

**ARKANSAS SUPREME COURT**  
**PROCEEDINGS OF APRIL 17, 2014**

**PAUL E. DANIELSON, JUSTICE**

[CR-13-757](#). Tommy Bowden v. State of Arkansas, from Johnson County Circuit Court. Affirmed.

**KAREN R. BAKER, JUSTICE**

[CV-13-847](#). Mary Berryhill v. Frances Synatzske, Deceased, Bryan Huffman, as Special Administrator of the Estate of Frances Synatzske, and John Does 1-70, from Hot Spring County Circuit Court. Reversed and remanded; court of appeals' opinion vacated. Hannah, C.J., and Corbin and Danielson, JJ., dissent.

[CV-13-1050](#). Gregory Ross Giles, Terri Giles, Karen Jean Hughes, and Kevin Hughes v. Ozark Mountain Regional Public Water Authority of the State of Arkansas, from Boone County Circuit Court. Affirmed; court of appeals' opinion vacated.

**COURTNEY HUDSON GOODSON, JUSTICE**

[CR-13-21](#). Vernell R. Conley v. State of Arkansas, from Washington County Circuit Court. Affirmed in part; reversed and remanded in part with directions. Hart, J., concurs.

[CV-13-931](#). State of Arkansas v. Patricia West and \$7550 in United States Currency, from Craighead County Circuit Court, Western District. Affirmed.

**CLIFF HOOFFMAN, JUSTICE**

[CV-13-936](#). Peter Brave v. Marie Brave, from Pulaski County Circuit Court, Sixteenth Division. Affirmed; motion to dismiss denied; court of appeals' opinion vacated.

**PER CURIAM OPINION**

[CR-12-802](#). Sam Edward Thurmond, Sr. v. State of Arkansas, from Faulkner County Circuit Court. Appeal dismissed.

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**PER CURIAM ORDERS**

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

CR-13-371. Johnathan Johnston v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Hannah, C.J., and Corbin and Danielson, JJ., would grant.

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

CV-14-95. Ronnie Willcutt, Larry F. Willcutt, Marsha Kay Willcutt, and Nadine Willcutt v. Ricky D. Houston and Sherry L. Houston, from Conway County Circuit Court.

CV-14-143. Timothy Roger Simpson, as Personal Representative of the Estate of Edith Laverne Simpson, Deceased v. Bobby Simpson et al., from Craighead County Circuit Court, Western District.

CV-14-184. Mary Ann Ayers v. Director et al., from the Arkansas Board of Review.

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CR-14-145. Henry A. Harmon v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to allow supplemental briefing is granted.

CR-14-268. Rickey Dale Newman v. Hon. Gary R. Cottrell, Circuit Judge of Crawford County, from Crawford County Circuit Court. Petition for writ of certiorari is taken as a case with an expedited briefing schedule. Petitioner's brief due in twenty days. Respondent's brief due fifteen days thereafter. Petitioner's reply brief due five days after respondent's brief is filed.

CV-13-596. Charles Jones v. Myra Jones, from Independence County Circuit Court. Motion for attorney fees is granted.

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CV-13-779. Travelers Casualty & Surety Company of America and BBC Construction, LLC, d/b/a Boyd Corley Construction, LLC v. Sweet's Contracting, Inc., from Independence County Circuit Court. Appellee's motion for reassignment to the Supreme Court is granted.

CV-13-919. John K. Kelly v. Christian Snowden Kelly, from Pulaski County Circuit Court, Seventeenth Division. Appellant's motion for the recusal of Justices Corbin and Goodson. Justices Corbin and Goodson decline the suggestion of recusal. *See U.S. Term Limits, Inc. v. Bobbie E. Hill*, 315 Ark. 685, 870 S.W.2d 383 (1994).

CV-13-1000. Graham Goodloe v. Marcia Goodloe, from Pulaski County Circuit Court, Fourteenth Division. Appellant's motion to dismiss appeal as moot is denied.

CV-13-1000. Graham Goodloe v. Marcia Goodloe, from Pulaski County Circuit Court, Fourteenth Division. Appellant's motion for permission to file belated supplemental response brief and for extension of time is granted.

CV-13-1059. Allisa Virgil v. Evergreen Packaging, Inc., from Jefferson County Circuit Court. Appellant's motion for reconsideration is denied.

CV-14-36. Linda Marston, Patsy Ellifritz, Dennis Taylor, and Wanda Gragg v. James E. Taylor, Diane Crims, Janice Hagler, and Joann Morgan, from Crawford County Circuit Court. Resubmission of motion for rule on clerk after remand is granted.

CV-14-143. Timothy Roger Simpson, as Personal Representative of the Estate of Edith Laverne Simpson, Deceased v. Bobby Simpson et al., from Craighead County Circuit Court, Western District. Appellant's motion for permission to file reply to response to petition for review is denied.

CV-14-171. Vicki Davis v. Jerrod Davis, from Lonoke County Circuit Court. Appellant's motion for reconsideration and request for oral argument on motion for rule on clerk is denied.

CV-14-276. Jonathan Jackson and Jocelyn Jackson v. Deneidre Poole, The City of Dumas, Arkansas Public Entities Risk Management Association, and James I. Edgerson, from Desha County Circuit Court. Motion for rule on clerk is denied.

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CV-14-308. H.G. Foster v. Mark Martin, in His Official Capacity as Secretary of State, and Dustin McDaniel, in His Official Capacity as Attorney General, from Pulaski County Circuit Court, Fifth Division. Motion for accelerated consideration on writ of *quo warranto* and other relief is granted. Danielson, Baker, and Goodson, JJ., not participating.

CV-14-308. H.G. Foster v. Mark Martin, in His Official Capacity as Secretary of State, and Dustin McDaniel, in His Official Capacity as Attorney General, from Pulaski County Circuit Court, Fifth Division. Petition for writ of *quo warranto* or other relief is denied. See *State v. Jernigan*, 2011 Ark. 487, 385 S.W.3d 776; *Zolliecoffer v. Post*, 371 Ark. 263, 265 S.W.3d 114 (2007); *Cummings v. Wash. Cnty. Election Comm'n*, 291 Ark. 354, 724 S.W.2d 486 (1987); *Ramsey v. Carhart*, 27 Ark. 12 (1871). Danielson, Baker, and Goodson, JJ., not participating.

CV-14-308. H.G. Foster v. Mark Martin, in His Official Capacity as Secretary of State, and Dustin McDaniel, in His Official Capacity as Attorney General, from Pulaski County Circuit Court, Fifth Division. Petition for writ of prohibition, to be named a respondent in this matter, or for permission to file an amicus brief in response to H.G. Foster's petition for writ of *quo warranto* or other relief, or for other relief is moot. Danielson, Baker, and Goodson, JJ., not participating.

D-12-459. Stark Ligon, Executive Director, Supreme Court Committee on Professional Conduct v. Heather Patrice Hogrobrooks, Arkansas Bar No. 92029, an Original Action. Petition for information regarding the status of appeal is denied.

CR-84-149. Johnny Lee Hill, Jr. v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Pro se motion to file belated motion for reconsideration. Motion denied.

[CR-07-110](#). Kenneth Ray Pitts v. State of Arkansas, Pulaski County Circuit Court, Sixth Division. Second pro se petition to reinvest jurisdiction in the circuit court to consider a petition for writ of error coram nobis and motion for leave to file amended petition. Petition and motion denied. See **per curiam** this date.

CR-14-5. Stanley J. Carter v. State of Arkansas, from Crittenden County Circuit Court. Pro se motion for trial transcript at public expense. Motion denied.

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[CR-14-96](#). Jacques Slocum v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Pro se motion for extension of brief time. Appeal dismissed; motion moot. See **per curiam** this date.

[CR-14-158](#). Tommy Martez Barber v. State of Arkansas, from St. Francis County Circuit Court. Pro se motion for appointment of counsel. Appeal dismissed; motion moot. See **per curiam** this date.

[CV-14-144](#). Harold Henderson v. State of Arkansas, from Lee County Circuit Court. Pro se motion for appointment of counsel. Appeal dismissed; motion moot. See **per curiam** this date.

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**MOTIONS SUBMITTED**

PETITION FOR REHEARING:

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, from Pulaski County Circuit Court, Sixth Division.

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PETITIONS FOR REVIEW:

CR-14-255. Charles Stutte v. State of Arkansas, from Washington County Circuit Court.

CR-14-281. Timothy Randall Jones v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith and Greenwood Districts.

CR-14-292. Tyrone James Campbell v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

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CR-14-4. Zeckeya Kenya Perry v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's motion to file belated brief.

CV-14-300. Tracy Standridge v. Caroline Wood, from Baxter County Circuit Court. Pro se motion for rule on clerk.

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**CASES SUBMITTED**

CR-13-223. Robert Stiggers v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division.

CR-13-301. Willie Author McDaniels v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CV-13-674. Patricia King v. City of Harrisburg, from Poinsett County Circuit Court.

CV-13-1114. Hotel Associates, Inc. v. Rieves, Rubens & Mayton, an Arkansas General Partnership; Michael R. Mayton; Elton Allison Rieves, III; and Belinda E. Rubens, Individually and in Her Capacity as Administratrix of the Estate of Kent Jay Rubens, from Pulaski County Circuit Court, Third Division.

Opinions are available on the internet at

<http://courts.arkansas.gov>