

ARKANSAS SUPREME COURT

PROCEEDINGS OF MAY 8, 2014

DONALD L. CORBIN, JUSTICE

[CR-13-406](#). Osires Guevara v. State of Arkansas, from Benton County Circuit Court. Reversed and remanded.

[Cr-13-655](#). Sandra Nance v. State of Arkansas, from Lonoke County Circuit Court. Affirmed in part and dismissed in part; cross-appeal dismissed. Baker and Hart, JJ., dissent.

COURTNEY HUDSON GOODSON, JUSTICE

[CR-13-668](#). Alonzo Watson v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed.

JOSEPHINE LINKER HART, JUSTICE

[CV-13-1115](#). Melvin Smith v. State of Arkansas, from Lincoln County Circuit Court. Affirmed.

PER CURIAM OPINION

[CR-12-752](#). Paul W. Criswell v. State of Arkansas, from Saline County Circuit Court. Appeal dismissed.

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PER CURIAM ORDERS

PETITIONS FOR REVIEW: Petitions for review were denied today in the following cases.

CR-14-287. Juan Carlos Martinez v. State of Arkansas, from Benton County Circuit Court.

CV-14-238. Ethan O. Moody v. Artee Williams, Director, Arkansas Department of Workforce Services, and Arkansas Highway & Transportation Department, from the Arkansas Board of Review. Hoofman, J., not participating.

[CR-11-556](#). Cristobal Mancia v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for extension of time granted; order to return record issued. See **per curiam** this date.

CR-12-487. Roy Lee Smith v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's motion for belated brief is granted.

CR-12-487. Roy Lee Smith v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's petition for writ of certiorari to complete the record is granted.

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

CV-13-1051. Greg Bowerman v. Takeda Pharmaceuticals USA, Inc., f/k/a Takeda Pharmaceuticals North America, Inc., et al., from the United States District Court, Western District of Louisiana, Lafayette Division. Respondents' motion for oral argument is granted.

CV-14-238. Ethan O. Moody v. Artee Williams, Director, Arkansas Department of Workforce Services, and Arkansas Highway & Transportation Department, from the Arkansas Board of Review. Appellant's motion for order granting leave to supplement the record and brief is moot. Hoofman, J., not participating.

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CV-14-346. Terence Robinson, Jr. v. State of Arkansas Office of Child Support Enforcement, from Clark County Circuit Court. Motion to file belated appeal is denied.

CV-14-358. Valerie Thompson Bailey v. Mark Martin, in His Official Capacity as the Secretary of State for the State of Arkansas; Rob Hill, Lou Ann Carter, and Jeff Olmsted, in Their Official Capacities as the Commissioners of the Perry County Election Commission; Leonard A. Boyle, Sr., Chris Burks, and Alex Reed, in Their Official Capacities as the Commissioners of the Pulaski County Election Commission; and Kristen Hulse, from Pulaski County Circuit Court. Motion for oral argument is denied. Special Justices Raymond Abramson, Woody Bassett, and Todd Turner agree. Danielson, Baker, and Goodson, JJ., not participating. (Proceedings of May 5, 2014)

CV-14-367. John K. Kelly v. Mark A. Martin, in His Official Capacity as the Secretary of State for the State of Arkansas; Rob Hill, Lou Ann Carter, and Jeff Olmsted, in Their Official Capacities as the Commissioners of the Perry County Election Commission; Leonard A. Boyle, Sr., Chris Burks, and Alex Reed, in Their Official Capacities as the Commissioners of the Pulaski County Election Commission; and Timothy D. Fox; Timothy Davis Fox v. Leslie Steen, in His Official Capacity as Clerk of the Supreme Court of the State of Arkansas and Arkansas Court of Appeals, from Pulaski County Circuit Court. Amicus motion of proposed amici curiae Arkansas Attorney General Dustin McDaniel on Behalf of the State of Arkansas is granted. Special Justices Raymond Abramson, Woody Bassett, and Todd Turner agree. Hannah, C.J., and Corbin, J., would deny. Danielson, Baker, and Goodson, JJ., not participating. (Proceedings of May 2, 2014)

CV-14-369. Leslie Steen, in His Official Capacity as Clerk of the Supreme Court of the State of Arkansas and Arkansas Court of Appeals v. Harry G. Foster II and Doralee Chandler, Candidate for Circuit Judge, District 20, Division 5 v. Mark Martin, in His Official Capacity as the Secretary of State for the State of Arkansas; James Bargar, Paul Foster, Betty Pickett, in Their Official Capacities as the Commissioners of the Faulkner County Election Commission; LC Ratchford, Doyle Ragland, G.C. Blair, in Their Official Capacities as the Commissioners of the Searcy County Election Commission; Stephen James, Jim Kirkendoll, and Bob Patterson, in Their Official Capacities as the Commissioners of the Van Buren County Election Commission; and Harry G. Foster II, from Pulaski County Circuit Court, Fifth Division. Cross-appellant/appellant's petition for certiorari to complete the record is granted. Supplemental record filed this date. Simultaneous briefing ordered by Friday, May 2, 2014, at 12:00 p.m. No motions for extension of time or motions to file reply briefs will be entertained. Special Justices Raymond Abramson, Woodson W. Bassett III, and Todd Turner agree. Danielson, Baker, and Goodson, JJ., not participating. (Proceedings of May 1, 2014)

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PER CURIAM ORDERS

CV-14-370. Lonnie Williams v. Mark Martin, in His Official Capacity as the Secretary of State for the State of Arkansas; James Bargar, Paul Foster, Betty Pickett, in Their Official Capacities as the Commissioners of the Faulkner County Election Commission; Grover “Doc” Blair, Doyle Ragland, and L.C. Ratchford, in Their Official Capacities as the Commissioners of the Searcy County Election Commission; Stephen James, Bob Patterson and Jimmy Kirkendoll, in Their Official Capacities as the Commissioners of the Van Buren County Election Commission and Angela A. Byrd v. Leslie Steen, in His Official Capacity as Clerk of the Supreme Court of the State of Arkansas and Arkansas Court of Appeals v. Angela Byrd, from Pulaski County Circuit Court, Fifth Division. Lonnie Williams’s petition for certiorari to complete the record or motion to supplement the record is granted. Supplemental record filed this date. Lonnie Williams’s brief filed this date. Responsive briefs due by noon on Monday, May 5, 2014. Special Justices Raymond Abramson, Woody Bassett, and Todd Turner agree. Danielson, Baker, and Goodson, JJ., not participating. (Proceedings of May 2, 2014)

CV-14-371. Arkansas State Board of Election Commissioners and Doyle Webb, on Behalf of The Republican Party of Arkansas v. Pulaski County Election Commission; Leonard A. Boyle, Sr., Chris Burks, and Alex Reed, in Their Official Capacities as Commissioners of the Pulaski County Election Commission; and Larry Crane, in His Official Capacity as the Pulaski County Circuit/County Clerk, from Pulaski County Circuit Court, Sixth Division. Appellant SBEC’s motion to supplement the record is granted. Supplemental record filed this date. (Proceedings of May 1, 2014)

CV-14-391. Carl A. Redus, Jr.; Ted Davis; Loretta Whitfield; Lloyd Franklin, Sr.; Stu Soffer; Cynthia Sims; Will Fox; Patricia Johnson; and Jefferson County Election Commission v. Deborah “Debe” Hollingsworth, from Jefferson County Circuit Court. Motion to expedite is granted. (Proceedings of May 7, 2014)

CV-14-391. Carl A. Redus, Jr.; Ted Davis; Loretta Whitfield; Lloyd Franklin, Sr.; Stu Soffer; Cynthia Sims; Will Fox; Patricia Johnson; and Jefferson County Election Commission v. Deborah “Debe” Hollingsworth, from Jefferson County Circuit Court. Appellants’ emergency motion for stay pending appeal and incorporated brief is denied. (Proceedings of May 7, 2014)

CR-06-1327. Terry Lee Ward v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Pro se motion for copies at public expense. Motion denied.

CR-13-752. Patrick Sherman v. State of Arkansas, from Hot Spring County Circuit Court. Pro se petition for writ of certiorari to complete the record is denied; extension of time moot.

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[CR-13-842](#). Eugene Thomas, III v. State of Arkansas, from Ashley County Circuit Court. Pro se motion for duplication of appellant's brief at public expense. Appeal dismissed; motion moot. See **per curiam** this date.

[CR-14-235](#). Tracy M. Standridge v. Hon. John R. Putman, Circuit Judge, from Baxter County Circuit Court. Pro se petition for writ of mandamus. Petition denied. See **per curiam** this date.

[CV-14-112](#). Robert J. Fortier v. Ray Hobbs, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Pro se appellant's motion for extension of time to file brief. Appeal dismissed; motion moot. See **per curiam** this date.

CV-14-260. Eugene Wesley v. Hon. L.T. Simes, II, Circuit Judge, from Lee County Circuit Court. Pro se petition for writ of mandamus. Petition moot.

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MOTIONS SUBMITTED

PETITION FOR REHEARING:

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

PETITIONS FOR REVIEW:

CR-14-363. Stephan Brian Cole v. State of Arkansas, from Garland County Circuit Court.

CV-14-196. Joe Ryburn v. Janet Carol Ryburn, from Saline County Circuit Court.

CR-95-1113. James Cooper, Jr.; Ulonzo Gordon; and Jeremy Moten v. State of Arkansas, from Crittenden County Circuit Court. Appellants' motion to reinvest the circuit court with jurisdiction in order to consider petition for writ of error coram nobis.

CR-13-438. Edward Thompson, III v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Appellant's motion for extension of time to settle the record.

CV-14-241. Linda S. Lee v. Sheryln E. Jones, from Perry County Circuit Court. Pro se petition for reconsideration of writ of certiorari to complete the record.

CV-14-243. Linda S. Lee v. Sherlyn E. Jones, from Perry County Circuit Court. Pro se petition for reconsideration of writ of certiorari to complete the record.

CV-14-366. In the Matter of Jerry Hudson Shepard, Jr., an Original Action. Petition to file record under seal.

CV-14-366. In the Matter of Jerry Hudson Shepard, Jr., an Original Action. Petition for readmission to the Arkansas Bar.

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CASES SUBMITTED

CV-13-942. Ray Hobbs, Director, Arkansas Department of Correction v. Ulonzo Gordon, from Lee County Circuit Court. Orally argued.

CV-14-358. Valerie Thompson Bailey v. Mark Martin, in His Official Capacity as the Secretary of State for the State of Arkansas, et al., from Pulaski County Circuit Court.

CV-14-367. John K. Kelly v. Mark Martin, in His Official Capacity as the Secretary of State for the State of Arkansas, et al., from Pulaski County Circuit Court, Second Division.

CV-14-369. Leslie Steen, Clerk of the Arkansas Supreme Court v. Harry G. Foster, II, from Pulaski County Circuit Court, Fifth Division.

CV-14-370. Leslie Steen, Clerk of the Arkansas Supreme Court v. Angela Byrd, from Pulaski County Circuit Court, Fifth Division.

CV-14-371. Arkansas State Board of Election Commissioners and Doyle Webb, on Behalf of the Republican Party of Arkansas v. Pulaski County Election Commission, from Pulaski County Circuit Court, Sixth Division.