Trust No. 2 U/T/D June 28, 1989, The Thornton Family Charitable Remainder Annuity Trust No. 3 U/T/D June 28, 1989, The Robert B. Thornton and Frieda V. Thornton Charitable Remainder Annuity Trust U/T/D December 29, 1992, and The Robert B. Thornton and Frieda V. Thornton Charitable Unitrust U/T/D December 29, 1992; Merrill Lynch, Pierce, Fenner & Smith, Incorporated; Metropolitan National Bank; Webster Capital Finance, Inc.; Banc of America Leasing & Capital, LLC; Computer Repair Services, LLC; Chambers Bank; St. Mary's Hospital Foundation; General Electric Capital Corporation; Judith Ann Thornton; Stephen Robert Thornton; Bank of America, NA; and Suntrust Equipment Finance & Leasing Corp., from Benton County Circuit Court. Affirmed. Baker and Hart, JJ., dissent.

### **JOSEPHINE LINKER HART, JUSTICE**

[CV-13-399](#). Christopher Cordero v. Arkansas Department of Human Services, from Lonoke County Circuit Court. Affirmed.

### **CLIFF HOOFFMAN, JUSTICE**

[CV-13-705](#). Dan Billingsley, Brenda Billingsley, and Floors and More, Inc. v. Benton NWA Properties, LLC, from Saline County Circuit Court. Dismissed without prejudice

### **PER CURIAM OPINIONS**

[CR-12-207](#). Charles Alvin Boatright v. State of Arkansas, from Madison County Circuit Court. Affirmed.

[CR-13-797](#). Charles Edward Jones v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed; motion moot.

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[CV-12-82](#). Joseph Ritter v. Ray Hobbs, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Affirmed.

[CV-12-87](#). Ronald Green and \$1,427 in U.S. Currency v. State of Arkansas, from Desha County Circuit Court. Affirmed.

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**PER CURIAM ORDERS**

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

CR-13-173. Jerry Lard v. State of Arkansas, from Greene County Circuit Court. Hannah, C.J., and Corbin, J., would grant.

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

CV-13-1048. William Curtis v. Michael Lemna and New Champions Golf & Country Club, from the Arkansas Workers' Compensation Commission. Corbin, Baker, and Hart, JJ., would deny.

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CR-13-775. Ivor Gordon v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to treat the copy of the trial transcript as the original trial transcript for purposes of appeal is denied. Writ of certiorari issued to settle the record.

CR-13-872. Don Airsman v. State of Arkansas, from Hempstead County Circuit Court. Appellant's petition for writ of certiorari to complete record is granted. Appellant's substituted brief due ten days from the lodging of the supplemental record.

CV-11-900. Chase Bank USA, N.A. v. Regions Bank, N.A.; Wanda Jean Stephens; The Stephens Family Limited Partnership; Rachel Stephens, Minor; Kathryn Stephens; Alex Stephens; Jennifer Stephens, Minor; Joshua Stephens, Minor; and Greg Stephens, Individually and as Parent and Next Friend of the Above Minors, from Pulaski County Circuit Court, Fourteenth Division. Motion of Chase Bank USA, N.A. to compel payment of costs on appeal as to The Stephens Family Limited Partnership is granted.

CV-13-1000. Graham Goodloe v. Marcia Goodloe, from Pulaski County Circuit Court, Fourteenth Division. Appellee's motion for permission to submit supplemental briefs is granted.

CV-13-1080. Teri Baber v. Richardson Baber, from Madison County Circuit Court. Appellee's motion to reconsider motion to dismiss appeal or alternatively, motion to require appellant to supplement record is moot.

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### PER CURIAM ORDERS

CV-13-1080. Teri Baber v. Richardson Baber, from Madison County Circuit Court. Joint motion to dismiss appeal with prejudice is granted.

CV-14-82. Union Pacific Railroad Company v. Rusty A. Jumper, from Crittenden County Circuit Court. Petition for permission to appeal. Remanded for the circuit court to make findings pursuant to Ark. R. App. P.–Civ. 2(f)(1) and Ark. R. Civ. P. 26(f).

[CR-13-669](#). Corey J. Williams v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Pro se motion for extension of time to file brief and motion for transcript. Appeal dismissed; motions moot. See **per curiam** this date.

[CR-13-1106](#). Anthony O. Craigg v. State of Arkansas, from Washington County Circuit Court. Pro se motions for appointment of counsel, to stay appeal, and to reinvest jurisdiction in the trial court. Appeal dismissed; motion to reinvest jurisdiction in the trial court denied; motions for appointment of counsel and to stay appeal moot. See **per curiam** this date.

[CV-13-1096](#). Albert Betts v. State of Arkansas and Ray Hobbs, Director, Arkansas Department of Correction, from Lee County Circuit Court. Pro se motion for belated appeal of order and motion for appointment of counsel. Motion for belated appeal of order denied; motion for appointment of counsel moot. See **per curiam** this date.

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**MOTIONS SUBMITTED**

PETITIONS FOR REVIEW:

CV-13-1050. Gregory Ross Giles, Terri Giles, Karen Jean Hughes, and Kevin Hughes v. Ozark Mountain Regional Public Water Authority, from Boone County Circuit Court.

CV-13-1084. Rosetta Giddens, Power of Attorney for Ida Taylor v. Booker Franklin and Bank of Star City, from Jefferson County Circuit Court.

CV-13-1149. Heirs of Mancil Duncan and Sylvia Duncan et al. v. Alfred T. Williams Living Trust and Marceil E. Sibert Living Trust, from Cleburne County Circuit Court.

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CR-13-991. Daniel Pedraza v. State of Arkansas, from Drew County Circuit Court. Appellant's motion to unseal record.

CR-13-1122. Tevin A. Bradley v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion to supplement the abstract and file a substituted brief.

CR-14-59. Bryant E. Turner v. State of Arkansas, from Faulkner County Circuit Court. Motion of Karen Walker to be relieved as counsel.

CV-13-357. Reginald R. Early v. Keith Crockett, Clayborn Carroll, Roberta Lewis, and Lamon Mayo, from Jefferson County Circuit Court. Pro se motion to strike appellees' brief.

CV-13-357. Reginald R. Early v. Keith Crockett, Clayborn Carroll, Roberta Lewis, and Lamon Mayo, from Jefferson County Circuit Court. Pro se motion for extension of time to file appellant's reply brief.

CV-13-357. Reginald R. Early v. Keith Crockett, Clayborn Carroll, Roberta Lewis, and Lamon Mayo, from Jefferson County Circuit Court. Pro se motion to supplement abstract and addendum and to file a substituted brief.

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CV-14-93. Mark Watson v. Shelter Mutual Insurance Company, Inc., from Van Buren County Circuit Court. Motion for rule on clerk.

CV-14-105. Kristina Oliver v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Appellees' motion to dismiss appeal.

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**CASES SUBMITTED**

CR-12-741. Kirk Johnson v. State of Arkansas, from Jefferson County Circuit Court.

CR-13-438. Edward Thompson III v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division.

CV-12-690. Sherwood Gooch v. Ray Hobbs, Director, Arkansas Department of Correction, from Jefferson County Circuit Court.