

ARKANSAS SUPREME COURT

PROCEEDINGS OF FEBRUARY 18, 2016

PAUL E. DANIELSON, JUSTICE

[CV-15-491](#). Thomas L. Lagios v. Kenneth Mitchell Goldman and Deanne Fields Goldman, from Columbia County Circuit Court. Affirmed; court of appeals' opinion vacated. Special Justice Lona McCastlain joins. Baker, J., concurs. Hart, J., dissents. Wood, J., not participating.

KAREN R. BAKER, JUSTICE

[CV-14-1105](#). Courtyard Gardens Health and Rehabilitation, LLC; Senior Living Communities of Arkansas, LLC; Arkansas SNF Operations Acquisition, LLC; Arkadelphia Holdings, LLC; SLC Professionals, LLC; Arkansas Nursing Home Acquisition, LLC; Senior Vantage Point, LLC; 2701 Twin Rivers Drive, LLC; SLC Operations Master Tenant, LLC; SLC Professionals Holdings, LLC; Addit, LLC; CSCV Holdings, LLC; SLC Operations Holdings, LLC; EOR-ARK, LCC; SLC Operations, LLC; VAJ, LLC; Jerry V. Kemper; and Angela Marljar, in Her Capacity as Administrator of Courtyard Gardens Health and Rehabilitation v. Malinda Arnold, as Personal Representative of the Estate of Jessie James Bullock, Deceased, and as Attorney-In-Fact of Annie Bullock, from Clark County Circuit Court. Reversed and remanded. Danielson and Wynne, JJ., and Special Justice Ryan Allen dissent. Wood, J., not participating.

[CV-14-533](#). Don Davis v. Cheryl Davis, from Pope County Circuit Court. Certified question answered; remanded to court of appeals. Special Justice Thomas Fowler and Special Justice Chad L. Atwell join. Danielson and Goodson, JJ., not participating.

RHONDA K. WOOD, JUSTICE

[CR-15-662](#). David Lee Felty v. State of Arkansas, from Garland County Circuit Court. Affirmed; motion to withdraw granted.

ROBIN F. WYNNE, JUSTICE

[CR-14-794](#). Donald D. Dickey v. State of Arkansas, from Izard County Circuit Court. Affirmed.

PER CURIAM OPINION

[CV-15-874](#). Michael W. Williams v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Affirmed; motion for appointment of counsel moot.

ARKANSAS SUPREME COURT

PROCEEDINGS OF FEBRUARY 18, 2016

PER CURIAM ORDERS

CR-07-1155. Steven Victor Wertz v. State of Arkansas, from Sharp County Circuit Court. Supplemental briefing ordered. (Proceedings of February 12, 2016)

CR-15-417. Karl Douglas Roberts v. State of Arkansas, from Polk County Circuit Court. Entry of appearance of Scott W. Braden and Jason P. Kearney and motion to substitute counsel for oral argument. Notice of withdrawal of motion to substitute counsel for oral argument. Motion withdrawn.

CR-15-983. Jason Carroll Neal v. State of Arkansas, from Saline County Circuit Court. Appellant's motion to file belated brief is granted.

CR-16-61. Quenton Vernard Jones v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to accept record with substituted pages is granted.

CR-16-63. Kenneth Ray Marshall v. State of Arkansas, from Columbia County Circuit Court. Appellant's motion for rule on clerk is granted.

CV-15-992. Wendy Kelley, Director, Arkansas Department of Correction, et al. v. Stacey Johnson et al., from Pulaski County Circuit Court, Fifth Division. Entry of appearance of John C. Williams is duly noted.

CV-15-992. Wendy Kelley, Director, Arkansas Department of Correction, et al. v. Stacey Johnson et al., from Pulaski County Circuit Court, Fifth Division. Appellants' motion to expedite is denied without prejudice. Danielson, J., would deny. (Proceedings of February 17, 2016)

CV-15-992. Wendy Kelley, Director, Arkansas Department of Correction, et al. v. Stacey Johnson et al., from Pulaski County Circuit Court, Fifth Division. Appellees' motion for extension of time to file brief is granted. (Proceedings of February 17, 2016)

D-16-65. In Re: David B. Hopkins, Arkansas Bar No. 68075, an Original Action. Petition of David B. Hopkins, Arkansas Bar No. 68075, for voluntary resignation of license is granted.

D-16-67. In Re: Steven E. Edgar, Arkansas Bar No. 77162, an Original Action. Petition of Steven E. Edgar, Arkansas Bar No. 77162, for voluntary surrender of license (resignation) is granted.

ARKANSAS SUPREME COURT

PROCEEDINGS OF FEBRUARY 18, 2016

PER CURIAM ORDERS

[CR-00-645](#). Willie Hutcherson v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Petitioner's pro se third petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis is dismissed. See **per curiam** this date.

[CR-09-339](#). Adam Davis, Jr. v. State of Arkansas, from Garland County Circuit Court. Petitioner's pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis is denied. See **per curiam** this date.

CR-14-687. Ike Shawndale Nunn v. State of Arkansas, from Jackson County Circuit Court. Appellant's pro se petition for rehearing is denied.

CR-15-237. Terry Lee Ward v. State of Arkansas, from Pulaski County Circuit Court. Appellant's pro se motion for extension of time and other relief granted in part and denied in part; final extension of thirty days to file brief granted; motion with permission of court requests or objections and motion in support of motions filings all denied.

CR-15-448. James Anthony Gould v. State of Arkansas, from Pope County Circuit Court. Appellee's motion to dismiss appeal is granted.

[CV-15-573](#). David Lee Allen v. Wendy Kelley, Director, Arkansas Department of Correction, from Lee County Circuit Court. Pro se motion to file belated brief. Substituted opinion on denial of rehearing; appeal dismissed; motion moot. See **per curiam** this date.

[CV-15-958](#). Kenny Halfacre v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court. Petitioner's pro se motion for rule on clerk is granted; remanded. See **per curiam** this date.

ARKANSAS SUPREME COURT

PROCEEDINGS OF FEBRUARY 18, 2016

MOTIONS SUBMITTED

PETITION FOR REVIEW:

CV-16-41. Samantha Samuels and Shandon Samuels v. Arkansas Department of Human Services and A.S., Minor Child, from Washington County Circuit Court.

CR-07-1155. Steven Victor Wertz v. State of Arkansas, from Sharp County Circuit Court. Entry of appearance of John C. Williams.

CR-16-30. State of Arkansas v. Edward Lee Jones, from Lee County Circuit Court. Petitioner's pro se motion for reconsideration.

CR-16-106. Thomas Conan Ortega v. State of Arkansas, from Garland County Circuit Court. Motion of Brent Miller to withdraw as attorney on direct appeal.

CV-15-804. Columbia Mutual Insurance Company, Inc. and Columbia Insurance Group v. Arkansas Infrastructure, Inc., et al., from United States District Court, Eastern District of Arkansas, Western Division. Motion for leave to file amicus curiae brief of the Home Builders Association, and the National Association of Home Builders in support of appellees/respondents.

CV-15-966. Gerber Products Company v. David Hewett II, Aaron Johnson, James Lane, Ralph Larossa, Jr., and Jerry Osborne, from Sebastian County Circuit Court, Fort Smith District. Appellees' motion to transfer this appeal to the Arkansas Supreme Court.

CV-16-92. Wanda Little v. Arkansas Department of Human Services and Minor Child, from Sebastian County Circuit Court, Fort Smith District. Appellant's motion for rule on clerk.

CV-16-112. Odell Frazier, Gertrude Barber, and Estate of Essie Mae Frazier, Deceased v. Mary Miller, from Phillips County Circuit Court. Appellants' motion for rule on the clerk.

CV-16-113. Theresa Marshall v. Deutsche Bank National Trust Company, as Trustee for Vendee Mortgage Trust 1993-1, from Pulaski County Circuit Court, Fifth Division. Petitioner's pro se petition for leave to proceed in forma pauperis.

D-16-105. In Re Don H. Pattillo, Arkansas Bar No. 69058, an Original Action. Petition of Don H. Pattillo, Arkansas Bar No. 69058, for voluntary surrender of license (resignation).

D-16-109. In Re Gerald L. Boyd, Arkansas Bar No. 60006, an Original Action. Petition of Gerald L. Boyd, Arkansas Bar No. 60006, for voluntary surrender of license.

ARKANSAS SUPREME COURT

PROCEEDINGS OF FEBRUARY 18, 2016

MOTIONS SUBMITTED

CR-03-1181. Abraham Grant v. State of Arkansas, from Phillips County Circuit Court. Fifth pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis.

CR-05-472. Wallace Gardner v. State of Arkansas, from Pulaski County Circuit Court, Sixth Division. Petitioner's pro se petition to reinvest jurisdiction in the trial court to consider a petition for writ of error coram nobis.

CR-15-794. Gerardo Gomez-Jimenez v. State of Arkansas, from Washington County Circuit Court. Appellee's motion to dismiss appeal.

CV-15-586. Wayne Frederick Poland v. Wendy Kelley, Director, Arkansas Department of Correction, from Chicot County Circuit Court. Appellant's pro se response to denial of petition requesting rehearing and reconsideration treated as motion to file belated motion for reconsideration of dismissal of appeal.

ARKANSAS SUPREME COURT

PROCEEDINGS OF FEBRUARY 18, 2016

CASES SUBMITTED

CV-15-677. Corina Mendoza v. WIS International, Inc.; Anthony Adams; and Washington Inventory Services, Inc., from United States District Court, Eastern District of Arkansas. Orally argued.

CR-15-324. David Van Winkle v. State of Arkansas, from Polk County Circuit Court.

CV-15-614. Carolyn Gray v. White River Health System, Inc., d/b/a White River Medical Center, Inc.; and Continental Casualty Company, from Independence County Circuit Court.

CV-15-711. Kenny Quarles, as Special Administrator of the Estate of Bennie Jean Quarles, Deceased v. Courtyard Gardens Health and Rehabilitation, LLC, et al., from Clark County Circuit Court.

CR-15-730. Kelly Lamont Oliver v. State of Arkansas, from Garland County Circuit Court.

CV-15-428. Joe E. Morgan v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court.

CV-15-780. Lonnie E. Mitchell v. Wendy Kelley, Director, Arkansas Department of Correction, et al., from Lincoln County Circuit Court.

CV-15-782. Robert J. Moten v. Wendy Kelly, from Lincoln County Circuit Court.

CV-15-887. Melvin Smith v. Wendy Kelley, Director, Arkansas Department of Correction, from Lincoln County Circuit Court.

Opinions are available on the internet at

<http://courts.arkansas.gov>