

ARKANSAS SUPREME COURT
PROCEEDINGS OF JULY 23, 2015

*******LINKS NOT AVAILABLE*******

PER CURIAM OPINIONS

CR-14-804. Allen Henson v. State of Arkansas, from Saline County Circuit Court. Affirmed.

CV-14-1054. Ricky S. Maier v. State of Arkansas, from Lee County Circuit Court. Affirmed; motion moot.

CV-14-1102. Paul Woodson v. Ray Hobbs, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Affirmed.

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PETITIONS FOR REHEARING: Petitions for rehearing were denied today in the following cases.

CV-14-1033. GGNSC Arkadelphia LLC, d/b/a Golden Living Center Arkadelphia et al. v. Nellie R. Lamb et al., from Ouachita County Circuit Court. Hart and Wood, JJ., would grant.

CV-15-126. David Lineham v. Sarah Rachel Hyde et al., from Logan County Circuit Court, Northern District. Hannah, C.J., and Danielson, J., would grant.

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

CV-15-180. John David Moore v. Nancy Moore, from Logan County Circuit Court, Southern District. Danielson, J., not participating.

CV-15-231. Owen Kelly v. Mandy Kelly, from Washington County Circuit Court.

CV-15-491. Thomas L. Lagios v. Kenneth Mitchell Goldman et al., from Columbia County Circuit Court.

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

CV-15-213. James Randolph, Jr. v. Staffmark, New Hampshire Insurance Company, Avizent, Death & Permanent Total Disability Trust Fund, and Americold Logistics, from the Arkansas Workers' Compensation Commission. Hart, J., would grant.

CV-15-242. DLC Properties, LLC, d/b/a Twin Lakes Plaza, LLC v. Carmike Cinemas, Inc., and Eastwynn Theatres, Inc., from Baxter County Circuit Court.

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CV-15-314. Nirvonna King v. Director et al., from the Arkansas Board of Review.

CV-15-333. Florida Oil Investment Group, LLC v. Goodwin & Goodwin, Inc., from Sebastian County Circuit Court, Fort Smith District.

CV-15-531. Paul D. Fox v. Perla Yasmine Espinoza Fox, from Sebastian County Circuit Court, Fort Smith District. Danielson, J., not participating.

CR-14-5. Stanley Carter v. State of Arkansas, from Crittenden County Circuit Court. Motion to substitute counsel and request to be appointed is denied.

CR-14-580. Kou Her v. State of Arkansas, from Johnson County Circuit Court. Motion to withdraw as counsel is passed until the case is submitted.

CR-15-68. Latavious D. Johnson v. State of Arkansas, from Lee County Circuit Court. Motion to stay execution is granted.

CR-15-266. William Dewey Gill v. State of Arkansas, from White County Circuit Court. Motion to withdraw as counsel is granted.

CR-15-407. Phillip Engles v. Circuit Court of Boone County, from Boone County Circuit Court. Resubmission of petition for writ of certiorari is denied without prejudice.

CR-15-521. Gregory Aaron Kinsey v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Petition for writ of certiorari to complete the record is granted.

CR-15-522. Ardwin Frank Sylvester v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion to be relieved as counsel is granted. See **per curiam** this date.

CR-15-553. Sengathit Phounsavath v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion for rule on clerk is granted. See **per curiam** this date.

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CV-14-474. The Pyramid Life Insurance Company v. William P. Parsons and Holline Parsons, from Crawford County Circuit Court. Joint motion to dismiss appeal is granted. Danielson, J., not participating.

CV-14-618. Diamante, a Private Membership Golf Club, LLC v. Gary Dye and Linda Dye, from Saline County Circuit Court. Motion and supplement to motion regarding costs is denied. Special Justices Paul Byrd and David Sterling agree. Danielson and Wood, JJ., not participating.

CV-15-114. Ken Blevins v. David Hudson, from Sebastian County Circuit Court, Fort Smith District. Appellant's petition and supplemental petition for writ of certiorari to complete record and to stay briefing schedule until completion of record is granted.

CV-15-126. David Lineham v. Sarah Rachel Hyde et al., from Logan County Circuit Court, Northern District. Appellees' motion for clarification is denied. Danielson, J., would grant.

CV-15-126. David Lineham v. Sarah Rachel Hyde et al., from Logan County Circuit Court, Northern District. Appellant's response to motions for rehearing and clarification and motion for expedited consideration and immediate issuance of the mandate. Motion to expedite is granted.

CV-15-180. John David Moore v. Nancy Moore, from Logan County Circuit Court, Southern District. Motion for permission to file brief amicus curiae in support of review is denied. Danielson, J., not participating.

CV-15-224. Johnny Key, In His Official Capacity as Commissioner of the Arkansas Department of Education, et al. v. Diane Curry et al., from Pulaski County Circuit Court, Fifth Division. Motion for withdrawal of counsel is granted.

CV-15-285. Floyd E. Gray v. Mary F. Thomas-Barnes, from Chicot County Circuit Court. Motion to expedite is denied.

CV-15-426. David Lee Padgett v. Bettye R. Padgett, from Hot Spring County Circuit Court. Resubmission of motion for rule on clerk is denied. Hart, J., would grant.

CV-15-477. Jo Ann McDole v. Honorable Thomas Lynn Williams, Circuit Judge, from Garland County Circuit Court. Petition for writ of mandamus and writ of certiorari is denied.

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CV-15-524. Union Pacific Railroad Company v. Thomas Wells; Custom Commodities, Inc.; and Floyd D. Moore, from Monroe County Circuit Court. Petition for permission to appeal is denied. Hart and Wood, JJ., would grant.

CV-15-548. Guillermo Espinoza v. State of Arkansas, from Hot Spring County Circuit Court. Petition for writ of certiorari to complete the record is granted.

CV-15-550. Bennie Whitehead v. Arkansas Department of Human Services and Minor Child, from Pulaski County Circuit Court, Tenth Division. Petition to determine indigence for appeal, to appoint the Arkansas Public Defender Commission as appellate counsel, and to stay time to lodge the record and brief until motion is ruled on is granted.

CV-15-556. Brandon Morin and Annie Morin v. Arkansas Department of Human Services and Minor Children, from Union County Circuit Court. Motion for rule on clerk is granted. See **per curiam** this date.

D-15-536. In Re Dennis Winesett, Arkansas Bar No. 91262. 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-99-1102. James C. Fudge v. State of Arkansas, from Pulaski County Circuit Court, First Division. Pro se motion for reconsideration. Motion denied.

CR-03-905. Jeffrey Scott Ratchford v. State of Arkansas, from Benton County Circuit Court. Pro se petition to reinvest jurisdiction in the circuit court to consider a petition for writ of error coram nobis. Petition denied. See **per curiam** this date.

CR-09-9. Leroy Stevenson v. State of Arkansas, from Craighead County Circuit Court, Western 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.

CR-13-514. Bruce Wayne Brown v. State of Arkansas, from Garland County Circuit Court. Pro se motion to respond to circuit court's amended order. Remanded for evidentiary hearing and finding of fact; motion moot. See **per curiam** this date.

CR-14-1060. Edmond McClinton v. State of Arkansas, from Jefferson County Circuit Court. Pro se petition for rehearing and pro se motion for order, for oral argument, and for stay of mandate denied.

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CR-15-148. Billy D. Green v. State of Arkansas, from Randolph County Circuit Court. Pro se motion for reconsideration denied.

CR-15-336. Calvin Stover v. State of Arkansas, from Benton County Circuit Court. Pro se motions for extension of brief time, for copy of record, to include in brief documents to support prejudice, and to supplement the record to add affidavit of appellant. Motions for copy of record and for extension of brief time granted. Motions to include in brief documents to support prejudice and to supplement record denied.

CV-15-205. Timothy McDaniel v. State of Arkansas, from Jefferson County Circuit Court. Appellee's motion to dismiss appeal and appellant's motion to dismiss without prejudice. Appellee's motion to dismiss appeal granted **with prejudice**; appellant's motion to dismiss **moot**.

CV-15-344. Olajuwon Smith v. Ray Hobbs, Director, Arkansas Department of Correction, from Chicot County Circuit Court. Pro se motions for copy of pretrial proceeding and docket sheet and for extension of time to file brief and to supplement record. Appeal dismissed; motion to supplement record denied; motion for copies and for extension of time moot. See **per curiam** this date.

CV-15-385. Reginald Early v. Ray Hobbs, Director, Arkansas Department of Correction, from Lee County Circuit Court. Pro se motion for belated appeal. Motion treated as motion for rule on clerk and denied. See **per curiam** this date.

The following case is dismissed for failure to file briefs pursuant to Rule 4-5 of the Rules of the Supreme Court.

CV-14-735. John Frank "Jack" Wells v. Jessieville School District et al., from Garland County Circuit Court.