

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF MARCH 13, 2014**

**DONALD L. CORBIN, JUSTICE**

[CR-13-784](#). State of Arkansas v. Samuel Khabeer, from Pulaski County Circuit Court, Seventh Division. Affirmed.

**PAUL E. DANIELSON, JUSTICE**

[CV-13-356](#). Desiree Kolbek, Amy Eddy, Jeanette Orlando, Nicole Farr, Summer Hagan, Jamie Rodriguez, Pebbles Rodriguez, Spencer Ondrisek, Seth Calagna, Jeanne Estates Apartments, Inc., Tony Alamo a/k/a Bernie Lazar Hoffman, Steven Johnson, Cherry Hill Printing Company, Inc., Angela Morales, Jim Myers, David Romero, Nina Romero, Jennifer Kolbek, Joni Johnson, Suzanne Streit, Marty Moan, Anna Moan, Rob Walker, June Walker, Twenty-First Century Holiness Tabernacle Church, Inc., Music Square Church, Inc., SJ Distributing, Inc., Action Distributors, Inc., Advantage Sales, LLC, Rite Way Roofing, Inc., Donn Wolfe, Steve Lovellette, Sally Demoulin, Terri White, Sanford White, Tommy Scarcello, Ron Decker, Douglas “Sonny” Brubach, and Sharon Alamo v. Truck Insurance Exchange and Farmers Insurance Exchange, from Sebastian County Circuit Court, Fort Smith District. Affirmed; motion to dismiss denied.

**JOSEPHINE LINKER HART, JUSTICE**

[CV-13-756](#). Pine Hills Health and Rehabilitation, LLC; SLC Operations, LLC; SLC Professionals of Arkansas, LLC n/k/a SLC Professionals, LLC; Capital Seniorcare Ventures, LLC; 900 Magnolia Road SW, LLC; Senior Vantage Point, LLC; Senior Living Communities of Arkansas, LLC; Addit, LLC; Quality Review, LLC; Arkansas SNF Operations Acquisition, LLC; Arkansas Nursing Home Acquisition, LLC; CSCV Holdings, LLC; Capital Funding Group, Inc.; Capital Funding, LLC d/b/a Capital Funding Group; Michael Hunter, in His Capacity as Administrator of Pine Hills Health and Rehabilitation, LLC; and Patricia Bullard, in Her Capacity as Administrator of Pine Hills Health and Rehabilitation, LLC v. Rufus Brian Matthews, as Special Administrator of the Estate of Rufus Owens, Deceased, and on Behalf of the Wrongful Death Beneficiaries of Rufus Owens, from Ouachita County Circuit Court. Affirmed.

**CLIFF HOOFFMAN, JUSTICE**

[CR-13-371](#). Johnathan Johnston v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed. Hannah, C.J., dissents.

[CV-13-450](#). James Fitzgerald Valley v. Pulaski County Circuit Court, Third Division, from Pulaski County Circuit Court, Third Division. Affirmed.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF MARCH 13, 2014**

**PER CURIAM OPINIONS**

[CR-12-555](#). Theotis Thornton v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed.

[CR-12-978](#). Alvin Biggs v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Order affirmed; motion moot.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF MARCH 13, 2014**

**PER CURIAM ORDERS**

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

CR-14-145. Henry Harmon v. State of Arkansas, from Pulaski County Circuit Court, First Division.

\*\*\*\*\*

CR-12-7. Richard T. Gordon, Sr. v. State of Arkansas, from Stone County Circuit Court. Appellant's motion to file for coram nobis relief is denied.

CR-12-7. Richard T. Gordon, Sr. v. State of Arkansas, from Stone County Circuit Court. Appellant's motion for time to file belated Rule 37 brief is denied.

CV-13-890. Banks of the Ozarks, Inc., et al. v. Robert Walker, et al., from Lonoke County Circuit Court. Motion to continue oral argument is granted.

CV-14-171. Vicki Davis v. Jarrod Davis, from Lonoke County Circuit Court. Motion for rule on clerk is denied.

CV-14-200. Rodney Evans v. Arkansas Department of Human Services and Minor Child, from Carroll County Circuit Court, Eastern District. Motion to withdraw as counsel for non-indigent appellant is denied. Arkansas Public Defender Commission is directed to file with the Supreme Court a petition for redetermination of indigency and a motion for rule on clerk.

CV-14-200. Rodney Evans v. Arkansas Department of Human Services and Minor Child, from Carroll County Circuit Court, Eastern District. Motion to waive filing fee for limited purpose of seeking withdrawal as counsel for non-indigent appellant is granted.

[CR-13-362](#). Ronald Deron Green v. State of Arkansas, from Desha County Circuit Court. Pro se motion for extension of time to file appellant's brief. Appeal dismissed; motion moot. See **per curiam** this date.

CR-13-752. Patrick Sherman v. State of Arkansas, from Hot Spring County Circuit Court. Pro se motion for extension of time to file brief; motion for appointment of counsel; and motion for court to direct its clerk to provide petitioner with a copy of the record. Pro se motion for appointment of counsel denied; motion for extension of time granted; motion for a copy of the record granted. Brief due thirty days from the date of this per curiam order (record to be returned when brief is submitted).

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF MARCH 13, 2014**

**PER CURIAM ORDERS**

[CR-13-764](#). Christopher Dewayne Dodge v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Pro se motion for record and motion for extension of time to file brief. Appeal dismissed; motions moot. See **per curiam** this date.

CR-14-121. Jerry Dewayne Savage v. Hon. Don Glover, Circuit Judge, from Ashley County Circuit Court. Pro se petition for writ of mandamus and pro se motion to withdraw petition for writ of mandamus. Petition for writ of mandamus and motion to withdraw petition for writ of mandamus moot.

[CV-14-111](#). Abraham Grant v. Ray Hobbs, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Pro se motions to vacate order, for copy of record, for extension of brief time, and for appointment of counsel. Appeal dismissed; motions moot. See **per curiam** this date.

In Re Administrative Order No. 5. See [per curiam](#) this date.

In Re Amendments to Rules of Civil Procedure; Rules of the Supreme Court; Rules of Appellate Procedure–Civil; District Court Rules; and Administrative Orders. See [per curiam](#) this date.

In Re Arkansas Supreme Court Committee on Criminal Practice–Proposed Rule Changes. See [per curiam](#) this date.

In Re Arkansas Supreme Court Committee on Criminal Practice. See [per curiam](#) this date.

Casey Castleberry, Esq., of Batesville, Samuel Pasting, Esq., of Flippen, and Brent Standridge, Esq., of Benton are appointed to our Committee on Criminal Practice for three-year terms to expire on January 31, 2017. We thank these new members for accepting appointment to this important committee.

We express our gratitude to Judge Sam Pope, Judge Olly Neal, and David Gibbons, whose terms have expired, for their service to the committee.

We also note the retirement of Professor Scott Stafford as the reporter for the committee. He served the committee in that role for many years, as well as previous service as a regular member. His scholarship will be greatly missed, and we extend our sincere appreciation for his years of dedicated service.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF MARCH 13, 2014**

**MOTIONS SUBMITTED**

PETITIONS FOR REVIEW:

CV-13-1136. Rose Butler v. Lake Hamilton School District et al., from the Arkansas Workers' Compensation Commission.

CV-13-1148. Robert Bird Colquitt v. Linda Colquitt, from Columbia County Circuit Court.

CV-13-1151. Debra Davis v. Schneider National, Inc.; Schneider National Carriers, Inc.; and Paul Turner, from Jefferson County Circuit Court.

\*\*\*\*\*

CR-11-556. Cristobal Antonio Mancía v. State of Arkansas, from Benton County Circuit Court. Motion of Craig Lambert to be substituted as counsel.

CR-14-202. Larry Gene Burks v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion requesting a belated appeal and motion requesting appointment of counsel to represent appellant on direct appeal.

CV-12-1058. Ortho-McNeil-Janssen Pharmaceuticals, Inc., f/k/a Janssen Pharmaceutica, Inc., and/or Janssen, LP; and Johnson & Johnson, Inc. v. State of Arkansas, ex rel. Dustin McDaniel, Attorney General, from Pulaski County Circuit Court, Sixth Division. Appellee's motion for leave to file supplemental brief.

CV-13-398. Christopher Cordero v. Arkansas Department of Human Services and Minor Children, from Lonoke County Circuit Court. Appellees' joint motion to set briefing schedule.

CV-13-1048. William Curtis v. Michael Lemna and New Champions Golf & Country Club, from the Arkansas Workers' Compensation Commission. Appellant's motion to file supplemental briefs.

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. Motion of Owners' Counsel of America for leave to file amicus curiae brief.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF MARCH 13, 2014**

**MOTIONS SUBMITTED**

CV-14-194. United Food and Commercial Workers International Union, Organization United for Respect at Walmart, and Does 1-10 v. Benton County Circuit Court, from Benton County Circuit Court. Petition for writ of prohibition and petition for writ of certiorari.

CV-14-203. George Brumley v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court. Motion for redetermination of indigency and motion to be relieved as counsel.

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF MARCH 13, 2014**

**CASES SUBMITTED**

CR-10-545. Mickey David Thomas v. State of Arkansas, from Sevier County Circuit Court. Orally argued.

CR-12-1129. James E. Montgomery v. State of Arkansas, from Greene County Circuit Court.

CR-13-807. Justin Thornton v. State of Arkansas, from Lincoln County Circuit Court.

CV-12-1011. GSS, LLC v. CenterPoint Energy Gas Transmission Company, from Garland County Circuit Court.

CV-13-733. Jon Hopkins v. The City of Brinkley, Arkansas; and the Brinkley Water and Sewer Department, from Monroe County Circuit Court.