

ARKANSAS SUPREME COURT

PROCEEDINGS OF JUNE 2, 2016

PAUL E. DANIELSON, JUSTICE

[CV-15-902](#). In the Matter of James S. Corn, a Disabled Person, from Pulaski County Circuit Court, Twelfth Division. Reversed and remanded. Baker, Hart, and Wood, JJ., dissent.

KAREN R. BAKER, JUSTICE

[CV-15-965](#). Chris Taffner and Anita Taffner v. Arkansas Department of Human Services and N.T., A.T., B.T., K.T., and J.T., Minor Children, from Washington County Circuit Court. Affirmed. Wood, J., concurs. Danielson, J., concurs in part and dissents in part. Hart, J., dissents.

RHONDA K. WOOD, JUSTICE

[CV-15-1053](#). Courtyard Gardens Health and Rehabilitation, LLC, et al. v. Patricia Ann Sheffield, as Special Administrator of the Estate of Maylissia Holliman, Deceased, from Clark County Circuit Court. Affirmed. Danielson, J., concurs.

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PER CURIAM ORDERS

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

CR-16-195. Tiandre Cardenas-Haliburton v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division.

CV-15-557. George M. Stokes, Sr. v. Mason F. Stokes, from Chicot County Circuit Court. Danielson, J., would grant appellee's petition for rehearing.

CV-15-745. Timothy Whaley v. Pam and Don Beckham, from Lonoke County Circuit Court.

CV-15-804. Columbia Insurance Group, Inc., and Columbia Mutual Insurance Company, Inc. v. Cenark Project Management Services, Inc.; Arkansas Infrastructure, Inc.; David Barron; Michael Collings; Janice Collings; Kim Collings; Debra Collings; Kenneth Winberg; Marianne Winberg; Guy Collings; Catherine Collings; William Miles; Kay Miles; and K. George Collings, from the United States District Court for the Eastern District of Arkansas, Western Division. Danielson and Hart, JJ., would grant.

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

CV-16-151. Gregory L. Pelts v. Shelly A. Pelts, from Lonoke County Circuit Court.

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

CR-16-328. Matthew Aaron Burr v. State of Arkansas, from Benton County Circuit Court.

CR-16-366. Marcus O. Millsap v. State of Arkansas, from Pope County Circuit Court. Hart, J., would grant.

CR-16-390. Cory Douglas Fletcher v. State of Arkansas, from Benton County Circuit Court.

CV-16-180. Watson Chapel School District v. June Vilches, from Jefferson County Circuit Court.

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CR-15-68. Latavious D. Johnson v. State of Arkansas, from Lee County Circuit Court. Appellant's motion for stay of mandate in order to petition for writ of certiorari is granted.

CR-16-412. Rickey Dale Newman v. Crawford County Circuit Court, from Crawford County Circuit Court. Petitioner's petition for writ of certiorari is taken as a case.

CR-16-432. Nicholas R. Holloway v. State of Arkansas, from Lonoke County Circuit Court. Appellant's motion for rule on the clerk and to proceed in the Lonoke County Circuit Court on petition for writ of error coram nobis. Motion for rule on clerk granted; petition to proceed in forma pauperis to be filed with this court; petition for writ of certiorari to complete the record to be filed with this court.

CV-15-850. Christopher Foster v. Leah Foster, from Garland County Circuit Court. Appellant's motion to permit supplemental briefing and memorandum of authorities is granted.

CV-15-1045. Antonio Martini v. Christopher Price, from Faulkner County Circuit Court. Appellee's motion to substitute counsel is granted.

CV-16-153. Arkansas Department of Human Services v. Gloria Daniel, from Pulaski County Circuit Court, Sixth Division. Joint motion to dismiss appeal and cross-appeal is granted.

CV-16-233. Truman Arnold Companies v. Miller County Circuit Court and Teresa Jones, from Miller County Circuit Court. Petitioner's unopposed motion to supplement the record is granted.

CV-16-234. Truman Arnold Companies v. Miller County Circuit Court and Patricia J. Adams, from Miller County Circuit Court. Petitioner's unopposed motion to supplement the record is granted.

CV-16-249. Hiawatha J. Covington v. United States of America, Rural Housing Service, from Hempstead County Circuit Court. Appellant's motion to reconsider indigency is denied.

D-16-447. In Re Jerry E. Rose, Arkansas Bar No. 81138, an Original Action. Petition of Jerry E. Rose, Arkansas Bar No. 81138, for voluntary surrender of license (resignation) is granted.

D-16-448. In Re Tina Marie Hodne, Arkansas Bar No. 2003033, an Original Action. Petition of Tina Marie Hodne, Arkansas Bar No. 2003033, for voluntary surrender of license (resignation) is granted.

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D-16-449. In Re Debra F.J. Lee, Arkansas Bar No. 80193, an Original Action. Petition of Debra F.J. Lee, Arkansas Bar No. 80193, for voluntary surrender of license (resignation) is granted.

D-16-450. In Re Lazar M. Palnick, Arkansas Bar No. 83140, an Original Action. Petition of Lazar M. Palnick, Arkansas Bar No. 83140, for voluntary surrender of license (resignation) is granted.

D-16-451. In Re Joshua Rutland Morriss III, Arkansas Bar No. 76181, an Original Action. Petition of Joshua Rutland Morriss III, Arkansas Bar No. 76181, for voluntary surrender of license (resignation) is granted.

D-16-452. In Re Douglas Parker Bacon, Arkansas Bar No. 95277, an Original Action. Petition of Douglas Parker Bacon, Arkansas Bar No. 95277, for voluntary surrender of license (resignation) is granted.

D-16-453. In Re Marty P. Ward, Arkansas Bar No. 87181, an Original Action. Petition of Marty P. Ward, Arkansas Bar No. 87181, for voluntary surrender of license (resignation) is granted.

D-16-454. In Re Claire Cohen Cortright, Arkansas Bar No. 92214, an Original Action. Petition of Claire Cohen Cortright, Arkansas Bar No. 92214, for voluntary surrender of license (resignation) is granted.

[CR-13-1006](#). Rolandis Chatmon v. State of Arkansas, from Faulkner County Circuit Court. Appellant's pro se petition to reinvest jurisdiction in trial court to consider a petition for writ of error coram nobis and, alternatively, petition for writ of certiorari is denied. Wood, J., not participating. See **per curiam** this date.

CR-15-967. Duane Gonder v. State of Arkansas, from Drew County Circuit Court. Petitioner's pro se motion for copy of the record at public expense is denied.

[CR-16-136](#). Daniel Vera v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's pro se motion for extension of brief time. 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. Special master appointed. See **per curiam** this date.

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In Re the Arkansas Continuing Legal Education Board. See [per curiam](#) this date.

The Honorable John Robbins, of Hot Springs, is reappointed to the Continuing Legal Education Board for a second three-year term to expire on May 02, 2019. Judge Robbins is an at-large representative, Position Five.

Rebecca Hattabaugh, of Fort Smith, is reappointed to the Continuing Legal Education Board for a second three-year term to expire on May 02, 2019. Ms. Hattabaugh is an at-large representative, Position Seven.

Diane Holitik, of Little Rock, is reappointed to the Continuing Legal Education Board for a second three-year term to expire on May 02, 2019. Ms. Holitik is a representative of the Second Congressional District.

The court extends its sincere appreciation to Judge Robbins, Ms. Hattabaugh, and Ms. Holitik for accepting reappointment to this important Board.

In Re Proposed Rule 1.19 – Arkansas Rules of Professional Conduct. See [per curiam](#) this date.

In Re Supreme Court Committee on the Unauthorized Practice of Law. See [per curiam](#) this date.

Bishop Gary E. Mueller of Little Rock is appointed to the Committee on the Unauthorized Practice of Law for a three-year term to expire on May 31, 2019. The court thanks Bishop Mueller for accepting an appointment to this important committee.

The court expresses its gratitude to Ms. LuVonda A. Farmer of Heber Springs for her service to the committee.

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MOTIONS SUBMITTED

PETITIONS FOR REVIEW:

CV-16-182. Gerald Stow v. State of Arkansas, from Baxter County Circuit Court.

CV-16-198. Arkansas Department of Parks & Tourism and Public Employee Claims Division v. Bill J. Price, from the Arkansas Workers' Compensation Commission.

CV-16-199. Laroy Foster v. Gerald L. Wasson and Lisa Wasson, Trustees of the Wasson Family Trust UTA Dated March 28, 2007, from Fulton County Circuit Court.

CV-16-255. Vernon Keith Dillard v. Sex Offender Assessment Committee, from Garland County Circuit Court.

CR-02-228. James E. Smith v. State of Arkansas, from Jefferson County Circuit Court. Petitioner's pro se motion for reconsideration.

CR-02-228. James E. Smith v. State of Arkansas, from Jefferson County Circuit Court. Petitioner's pro se motion for reconsideration of motion for appointment of counsel.

CR-02-228. James E. Smith v. State of Arkansas, from Jefferson County Circuit Court. Petitioner's pro se motion to subpoena copy of "no merit" direct appeal brief.

CR-16-63. Kenneth Ray Marshall v. State of Arkansas, from Columbia County Circuit Court. Motion of Terrance Cain to appear as an additional attorney for the appellant.

CR-16-63. Kenneth Ray Marshall v. State of Arkansas, from Columbia County Circuit Court. Appellant's motion to correct the record.

CR-16-63. Kenneth Ray Marshall v. State of Arkansas, from Columbia County Circuit Court. Appellant's motion to stay the briefing schedule.

CV-15-198. SEECO, Inc. n/k/a/ SWN Production (Arkansas), Inc.; DeSoto Gathering Company, LLC; and Southwestern Midstream Services Company v. Sara Stewmon et al., from St. Francis County Circuit Court. Appellant's motion for leave to file supplemental abstract, brief, and addendum.

CV-15-558. Brenda Hendrix, Individually and as Special Administrator for the Estate of Guy D. Hendrix, Deceased v. Alcoa, Inc., and Breeding Insulation Company, from Saline County Circuit Court. Motion of William A. Kohlburn to appear pro hac vice.

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CV-15-1045. Antonio Martini v. Christopher Price, from Faulkner County Circuit Court. Appellant’s motion for permission to file supplemental brief.

CV-15-1045. Antonio Martini v. Christopher Price, from Faulkner County Circuit Court. Appellee’s motion for permission to file supplemental brief, and motion to require appellant to supplement abstract and addendum.

CV-15-1057. City of Little Rock, Arkansas; Stuart Thomas; Wayne Bewley; Laura Martin; Linda Wilson; Sharon Martin; Alan Cate; Marquita Dooley; Candace Middleton; Karen Grimm; Gregory L. Summers; Robert Sharp; Frank Scott; Eddie Rhine; and Little Rock Ambulance Authority d/b/a Metropolitan Emergency Medical Services v. Dayong Yang, as Special Administrator of the Estate of Le Yang, Deceased, from Pulaski County Circuit Court, Sixth Division. Appellee’s motion to supplement the record.

CV-15-1068. Kenneth W. Tilley, Individually and as Trustee of the Kenneth Tilley Family Trust v. Malvern National Bank and Stephen Moore, from Garland County Circuit Court. Appellant’s motion for reassignment of this appeal to the Arkansas Supreme Court.

CV-16-442. Anthony Creasy and Tammy Creasy v. BRM Foods, Inc., from Mississippi County Circuit Court, Chickasawba District. Appellee’s motion to dismiss appeal.

D-13-150. Stark Ligon, as Executive Director of the Supreme Court Committee on Professional Conduct v. John Skylar “Sky” Tapp, Arkansas Bar No. 76123, an Original Action. Respondent’s motion to substitute portable document format (PDF) copies of the record in lieu of abstract.

D-16-467. In Re Donna J. Hodges, Arkansas Bar No. 97073, an Original Action. Petition of Donna J. Hodges, Arkansas Bar No. 97073, for voluntary surrender of license (resignation).

D-16-468. In Re David Bradley Olsen, Arkansas Bar No. 87127, an Original Action. Petition of David Bradley Olsen, Arkansas Bar No. 87127, for voluntary surrender of license (resignation).

D-16-469. In Re Suzanne Irwin Calvert, Arkansas Bar No. 92097, an Original Action. Petition of Suzanne Irwin Calvert, Arkansas Bar No. 92097, for voluntary surrender of license (resignation).

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CR-15-1017. Albert E. McHan v. State of Arkansas, from Lee County Circuit Court. Appellee's motion to dismiss for mootness or, alternatively, for an extension of brief time and appellant's motion to extend time to file response to motion to dismiss.

CR-16-349. Johnnie L. Hill v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Appellant's pro se motions to be provided with a copy of the record, to enter a supplemental exhibit, and for extension of time.

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CASES SUBMITTED

CR-15-983. Jason Carroll Neal v. State of Arkansas, from Saline County Circuit Court. Orally argued.

CR-15-618. State of Arkansas v. Vann Bragg, from Phillips County Circuit Court.

CV-16-114. Priscilla Ponder v. Arkansas Department of Human Services and A.P., E.P., and J.P., Minor Children, from Union County Circuit Court.

Opinions are available on the internet at

<http://courts.arkansas.gov>