

ARKANSAS SUPREME COURT

PROCEEDINGS OF SEPTEMBER 11, 2014

COURTNEY HUDSON GOODSON, JUSTICE

[CV-14-37](#). Regional Care of Jacksonville, LLC, d/b/a Woodland Hills Healthcare and Rehabilitation of Jacksonville; Woodland Hills Healthcare and Rehabilitation of Jacksonville, LLC; Cornerstone Health Care, Inc.; Christian Health Care Hospice, Inc.; and Angela Herd, in Her Capacity as Administrator of Woodland Hills Healthcare and Rehabilitation of Jacksonville v. Shirley Henry, as Special Administrator of the Estate of Lucille Betncourt, Deceased, from Pulaski County Circuit Court, Sixth Division. Affirmed.

JOSEPHINE LINKER HART, JUSTICE

[CR-14-94](#). State of Arkansas v. Derrick Lamont Thomas, from Pulaski County Circuit Court, Seventh Division. Reversed and remanded.

CLIFF HOOFFMAN, JUSTICE

[CV-14-45](#). Patty Simpson v. Cavalry SPV I, LLC, Assignee of HSBC Bank Nevada, N.A./Orchard Bank, an Original Action from the United States District Court for the Eastern District of Arkansas, Northern Division. Certified questions answered.

PER CURIAM OPINIONS

[CR-13-239](#). Marvin Livingston v. State of Arkansas, from Jefferson County Circuit Court. Affirmed.

[CR-13-670](#). Charles Weekly v. State of Arkansas, from Pulaski County Circuit Court, First Division. Affirmed.

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

[CR-13-927](#). State of Arkansas v. Shawn Trevell Rainer, from Mississippi County Circuit Court, Chickasawba District. Hannah, C.J., and Baker and Hart, JJ., dissent.

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

CR-14-589. Herbert C. Rule, III v. State of Arkansas, from Washington County Circuit Court.

CV-14-553. Acceptance Indemnity Insurance Company v. Southwest Arkansas Electric Cooperative Corporation and Charles Glover, from Miller County Circuit Court.

CV-14-569. Roderick D. Hickman v. Director et al., from the Arkansas Board of Review.

CR-14-489. Samuel Hartman v. State of Arkansas, from Franklin County Circuit Court. Motion for non-conforming brief is granted.

CV-14-434. Progressive Eldercare Services-Saline, Inc., d/b/a Heartland Rehabilitation and Care Center v. Patsy Krauss, from Saline County Circuit Court. Appellant's motion for permission to file supplemental brief is granted. Request for oral argument is denied.

CV-14-468. Ray Hobbs, Director, Arkansas Department of Correction v. James Grubbs, from Lee County Circuit Court. Motion to stay proceedings is denied. Baker, Goodson, and Hart, JJ., would grant.

CV-14-470. Ray Hobbs, Director, Arkansas Department of Correction v. Aaron Hodge, from Lee County Circuit Court. Motion to stay proceedings is denied. Baker, Goodson, and Hart, JJ., would grant.

CV-14-726. Robert E. Brown v. Robert and Norma Williams et al., from Sharp County Circuit Court. Appellant's motion for rule on clerk is denied.

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CV-14-753. Brian Richardson and Mary Dillard, Individually and on Behalf of Citizens for Local Rights v. Mark Martin, Secretary of State, an Original Action. Motion for expedited scheduling order is granted. (Proceedings of September 10, 2014)

CV-14-753. Brian Richardson and Mary Dillard, Individually and on Behalf of Citizens for Local Rights v. Mark Martin, Secretary of State, an Original Action. Motion for consecutive briefing and oral argument is granted. Simultaneous briefs due September 25, 2014. Simultaneous reply briefs due October 2, 2014. Oral argument scheduled for October 9, 2014. (Proceedings of September 10, 2014)

CV-14-753. Brian Richardson and Mary Dillard, Individually and on Behalf of Citizens for Local Rights v. Mark Martin, Secretary of State, an Original Action. Motion to intervene of Linda Bowlin and J. Ross Jones, Individually and on Behalf of Let Arkansas Decide is granted. (Proceedings of September 10, 2014)

CV-14-762. Richard White v. Hon. Gary Arnold, Circuit Judge, from Carroll County Circuit Court. Motion for expedited consideration is granted. Motion for temporary relief and petition for writs of certiorari, prohibition, and/or mandamus and for other additional means, writs and processes are denied without prejudice. (Proceedings of September 10, 2014)

[D-14-671](#). Judicial Discipline and Disability Commission v. Michael Maggio, Circuit Judge, an Original Action. Petitioner's report of uncontested sanction. See **per curiam** this date.

[CR-91-206](#). Steven Laron McArthur v. State of Arkansas, from Lonoke County Circuit Court. Pro se petition to reinvest jurisdiction in the circuit court to consider a petition for writ of error coram nobis and motion for appointment of counsel. Petition and motion denied. See **per curiam** this date.

[CR-95-1042](#). Deangelo Allen v. State of Arkansas, from Crittenden County Circuit Court. Pro se petition to reinvest jurisdiction in the circuit court to consider a petition for writ of error coram nobis. Petition dismissed. See **per curiam** this date.

[CR-96-514](#). Malik A. Khabir a/k/a Leroy McCoy v. State of Arkansas, from Jackson County Circuit Court. Pro se motion for copy of brief-in-chief at public expense. Motion denied. See **per curiam** this date.

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[CR-04-18](#). DeLarron Keith Washington v. State of Arkansas, from Union County Circuit Court. Pro se petition to recall the mandate and reinvest jurisdiction in the circuit court to consider a petition for writ of error coram nobis, writ of habeas corpus, quo warranto, and evidentiary hearing. Petition denied. See **per curiam** this date.

[CR-14-464](#). Corey Daniell v. State of Arkansas, from Pike County Circuit Court. Pro se motion for extension of time to file brief. Appeal dismissed; motion moot. See **per curiam** this date.

In Re Committee on Model Jury Instructions–Civil. See [per curiam](#) this date.

William McShane Bridgforth, Esq., of Pine Bluff, Edie Ervin, Esq., of Little Rock, and Paul N. Ford, Esq., of Jonesboro are reappointed to the Supreme Court Committee on Model Jury Instructions–Civil for three-year terms to expire on September 30, 2017. The court thanks these lawyers for their continued service on this important committee.

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MOTIONS SUBMITTED

PETITION FOR REVIEW:

CV-14-594. Anderson's Taekwondo Center Camp Positive, Inc., and Richard Anderson v. Landers Auto Group No. 1, Inc., d/b/a Landers Toyota; Steve Landers, Sr.; Steve Landers, Jr.; and Scott Landers, from Pulaski County Circuit Court, Sixth Division.

CR-14-742. Israel Todd Watson v. State of Arkansas, from Miller County Circuit Court. Motion for rule on clerk.

CV-14-576. Fort Smith School District, Greenwood School District, Alma School District and Van Buren School District v. Deer/Mt. Judea School District and Mike Beebe, Governor, from Pulaski County Circuit Court, Second Division. Motion for expedited consideration.

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CASES SUBMITTED

CV-13-1051. Greg Bowerman v. Takeda Pharmaceuticals USA, Inc., f/k/a Takeda Pharmaceuticals North America, Inc.; Takeda Global Research & Development Center, Inc.; Takeda Pharmaceutical Co., Ltd.; Takeda Pharmaceuticals America, Inc.; Takeda Pharmaceuticals International, Inc.; Eli Lilly & Co.; Stephen L. LaFrance Pharmacy, Inc.; and Takeda California, Inc., f/k/a Takeda San Diego, Inc., an Original Action, from the United States District Court, Western District of Louisiana (Lafayette Division). Orally argued.

CR-10-53. Derek Sales v. State of Arkansas, from Bradley County Circuit Court.

CR-13-992. Gregory Christopher Decay v. State of Arkansas, from Washington County Circuit Court.

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

CV-13-1055. John Skylar Tapp v. Stark Ligon, Executive Director, Supreme Court Committee on Professional Conduct, an Original Action, from the Arkansas Committee on Professional Conduct.