

**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF JULY 31, 2014**

**PER CURIAM OPINIONS**

[CR-13-28](#). Sam Edward Thurmond, Sr. v. State of Arkansas, from Faulkner County Circuit Court. Affirmed.

[CR-13-131](#). Vincent James Hussey v. State of Arkansas, from Drew County Circuit Court. Affirmed.

[CR-13-167](#). Antonio Lamont Smith v. State of Arkansas, from Pulaski County Circuit Court, Second Division. Affirmed.

[CR-13-476](#). Detrick D. Croston v. State of Arkansas, from Faulkner County Circuit Court. Appeal dismissed; request moot.

[CR-13-504](#). James Girley v. Ray Hobbs, Director, Arkansas Department of Correction, from Pulaski County Circuit Court, Fourth Division. Affirmed.

[CR-13-799](#). Willie Hutcherson v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Affirmed.

[CR-13-906](#). Roy Dean Spratt v. State of Arkansas, from Desha County Circuit Court. Affirmed.

[CV-13-50](#). Earnest Brown v. Ray Hobbs, Director, Arkansas Department of Correction, from Jefferson County Circuit Court. Affirmed.

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**PER CURIAM ORDERS**

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

CR-12-1009. Zachariah Scott Marcyniuk v. State of Arkansas, from Washington County Circuit Court. Special Justice James A. Simpson, Jr., agrees. Goodson, J., not participating.

CR-13-686. Donnie Maiden v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division. Baker and Hart, JJ., would grant.

CR-13-991. Daniel Pedraza v. State of Arkansas, from Drew County Circuit Court.

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

CV-14-434. Progressive Eldercare Services-Saline, Inc., d/b/a Heartland Rehabilitation and Care Center v. Patsy Krauss, from Saline County Circuit Court.

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

CR-14-497. Renford S. Williams v. State of Arkansas, from Faulkner County Circuit Court.

CV-14-169. Jason Hearst v. Billy Paul Baker, Individually and in His Official Capacity as Chief of Police for the City of Mayflower, Arkansas, from Faulkner County Circuit Court.

CV-14-339. The Logan Centers, Inc., et al. v. Carla Walker, as Administratrix of the Estate of Antonio Cozart, from St. Francis County Circuit Court.

CV-14-351. Kenneth Brooks and Ella Brooks v. Terry Abstract Co. and CenterPoint Energy Gas Transmission Co., LLC, from Mississippi County Circuit Court, Chickasawba District.

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CV-14-373. R.J. Chiodini v. David Lock, from Stone County Circuit Court.

CV-14-375. Amanda Slape v. Director et al., from the Arkansas Board of Review.

CV-14-392. James Elliott Loar, Jr., Deceased v. Cooper Tire & Rubber Co., et al., from the Arkansas Workers' Compensation Commission.

CV-14-408. Johnny Grant v. Director, Department of Workforce Services and City of Blytheville, from the Arkansas Board of Review. Hart, J., would grant.

CV-14-418. Frederick McClard and Cheryl McClard v. Bruce L. Smith, Jr., M.D., and Hot Springs Bone and Joint Clinic, P.A., from Garland County Circuit Court.

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CR-86-119. Patricia Hendrickson v. State of Arkansas, from Pike County Circuit Court. Petition to reinvest jurisdiction in the circuit court to consider a writ of error coram nobis is denied.

CR-91-36. Bruce Ward v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion for supplemental briefing is denied. Hart, J., would grant.

CR-98-657. Bruce Ward v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion for supplemental briefing is denied. Hart, J., would grant.

CR-00-1322. Bruce Ward v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Motion for supplemental briefing is denied. Hart, J., would grant.

CR-08-1386. Kenneth Roshell Isom v. State of Arkansas, from Drew County Circuit Court. Motion for supplemental briefing is denied. Hart, J., would grant.

CR-08-1386. Kenneth Roshell Isom v. State of Arkansas, from Drew County Circuit Court. Appellant's motion for judicial notice. Noted.

CR-13-872. Don Airsman, Jr. v. State of Arkansas, from Hempstead County Circuit Court. Appellant's motion to supplement the abstract, brief, and addendum is granted.

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[CR-14-257](#). Christopher Grady v. State of Arkansas, from Jackson County Circuit Court. Motion for rule on clerk is granted. See **per curiam** this date.

CR-14-442. Russell Wayne Hudson v. State of Arkansas, from Faulkner County Circuit Court. Attorney's motion and request for attorney's fees is granted. Allowed \$600.00 attorney's fee. Baker, J., would allow \$1,200.00 attorney's fee.

CR-14-529. Desmond Evans v. State of Arkansas, from Union County Circuit Court. Motion for rule on clerk is granted.

CR-14-602. Lance Noid v. State of Arkansas, from Pulaski County Circuit Court, First Division. Pro se petition for writ of certiorari is denied.

CR-14-602. Lance Noid v. State of Arkansas, from Pulaski County Circuit Court, First Division. Unredacted motion to be relieved as attorney of record is denied without prejudice.

CV-13-87. Arkansas Realtors Association v. Real Forms, LLC, from Washington County Circuit Court. Motion to increase post-judgment security is denied.

[CV-13-202](#). Karen Cooper and Jack Dowell v. Faulkner County Circuit Court, from Faulkner Circuit. Petitioners' (redacted/unredacted) motion to clarify or alternatively, motion for relief to issue subpoena. Order to show cause dismissed. Findings of Fact from Special Master. Accepted. See **per curiam** this date.

CV-13-398. Christopher Cordero v. Arkansas Department of Human Services, from Lonoke County Circuit Court. Motion to relieve counsel is granted.

CV-13-398. Christopher Cordero v. Arkansas Department of Human Services, from Lonoke County Circuit Court. Appellee's motion to dismiss for failure to timely file a record and memorandum of authorities is granted.

CV-13-1048. William Curtis v. Michael Lemna and New Champions Golf & Country Club, from the Arkansas Workers' Compensation Commission. William Curtis's motion for oral argument is denied.

CV-13-1137. Susan G. Cross v. Arkansas State Board of Law Examiners, an Original Action. Motion to dismiss appeal is granted.

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CV-14-12. Bob Allen McCleskey et al. v. Thomas W. Kimbrell et al., from Pulaski County Circuit Court, Sixth Division. Appellants' motion for oral argument is granted.

CV-14-138. GGNSC Holdings, LLC, et al. v. Kathryn S. Chappel et al., from Ouachita County Circuit Court. Appellant's motion for oral argument is granted.

CV-14-173. Robert Dickinson and Pamela Dickinson on Behalf of Themselves and All Residents of Arkansas that are Similarly Situated v. SunTrust Mortgage, Inc., and Federal National Mortgage Association, from the United States District Court, Western District of Arkansas, Western Division. Motion of JPMorgan Chase Bank, N.A., for leave to file amicus curiae brief is granted.

CV-14-173. Robert Dickinson and Pamela Dickinson on Behalf of Themselves and All Residents of Arkansas that are Similarly Situated v. SunTrust Mortgage, Inc., and Federal National Mortgage Association, from the United States District Court, Western District of Arkansas, Western Division. Motion of Federal Home Loan Mortgage Corporation for leave to file brief as amicus curiae in support of Respondents is granted.

CV-14-173. Robert Dickinson and Pamela Dickinson on Behalf of Themselves and All Residents of Arkansas that are Similarly Situated v. SunTrust Mortgage, Inc., and Federal National Mortgage Association, from the United States District Court, Western District of Arkansas, Western Division. Petitioners' motion to extend time to file reply brief and to expand page limit is granted.

CV-14-250. Ken David Swindle v. Southern Farm Bureau Casualty Insurance Company, from Benton County Circuit Court. Motion for leave to file supplemental brief is granted.

CV-14-400. Entergy Arkansas, Inc.; Entergy Operations, Inc.; and DP Engineering, Ltd. Co. v. Pope County Circuit Court, from Pope County Circuit Court. Motion to consolidate appellate records for purposes of briefing is denied.

CV-14-402. Entergy Arkansas, Inc.; Entergy Operations, Inc.; and DP Engineering, Ltd. Co. v. Pope County Circuit Court, from Pope County Circuit Court. Motion to consolidate appellate records for purposes of briefing is denied.

CV-14-468. Ray Hobbs, Director, Arkansas Department of Correction v. James Grubbs, from Lee County Circuit Court. Motion to consolidate appellate records for purposes of briefing is denied. Danielson, J., would grant.

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**PER CURIAM ORDERS**

CV-14-470. Ray Hobbs, Director, Arkansas Department of Correction v. Aaron Hodge, from Lee County Circuit Court. Motion to consolidate appellate records for purposes of briefing is denied. Danielson, J., would grant.

CV-14-536. Ingrid Green v. Vernon Huiett and Huiett Construction Company, Inc., from Pulaski County Circuit Court, Thirteenth Division. Motion for rule on the clerk is denied.

CV-14-585. James Tree and Crane Service, Inc. and Roger Williams v. Terri Fought, from Pulaski County Circuit 12th Division. Petition for writ of certiorari to complete the record is granted. Complete record due in ten days.

CV-14-613. Frank Okoli v. Lucy M. Chukwu, from Pulaski County Circuit Court. Motion for leave to proceed in forma pauperis on appeal is granted.

[D-14-415](#). Stark Ligon, as Executive Director of the Supreme Court Committee of Professional Conduct v. Kenneth Alan Harper, Attorney at Law, Arkansas Bar No. 89022, an Original Action. Petition for disbarment. Special Judge appointed. See **per curiam** this date.

D-14-415. Stark Ligon, as Executive Director of the Supreme Court Committee of Professional Conduct v. Kenneth Alan Harper, Attorney at Law, Arkansas Bar No. 89022, an Original Action. Petitioner's motion for default judgment. See per curiam issued.

D-14-610. In Re Deborah A. Jeon, Arkansas Bar No. 88041, an Original Action. Petition for voluntary surrender of license (resignation). Granted; with direction to the Clerk to remove the attorney's name from the registry of attorneys licensed to practice law in the State of Arkansas.

D-14-611. In Re Shamus B. Mulderig, Arkansas Bar No. 2009119, an Original Action. Petition for voluntary surrender of license (resignation). Granted; with direction to the Clerk to remove the attorney's name from the registry of attorneys licensed to practice law in the State of Arkansas.

[CR-00-587](#). Leonard Noble v. State of Arkansas, from Sebastian County Circuit Court, Greenwood District. Pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis. Petition denied. See **per curiam** this date.

# ARKANSAS SUPREME COURT

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### PER CURIAM ORDERS

CR-01-909. Anthony Lamar v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Pro se motion for reconsideration. Motion denied.

[CR-14-274](#). Michael Muldrow v. State of Arkansas, from Hempstead County Circuit Court. Appellant's pro se motions for extension of time to file brief and for appointment of counsel. Appeal dismissed; motions moot. See **per curiam** this date.

[CR-14-314](#). Kedrick Trevon Darrough, Sr. v. State of Arkansas, from Drew County Circuit Court. Appellee's motion to dismiss appeal, or alternatively, motion to stay brief time. Motion to dismiss appeal granted. See **per curiam** this date.

[CR-14-390](#). William Earl Robinson v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Pro se appellant's motion for appointment of counsel. Appeal dismissed; motion moot. See **per curiam** this date.

[CR-14-547](#). Ronnie Lee Canada v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Pro se motion for belated appeal. Motion denied. See **per curiam** this date.

CV-12-435. James Edward Smith v. Ray Hobbs, Director, Arkansas Department of Correction, from Pulaski County Circuit Court, Ninth Division. Pro se petition for reconsideration/rehearing. Petition for reconsideration/rehearing treated as a petition for rehearing and denied.

[CV-14-122](#). Jimmy Smith v. Ray Hobbs, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Appellee's motion to dismiss appeal. Motion granted. See **per curiam** this date.

CV-14-331. William Ray Tubbs v. Ray Hobbs, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Pro se motion for continuance. Motion treated as motion for extension of time to file brief. Brief due thirty days from the date of this per curiam order.

CV-13-741. Donald Ray Peterson v. Judges of the Jefferson County Circuit Court; William W. Benton, Earnest E. Brown, Jr., Jodi Raines Dennis, Leon N. Jamison, Robert H. Wyatt, Jr.; and Arkansas Attorney General, from Jefferson County Circuit Court. Petition for rehearing. Petition denied.

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### PER CURIAM ORDERS

[CV-14-439](#). Oscar W. Stanley v. Denora Coomer, Circuit Clerk of Sebastian County, Fort Smith District. Pro se motion to proceed in forma pauperis. Motion denied. See **per curiam** this date.

[CV-14-485](#). Benjamin Oliver v. Ray Hobbs, Director, Arkansas Department of Correction, from Lee County Circuit Court. Pro se motion for belated appeal of order. Motion denied. See **per curiam** this date.

CV-140-572. Fort Smith School District; Greenwood School District; and Van Buren School District v. John M. Selig, Individually and in His Official Capacity as Director of the Department of Human Services; the Department of Human Services; and Judge Chris Piazza, from Pulaski County Circuit Court, Second Division. Application for emergency or accelerated proceedings is granted. Petition for writ of mandamus or certiorari is denied. (Proceedings of June 30, 2014)

CV-14-649. Arkansas State Highway and Transportation Department, Director Scott Bennett, Arkansas State Highway Commission, Chairman John Ed Regenold, Dick Trammel, Tom Schueck, Robert Moore, Jr., and Frank Scott, Jr. v. Pulaski County Circuit Court, Twelfth Division, from Pulaski County Circuit Court, Twelfth Division. Petition for writ of prohibition or certiorari and for temporary stay is denied without prejudice. Motion to dismiss petition for writ of prohibition or certiorari and for temporary stay or for extension of time to respond is moot. Hoofman, J., not participating. (Proceedings of July 29, 2014)

In Re Appointment of Clerk of the Supreme Court. See **per curiam** issued July 1, 2014.

In accordance with section 2(F) of amendment 80 to the Arkansas Constitution, Stacey Pectol, Esquire, of Little Rock is appointed Clerk of the Supreme Court, effective July 1, 2014.

In Re Arkansas Professional Practicum Committee. See **per curiam** this date.

Laurie Bridewell of Lake Village is appointed to the Professional Practicum Committee for a six-year term concluding on July 30, 2020. Ms. Bridewell will be a representative of the First Congressional District, and replaces Tom Womack whose term has concluded.



**ARKANSAS SUPREME COURT**

**PROCEEDINGS OF JULY 31, 2014**

**PER CURIAM ORDERS**

Aubrey Barr of Fort Smith is appointed to the Professional Practicum Committee for a six-year term concluding on July 30, 2020. Ms. Barr will be a representative of the Third Congressional District, and replaces Thomas Daily whose term has concluded.

The Court extends its sincere appreciation to Ms. Bridewell and Ms. Barr for accepting appointment to this important Committee. The Court also thanks Mr. Womack and Mr. Daily for their service on this important Committee.